

STUDIES IN THE TRANSFORMATION OF POST-OSLO PALESTINIAN SOCIETY

The Actors and the Institutions

**Ahmed Atawna & Hasan Obaid
(Editors)**

Translated by: Shara Jazzar



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Introduction

The Palestinian case is currently passing through an epochal moment of extreme danger and complexity, especially with new political initiatives attempting to take advantage of the current domestic, regional, and international political environment. These initiatives aim to continue denying the established historical rights of the Palestinian people and obstructing their path to liberation and emancipation from occupation. These projects were evident in what became known as the American “Deal of the Century” during the tenure of President Donald Trump. Additionally, there have been projects related to the Israeli annexation of parts of the West Bank and discussions about the alternative homeland.

At the same time, the Palestinian national movement and project faced several internal challenges, many of which can be traced back to the Oslo Accords of 1993. These challenges include political institutions, party structures, interrelations, and political programs and projects. Over the past three decades, the influence and role of numerous Palestinian factions have diminished, weakening the presence and effectiveness of political institutions. Various transformations have also occurred within Palestinian society, leading to a fragmented political landscape. Unfortunately, the national effort undermines itself rather than work towards diversity, positive integration, and constructive collaboration. There needs to be more unity in representation, cohesive and effective political institutions, consensus on programs, and coordination in performance.

Since the Oslo Accords, a series of profound transformations have emerged in Palestinian society, affecting its various facets and causing changes, not only in its composition, dynamics and performances; but also in its political, economic, social, and resistance practices. These transformations have impacted the trajectory of the Palestinian cause, expanding upon the nature, and the role of the Palestinian national movement with its different components; unravelling several internal contradictions that have reflected on the collective Palestinian performance on multiple levels. The matter was not limited to the political division, which developed into a geographical and institutional division between

the West Bank and the Gaza Strip. In addition to the structural crises in the institutions and the political system, yet another division appeared around defining the national project, including its vision, programs, and mechanisms of action; to the extent that not only do you find a different definition specific to each faction, but also to the currents within the faction itself.

This situation became the basis of the current debate that prevails among Palestinian elites to reach a unified definition for the national project, and to crystallize a vision capable of uniting the Palestinians around it. It is befitting to attract the support of the Arab Muslims and all supporters of the cause of freedom in the world. This is an urgent matter and constitutes a national necessity, as a people cannot struggle collectively for a lost national project that is confused between competing political theses, such as the two-state solution, the democratic state, the dismantling of the apartheid state, the complete liberation from the river to the sea, the bi-national state, etc.. The matter becomes even more urgent if we know that most Palestinian political projects adopted by different Palestinian factions and groupings live in a multi-faceted crisis.

After three decades since the initiation of the Oslo process, in which the leadership of the Palestine Liberation Organization (PLO) invested all its political efforts, aiming to achieve a Palestinian state on the borders of June 4, 1967, based on “international legitimacy” resolutions, this path has reached a dead end. This process was abrogated through the Israeli government’s complete adoption of the extremist Zionist right-wing vision for resolving the conflict, or rather, for liquidating the Palestinian issue, especially amidst the continuous expansion of settlements in the West Bank and the ongoing Judaization project, which may culminate in the annexation of the Jordan Valley and settlements and part or all of what is known as Area C, turning it into a group of cantons and enclaves.

In the occupied territories of 1948, the majority of Palestinian parties there have worked, for decades, within a political approach that seeks to achieve full citizenship for Palestinians and equality between them and Jews in the ‘state of Israel’, while preserving some cultural and social rights. However, this approach has dealt a fatal blow in recent years, with the adoption of the so-called Nationality Law and the Jewishness of the state, which has dissipated the desires or hopes of all those who worked to integrate the original Palestinian population into this entity as full citizens. Meanwhile, the state of marginalization that the Palestinian diaspora has been living in since the late President Yasser Arafat left, along with the leadership of the PLO, has continued. Half of the Palestinian people remain on the sidelines of the political scene as outliers, and their active role has been absent as part of the Palestinian national movement in its comprehensive concept.

On the other hand, some believe that the internal Palestinian divisions come within the context of the natural development of liberation movements. There is a difference between crises of growth and progress, and crises of decline and regression. The development of the resistance in the Gaza Strip, in addition to the Palestinian position towards the significant challenges and the coordination of efforts in influential national tracks, such as confronting annexation plans and the Deal of the Century, has formed a glimmer of hope for the development of the Palestinian national situation. Moreover, the current Palestinian situation presents an opportunity to preserve achievements, disengage from unjust agreements, and move towards the future on renewed foundations of resistance. The dead end reached by the Oslo project, and the resulting economic, security, and political ties with the occupation, among others, can lead to the Palestinians' exit from a prolonged political illusion.

The Palestinian political reality and its differing interpretations and assessments coincide with the ongoing imbalance in the international power dynamics. The United States has remained wholly aligned with the Zionist entity, maintaining its position as the dominant superpower in the peace process and the Palestinian issue. To take practical steps to secure a place for themselves as significant forces to compete with and counter the dominance of the United States. This was prominently evident in the Russian-Ukrainian war that broke out at the beginning of last year. However, this is not expected to cause any fundamental change in the situation in the coming years. Even the powers capable of competing with the United States in the international political arena that can make a significant difference regarding the Palestinian issue. For instance, China, Russia, and India are more inclined towards the Zionist entity, and their positions are in favour of Israel, rather than in support of Palestinian rights.

The Palestinian reality also intersects with regional conditions that favor Israel and enhance its regional role. The region has been engulfed in sectarian, ideological, and civil wars within Arab and Islamic countries; due to the suppression of the Arab Spring by authoritarian regimes, negative external interventions, and resorting to narrow sectarian and ideological interests. These developments crushed the hopes and aspirations of the people for freedom and change. Consequently, the official Arab system collapsed, and Arab and Islamic countries were pitted against each other. Movements for change and their supporters failed to maintain the revolutions that succeeded in toppling some authoritarian regimes. Meanwhile, the United States presented Israel as an ally to countries concerned about Iranian influence and the Arab Spring. This trend is becoming increasingly apparent through the development of relations between Israel and several Arab countries.

These ongoing national, regional, and international developments have been accompanied by continuous change in the Zionist political landscape. The most extreme right-wing forces have consistently advanced at the expense of the center and the far-right, where political alliances for forming the government—such as the current government—are now being forged. This transformation has turned the occupying state into a religious, fascist, and racist entity. The insistence on defining the state as Jewish, enacting the Nation-State Law, the continued construction of the separation wall, and solidifying the apartheid-state image, have brought an end to political approaches that have persisted for decades. This has also greatly reduced the opportunity for its supporters to promote it in the region, as a modern and advanced democratic state. Progress in some fields of science cannot overshadow the characteristics of fascism and racism that have become its dominant features. This could help the Palestinians in their national project if they effectively use these facts.

All of the aforementioned international, regional, and Palestinian circumstances have led to what can be called a historical impasse and a state of national deadlock that has emboldened the Zionist entity and its supporters. This is in the absence of serious or systematic evaluations by institutions, parties, and factions, especially at the official level. Virtually no faction or Palestinian party has issued a systematic evaluation or review. In this context, the importance and vitality of the role of research institutions, and academic and political elites, to come to the forefront, in order to bridge this knowledge and scientific gap at the national level, becomes crucial.

Building on this vision, in response to the requirements of this exceptional moment, and as a contribution to the necessary effort to address this situation, and to develop a vision or project that restores prominence to the Palestinian cause and removes it from the impasse it has suffered for over four decades or more, the Vision Center for Political Development and Al Sharq Strategic Research, have jointly launched a research project to analyze and evaluate the transformations brought about by the Oslo Accords and the accompanying developments in the various dimensions of the Palestinian scene (political, social, economic, etc.).

The first conference focused on the transformations in political actors and Palestinian institutions after the Oslo Agreement. It included political institutions, parties, Palestinian factions, non-partisan actors, and civil society within Palestinian society. The second conference addressed the transformations in methods of struggle, armed resistance, and Palestinian identity-formation; including changes in the relationship dynamics and the boundaries between collective and sub-identities, as well as in the modalities of armed struggle, activism, and resistance movements (or what can be referred to as new forms of resistance).

The third conference discussed the transformations in the political environment (local, regional, and international) influencing the Palestinian issue during the Oslo era, both in the Palestinian political environment and in the Arab, Islamic, and international scenes, as well as in the Israeli landscape.

The fourth conference delved into the transformations in the Palestinian economy and society after Oslo, encompassing its various geographies, sectors, and dimensions.

This book is the first in a series of books that will constitute the outputs of this project, in addition to many other academic and introductory materials available on the websites of Al Sharq Strategic Research and the Vision Center for Political Development. This project will remain open to serious research contributions, and both centers will remain open to practical and objective evaluation and constructive criticism, to disseminate and deliver to those interested in Palestinian decision-making.

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Foreword: Political Actors and Palestinian Organizations, Examples of Transformations within the Palestinian Society after Oslo Accords

Hasan Obaid

This work represents the complete English translation of the first edition of the original Arabic book, entitled “**Studies in the Transformation of Post-Oslo Palestinian Society: The Actors and the Institutions**”¹, published several months prior to October 7, 2023. The decision to translate the Arabic edition into English was driven by the critical importance of the issues discussed, which will undoubtedly represent a basis for discussing the events of the 7th of October 2023 and beyond.. The book provides an in-depth analysis of the significant transformations within Palestinian society following the 1993 Oslo Accords, exploring issues ranging from competing identities and multilayered subjectivities, to everyday lived experiences, negotiations of space and place, and the embodiment of diverse forms of resistance. Despite the extensive discourse concerning the shifts in Palestinian entities such as the Palestine Liberation Organization (PLO), Palestinian factions, and civil society, it was inevitable to delve into the political forces that have, to varying degrees, shaped these transformations. Most of the contributions in this book seem to align around the narrative of deception that Palestinians experienced post-Oslo, compounded by the policies of the United States and the Israeli occupation, which have severely eroded Palestinian aspirations for sovereignty and self-determination.

Israel exploited and misrepresented the military operation known as the

1 Ahmed Atawna & Hasan Obaid. (Eds). (2023). *Dirasat fi Tahawulat al-mujtama' al-filistini ma ba'da Oslo (1): al-Fawa'el wal-muassasat al-filistiniyya*. Istanbul: Vision Center for Political Development & Al Sharq Strategic Research. The book can be viewed through the link: <https://rb.gy/avynya>

“*Toofan Al Aqsa*”, also known as the “Al Aqsa Flood” initiated by the Islamic Resistance Movement, Hamas, on October 7, 2023, as a pretext to launch a campaign of extermination against the Palestinian population in Gaza. This onslaught resulted in the killing and wounding of thousands of innocent civilians. The Israeli military engaged in widespread destruction, obliterating residential structures, hospitals, schools, mosques, churches, and essential infrastructure that provides basic services, such as electricity and water, vital for civilian life. Even international and humanitarian organizations were not spared, with hundreds of their employees killed or injured. Israel’s systematic obstruction of the media, hundreds of journalists were killed and wounded by the Israeli occupation army ensured that the occupation’s violations remained underreported.

Israel leveraged the conflict in Gaza as a smokescreen to accelerate its aggressive land acquisition policies in the occupied territories in the West Bank. According to the Colonization & Wall Resistance Commission, between January and June 2024 alone, Israel seized 26,856 square kilometers of Palestinian land² —an amount exceeding the cumulative total expropriated over the previous two decades. This intensified settlement expansion was accompanied by a surge in settler violence and the establishment of new outposts, which facilitated the forced displacement of Palestinian communities in areas such as the South Hebron Hills, the Jordan Valley, and East Jerusalem. Concurrently, Israel’s crackdown on Palestinians resulted in mass arrests, with reports consistently documenting the systematic use of torture and sexual violence against detainees within Israeli custody.

It is important to note that the aforementioned policies of the Israeli occupation did not originate after October 7, 2023, but rather, escalated and intensified in the aftermath of this date. These policies are rooted in the broader context of the Oslo Accords, which were intended to lead to the creation of a fully sovereign Palestinian state. This book meticulously chronicles the transformations among Palestinian actors before and after Oslo accords, highlighting the ongoing shifts in Palestinian society that continue to reverberate today. The importance of this work has increased manifold due to the escalating situation in the region, which led to the emergence of ‘Palestine’ as a single, most powerful, universal symbol of resistance, as well as an epicenter of all movements against oppression and occupation.

The first Intifada of 1987 is considered a turning point for the Palestinians on several levels, because it reawakened the Palestinian collective consciousness in defending their own cause and right to existence, through organized collective

2 Colonization & Wall Resistance Commission. (2024, July 8). Infographic: Lands confiscated during the first half of 2024. <https://www.cwrc.ps/page-2012-ar.html>

action and the adoption of various means of resistance. As a result, the Palestinian issue regained its importance on the priority lists of countries and people. The intifada also constituted a source of concern and disruption for the West, which was forced to examine its projected ideals of democracy, human rights, justice, and modernity through the lens of the Palestinian issue.

The Intifada ended with a political process, which the Fatah movement considered as the fruit of the first Intifada and that of the struggle of the Palestinian people. This process led to the Oslo Accords of 1993, which became a turning point that reshaped all the components of the Palestinian society, as well as the Palestinian political field. The outcomes of the Accords affected all actors – both its supporters and opponents. Because nations and societies are in a constant state of change and transformations, the Oslo Accords have influenced ongoing transformations in Palestinian society, with the final result yet to be seen. What forms have these transformations taken? And what are their causes? How far is the Palestinian society from obtaining its freedom following the transformations it underwent after Oslo?

Although the Oslo Accords would not have been achieved without the consent of one of the most prominent Palestinian actors, which supported their implementation, we will study them as a unique colonial phenomenon to gain a deeper understanding of the transformations that the Palestinian society underwent afterwards. In this regard, the Occupation monopolized the implementation of the Accords' provisions and restructured the Palestinian political and social systems through the systematic introduction of economic, political, and security systems into the existing fabric of Palestinian society, to achieve its colonial ambitions. Years after its signing, the Oslo Accords became a complex tool that supported the Occupation's hegemony and control over the Palestinian society on the one hand, and normalized its presence before the world on the other hand. Moreover, it became a tool that reinforces the structures that enable the Occupation to dominate the Palestinian society, and deprive Palestinians of any ability or possibility to counter its influence, or restore the balance of power and exercise control over their national cause.

Even though the Occupation exploited the Oslo Accords to dominate the Palestinian society, the post-Oslo Palestinian social transformation induced a fundamental change in society. Methodologically, and to facilitate the study of social transformations, it is necessary to identify the elements that constitute the structure of society, analyze the relationships between them, and how these are reflected in its social structures. As such, studying the transformations in the social, political, and economic structures enables us to understand social transformations and their impact on internal Palestinian relations, as well as political trends and choices.

However, the geographical fragmentation and the formation of the Palestinian diaspora community led to the disruption of natural forms of communication amongst the Palestinian society. Generations after the Nakba, the spatial and temporal diaspora expanded, as Palestinians became more and more involved in the structures of their host societies. The Oslo Accords contributed to deepening this fragmentation politically and practically, as it excluded Palestinians living in the 1948 territories, and made to face their fate alone, in isolation from the historical national status. Moreover, the Accords did not give Palestinian refugees any hope of returning to their homeland. In this regard, the Oslo Accords were based on excluding certain categories of Palestinians. For instance, it excluded the Palestinian diaspora from its definition of the Palestinian people and considered that they should belong to their host countries and societies. As such, the Palestinian people only included those living in the territories occupied in 1967. Such a definition was imposed by colonialism as part of an ongoing historical process that divided the components of the Palestinian society, which constituted one social unit before the Nakba of 1948. To rebel against this unjust reality, even if only academically, this book chose to study the Palestinian society as a unified social unit, albeit one that was subjected to different colonial policies that resulted in various transformations.

This book prioritizes examining the role of Palestinian actors in the transformations of the Palestinian society after Oslo Accords, considering that societal transformations follow the plans of such actors, and are based on the transformations witnessed by the actors themselves. Social actors play a role in structural transformations. Theories of social transformations³ consider that actions

3 It is important to study social transformations, their literature, and philosophy, which were based on various philosophical and ideological standpoints. We can mention Ibn Khaldun, who explained the state's transformations towards stability or calm as a result of the behaviour of actors, most notably the elite. The Marxist theory argued that changes in modes of production could lead to transformations in class systems. Also, the literature of Europeans in the seventeenth and eighteenth centuries was dominated by theories that were based on the fact that transformations take the form of cyclic change, or that of continuous progress. Moreover, there are transformations related to global issues, such as technology, environmental changes, wars and epidemics, global economic transformations, or the emergence and decline of wealth. However, the book focuses on discussing transformations within a colonial context and on considering Oslo Accords as one of the policies that have continued since the occupation of the land, and which resulted in subsequent disturbances in the Palestinian social structures. The book also addresses how actors are acting regarding colonial policies and their consequences. Although colonial experiences differ, one can benefit from a literature on transformations and the roles of actors in a colonial context. Examples of this literature include:

- Fanon, F. (2004). *The Wretched of the Earth*. (Translated by Dr. Sami Al-Droubi & Dr. Jamal Al-Atassi). Algeria: Dar Al-Farabi and Anep Publications (1961).

are centered around various social actors. Therefore, change results from the presence of actors who, during certain periods, carry out a set of economic or political activities that contribute to bringing about social change.

Theories of social transformations that use actors for their analytical framework discuss two basic levels of social change. The first theory argues that change occurs at the macro or societal level first, which is then reflected at the micro levels. The second theory believes that change occurs at the micro level first, which is then applied on the macro level or all levels of society. Structural transformations are changes that occur within a structure or its functions during a specific period, as well as changes related to the demographic composition of a society or its class or social structures, or changes within the patterns of social relations that affect the behavior of individuals and groups, and which include changes in their roles.

The book studies different actors - such as the factions, the elite, and civil society – on purpose, for several reasons. The first one is that these components encompass all Palestinian demographic groups. Moreover, many of them include the Palestinian diaspora and are actively present despite the Palestinian divisions and disintegration. When it comes to mobilization, infrastructure, political and social framing, and their confrontation with the Occupation, the Palestinian factions are closer to social movements than to political parties. As such, factions are closer to what can be defined as a political clan that includes broad spectrums of society. The second reason is that Palestinian actors take diverse forms, such as the elite, factions, families, civil society, youth, and women. Analyzing the changing roles and the relationships between the different actors can indicate changes in the political and social system. This includes the creation of new roles, or dismantling or changing old roles, as well as classifying patterns of interaction between actors, and reflecting this on how decisions and policies are made.

The book discusses the role of political actors in the transformations witnessed by Palestinian society after Oslo. Moreover, it examines whether the

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- Bhabha, H.K. . (2004). *The Location of Culture*. (Translation by Tha'er Deeb). Cairo: The Supreme Council of Culture.
 - Balibar, É., & Wallerstein, I. (2011). *Race, Nation, Class: Ambiguous Identities* ([edition unavailable]). Verso. Retrieved from <https://www.perlego.com/book/3785660/race-nation-class-ambiguous-identities-pdf> (Original work published 2011).
 - Chakrabarty, D. (2008). *Provincializing Europe: Postcolonial thought and historical difference*. Princeton University Press.
 - Chatterjee, P. (1993). *The nation and its fragments: Colonial and Postcolonial Histories*. Princeton University Press.

transformations experienced by the actors had an impact on those witnessed by the Palestinian society through redefining political issues and studying their impact on shaping society. Such an approach enables us to understand the internal dynamics and causes of transformations.

The transformations took different forms and patterns among the Palestinian factions. For instance, the ideological and structural transformations of the PLO factions were reflected in its institutions and their effectiveness. Meanwhile, the Fatah movement was unable to revive its structures, programs, and leadership after Oslo. Moreover, Fatah was no longer able to rely on its historical legitimacy and reached a state of “stagnation,” which was reflected in its structures and programs (Khaled Al-Hroub). Simultaneously, the Palestinian left eroded after it prioritized joining the organizational structure of the PLO instead of undergoing the necessary transformations to keep up with the social and economic transformations of the Palestinian society after Oslo. This resulted in a decrease in its influence. Instead of dismantling social liberal programs, the Palestinian left promoted them, which further weakened its influence on social transformations after Oslo (Hassan Ayoub).

Meanwhile, parties and factions that do not fall under the framework of the PLO witnessed rapid transformations. We can mention Hamas as the most prominent, present, and influential of them. Even though Hamas influenced the transformations that resulted from Oslo, it was also affected by them. For instance, the way Hamas mobilizes and attracts its supporters, as well as their characteristics, were influenced by these transformations. Also, the latter were also reflected in the General Principles and Policies document launched by the Movement in May 2017. Meanwhile, Hamas shaped the functional role of the authority in the Gaza Strip (Belal Shobaki). Nonetheless, the Oslo Accords should not be considered an event that happened at a specific moment as the Palestinians rebelled against the hegemony and domination that befell them following the Oslo process on several occasions, most notably during the second intifada in 2000, in which all the Palestinian factions participated. The second intifada is characterized by the emergence of military Palestinian factions and movements, rather than social movements. This phenomenon can be more clearly noted in the Gaza Strip than in the West Bank because of the deep structural contrasts between the two environments (Hussam Al-Dajani). The book discusses the phenomenon of Islamic movements, which have different perceptions of society and politics, based on the ephemeral ideologies they follow. This troubled their relations with one another as well as with the other Palestinian factions (Adnan Abu Amer). Political parties play important roles in organizing society, struggling to obtain their rights, and confirming their indigeneity. After Oslo, parties in the 1948 territories sought a balance between their role in organizing society and

being involved in politics, as well as seeking political representation. However, this balance was broken because of the Occupation and other internal factors. This led to the reduction of the ambitions of the Palestinian political field to seeking representation in the parliament (Mohanad Mustafa).

The role of civil society organizations became more notable, and their numbers increased after Oslo. However, the transformations in the roles of civil society contributed to the creation of an elite that had new characteristics, and which influenced the political, cultural, and social spheres (Rula Shahwan and Ayman Yousef). The change in the roles of civil society resulted from the conditions imposed by donors on civil society organizations and from the vacuum left by grassroots civil society organizations, which represented diverse social and professional groups, and played an effective national role before Oslo. The most prominent of these organizations are the popular unions affiliated with the PLO. However, the weakness and marginalization that befell the PLO was reflected in the institutions affiliated with it and their activities, popular unions in particular (Hamdi Hussein).

However, the different contexts in the West Bank and Gaza, most notably donor programs, made civil society in Gaza, especially after the division, rely on families, unions, and student and feminist movements (Nihad al-Sheikh Khalil). Also, the Palestinian civil society in the diaspora faced internal challenges, as well as challenges related to the host countries. This particularly applies to the Palestinian civil society in Lebanon. For instance, there was a necessity to balance between its national roles and services and relief work to maintain the cohesion of the Palestinian society (Jaber Suleiman). The Oslo Accords separated Palestinians living in the 1948 territories from the other Palestinians by proposing the two-state solution. It also promoted new roles for civil society organizations, the most important of which is framing the relationship of the Palestinian society with Israel (Imtanes Shehadeh and Areen Hawari) and transforming civil society into a social-political movement rather than service institutions. Such approach was consolidated by the rise of universal rights discourses, especially for minorities. However, the occupation policies, donor requirements, and internal factors weakened the influence of civil society organizations (Saher Ghazawi).

The radical and major transformations in the structures and institutions not only affected their roles and functions, but also their generation of the Palestinian elite, its function, the ways it gains legitimacy, and the mechanisms by which it obtains power and influence. Three central structures have generated elites with very different characteristics and goals: the Palestinian Authority and the PLO, factions outside the PLO, and civil society organizations (Awni Fares).

There are several hypotheses related to the relationship between Palestinian actors and the dynamics of Palestinian social transformations. The first is that social transformations both affected the transformations of actors and were impacted by them. This discussion on internal social dynamics does not deny the role of the Israeli occupation and its colonial tools, which were tested on the Palestinian society, in these transformations. The Oslo Accords imposed transformations from outside the social system, which were then implemented by local actors to ensure social, economic, and cultural transformations that would perpetuate and sustain colonial hegemony (Iyad Abuzniet).

The second hypothesis is that the actors influenced Palestinian structures and institutions, and were also influenced by them, most notably the PLO and the Palestinian Authority. Moreover, they played a role in shaping the relationship between the PLO and the Palestinian Authority, which went through different stages after Oslo – the inheritance stage, the networking stage, the stage of sacrificing the PLO for the sake of the PA, and the stage of merging the PLO with the PA. This could result in the PLO regaining its role as one of the central actors in giving legitimacy to the PA instead of electoral legitimacy, through making the necessary legal amendments (Rashad Twam). This approach resulted in the isolation of some actors and the marginalization of popular choices, as happened with the PLO and the Palestinian Authority. However, such path was structurally caused by the Oslo Accords, exacerbated by the colonial condition, which imposed the establishment of a functional authority whose goal was to control the Palestinian society, based on a clientelist network that finds its interests in its relationship with the Occupation. This led to a semblant of democracy rather than an actual governance system, and to the divisions. As a result, Hamas took control of the Gaza Strip, while Fatah maintained its hegemony over the West Bank. The above did not only lead to the domination of several actors over Palestinian structures and institutions, but also to their control of the political field, and thereafter its dismantling (Khalil Shaheen).

This book presents various papers, with different titles, that study transformations in actors and structures, as a mechanism for understanding the transformations within the Palestinian society. It will be the first in a series of other publications that seek to understand transformations in other social components. Despite the various methodologies and hypotheses adopted by the authors, these papers represent a serious scientific effort. The papers were based on various primary sources. Moreover, each topic was discussed with all the other participants. This resulted in developing the book's chapters and themes, and in shaping its final structure, to provide a qualitative contribution to the Palestinian political, cultural, and academic field, as well as pave the way for further debate and discussions.

SECTION 1

TRANSFORMATIONS IN PALESTINIAN PARTIES AND FACTIONS

Post-Oslo Fatah Transformations: The Atrophy of Historic Symbolism and the Policy of Fence-sitting

Khaled Al- Hroub

The transformations of Fatah over nearly three decades since the Oslo Accords, can be described as a state of gradual atrophy, similar to that witnessed by other political parties, movements, and ideologies. Such atrophy is caused by the confusion that occurs due to loss of political and liberation compass as well as an undefined identity; the accumulation of leadership and organizational slackening; and the exacerbation of tensions resulting from attempts to remain neutral, or fence-sitting. The experiences of parties and movements in the eras of struggle against colonialism and their aftermath, since the middle of the twentieth century at the very least, refer to what is known in political science as “atrophy.” Discussions of this phenomenon address mainly state institutions and well-established parties in existing states, and tackle the stagnation of ideas, the weakness of political programs, and the irrelevance of goals and their impact on government institutions, parliaments, or major political parties. Literature in this field indicates that awareness of the impact of atrophy on a political party or institution is a precondition for its revival - including the revival of its goals and strategies, or means and leaderships. A famous contemporary example discussed in this context is that of the Chinese Communist Party, which has been ruling the country for decades. This Party went through stages of atrophy followed by stages of revival. Furthermore, following an internal reconsideration, the Party abandoned historical leaderships, established policies, and many aspects of a rigid ideology that resisted change. One of the most important lessons in the experience of the Chinese Communist Party was its analysis of the reasons behind the collapse of the Soviet Union and the socialist parties in the Eastern Bloc in the late 1980s, and its determination to avoid following the same process of collapse. This is what David Shambaugh, an authority in Chinese political affairs,

explains in his renowned book “*China’s Communist Party: Atrophy and Adaptation*”, published in 2008 (Shambaugh, 2008).

Many national liberation movements were affected by atrophy, whether during their struggle against colonizers or immediately after independence. The African continent presents rich experiences on the rise or atrophy of national movements. An example of a declining movement can be found in Zimbabwe, where the national liberation movement against the white minority turned into an authoritarian ruling party, and the movement’s leader, Robert Mugabe, became a tyrannical dictator after independence in 1980 (Southall, 2014) . There are also successful experiences in Africa, such as that presented by the African National Congress in South Africa, when the Congress succeeded in passing from stages of atrophy to revival under the leadership of Nelson Mandela, who influenced the course of the party since it joined the Youth League in the mid-fifties of the last century. In the Arab world, it is important to reflect in-depth on the experience of the Algerian National Liberation Front, the reasons for its rigidity and atrophy, and how this led to its loss of the legislative elections that were held in the early 1990s, and the subsequent intervention of the army and outbreak of the civil war. The important aspect in this discussion is the differentiation between the atrophy of a national liberation movement before the achievement of liberation and independence, and its atrophy after the achievement of the goals of liberation and independence. In the first scenario, as is the case with Fatah at the present time, the costs of such atrophy are exorbitant for the people and the national project, and thus difficult to bear. Whereas the second scenario is due to corruption and other factors, and only occurs after the end of colonial rule.

Sharing these experiences is useful to shed light on, and compare with other cases of atrophy. This enables us to have a deeper understanding of the transformations of Fatah and its atrophy over the past three decades, after the Oslo Accords. Nonetheless, it is important to highlight the specificity of the Palestinian case, and the uniqueness of its struggle against an enemy that enjoys the support of major countries, since the establishment of the Zionist movement in the late nineteenth century until now. In the Oslo era, Fatah tried to act neutral, and combine what remained of the slogans of armed resistance with peace negotiations. It also tried to support the second Intifada through the al-Aqsa Martyrs Brigades (AMB), while also supporting the Palestinian Security Services (PSS), which persecuted members of the AMB. Fatah unsuccessfully tried on several attempts to create a safe distance with the Palestinian Authority (PA), criticizing it at times, but strongly defending it at others. Furthermore, Fatah constituted the PA’s backbone through appointing members as cadres, ministers, and leaders. Despite advocacy in support of youth leadership, in practice, the senior Fatah leadership remained in control. Regarding the security cooperation with

Israel, Fatah tried to pin its sole responsibility on the PA, whereas the leader of Fatah himself, who is also the president of the PA, considered it “sacred”. In the same context, Fatah opposed ministers affiliated with the PA for giving more importance to “the state” and bureaucracy over the liberation project. However, it got involved in the PA project through dissolving itself into a bureaucratic structure that contradicts the ideals of liberation movements. The rhetoric and discourse of Fatah kept underlining its legitimacy as a leader of the Palestinian people and sentiments, which it was ready to prove through democratic elections. However, in practice, it became increasingly afraid of organizing legislative elections to sustain its claims, and endorsed their repeated postponements. Internally and organizationally, Fatah continued to support the democratization of leadership and the appointment of new leaders. However, reality indicated unchanging leadership and the subjection of the Movement, its decisions, and capabilities to the orders and will of a singular leader. As a result of its fence-sitting policy, Fatah was unable to engage in a real revival project. This led to a reduction of its options until they reached a dead-end.

In this context, this research monitors and analyzes the fundamental transformations that the Fatah Movement witnessed during the past three decades that followed the Oslo Accords. In the first section, and as a prelude to discussing these transformations, the research attempts to delineate the general Palestinian scene, highlight its most important elements, and position the Fatah Movement in the general context. The second section discusses the transformations, their diversity, and their nature. Finally, the third section attempts to unveil the potential trajectories of the Movement, and the possibilities of change from within or its potential stagnation.

First: The Palestinian Scene and the Legacy of Fatah “the Party” and Fatah of “Palestinian Nationalism”

Within the context of describing the Palestinian scene and the historical and current positions of Fatah, the following reflects on three issues. The first addresses the meaning of Fatah and its role in building the Palestinian national project by focusing on two complementary aspects of the Movement. The second is a reflection on the current status of Fatah, which gains its legitimacy from imposing its control and dominance. Finally, the third is the stagnant state of the Palestinian leadership due to the presence of an old leadership that is reluctant to change and that refuses to be replaced by a new leadership, and the absence of an alternative leadership to replace the old one.

The meaning of Fatah and its historical role in the formation of the Palestinian national project

To deepen the understanding of the transformations, weaknesses, and resilience of Fatah, it is useful to reflect on two of its manifestations from its founding stage in the 1960s until now from a methodological, theoretical, and historical perspective. The first is “Fatah the movement - the party,” and the second is “Fatah - the symbolic heritage of Palestinian national identity and entity.” The first manifestation, “Fatah the movement - the party,” refers to the organizational structure, party framework, and political vision of Fatah, as well as the ensuing struggle aimed at establishing the movement’s position to achieve its goals.

As for the manifestation of “Fatah - the symbolic heritage of Palestinian national identity and entity”, it refers to the impact of Fatah in particular (and the Palestinian revolution in general) on developing a Palestinian national identity that is politically centered around the concepts of armed struggle, liberation, and return. It is rooted in the spontaneous commonalities of identity shared by the Palestinian people, historically ingrained and passed down through generations, encompassing the diversity of their social and historical backgrounds. These factors have enabled Fatah to speak on behalf of Palestinians and represent their vast majority.

The dynamics of the Palestinian identity as characterized (by Fatah) were crystallized, due to the absence of any competing ideology attempting to restructure the Palestinian political society according to a specific intellectual vision that would be considered as a precondition for the project of liberating Palestine (Khalaf, 2009)¹, as in the propositions of leftists, Islamists, and Arab nationalists, prior and contemporary to the emergence of Fatah. One of the strengths of Fatah was the absence of a rigid ideology. This enabled it to stand at an equal distance from all Palestinians and attract millions of them, just like any central political party around the world. The real achievement of Fatah was the formulation, representation, and crystallization of Palestinian nationalism, from the mid-sixties until the early nineties (Sayigh, 1997). During those decades, organic, symbiotic dynamics existed between the two manifestations, each of which served the other. “Fatah the movement - the party” strengthened and sanctified the Palestinian national identity. In parallel, the broader community adopted the Palestinian national identity and entity concepts and served as a protective

1 Salah Khalaf, Abu Iyad, one of the early founders of Fatah, says: “We envisioned Fatah at its founding as a front aiming to bring together Palestinians without discrimination of their ideology or political tendencies,” in his book “A Palestinian without an identity”, edited and corrected by Fouad Abu Hajleh, third edition (Amman: Dar Al Jalil, 2009) p. 249.

incubator for the movement - the party, and as a reservoir that provided it with partisans and loyalty.

The second manifestation - i.e., Fatah the reservoir of historical symbolism that established Palestinian entity and nationalism - produced “Palestinian nationalism”, which shaped over decades what can be described as Palestinian normativity – based on which positions, ideas, and practices are measured to determine the extent to which they are “Palestinian.” This reservoir expressed and defined Palestinian nationalism. It blended the symbolism that founded the resistance with that of the armed struggle, which is represented in leadership, rhetoric, and independence, and crystallizes the core of the collective self-awareness of Palestinians (Abukareem, 2021) .² At the heart of this manifestation, and because of it, a collective consciousness was developed, involving leaders who turned into legendary martyrs, as well as battles, armed struggles, and militancy, that all consolidated an impulsive belief in the possibility and inevitability of overcoming defeat. In addition, symbolic representations developed in revolutionary art and culture, and aspects of the Palestinian heritage were rediscovered, repurposed, and promoted - from the traditional dress, embroidery, and keffiyeh, to dabkeh and folkloric songs. This reservoir, which Fatah contributed to developing, expanded beyond “Fatah the movement – the party” to include the widest segments of Palestinians, and became a point of attraction. With this reservoir, Palestinians from agricultural, urban, and camp backgrounds felt that their national identity; equally threatened by Israel and Zionism or by Arab governments that wanted to speak on their behalf, with or without their consent, was safe. In this deeply entrenched national space, the petty bourgeoisie, the rich, the peasants, and the poor also coexisted, in a clear transgression of the approaches to class struggle that dominated the discourses of the Palestinian and Arab left in the sixties and seventies. In addition, the ideological autonomy of “Fatah the reservoir” was characterized by its strong attraction of the non-ideological popular majority, who wanted to express their Palestinian identity through cultural symbols.

The genius of Fatah laid in its ability to form and shape this reservoir at the national level and establish a Palestinian national identity and entity that created a deep self-awareness, especially in the pre-Oslo era. Perhaps the formation of

2 The influence of this image of Fatah – the Revolution is still strong and effective, even among scholars who have recently written about Fatah. For example, researcher Mansour Ahmed Karim wrote under the subtitle “Defining Fatah Movement” that “...the movement is the revolutionary organization that has the right to direct the revolution.” See, Ahmed Mansour Abu Karim, “The Experience of the Palestinian Revolution between Armed Struggle and Peaceful Struggle - Fatah Movement as a Model,” (Cairo: The Arab Office for Knowledge), p. 122.

identity with its dense details and complex dimensions was not planned, expected, or even understood in all its dimensions by the founding generation of Fatah. However, the timing of developing such a concept and investing the supportive Arab official regional climate strongly contributed to its maturation, and filling the torn void of the Palestinians and their identity at the time. Arab official regimes in the bordering countries embraced the idea of Fatah and the Palestine Liberation Organization (PLO) in general, and supported them for a variety of well-known reasons, including overcoming the defeat of June 1967, and leveraging their support for the PLO and Fatah to strengthen their position in the eyes of the public opinion.

This, in turn, contributed to the success of Fatah and enabled it to lead the national project. The reservoir of historical symbolism protecting “Fatah the party” was subjected to many internal schism attempts, all of which failed. It also faced attempts to challenge and replace some of its components, aspects, and symbols - especially with the emergence of the Islamic movements in Palestine, and their competition with the Fatah movement in the field that gave it legitimacy, namely that of resistance. Palestinian Islamists succeeded in penetrating political, party, and electoral positions through student and professional elections, that were previously monopolized by Fatah, and Hamas even succeeded in defeating Fatah in the 2006 parliamentary elections, in a surprise victory that shocked both sides and with them, the Palestinian public. Those successes were points gained against “Fatah – the party”, which deserved to lose after the years of failure that followed the signing of the Oslo Accords in 1993, and the establishment of the PA the following year.

What is interesting and important is that “the historical symbols that establish Palestinian entity and nationalism,” that is, the real stronghold of Fatah, have remained elusive to the Islamists, who were unable to create an alternative symbolic domain that would establish an Islamic Palestinian nationalism (despite their partial successes in this field), to pair with their successes on the partisan level. The Fatah national symbolism survived direct and indirect change attempts that accompanied the Palestinian Islamic impulse, which sought to replace some of its components with religious ones or to reformulate Palestinian nationalism in a religious mold.

Despite the adoption of the resistance by Palestinian Islamists - that is the most influential tool in building the national and political legitimacy of any people under occupation - they failed to appropriate the historical symbols that establish Palestinian nationalism. Instead, they have been compelled to gradually or hesitantly embrace these symbols, but in both cases, Islamists have adhered to their general framework. During the past three decades, up to now, a tension has developed between two trends of Palestinian Islamism, the first tending

towards “the Islamization of Palestinian nationalism” and the second towards “the Palestinization of Palestinian Islamism” (Al-Hroub, 2018)³.

Based on the above, the resilience of Fatah until today is based on its reservoir of historical and national symbolism. In other words, “Fatah of Palestinian nationalism” or “Fatah the reservoir of historical symbols that establish the Palestinian entity and nationalism”, is what protected “Fatah the party” from its atrophy and extinction and compensated for its successive losses in the Oslo era - especially under Yasser Arafat’s leadership and beyond. Had it not been for “Fatah of Palestinian nationalism” and its reservoir of symbolisms, Fatah would have collapsed under the burden of the Oslo Accords. This does not mean that post-Oslo Fatah is the same as pre-Oslo Fatah, as the continuous reliance on the reservoir of historical symbolism has caused its gradual and ongoing decline.

The legitimacy of controlling the status quo

The 1993 Oslo Accords represented a historical gamble against the Palestinian national liberation project and its future, and the Palestinian consensus - with the PLO and Fatah Movement at the forefront. Fatah, being the backbone of the PLO, engaged in that gamble by adopting the Oslo Accords and marketing it to the Palestinians; then implementing it on the ground. Describing the Accords as “gambling” does not refer to a rhetorical or dramatizing literature, but rather captures the essence of the political ambiguity that has characterized their texts, and the vast gray areas in which Palestinian interpretations (and dreams and desires) clashed with those of the Israelis, the strongest party. Mahmoud Abbas, who is considered the architect of the Oslo Accords, described their gambling nature, albeit in an evasive way, shortly after they were signed, saying that they could lead to forming a state or to a disaster (Al-Hroub, 1994). Recently, he emphasized the same idea in his book “from Oslo to Palestine” (2019) when he said: “As much as this event contains seeds that carry within the aspirations of the Palestinian people in establishing their future state, it also harbors mines that may put an end to the hopes of the Palestinian people” (Abbas, 2020).

There is almost consensus now that this gamble has failed, even in the leading Fatah circles (Quray’, 2018). The most effective measurement tool for estimating the success or failure of the Oslo Accords for Palestinians, scientifically and objectively, and away from any prior political or ideological positions, is drawn

3 This discussion is outside the scope of the paper. For more information on this topic, you can resort to the following reference: Khaled Al-Hurub “The New Hamas Charter: Palestine at the expense of Islamization,” “The Arab Future,” No. 467, January 2018, pp. 52-67.

from the Oslo Accords themselves. Accordingly, we can determine whether the goals that the signatories of the Accords announced that they would achieve have been fully, partially, or not fully achieved (Shlaim, 2005)⁴.

Three decades after the adoption of the peace negotiations project and the implementation of Oslo on the ground, there are two clear aspects of the failure of this project at the Fatah level. The first is related to the high costs that were paid at the national and Palestinian levels, at the expense of land and rights. The second relates to the status, legitimacy, and project of the Fatah Movement, which turned the PLO - the champion of the national liberation movement and armed struggle - into the implementer of a “peaceful negotiation strategy”.

In the context of the Oslo gamble, Fatah relied on its background of struggle and its legacy, in addition to its historical legitimacy and its symbolic representation of Palestinian nationalism. However, these resources, both in terms of struggle and symbolism, are in continuous decline, in light of the deadlock in the peace negotiations project, and the ongoing atrophy of the meaning of the “peaceful struggle” adopted by the PLO and Fatah Movement.

The project of Fatah seems to have reached a point where it has become irrelevant. It lacks a definitive strategy, and its goals remain unclear, because of its identification with the Oslo program, which no longer follows a clear and coherent strategy or goal leading to liberation. Given the atrophy of its national and electoral legitimacy, Fatah has slipped into relying on the legitimacy of the status quo, which is the Oslo regime, through the security apparatuses and the financial resources of the PA. In addition, it has based its legitimacy on international and regional recognition, at the expense of any other foundational legitimacy - whether revolutionary or popular, based on achievements or elections. Fatah is now the ruling regime that controls and dominates through its security forces, and finds its support from regional and international actors, who consider the status quo better than any unknown alternative.

The old does not die; and the new is not born

Gramsci's famous description of the seriousness of the stage of void, which follows the death of the old and elongates before the birth of a new successor

4 It can be claimed here that the Palestinian arena is devoid of any party, political party, or group that has a political, cultural, or intellectual value that says that the agreement succeeded, even partially; and this applies to the parties involved in the Palestinian Authority itself, which is a product of Oslo on the ground. The approaches to the “Oslo failure” are difficult to enumerate, and many of them appeared early, that is, in the early years of Oslo and from the parties that were pro-Oslo or at least had hopes in it.

(interregnum), seems repetitive. However, it effectively captures the picture of the current Palestinian situation, thirty years after the Oslo Accords, where strategic paralysis is the master of the scene, and the progress towards achieving the great national goals of the Palestinian people has been frozen. The broad picture of the Palestinian scene indicates the fragmentation of Palestinian nationalism between a political project represented by Oslo and its political forces, primarily the Fatah Movement, and an opposition and rival political project led by Hamas. The first is no longer able to lead effectively, whereas the second is unable to gain national legitimacy. This fragmentation, which has persisted especially since the Palestinian split in 2007, has resulted in a situation of almost complete Palestinian paralysis.

There are strange paradoxes in the relationship between the two competing projects, as they exchange positions according to divisive geography. In the West Bank, Fatah is the ruling authority, while Hamas leads the opposition. Whereas in the Gaza Strip, Hamas rules and Fatah leads the opposition. The mutual accusations are also similar. Fatah accuses Hamas of working against the national project by separating the Gaza Strip from the West Bank and controlling it, allowing Israel to implement its scheme to separate the Gaza Strip from Palestine, and this means indirect coordination with the occupation⁵. In tandem, Hamas accuses Fatah of being an agent of the occupation in the West Bank that sponsors security coordination aimed at chasing the resistance, and thus strengthening the occupation. Each of the two projects is based on the legitimacy gained from controlling and dominating the status quo, whether in the West Bank or Gaza Strip, either based on international and regional support and recognition, and the control of security forces in the case of Fatah movement, or through military force and the balances of regional interests and Israeli strategic and security calculations in the case of Hamas.

The tragic paralysis of the Palestinian scene continues in the context of an Israeli-Zionist incursion into the Palestinian lands, providing it with the opportunity to expand its colonial control. It also encourages a state of Palestinian deterioration, which has been and is being exploited by the Arab normalization regimes that undermine the Arab consensus supporting Palestine and the

5 Some Fatah voices went further in their accusations of Hamas to the point of saying that the last war on the Gaza Strip in 2021 was an indirect coordination between Hamas and Israel, which aimed to glorify the image of Hamas before the Palestinian people and prove that it is worthy of its leadership. These lengthy accusations are contained in an audio recording of Osama al-Ali, a Fatah politician and member of the movement's advisory council, who has been Palestine's ambassador to India for several years, and which widely circulated via social media in January 2022 and was heard by the author of this paper.

Palestinians. Regionally, the Iranian nuclear file has dominated the political agenda of the main actors, among which are several Arab countries, leading to the marginalization of the Palestinian cause. Internationally, the official global interest in the Palestinian cause has declined, and American and European policies have been limited to “conflict management” and maintaining “stability.” This is the unofficial description of the perpetuation of Israeli control and giving way to its expansionist policies, while curbing any active forms of Palestinian resistance. In parallel with this deterioration, Israel is advancing its diplomatic relations with countries and arenas that were, to varying degrees, supportive of Palestinians - such as China, India, and the African continent. The absence of an effective central Palestinian leadership and the mutual attrition between the active Palestinian parties, has left the real arenas of action open for Israel. The Fatah Movement is at the heart of this scene, where the arrays of deterioration and weakness far outweigh the aspects of cohesion and strength.

Second: Post-Oslo Fatah Transformations

The above-mentioned Palestinian scene - characterized by the failure of Oslo, the increased Israeli aggression, the challenge of Hamas, and the scattering of regional and global support for the Palestinian cause - sets the ground to study the transformations (and stagnation) of the Fatah Movement and to understand its diverse aspects, as well as the dilemmas that have led to them. According to prominent Fatah leader Nabil Amro, Fatah is currently faced with three predicaments; “the internal situation, which was represented by the candidacy of three electoral lists for the Legislative Council elections that were canceled in May 2021; the relationship with political Islam that competes with Fatah; and the failure of Oslo on which Palestinian policies, including those of Fatah, were built (Amro, 2022).” It can be said that at the end of the three-decade era of Oslo, despite the scope of protection afforded by the movement’s historical and patriotic symbolism, that the “Fatah - National Liberation Movement” has transformed into something completely different during a process of gradual atrophy that has changed its essence and structure, in spite of attempts to preserve its image by relying on its historical legitimacy and revolutionary credit. In this process of atrophy, structural transformations can be noted over the past thirty years, which have produced a Fatah that is completely different from its foundational essence. Each of the transformations listed below has encouraged Fatah, in one way or another, to hold on to the PA and rally around it as an alternative base for support in the face of its declining popularity.

The first transformation: from a national liberation movement to a ruling party

With Oslo, Fatah practically shifted from being a national liberation movement that adopted the armed struggle to liberate Palestine, to a governing authority that abides by the rules, conditions, and constraints of Oslo. In addition, the movement's leader, Mahmoud Abbas, became the president of the PA and had effective control over everything. With this transformation, Fatah's self-definition became unclear, as it struggled to preserve the image of the "liberation movement". But the fact of being the ruling party undermined that image (as did the policy of fence-sitting). However, the roots of the transformation from a liberation movement to a quasi-state political authority date back two decades before the signing of the Oslo Accords, specifically to the Ten-Point Program that Yasser Arafat pushed for, and which was approved by Fatah and the Palestinian National Council in 1974. The most important point in the Ten-Point Program was the approval of the establishment of a "combatant" national authority over any part of the liberated Palestinian land, which meant moving from the idea of liberating all of Palestine to that of accepting a Palestinian state in the West Bank and the Gaza Strip. This program and its political justifications provided the theoretical background for the gradual transformation towards adopting a peaceful solution, up to the declaration of "independence" in 1988 at the meeting of the National Congress in Algeria, and the subsequent known history leading to the Madrid Conference and the Oslo Accords (Nawfal, 1995). With the latter, the ideological and political transformation was demarcated through the establishment of the PA, which was founded on the largest and most important movement, Fatah. The PA attracted the middle and high leaderships of Fatah, as well as individuals, through its official and governmental organizations. In the first years, under the leadership of Yasser Arafat, the ambition and hope, according to the Palestinian reading of Oslo, was that the authority would turn into a state. This ambition or hope provided a strong justification for the movement and its leaders to engage in and defend the PA's project, as it supported the idea of transitioning from "liberation" to the promised "state building." However, this ambition was not achieved, and the project, as it currently exists, ended up being a mere self-governing authority, which Mounir Shafiq had warned against slipping into, in a predictive approach he wrote in 1972, that is, two years before the agreement on the Ten-Points Program (Shafiq, 1972)⁶. The important

6 Munir Shafiq warned at the time of the rise of the idea and trend of a peaceful solution and a Palestinian state. He condemned the Palestinian voices that were calling for it, pointing out that the maximum that Israel could grant to the Palestinians according to this solution is "the approval of a kind of self-rule, in the West Bank and the Gaza Strip, under the

thing here, on the broader level, is that the Fatah movement has practically transformed from a liberation movement into a ruling party, or at least into the backbone of the ruling authority. According to Elias Khoury, “Fatah, as a party in power, has become the antithesis of its founding idea; rather, it has become a burden on Palestine” (Khoury, 2022).

The second transformation: from a movement of ‘freedom fighters’ to ‘bureaucratic employees’

The transformation of Fatah into a ruling party aligned with the self-governing authority, led to tens of thousands of former freedom fighters becoming bureaucratic employees, with no real role in the struggle. Since the establishment of the PA in 1994, the appointments and distribution of positions emerged as one of the complex and contentious issues, due to the adoption of what can be called a policy of “rewarding former fighters”, regardless of the criteria of competence and eligibility. At the time, Mahmoud Abbas criticized “provocative appointments”, in the context of his criticism of the performance of the PA, which were made according to “narrow calculations, personal standards, and subjective whims (Abbas, 2020).” At that time, the priority in appointments was given to securing loyalty over any other considerations, aiming to ensure the success of the nascent authority and the Oslo process, which faced widespread and intense opposition among Palestinians.

In addition, it was necessary to reward thousands of cadres from Fatah and other factions and engage them in the new political scene, where the former armed struggle was no longer valid. These thousands of people coming from abroad had no experience except for that of the armed struggle, after decades of commitment to the Palestinian revolution. In the end, according to Mounir Shafiq’s description, money was used to “tame” tens of thousands of fighters, and transform “these cadres into tigers tamed in a circus, unable to object because of the privileges they receive” (Hasna, 2021). In parallel with taming Fatah members by incorporating them in the new authority, the promising or illusory scene that revolved around the “building of state institutions” developed over three decades that witnessed deep sociological and economic transformations, neoliberal in essence, that molded Palestinian society into a pattern of almost complete subsistence on the authority, its financial resources, and its operational ability. This created and reinforced new and dependent lifestyles,

protection of the Israeli occupation.” See, Munir Shafiq, “Why the Palestinians reject the Palestinian state project in the West Bank and Gaza Strip”, *Palestinian Affairs*, No. 7, March 1972, pages 65-73.

and transformed the first generation of fighters into bureaucrats looking for promotions, bonuses, and securing higher pensions (Hasna, 2021)⁷. At the lower levels, especially for members of the security services, inside and outside observers noted that appointments aimed at filling the ranks with members of Fatah who would guarantee their loyalty to the PA (Cordesman, 2022).

The third transformation: from a revolutionary legitimacy to the “legitimacy of Oslo”

Fatah gained its legitimacy and led the Palestinian scene before Oslo from its revolutionary identity, the legitimacy of the resistance, and its leadership of the Palestinian revolution and the PLO. But today, three decades after gaining that legitimacy, which was not subjected to competition, Fatah has transformed into a movement looking for new sources of legitimacy, whether from the established authority or from the weaknesses of its competitors.

“The current legitimacy of Fatah,” as Nabil Amro says, “derives from the lack of legitimacy of any other party, whether those who defected from it or those who competed with it. There is no alternative legitimacy, whether constitutional or de facto, that rivals Fatah today” (Amro, 2022). According to Ahmed Ghoneim, “the legitimacy of the Palestinian leadership is based on either the resistance or elections (Ghoneim, 2022).”

In the post-Oslo era, militant and revolutionary legitimacy became no longer sufficient to grant Fatah or any other party the leadership of Palestinians. The elections held in 1996 and then in 2006 were the alternative that reformulated leadership legitimacy. Both were held within the context of Oslo. The first reinforced Fatah’s legitimacy, and the second weakened it after Hamas won the elections.

After the Palestinian division between the West Bank and the Gaza Strip in 2007, the disintegration of the Palestinian political system - even that of Oslo - the dissolution of the Legislative Council, and the postponement of its election as well as presidential elections, no legitimacy was left on the Palestinian scene except for that of power. This applies to the ruling authority in the West Bank and the Gaza Strip.

⁷ In an exclusive interview conducted by the writer with a former political advisor in the Palestinian Authority, the latter indicated that one of the surprises he found when approaching the middle and senior cadres in the authority, most of whom were from the first generation of the Palestinian revolution, was the degree of their preoccupation with issues related to improving their administrative positions, promotions, and access to higher positions. November 11, 2021.

Regarding Fatah in particular, the legitimacy of its leadership in the West Bank has been derived from the existing authority, which is considered the practical embodiment of Oslo. The legitimacy that Fatah inherited from its revolutionary struggle has faded, if not completely disappeared, and was not replaced by an electoral legitimacy. The two were compensated by the legitimacy of power that is based on the system and “institutions” of Oslo and its annexation to Israel, as well as the regional and international recognition of the PA.

The fourth transformation: from a young movement to an aging movement

In an attempt to answer the big question about Fatah - what happened to it, why, and how - writer Elias Khoury wonders if the aging of Fatah members is the reason, or one of the reasons that provide the answer or part of it. He says: “can the issue be reduced to the dominance of older members, their monotony, and their inability to lead an organization founded by young dreamers, who either became martyrs in the struggle or survived and remained in leadership?” (Khoury, 2022).

The leadership of Fatah is currently controlled by the older generation rather than youth. In the initial formation era, the ages of the generation that founded Fatah in the late fifties of the last century - such as Yasser Arafat, Khalil al-Wazir, Salah Khalaf, Farouk Qaddoumi, Salim al-Zanoun, Mahmoud Abbas, and dozens of others - ranged from the early to mid- twenties. Some of them were not even twenty years old yet when the first nucleus of the movement was formed. That youthful spirit continued to lead Fatah in the two decades following its founding, during the 1960s and 1970s, and persisted afterwards. Six decades after the movement’s founding, Fatah transformed from a youth movement to an aging movement. Its main leadership structure, the Central Committee and the Revolutionary Council, being controlled by the same generation that founded the movement.

When calculating the average age of the current Fatah Central Committee members, the result is around seventy years old. As for the average age of the Fatah Revolutionary Committee, the result is almost similar, even though it includes members who are in their fifties, and a minority who are in their forties. There is an awareness within Fatah’s ranks on the importance of renewing leadership and introducing younger leaders. The Movement’s Sixth Congress, held in 2009, provided a glimmer of hope in this regard. Many youth leaders joined the Central Committee and the Revolutionary Council, and many became optimistic regarding the resurgence of Fatah (AL-Shikaki, 2009). However, the policies and leadership mechanisms that followed gave control to the old leadership or close circles from other age groups.

The fifth transformation: from global expansion to local atrophy

The three decades of Oslo witnessed a gradual atrophy in Fatah's presence in Arab and international foreign relations. This atrophy can be attributed to external and internal factors. The first includes the great change that accompanied and resulted from the collapse of the socialist camp, and the shrinking of spaces for maneuvering at the international level, for Fatah and other revolutionary organizations and parties in the world. Internally, Fatah's involvement in the Oslo project led to the exhaustion of most of its energies and capabilities. From a theoretical and structural point of view, the "Fatah International Relations Commission", was an arm of Fatah entrusted with political activity at the level of international relations. Theoretically, this arm should have been less involved in the Oslo project on the internal level and should have continued to operate effectively, to some extent, on the external level. Nonetheless, browsing the website and visiting the Facebook page of the Commission indicate a great weakness in "international relations." Furthermore, the rare interventions it undertakes overlap with those of other entities affiliated with the PO. For example, most of the news published about the Commission during the year 2021-2022 conveys statements, condemnations, and praises by Rawhi Fattouh, who held the position of Commissioner for International Relations in Fatah for several years, before he was appointed head of the Palestinian National Council in February 2022. In his few meetings with some of the diplomats on the mission to Ramallah, press reports published on the aforementioned website indicated that Fattouh reviewed with them "the strengthening of bilateral relations between the two countries," which is the role of the PA and not that of a Fatah representative (Fatah International Relations Commission, 2002).

It is also important to note that many of the arenas that provided space for the activity of Fatah and the PLO in general; such as China, India, Africa, and even Latin America; witnessed sharp transformations after the Palestinians signed the Oslo Accords and became more open to Israel and deepened their relations with it. Neither the PLO nor Fatah were able to maintain these incubators and halt the Israeli expansion towards them. There was also the expansion of Palestinian Islamic forces, especially Hamas and the popular organizations associated with it or supporting it, in other arenas such as Turkey, Iran, Malaysia, Indonesia, and some Arab countries, as well as many European countries. Fatah - who signed the Oslo Accords, recognized Israel without achieving liberation and independence, and became tainted by the reputation and corruption of the ruling Authority; is no longer able to produce a convincing revolutionary, libertarian discourse for many of its traditional supporters worldwide. This has resulted in its inability even to maintain its support base, let alone expand it and attract new supporters.

The sixth transformation: From Arafat's consensus-based control to Abbas' absolute dictatorship

The history of Fatah since its founding has witnessed many challenges and the Movement was exposed to the risk of split, some, if not most, of which were supported by some Arab regimes (Al-Natur, 2013). Many challenges were related to Yasser Arafat's way of managing and controlling Fatah and the PLO.

However, Fatah was able to overcome most of those challenges and splits, regardless of their justifications, due to Fatah's relative internal cohesion, the presence of Yasser Arafat himself with his charismatic leadership, the consensual mechanisms of his administration; whether real or alleged, and his Palestinian and Arab legitimacy, which no other Palestinian leader could compete with. Despite the disagreements of many with him, and perhaps, in spite of what many consider as political mistakes he committed, Arafat, with his long history, policies, and symbolism, embodied the image of Fatah as a mother of the Palestinian revolution, around which everyone rallies. It was Arafat's legitimacy, charisma, and control over Fatah and the PLO that enabled him to invest himself in the Oslo project and sign the Accords. After his death in 2004, it was not possible to fill the void he left, and many were not convinced of the ability and eligibility of Mahmoud Abbas to succeed him. Nevertheless, Abbas assumed the presidency of the PA, the PLO, and the Fatah movement, benefiting from American, Israeli, and Arab support, who presented him as the fittest Palestinian moderate politician from their point of view (Mazza, 2017).

Al-Tayeb Abdel Rahim, one of the most prominent Fatah leaders, delivered a speech on behalf of Mahmoud Abbas at a special conference for the Movement in Ramallah under the title "Fatah: Reality and Challenges" in 2007, during which he said: "The Fatah movement is a democratic movement that does not follow a decree or fatwa. It interacts with creative ideas within its frameworks, rules, and leaderships to reach the optimal decision, stemming from its commitment to partnership with its allies among the Palestinian forces that shared its journey of struggle and resistance (Al-Watan, 2007)". Nonetheless, this description could not be translated into reality, on the ground. During the long Oslo process, Fatah witnessed a gradual rigidity of its leadership bodies, namely the Central Committee, the Revolutionary Council, and the General Conference. If Yasser Arafat's control during the first Oslo era, until his death, was evident over these bodies as it was in the pre-Oslo era, the post-Arafat era witnessed a terrible atrophy of their role. Nabil Amro, a well-known Fatah leader, holds what he calls the "political class" responsible for the tragic Palestinian situation. He says: "If the unchanging political class is not solely responsible for the worst catastrophic decline ever, it is solely responsible for the failure to address

the basic issues that have brought the Palestinian situation to its worst (Amro, 2022).”

Ahmed Jamil Azm, one of the most important Palestinian academics to follow the process and history of Fatah’s transformation, said: “If the official head of the movement, who resides outside Palestine (at that time meaning Farouk Qaddoumi), has become a burden and an opponent to the “leadership of Fatah” and to the numerous and competing leadership committees on account of relying on an “appointments” policy, in return for disregarding the General Conference and the democratic renewal of the movement’s leadership through elections, how can it be believed that Fatah is a democratic movement that listens to the requests of its supporters?” (Azm, 2007).

Practically, especially after the split, Mahmoud Abbas was able to impose his complete dominance and control over Fatah leadership bodies (and corresponding bodies in the PLO and the PA) and neutralize their role. The leadership meetings became scarcer, and their influence faded. Furthermore, the Palestinian public did not play any role, whether in modifying Fatah’s political and leadership path, or at the level of the Palestinian national project in general. When these meetings took place, Abbas tried to reduce their impact, either through deciding who attends them (such as the Fatah’s seventh conference in 2016), or by choosing the decision-making mechanism (usually applause) (Revolutionary council member, 2022; Jarab’a, 2016).

Recent years have witnessed a real dictatorship exercised by Abbas in making and imposing decisions on everyone. Examples are numerous and impossible to enumerate, but it is sufficient to refer to Abbas’ various decisions regarding the appointment, dismissal, and neutralization of persons based on his dissatisfaction with them; whether in the organizations affiliated with Fatah, the PLO, or the PA.

According to Nabil Amr, “In the time of Abbas, radical solutions became the rule” (Amro, 2021). At a higher level, he made very important and serious individual decisions, the most important of which was canceling the legislative elections that were scheduled in May 2021 and convening the Palestinian Central Council in February 2022. In addition, he granted this Council the powers of the National Council, including the appointment of a president and a vice-chairman of the Council. He also assigned Hussein al-Sheikh to occupy the position of the late Saeb Erekat, Secretary-General of the PLO, and practically froze the decision to end the division with Hamas.

It is true that these decisions were taken by Abbas in his capacity as the head of the PLO. Nevertheless, Fatah’s leadership bodies had no real role in them. Abbas’ individualism and dictatorship went beyond what Arafat was criticized

for when he was in control of these bodies. Under his rule, Fatah turned into a one-man party, the absolute leader, who is neither debated nor opposed.

The seventh transformation: from armed struggle to the ambiguity of the “peaceful option”

The ambiguity of the political program of Fatah and the answer to the question “What does Fatah want” during the Oslo era was one of the most important factors of erosion that undermined the movement and made it lose its compass. The transition from the revolutionary stage to that of an established authority was not clear in terms of landmarks and milestones. Rather, Fatah tried, consciously or unconsciously, to sit on the fence, which produced the ambiguity and confusion that characterized its discourse, and its political and intellectual practices.

Fatah prisoner Hussam Shaheen described this situation of Fatah as that of being split between two ideologies - the revolution and statehood; and that the transition from one stage to another “contributed to the blurring of the intellectual and political identity of many of its partisans and reached the point of contradiction (Al-Watan, 2007).” Majed Kayali pointed out that the structural transformation that the national movement witnessed, and which converted it from “a national liberation movement” to an authority (under occupation), and from a popular movement to an international political entity, was not an accidental and marginal transformation, but rather a “fundamental transformation.” However, despite the depth of this transformation and its structural nature, the Palestinian political culture, especially the factional aspects, were not ready to acknowledge this reality. This reluctance might stem from the fear of accountability, concerns about legitimacy, or apprehensions about credibility and dominance (Kayyali, 2020).

Fatah wanted to preserve its revolutionary and liberating character. At the same time, it had to support the Oslo project represented by the PA. Fatah fought effectively during the second intifada (2000-2004). Al-Aqsa Brigades, affiliated with Fatah, took the lead in the armed struggle. At the same time - and even before, during, and after the intifada - the leadership of the Palestinian security services, except for political leaders of the PA, was controlled by Fatah itself. These services were entrusted with dismantling the organizations and military cells of the intifada, including the al-Aqsa Brigades. Amidst this ambiguity and contradiction, the only constant and coherent matter to which Fatah resorted, was the PA and its civil and security structures, rallying around or taking refuge in them, despite the criticism directed at the PA by some Fatah members.

The eighth transformation: from official Arab support to regional support and normalization

In the context of analyzing the symbolic and historical power of Fatah, it must be acknowledged that at the time of inception, the Movement took advantage of a favourable historical and regional moment, represented by the agreement of Arab officials to support it, albeit, for different reasons. Majid Kayyali mentioned that the Arab governments dealt with the Palestinian issue “as a card in the disputes of regimes.” While Abdel Nasser focused on forming the PLO, the other stakeholders (meaning Syria, Jordan, and Lebanon) found in “Fatah” their avenue to compete with Abdel Nasser, strengthen their position, and legitimize their Arab policies” (Kayyali, 2021).

However, these reasons disappeared three decades after Oslo. Arab regimes, including most of the bordering countries referred to as the ‘cordon states’, no longer perceive the Palestinian issue as a card that can be used for their political interests, or in their rivalries and competitions with other countries. Consequently, the loss of importance of the Palestinian issue in general reflected adversely upon the relevance and position of Fatah in the region. Arab regimes are no longer afraid of stopping their support for Fatah, the PLO, and the Palestinian people. Rather, many of them adopted hostile positions towards all of them, without fearing any Palestinian reaction. In the same deteriorating trend, another regional transformation developed that influenced Fatah (and the Palestinian issue), that is represented in the trend of normalization with Israel, which penetrated the Arab “moderation” camp that Fatah (alongwith PA and PLO) found support in. This transformation accelerated during the rule of US President Donald Trump and culminated in the “Deal of the Century” that produced the Abraham Accords between Israel on the one hand, and the United Arab Emirates, Bahrain, Sudan, and Morocco on the other. It also produced informal relations (security and others) between Israel, Saudi Arabia, and Oman. These agreements caused a real weakening of the PA, the PLO, and the Fatah Movement, and created a state of regional loss and confusion for all of them.

The ninth transformation: from self-criticism to collective subconscious denial and indifference

Although many members of Fatah acknowledge the erosion of the movement during the past three decades, as evidenced by the multiplicity of voices of self-criticism, a mixture of indifference and the inability to trigger change characterize the current situation of Fatah. In addition, there is a subconscious denial of what the political project of “Fatah – the autonomous authority” has become reduced to.

Many of Fatah's official leaders are still asserting that the authority is "interim" and that it will eventually lead to an independent state. There is a deep lack of awareness, and almost denial, of what the Oslo era has brought about on the Fatah scene and for Palestinians in general, especially that it became the longest and most entrenched era in the history of the Palestinian conflict against Zionism and Israel, covering three decades of conflict (Al-Hroub, 2022). Fatah is not taking this deep transformation seriously, which has led to the development of a non-conciliatory relationship between the reality of the transformation that took place – i.e. the abruption of the role of Fatah as a national liberation movement in theory and practice – and the nostalgia of the revolutionary past, and the will to revive it. Kayali believes that the current situation of Fatah and Palestinians preceded Oslo by ten years. "More than four decades later (the structural transformation), it is not reflected in the discourse of Palestinians nor in their political culture. It is as if it never happened, even though it is shaping their present ... and has restructured their organizations" (Kayyali, 2021).

The inability to create self-change and the absence of effective internal mechanisms to trigger change has led to negative patterns within Fatah, which appears in the form of skepticism and gossipmongering about its performance, that have no effective impact. This state of self-deficiency and its prevalence can be considered one of the important transformations that require attention in the context of analyzing Fatah's transformations and their consequences.

Third: Fatah's Future Between the Theory of "Safe Change" and an Ongoing Atrophy

Many factions within Fatah did not accept the changes that affected the Movement's political and organizational structure as a result of the Oslo process. Three decades after Oslo, and the devastation it has caused within Fatah and on the Palestinian national level, most Fatah members - or at least a broad current within the Movement composed of senior and middle cadres and individuals - are opposing the outcomes of Oslo and the current situation (even though they do not express their position openly). However, this position was not translated into a political rejection on the ground, affecting the trajectory of Fatah in general.

The opposition current within Fatah, whether a majority or a significant minority, has suffered from paralysis in its ability to act and a lack of initiative to halt the collapse or amend the course, in the face of the dominance of the faction led by Abu Mazen. Within the internal Fatah scene, numerous opposition

movements have emerged during the prolonged Oslo era, some vocal and bold, others cautious with calculated considerations, and some evolving into what resembles a breakaway from the movement while still maintaining allegiance to its name. It is possible to delineate the components of the internal Fatah scene by observing the most important blocs at present, as it is one of the most important transformations resulting from Oslo. It is worth noting that there are no strict lines separating these blocks, but rather an overlap between them. Furthermore, there is an expansion of the gray areas that allow more fluidity from one circle to another, or to claim adherence to an idea or a trend in principle, while operating in a different sphere, on the basis of practical and pragmatic (and sometimes utilitarian) grounds.

The first of these blocs is the group that controls Fatah. It is represented by the narrow circle surrounding Abu Mazen, which controls the financial resources and the keys to the political system. It relies on Israel's support, which ensures that this segment can perpetuate the status quo, mainly through security coordination.

This circle, which is motivated by conflicts and interests of money and positions (Ghoneim, 2022), is expanding and includes hundreds of senior beneficiaries of the status quo, such as ministers, deputy ministers, and a wide range of ambassadors, in addition to the leaders of the security services who are loyal to Abu Mazen.

The second block, represented by what is described as the "safe change current", is probably the largest segment within Fatah. The use of the term "current" here is not very accurate due to the absence of a clear structure and leadership for it. But there is certainly a large and broad segment within Fatah that adheres to the idea of "safe change" and calls for it (Ghoneim, 2022). The general lines of this current's position are represented in opposing many of the policies and unilateral trends pursued by the dominant stratum of Fatah, namely Abu Mazen and his circle. Nonetheless, it believes that it is necessary to manage this opposition with a great deal of accuracy to avoid any vertical split in the movement. Marwan Barghouti stands at the head of this current. The theory of change that the opposition believes in and is working on is based on the need to crystallize a "leading current" within Fatah, that will return it to its revolutionary origins, and which does not believe in the "leader's current," that is, the personification of change and offering allegiance to one the symbols of Fatah. The "leader's current" must include organizational rules, spread across regions, and ascend vertically to the Revolutionary Council and the Central Committee of the movement (Ghoneim, 2019). Many Fatah leaders who believe in this approach do not hesitate to express sharp criticism of the status quo, and express deep indignation over the fate of Fatah. However, this "current" is still unable to translate

its opposition into an effective performance that affects the path of Fatah. The latest manifestations of this have been the inability to prevent the rise of Hussein al-Sheikh, who became a member of the Executive Committee of the PLA and its Secretary-General. If we go back chronologically to the early years of Oslo and its signing, many Fatah leaders outside Palestine can be included in the current or state of “safe change”, with Farouk Qaddoumi at the forefront, who refused Oslo and preferred to stay abroad to express this rejection, but did not defect or try to form a new body.

The third bloc is the “Democratic Reform Movement in Fatah”, headed by former Central Committee member Muhammad Dahlan, who was dismissed by Mahmoud Abbas in 2011, on charges of financial corruption. This bloc gathered many of the marginalized and dismissed members close to Dahlan. The main position of the movement is a sharp opposition to the leadership of Mahmoud Abbas, whom they accuse of dictatorship and authoritarianism, and marginalizing the movement’s leadership frameworks. This bloc enjoys a remarkable presence in the Gaza Strip, as well as financial and regional support - especially from the United Arab Emirates, where its president resides. In the West Bank, its members are subjected to severe restrictions. They also face dismissal from the movement and their jobs.

The fourth bloc is that of Dr. Nasser Al-Kidwa, who for a long time neutralized himself within the state of “safe change” until he formed the “Palestinian Democratic Forum” in 2021. He decided, in coordination with Marwan Al-Barghouti, Fatah leader imprisoned in Israeli jails, to form an electoral list to contest the legislative elections, which were supposed to be organized that year. The formation of this bloc can be considered the beginning of an actual rebellion against the dominant segment, and the idea or state of safe change at the same time. Holding the elections on time was the real test for examining the popularity and the space in which the bloc was able to expand and attract segments from Fatah or other groups. This group, led by Al-Kidwa himself, was subjected to a fierce war by the first bloc, namely Abu Mazen and his circle. This led to the removal of Al-Kidwa from his position as head of the Yasser Arafat Foundation, stopping his salary, and withdrawing his diplomatic passport (Al-Kidwa, 2022).

Despite the presence of big names and leaders in the opposition blocs, they were unable to stop the atrophy witnessed by Fatah in the aspects referred to above. Powerlessness and paralysis dominate the scene in which the Fatah majority, especially the internal opposition, transformed into disgruntled and silent observers and witnesses.

Conclusion

Considering the above, how can we deal with the difficult questions about Fatah's future and possible paths to that future? And where does "Fatah the party" stand with respect to "Fatah - the repository of historical symbolisms"? Is the former still able to coexist with the latter? Is it still possible for Fatah to continue to sit on the fence, or reconcile opposing factions, when it comes to strategy, vision, and practice? There is a clear difficulty in addressing these questions due to the multiplicity of elements that contribute to the answers, and the multiple levels of analysis, all of which require the adoption of independent approaches.

As a conclusion to this paper, we can venture into drawing four possible pathways regarding the future of Fatah, diverging from the point of intersection at which the movement stands now, three decades after Oslo. The first of these paths is the worsening of the current atrophy. The second is Fatah's revival based on the confluence of internal and external data and led by the safe change bloc. The third is the occurrence of other vertical divisions, the fragmentation of the movement's unity - especially in the post-Abbas era - and the emergence of a struggle over his succession and over the sharing of positions of power. Fourth, the intervention of regional powers to impose a new Palestinian equation in coordination with Israel, and impose certain symbols to lead the movement and possibly the PA.

The chances for any of these possibilities depend, on the one hand, on the analysis of the internal and external factors that contribute to giving preference to one path over another. This includes the pressure from external factors on Fatah, and the control mechanisms of the leadership currently in power, or its inheritors from the same circle. On the other hand, it depends on appreciating the ability and self-efficacy to bring about fundamental change, by those who seek it, i.e., the analysis of the structure and the external factors that control Fatah and the analysis of the internal factors and the extent of their own ability to resist the constraints of the overall structure and bring about a fundamental change in the path of Fatah.

In the short term, with the elements of the Fatah, Palestinian, and regional scenes (mainly the Israelis) remaining the same, the first possibility - the current stagnation and atrophy- appears as the most realistic possibility. In the medium term, new elements, mainly internal, may enhance the possibility of change and the success of the "Safe Change" movement in taking the lead - especially if Marwan Barghouti is released through a prisoner exchange deal and his efforts are united with those of Nasser Al-Kidwa and the Palestinian Democratic Forum.

It is difficult to imagine how “Fatah the Party” will rise and be revived. Perhaps it is even more difficult to resurrect it, as it was. According to Ahmed Ghoneim, “We are in the last stages of the existential crisis in the Palestinian revolution. Either a miracle will occur and save us all, or we will turn into a mere memory like the rest of the Palestinian revolutions” (Ghoneim, 2022). However, according to Mu’in al-Taher, one of the most prominent leaders of the Fatah student battalion “al-Jarmaq” in southern Lebanon, the hope for revival remains latent, as “after fifty years, it is futile to search for the essence of Fatah within its leadership as the revolution phase ended in the minds of many of them.” Al-Taher clings to the hope of “Fatah – the historical symbolism,” and says, “as for the younger generation, among the popular bases, and among the Palestinian public, Fatah is still the movement of the Palestinian people and remains of prime importance to them. Whatever maybe in it, “from Fatah, the most important part remains, the idea remains, and from that idea, the revolution is born” (Al-Taher, 2017).

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Hamas Transformations: From “the Charter” to “the Document”, and from Political Socialization to Recruitment

Belal Shobaki

The Islamic Resistance Movement (Hamas) clearly presented itself in its Charter of 1988 as an Islamic resistance movement that forms an offshoot of the Muslim Brotherhood in Palestine, and seeks to liberate the country and establish an Islamic state. Hamas indicated its unwillingness to join the Palestine Liberation Organization (PLO) without the latter’s adoption of Islam, its rejection of political settlements, and its restriction of resistance to military action.

This definition resulted in the Movement being in a state of confrontation or competition, of varying intensity, with many parties from the moment of its inception. However, the matter went beyond that after the signing of the Oslo Accords in 1993. What was considered a competition during the first Palestinian Intifada turned into repressive policies by the nascent Palestinian Authority towards the opponents of the Oslo Accords, the largest of which, in terms of grassroots support, was Hamas. During the 1990s, Hamas remained committed to its position, characterized by its rejection of the Oslo Accords and the refusal to engage in the institutions resulting from it. However, the Palestinian Authority had infiltrated society, and the life of the Palestinian citizens had become linked to its performance and capabilities. Accordingly, citizens became directly affected by the Palestinian Authority’s corruption.

However, despite the policies that the Palestinian Authority adopted to restrict freedoms in the early stages of its establishment, and despite the spread of corruption, Hamas was unable to participate in its management or contribute to its reform. This paper argues that, with the end of the second Palestinian Intifada (2004-2005), several factors emerged, and others became entrenched, that

contributed to profound transformations in the positions, ideas, and literature of Hamas. These include the joint struggle of the Palestinian factions against the Occupation during the second intifada; the collapse of Oslo due to the policies of the Occupation during the era of Ariel Sharon; the signing of the Cairo Declaration in 2005, which can be considered a new reference for the official Palestinian institutions; and the withdrawal of the Occupation from Gaza in 2005. The paper also argues that these factors would not have triggered a change in the attitudes, ideas, and mechanisms of action of Hamas – specifically, from rejecting to join the Palestinian Authority, to replacing the Charter with the Policy Document, and from political socialization to recruiting partisans, had it not been preceded by a fundamental factor, which is the signing of the Oslo Accords, and the establishment of the Palestinian Authority. It seems that the transformations that Hamas underwent emerged from its need to adapt to the new environment imposed by the post-Oslo period. Regardless of the Movement’s position, interacting with this environment became inevitable.

These are the changes related to Hamas’ participation in the Palestinian Authority and its Charter. As for the transformations that affected the strategies employed to recruit its mass bases, the Movement is known for its base cohesion and homogeneity, as well as its ability to expand it, to include both sexes. After analyzing multiple indicators, scholars and observers conclude that the tools that Hamas uses enables it to, mobilize the masses and organize them during marches, demonstrations, and events; gain achievements in trade union activities; and obtain advanced positions in many of the electoral processes it participated in. Until this moment, Hamas continues to show the same indicators. This paper argues that the current indications of the Movement’s capabilities to mobilize its mass base do not necessarily depend on the sources of power that it has possessed since its founding. That is because its tools for recruiting supporters or members have adapted to the variables of each stage, in a way that will ultimately affect the cohesion of its base and its ability to play the same roles in the future.

For building and expanding its mass bases, Hamas relied on educational and early upbringing institutions, such as Quranic schools, mosques, and educational and cultural institutions. The Movement also depended on charitable institutions and multidisciplinary associations to create effective communication with the Palestinian masses, and on investing in the credibility of its political discourse, which was achieved through its conformity with its political conduct. However, the establishment of the Palestinian Authority after the signing of the Oslo Accords resulted in a new environment that gradually limited Hamas’ ability to use its traditional platforms.

Accordingly, this paper also argues that the functional role of the Palestinian Authority has created a new environment in which the institutions of Hamas and its channels of socialization are subjected to two types of persecution, which have limited their capabilities without eliminating them. A new environment was formed after the decision of Hamas to participate in the legislative elections, as the Movement became part of the Palestinian Authority. This prompted it, *de facto*, to act not only as a movement but also as a political party. In other words, it created for itself a function other than resisting the Occupation, which is to participate in the administration of the Palestinian Authority. This means, in the Palestinian context, the decline of its role as a movement and the rise of its political activities, particularly given that the Authority was established as an entity that is incapable of playing any role in opposing the Israeli Occupation, even indirectly, and if it so aspired.

Accordingly, Hamas, which relied on the institutions of socialization and education for building its mass bases, was faced with the dilemma of the weakening role of such institutions. Furthermore, during the post-split period, the Movement was no longer able to rely on such institutions in the West Bank, and their nature was also transformed inside the Gaza Strip. The impact of Hamas' loss of its traditional platforms in the West Bank on the size of its mass bases, who are attracted to the Movement for its past glory, now also targeted by modern recruitment tools, particularly the media, has not been wholly assessed. However, the expected impact of the use of such tools is not only quantitative, in terms of the size of this base, but also qualitative, and related to its nature. As such, this base is not only comprised of individuals who spent years in the socialization institutions adopted by Hamas – such as mosques, Quranic schools, associations, clubs, and others – but also includes new supporters who were attracted by propaganda and the media. The main characteristic of this segment of partisans is its volatility and speed of change, in contrast to the first social base of Hamas.

This paper discusses the circumstances that led to the decline in the role of the institutions of political socialization in building and expanding the mass bases of Hamas, and the role of the Palestinian Authority in this decline. The paper also explores the recruitment tools adopted by Hamas to maintain a broad social base in the West Bank, and the impact of these tools on the quality of that base, its characteristics, and the prospective roles it can play.

First: Towards an Analytical Framework for Examining the Relationship Between the Oslo Accords and the Transformations of Hamas

Researchers on this topic can form a clearer picture of Oslo’s impact on the transformations that the Palestinian society witnessed, including Hamas, if they base their analysis on a theoretical framework that explains the emergence of new patterns in the relationship between the colonizer and the colonized, given that the normal relationship between both parties is characterized by the belligerence of the first, and the resistance of the second. However, there are many cases in the history of humanity in which colonialism, by interfering in the colonized environment and influencing its elites, was able to push the population of the country to seek new patterns of relationship with it (Githuku, 2018). These have become known as studies on the “Cooperation with the Colonizer.” To avoid misjudging these studies, it is necessary to clarify that “cooperation” in this context does not mean intelligence support or committing treason, as such studies are not moral trials, but rather a scientific examination of the relationship between a group of variables.

Although paving the way for cooperation requires a direct intervention in the colonized environment and developing partnerships with members of the elite, the cooperation targets the collective mind of the colonized, so that the new environment carries new values that makes people confused about their national identity. As such, they are unable to distinguish between resistance and adaptation, and between sustaining new gains and giving up the community’s assets, as national projects are often misused to conceal the colonizer’s plans.

The new environment of cooperation bears the changing of the economic and social patterns in the country, and the transformation of the natural relationship (resistance in the face of belligerence) into the exception, and the transformation of the exception (cooperation) into the norm (common interests). The transformation is gradual and does not stem from a loss of patriotism, a decline of moral standards, or feelings of affection towards the colonizer. Rather, it emanates from an understanding that cooperation preserves what can be saved and prevents complete demise, and that resistance is reckless and is a threat to peace (Uzoigwe, 1976, pp. 32-65).

Such a dilemma reduces patriotism to its physical and tangible aspects and strips it from the common sense of identity and attachment to the land. If such cooperation is achieved, it would guarantee the physical survival of both the colonizer and the colonized but would result in the moral annihilation of the colonized by the colonizer.

Zionist settler colonialism in the Palestinian context has not been able to annihilate the Palestinians, either morally or physically, but it has wiped out millions of Palestinians in Palestine, and started reshaping the environment of those who remained, to remold their perceptions and transform ‘cooperation’, from an act that guarantees the realization of many gains for the Palestinian society, into an implicit national necessity and a public demand, or a dominant movement adopted by the broader segment of society, including movements, for the sake of preserving their lifestyle.

The formation of the Palestinian Authority was not the first step towards creating an environment of cooperation in the Palestinian context. Since Oslo, the Palestinian Authority, with its subsequent economic and social institutions and patterns, has become the coercive ground for political action. This was not based on the choice of the majority of Palestinians at the time of its founding. However, it later gained this position due to necessity, forcing even the parties who rejected it at the beginning, to become part of it. Such coercive ground creates its own rules; accordingly, the nascent Authority imposes its rules and controls upon the parties that join it (Awdatallah, 2021).

In the Palestinian context, joining the Authority means, a transformation on the level of the national movement. In the case of Hamas, joining the Palestinian Authority’s institutions that were founded following the Oslo Accords means that the Movement transformed from a social movement to a socio-political movement. Away from the debate about such engagement and its meaning regarding the settlement issue, the first risk associated with such transformation is the prevalence of the party’s activities over those of the movement. The second risk is related to the contradiction between the activities of the party and those of the movement, as adopting the struggle entails destroying cooperation and results in social distress. The third risk is the deepening of the irreconciliation between the party and the movement, which could spark an internal conflict between those who seek to preserve their gains and those who want to safeguard their principles – rather than a conflict between patriots and traitors. As such, negotiations between colonizers and colonized over rights are transformed into a compromise with the colonizer. This can be summarized by the following saying: “A sign of deceptive occupation is when the lifestyle of the colonized becomes a constraint that binds their wrists.”

In this framework, the paper examines some of the emerging transformations that Hamas underwent after Oslo Accords, in the context of cooperation. Although it may seem to appear from the above discussion that cooperation was inevitable, however, in reality, the only inevitable variable was the colonizer’s attempt to liberate itself from the consequences of its actions. Even though the colonized may be submissive to the environment of

cooperation, changing the characteristics of that environment remains plausible.

Second: From Confronting the Palestinian Authority (PA) to a Confrontation within the Authority

Examining part of this paper’s main argument, which is related to the ideological transformations of Hamas after the Oslo Accords, requires eliciting sufficient indications of the existence of such transformations, then, evoking indications that there is indeed a relationship between the new transformations within the Movement and those that resulted from the Oslo Accords. Accordingly, this section discusses the transformations associated with the change of attitude towards Hamas’ participation in the Palestinian Authority and the subsequent development of the Policy Document. Gradual transformations occurred in fundamental issues, 12 years after the signing of the Oslo Accords, specifically in 2005, when the Cairo Declaration was signed (Palestinian News and Information Agency, 2005). These transformations include: the discussion related to the decision to participate in the Palestinian legislative elections, which was announced by the leader of Hamas, Muhammad Ghazal from Nablus (Al-Jazeera, 2005); the signing of the Cairo Declaration, one clause of which stipulates the development and activation of the PLO without any mention of what was included in the Hamas charter in that regard; and finally the drafting of the new Policy Document of Hamas in 2017.

The question that remains is: Are the transformations in these aspects related to the Oslo Accords and its consequences, or to other internal factors pertaining to Hamas? Undoubtedly, Hamas would not have undertaken these steps without the internal transformations. However, it is also unlikely that these steps/transformations are isolated from the objective variables surrounding the Movement, over which the Oslo Accords and its consequences have had the most influence. Although Hamas rejected Oslo Accords from the beginning, and is still rejecting it until now, the issue of being affected by its consequences is not related to whether or not the Movement approves the Accords. That is because an institutional structure was created to assume responsibility for many sectors in Palestinian society, which influenced the economic and social patterns in the country. In addition, the security apparatus that was implemented over several phases after Oslo, became a tool of domination and control in this society.

Some writers predicted the ascendance of Hamas to power at the early phase of its founding. These include Zaid al-Kilani, who addressed the issue in his book “Islamic Movements in Jordan and Palestine,” published in 1995. However,

during the first years that followed the founding of the Palestinian Authority, the questions emerged as to whether the refusal of Hamas to join the Authority had any benefits, and whether it was wise to allow Fatah to unilaterally govern the Authority and its institutions, which affect the lives of every Palestinian citizen in the West Bank and Gaza, and in which signs of corruption had appeared in the early stages of its life, as current Palestinian President Mahmoud Abbas says in his book “From Oslo to Palestine” (Abbas, 2020).

However, the issue is complex, and there are no easy answers to the question of feasibility of engagement with the Palestinian Authority, as participation is not only related to the benefits that Hamas gains from such involvement, but must also consider the Movement’s governing principles, charter, positions, and its popular bases, which absorbed all the aforementioned transformations.

Previously, Hamas was governed by factors that hindered its collaboration with the PLO, which were mostly related to its formation, ideology, and relationship with the public opinion (Al-Zubaidi, 2010). In addition, Hamas has its own distinct vision of the political scene, which it seeks to present through the sources of power it possesses (Al-Shobaki, 2008). Later, some claimed that Hamas participated in the legislative elections to deter Fatah’s monopoly over the Palestinian Authority, while others said that the Movement meant to support the Authority in the face of international pressure, as stated by Muhammad Ghazal (Ghazal, 2005, p. 20) in a symposium held by the Middle East Studies Center in Amman. Even though both claims are well-founded, they are incapable of convincing Hamas’ mass bases, at the very least, or even Hamas’ opponents and competitors, who tried to exploit the decision to participate in the elections by interpreting it as Hamas’ acceptance of the Oslo Accords.

Especially since the aspects of corruption in the Authority emerged just one year after its establishment, as did the international pressures. This is particularly true because these various aspects of corruption appeared in the Palestinian Authority only a year after its establishment, along with international pressures. In this context, why did Hamas wait nearly a decade to announce its move? Hamas needed new factors that would make the participation in the Palestinian Authority one that is separate from the Oslo Accords. These factors are as follows:

- The Oslo Accords stipulated that the establishment of self-rule authority is for a transitional period lasting five years, during which, permanent settlement issues will be negotiated,¹ provided that this stage ends with the

1 Objective of the Negotiations: “The objective of the Israeli-Palestinian negotiations within the current peace process in the Middle East is, among other things, the establishment of a Palestinian Interim Self-Government Authority, the elected Council (the Council) for the Palestinian people in the West Bank and Gaza Strip, for a transitional period not exceeding

establishment of a Palestinian state on the 1967 borders. However, this did not happen, and the period was extended by one year. This was not sufficient for the establishment of the Palestinian state and the settlement of negotiations on permanent status issues. Legally, this agreement no longer exists, as its temporal and spatial conditions have been violated. Politically, it was transgressed by the Israeli occupation authorities, particularly when Ariel Sharon came to power in 2001, and began a series of steps that contradicted the Oslo Accords, the most important of which was the invasion of the West Bank and the construction of the expansionist wall.

- The start of the second Palestinian Intifada in 2000 and the participation of all Palestinian factions in it, including the Fatah movement. The implications of the latter’s participation go beyond the military involvement in the struggle, as it implies that Oslo no longer governs the policy of the leadership of the Palestinian Authority, particularly since such involvement was headed by Arafat.
- The Israeli withdrawal from the Gaza Strip in 2005 was the clearest declaration by the Israeli occupation authorities that its field, political, and military steps are no longer based on agreements signed with the PLO, and their implementation no longer requires coordination with the Palestinian Authority. The withdrawal was unrelated to the negotiations, even though Ariel Sharon presented it as an Israeli decision. Such withdrawal was subsequent to continuous and multi-form resistance against the Zionist presence in Palestine, and in the Gaza Strip in particular. This enabled Hamas to argue that what happened was liberation, and, as such, that liberators should be given the opportunity to govern the liberated land.

With the end of the second Palestinian Intifada and the death of Yasser Arafat in 2004, Mahmoud Abbas was elected president of the Palestinian Authority in 2005, and the internal Palestinian dialogue began, which culminated at that time with the signing of the Cairo Declaration. The latter can be considered a new reference for the administration of the Palestinian Authority, different from that of the Oslo Declaration of Principles, as it stipulated a recommendation to change the electoral system and the number of seats in the Legislative Council, as well as the need to develop and activate the PLO. The document was co-signed by Hamas.² The importance of this Declaration is not limited only to

five years, leading to a permanent settlement based on Security Council Resolutions 242 and 338. (Palestinian News and Information Agency, 1993)

² The meeting discussed the internal Palestinian situation and agreed on the need to complete comprehensive reforms in all fields, support the democratic process in its various aspects, and hold local and legislative elections at their specified times, according to an electoral

the implicit Palestinian consensus on moving beyond Oslo, but also in Hamas's stance towards the Palestine Liberation Organization (PLO), which superseded its earlier charter, which required the PLO to adopt Islam as a way of life, as a precondition for Hamas' participation in the Palestinian Authority.

Based on these developments, Hamas participated in the 2006 legislative elections, which were deemed as fair and transparent elections by international and local institutions (Malki, 2006, pp. 131-132). These elections received double attention due to the participation of Hamas as well as the circumstances that preceded them, particularly the unilateral Israeli withdrawal from the Gaza Strip. The victory of Hamas in those elections enabled the Movement to become a major player that can no longer be excluded (Long, 2010, p. 131). The results surprised Palestinian society with all its components, including the Hamas movement, which expected that it would become a strong opposition within the Legislative Council, as can be deduced from the aforementioned speech of Muhammad Ghazal.

The international positions that accepted Hamas' participation in the elections, particularly the United States of America, were based on incorrect expectations regarding the election's results. This is clearly demonstrated by the statement of Condoleezza Rice, the U.S. Secretary of State at the time, when she said that the Hamas leadership, at the Parliament, will not be too preoccupied with chanting slogans against Israel as it will be mostly concerned with securing school bags for children (Pipes, 2005). This reflects its awareness of the reality of the Palestinian Authority and the ability of donors to impose their conditions on it.

Condoleezza Rice's statement can be considered an introduction to understanding one of the most important transformations that Hamas witnessed after it was forced to play a role in the Palestinian society according to the Oslo conditions, as indicated by Sari (Orabi, 2020). Such transformations are not only related to a change in its position regarding the participation in the Palestinian Authority and the PLO, but also the Movement's roles in the Palestinian society,

law to be agreed upon. The conference recommended that the Legislative Council take measures to amend the legislative elections law by adopting parity in the mixed system. It also recommended amending the local council elections law by adopting proportional representation. The conferees agreed to activate and develop the Palestine Liberation Organization according to principles to be agreed upon, so that it includes all Palestinian forces and factions in the capacity of the organization as the sole legitimate representative of the Palestinian people, and for this it was agreed to form a committee to determine these foundations. The committee was composed of the President of the National Council and members of the executive committee of the organization, the general secretaries of all factions, and independent national personalities whom the Chairman of the Executive Committee invites to these meetings." (Palestinian News and Information Agency Wafa, 2005.)

and its entry into a stage in which it now performs three functions: its main role as a resistance movement, its role as a social movement that communicates with the Palestinian society in different contexts, and its new role subsequent to its participation in the legislative elections, represented in the role of political party.

This new equation was imposed on Hamas during the post-Oslo era and has repeatedly subjected it to the scrutiny of analysts, who wondered about the possibility of combining resistance and governance – or, in other words, the extent to which it can function as both a liberation movement and a political party. Rice, who in her aforementioned statement represented the viewpoint of many international and regional powers, was aware of the possibility of pushing Hamas towards a position where its role as a political party would dominate over its role as a resistance movement. This was due to their awareness of the security and economic structure of the Palestinian Authority, which was not designed to be able to absorb militant activity, even if its leaders so wanted.

Immediately after the victory of Hamas the process of curbing the Movement and forcing it to face the challenge of administering the Palestinian Authority began under the following pressures:

- The Fatah movement’s refusal to participate in the tenth government.
- The Fatah movement’s control over the executive and judicial authorities.
- The political system that gives the Palestinian president broad powers.
- The Palestinian security services and their coordination with the Israeli occupation.
- The international boycott of the tenth government led by Hamas.
- Financial constraint on the tenth government that stopped its ability to fulfill its obligations towards citizens.

There were rapid attempts to exhaust Hamas through the challenges of governance, and then drain it further through having to manage its relations with Fatah. This had a clear impact on the basic role for which the Movement was founded.

However, withdrawing from the scene was unacceptable, and not an option anymore. While Hamas presented itself through the Change and Reform Bloc, which aimed to correct the situation of the Palestinian Authority, it found itself facing an Authority that was highly exposed to internal and external influences. Furthermore, the Authority’s corruption turned out to be structural, rather than limited to a group of individuals, and resulted in making the Authority an entity without any capacity to take an independent decision, in isolation from the will of the Occupation and international and regional parties.

Hamas tried hard to refute the expectations summarized in Rice's statement by continuing its struggle and continuing to participate in the Palestinian Authority after the first rounds of dialogue regarding the National Accord Document, and then the Mecca Agreement. However, these attempts were not a sufficient indication at the time that Hamas was capable of combining the two functions – that of being a political party and an armed resistance, at the same time. Hamas, as a resistance movement, faced with continued external pressures in the Gaza Strip in particular, became besieged following both political and financial pressures. Thus, it was unable to successfully combine both resistance and governance, but rather achieved partial resistance and governance, albeit, threatened by the possibility of overturning the results of the legislative elections.

Hamas was aware of this and extended its control over the Gaza Strip by force of arms, becoming its *de facto* ruler while losing its presence in the Palestinian Authority and its organizational and institutional structure in the West Bank. The year 2007 became a radical turning point in Hamas' mechanism of action, both in the West Bank and in the Gaza Strip.

We will focus in the second part of this paper on the impact of this transformation on Hamas' popular bases. Accordingly, we can ask the following question: If Hamas' participation in the Palestinian Authority was based on the Cairo Declaration, the expulsion of the Occupation from Gaza, and the legal and political end of Oslo during the second Palestinian Intifada, how can the subsequent transformations within the Movement be considered in the context of Oslo? The connection is clear, given the conditions that were placed on Hamas for it to be recognized as a partner in governance by many forces, not only in the international community, but also by the leadership of the Palestinian Authority and the PLO, to accept its political participation. The current Palestinian president still puts these conditions on the table before each round of dialogue, which can be summarized by requiring Hamas to accept the agreements signed between the PLO and the Israeli Occupation (Abu Aisha, 2021). Since the moment of its victory in the Palestinian legislative elections, Hamas has been subjected to an attempt to deplete its capabilities in any field that is not related to combating the Israeli occupation. As such, the Movement has lost its organizational presence and its traditional platforms in the West Bank.

Whereas in the Gaza strip, its tools were transformed following its control over the official Palestinian institutions, which enabled it to maximize the capabilities of its military wing, so that military resistance no longer requires direct engagement with the occupation forces. As a result, the Palestinian resistance became capable of influencing the course of life in the occupied Palestinian territories of 1948 by the decision of its leaders in the Gaza Strip.

Some analysts, such as Mustafa Al-Sawaf, Hani Al-Akkad, and Abeer Thabet, suggest that military escalation is Hamas’ attempt to alleviate the siege on the Gaza Strip. In other words, resistance was employed to serve the purpose of governance (Mukhtar, 2022). This is an understandable argument given Hamas’s responsibility for the Gaza Strip and its actual need to alleviate the siege on its people, which required using its military wing and capabilities to pressure the occupation. However, the incomprehensible part is considering that easing the blockade on Gaza is an issue unrelated to the struggle and resistance of the Palestinians, but a form of overlap or interaction between Hamas as a political party, Hamas as a government, and Hamas as an armed group (Berti, 2015).

This discourse prevailed with every confrontation between the Palestinian resistance and the Occupation in the Gaza Strip. That was the case until the events of May 2021, when such an argument became less convincing as the resistance from Gaza entered a confrontation with the Israeli occupation to repel the assault on Jerusalem. Accordingly, the Jerusalemites were able to enter the Al-Aqsa Mosque against the will of the Occupation authorities, because the Resistance had imposed its conditions. However, the amount of suffering endured by the Palestinians in the Gaza Strip from the aggression of the Occupation, remained a point of criticism for the opponents of Hamas, such as the Palestinian Authority leadership, to attack its role, (Khalil, 2009).

Briefly, we can say that the most significant transformation that Hamas witnessed in the post-Oslo Accords phase was not in its decision to participate in the legislative elections, but rather in the burdens of governance that such a decision entails, along with the responsibility of the resistance. Several years passed in which the resistance was employed to provide the minimum necessities of life in the Gaza Strip. However, there were years in which Hamas used its governance in Gaza to develop the capabilities of the resistance in a way that strengthened its role in the Palestinian political scene. Returning to Rice’s statement, which predicted the Movement’s preoccupation with issues of governance, we can conclude that this prediction was correct in the short term, but lost its validity in the medium and long term.

Third: From the Hamas Charter to the Policy Document

Since Hamas came to power in 2006, there were many indicators of change in the discourse and literature of the Movement, which considered that resolving the conflict with Zionism requires the participation of three circles – Palestinians, Arabs, and Muslims. The Movement ignored, without justification, the

international powers with whom Hamas must communicate since it became part of the Palestinian Authority, some of which clearly criticized and rejected the provisions of Hamas' Political Charter (Nimer, 2009; Aljamal, 2014). Hamas announced years ago that it was ready to communicate with many international powers, such as the United States, Britain and France, and engage in dialogue with them, with the exception of the Israeli occupation (Al-Rai Newspaper, 2005). However, such communication seems impossible considering Hamas's preservation of its founding principles. In this regard, Khaled al-Hroub says: "Hamas cannot communicate with Europe and the whole world whilst the provisions of the Charter besiege it. Zionist and Israeli lobbies have used propaganda and translated the content of the Charter potentially into all the languages of the world, even to the Chinese language, all with the aim of proving the "anti-Semitism" of Hamas and the Palestinians and their goals in exterminating the Jews" (Al-Hroub, 2009).

It should be noted here that shedding light on some of the provisions of the Charter as texts that require change or deletion were not only made by Hamas' competitors, opponents, or enemies, but also by Hamas personalities, who called for such change or deletion implicitly, as will be mentioned later, for different goals.

External criticism of the Charter by parties outside Hamas was not only issued by political entities that have a position related to the Movement. For instance, observers and researchers who studied the Charter demanded its amendment because they believe that Hamas should benefit from the experiences of other Islamists, specifically in Turkey, as suggested by Ramzi Baroud (Baroud, 2011). Some underestimated the importance of the Charter before 2006, such as Jeroen Gunning, who indicated that Hamas had depreciated its aspirations regarding the establishment of an Islamic state and the liberation of all of Palestine (Gunning, 2004). However, in a subsequent study, Gunning returned to the Charter after 2006, presenting Hamas' policies as being contradictory to its ideological framework and foundational principles (Gunning, 2010).

Some international and local entities refuse to deal with Hamas or even to accept its political participation, unless the Movement amends some of the content of its Charter, specifically the terminologies describing the conflict as being with Judaism, which warranted accusations of anti-Semitism against Hamas. In addition, these entities object to Hamas' position that Palestine is a Muslim land, its rejection of any political solution to the conflict, and its adoption of military resistance. These are the points on which the conditions of the Quartet were set for recognizing Hamas, and not considering it a terrorist movement. As such, the conditions include the recognition of Israel's right to exist, the renunciation of violence, and the acceptance of the agreements

signed with the Occupation (Al-Ayyam newspaper, 2006). The last condition was also imposed by the Palestinian president in order to build a partnership with Hamas, and implicitly includes the two previous conditions.

The research focused on the issuance of the new Policy Document of Hamas, which was announced at a press conference in the Qatari capital Doha, in June 2017. This Document was considered as the most important transformation in the ideological framework of Hamas, as it constitutes a departure from the Charter, and a rapprochement towards the possibility to adapt to the outcomes of the incomplete political settlement. However, in its political discourse and behavior prior to the disclosure of the Document, Hamas showed many indications of transformations in the Movement’s vision for how to interact with the Palestinian political life, which also demonstrate that it moved away from the provisions of the Charter.

Six years before the Document was issued, Hamas leader Sami Abu Zuhri had stated during an interview with the French newspaper *Le Monde* that: “The observers should not focus on the Hamas Charter that was issued in 1988, but should rather judge the Movement in the light of what its leaders say” (Al-Wasat newspaper, 2011). A few months later, Musa Abu Marzouq told *The Daily Jewish Forward* newspaper that “The Charter does not govern Hamas, and that there are many members and cadres within Hamas who talk about changing the Charter, because there are many current Hamas policies that contradict what is written in the Charter” (Abu Marzouq, 2012). Also, Khaled Meshaal stated the following in an interview with CNN: “We have only one of two paths ahead of us, either the existence of an international will from America, Europe, and the international community that pushes Israel to the path of peace and the establishment of a Palestinian state on the 1967 borders, while guaranteeing the right of return, on which there is Palestinian consensus, or if Israel continues to reject that, we will choose resistance against it” (CNN, 2012). There are many other monitored statements of Hamas leaders rejecting direct or indirect invocations of the Charter when discussing the Movement’s policy.

The matter is not limited to the political discourse of Hamas. Much earlier, Hamas had begun to take practical steps that contradict what was stated in its Charter in the post-Oslo phase, the most prominent of which was discussed above, regarding the signing of the 2005 Cairo Declaration. When Hamas signed the Declaration, which calls for holding local and legislative elections and activating and developing the PLO as the sole and legitimate representative of the Palestinian people, it did not mention the conditions contained in the Charter related to the ideological foundations of the Movement.

After the advancement of Hamas in the Palestinian Legislative Council

elections, many indicators pointed to changes in the Movement. For instance, Hamas signed the National Accord Document for the Palestinian Reconciliation in 2006, a document that addresses the right of resistance within the 1967 borders, or in all of Palestine with vague terms (Palestinian News and Information Agency, 2006). Almost a year later, Hamas signed the Mecca Agreement for the Palestinian reconciliation, which resulted in a government that respects the agreements signed by the PLO, headed by Ismail Haniyeh.

Hamas, while showing these signs of divergence from its Charter, did not make any amendments to it or revoke it. Rather, Hamas issued a new Policy Document and chose not to call it the New Charter. This may be due to the nature of the political socialization pursued by Hamas in recruiting its members, which is primarily based on religious education in the early stages of life, and includes the political principles in which the Movement believes, and which have been drafted in the Charter.

In this context, the announcement of a new charter may put Hamas at risk of being perceived by its members as having deviated from its path, or having followed a path similar to that of the PLO. Such fears are fueled by many writers, including the late Abd al-Sattar Qassem, who have tried to present the discourse and behavior of Hamas after 2006 as similar to that of the PLO (Qassem, 2015). In addition, the period in which Hamas issued its new Document witnessed the growth of extremist Islamic political currents in the Gaza Strip, and to a lesser extent in the West Bank, in addition to the presence of other Islamic currents, such as the Islamic Jihad and Hizb ut-Tahrir. The existence of such organizations allowed some Hamas elements to turn to them following Hamas' participation in the legislative elections and its assumption of power in Gaza (Clarke, 2017). The abolition of the Charter, had it taken place, would have encouraged more dissidents to join these groups, which sometimes adopt treasonous and takfiri rhetoric towards Hamas.

The Israeli occupation realized the importance of the existence of Islamic currents alternative to Hamas, that allow for the weakening of its popular base. Accordingly, it began to seek Western support for Sufi currents in the region to weaken political Islam movements in the entire region (Rothschild & Steiner, 2012).

Although the new Policy Document cannot be considered a complete break against the Charter, it represents one of the most important transformations imposed by the post-Oslo phase, when Hamas found itself compelled to participate in the management of the Palestinian Authority's institutions. This entailed the adoption of a new vocabulary derived from the need for good governance in modern countries, and which differs from the vocabulary derived from the

necessity of ruling in accordance with the Islamic law. In addition, Hamas’ participation in political life and its subsequent control over the Gaza Strip prompted it to open up to the world, influencing and being influenced by global developments.

Among the most important transformations revealed by the new policy document is the issue of identity, and how Hamas presents itself to its audience and the world as a Palestinian movement that does not have any organizational connections with any non-Palestinian entities. Such a presentation can be interpreted as an attempt to address criticism related to the “patriotism” of Hamas by its opponents in Palestine, who consider it an extension of an external movement – the Muslim Brotherhood. This can also be interpreted as a rational reading by Hamas of the changes of the last decade in the Arab world, which brought with them an increased pressure on the Muslim Brotherhood movement and others affiliated with it, particularly after Abdel Fattah El-Sisi’s coup against the late Egyptian President Mohamed Morsi. Such an interpretation is imposed by Hamas’ need to communicate with the regional environment, specifically Egypt, by virtue of its geographical location, and regardless of who governs it.

In addition to that, what was loosely stated in the Cairo Declaration of 2005 about the PLO, was made clearer in the Policy Document, as it stipulated the need for its reform, and affirmation of the values of democracy, and the right of the Palestinians to practice all forms of struggle against the Occupation. Such transformations reflect a significant development in the political thought of Hamas compared to its Charter, and were for opening up the horizons of political partnership with the rest of the Palestinian factions, without the ideological foundations of Hamas being an obstacle in the path.

The wording of some clauses of the new Document indicates that Hamas is trying to engage with Western powers, as it has adopted vocabulary that explains “without room for interpretation that its struggle is with Zionism, not with Judaism.” However, this does not enable it to establish normal relations with the official Western regimes, as its clear positions rejecting Oslo and supporting military action against the Occupation, as well as affirming the illegality of Israel, were confirmed in the provisions of the new Policy Document, are in conflict with the conditions of the Quartet (Shobaki, 2017, May 3).

Fourth: The Hamas Mass Base from Socialization to Recruitment

Ideological movements and parties possess greater ability to mobilize and rally support as compared with other political movements and parties, as they rely on early political education and socialization to expand their popular base and increase the number of their supporters. To achieve this end, they rely on most available institutions, which do not necessarily play political roles. Therefore, investing in them as nurseries for producing members may still be possible, even under conditions of restriction on the movement or political party, especially if the political system is authoritarian or if the country is under occupation.

The Arab states, especially during the post-Arab Spring era, provided practical evidence of the ability of ideological movements and parties, particularly the Muslim Brotherhood, to mobilize and rally support. Based on this, we can say that ideology alone was not sufficient, rather that ideology should be capable of spreading in society, without conflicting with the national identity, the political culture, and the beliefs of the majority. This is what gave the Muslim Brotherhood the ability to stand out among other ideological currents and find itself in more than one Arab country the most capable of mobilizing and directing the street, and even reaching power through its mass bases. However, the ability to mobilize did not necessarily mean the ability to rule, control, and dominate political systems, whose authoritarian legacy was stronger than calls for change.

Prior to the indicators that appeared after the start of the Arab Spring, Hamas presented a successful model for building a broad base of supporters in Palestine, and in a relatively short period of time. Which is to say that the Movement did not build its base from scratch after its founding but relied on Da'wah. Thus, the stage after the founding of the Movement was that of organizing and expanding the mass base, not that of creating this base. Although Hamas is an ideological movement, it possessed a remarkable ability to adapt to all changes to achieve its goals (Mishaal and Sela, 1999); and this is one of the factors that supported its spread.

From the moment of its inception, Hamas became the main competitor of Fatah, the largest Palestinian national liberation movement at the time, and its presence in the first Palestinian Intifada was no less important than the presence of any of the national factions that preceded Hamas in founding by many years.

Hamas' involvement in the popular struggle during the first Palestinian Intifada, and then in the struggle after the Oslo Accords, did not prevent it from being interested in the various circles of political socialization. Thus, it does

not differ from many Islamic currents in the region, whose ability to mobilize the masses determined the degree of their success in adapting and investing in the circles of upbringing. Gilles Kepel explains this ability by saying that these movements depend on “social penetration within specific classes, and the use of slogans that have the ability to polarize. He believes that the political success of an Islamic movement or its failure in a country, depends upon the extent of the organization’s ability to mobilize socially. He also believes that this mobilization will be successful if it can include three different groups: the poor urban youth, the educated elites who oppose the regimes, and finally the pious bourgeoisie. Each category overlaps and interacts with the others, and each has its own social reference, political program, and political resources, which cannot be effective unless it cooperates with the other two” (Al-Amber, 2021). In addition, what distinguishes Hamas from other Islamic currents is that it broke the theory of succession, as the Islamization of society is no longer a precondition for liberation or political action, but rather a parallel process (Hroub, 2006).

Gilles Kepel’s proposal partially explains some of the Islamists’ successes in mobilization, but Hamas has a specificity that stems from the nature of the Palestinian society, which cannot be divided into classes in this way, especially in the stage that preceded the establishment of the Palestinian Authority. Even though they existed, the economic and social differences were not apparent to the extent that society could be divided into classes. Hamas succeeded in gathering people in cultural and family circles, associations, and schools, despite the difference in their cultural and economic levels. Indeed, the gatherings formed by the Movement in scientific, cultural, religious, or entertainment contexts were “revolutionary” in terms of their ability to neutralize the tribal tendency that determines the characteristics of the relationship between the members of a community.

Hamas relied mainly on Quranic circles, dialogical halaqas, mosques, private schools, associations, clubs, and the students’ movements, to educate and nurture its members. Without elaborating on the mechanisms of action, these places were able to expand the Movement’s mass base quantitatively and empower that base qualitatively. The characteristic of such political upbringing, which depends on the circles of early socialization in this context, is that it is able to absorb the pressure and restrictions that a political movement may be exposed to, which may help it to continue to have a limited influence for a while, until it can develop new means to attract the masses. This can explain why Hamas preserved a strong and competitive mass base in the West Bank, despite its uprooting from the aforementioned institutions, as it is rooted in a solid base.

Hamas also founded many charitable institutions that provide philanthropic services to citizens in the fields of health and education, in addition to economic

aid. Many people have received services from these institutions without being required to belong to the Movement, which has increased Hamas's popular credit. The zakat committees and charitable associations represented a living example of the effectiveness of these institutions in gaining public support, which was later reflected in political support and voting in legislative and municipal elections" (Shobaki, 2015).

Hamas was able to continue to rely on the aforementioned institutions for its religious and political socialization, even after the establishment of the Palestinian Authority. Although many of its members were persecuted and arrested by the security services of the Palestinian Authority during the second half of the 1990s, the Movement continued to educate, socialize, and mobilize; as the grip of the security apparatus was not strong enough to fundamentally affect the strength of Hamas. However, the end of the second Palestinian Intifada, which resulted in the rebuilding of the security services according to a new doctrine, and the profound transformations that the Palestinian Authority witnessed in the last months of Abu Ammar's rule, and then his death in 2004, led to the opening of a new chapter in the inter-Palestinian relations.

Hamas joined the Palestinian Authority through the legislative elections and was faced with an international boycott and an internal reluctance to partner with it. This situation resulted in the division of the Palestinian Authority between Fatah, which controlled the West Bank, and Hamas, which controlled Gaza. Shortly before Hamas took control of the Strip, armed groups affiliated with Fatah launched attacks on many Hamas institutions and confiscated their assets. These attacks became more intense and aggressive after Hamas took control of Gaza. At the same time, Israel started an organized war to close down many Hamas institutions in the West Bank, confiscating their assets, or arresting those in charge of them. The culmination of these Israeli attacks was in 2008 (Human Rights Watch, 2008), which led to a dramatic shift in the formation and mobilization mechanisms of Hamas, particularly, in the West Bank. The Palestinian Authority also targeted Hamas' traditional platforms, such as Quranic schools and mosques, schools, associations, clubs, research and media institutions, which were either forced to close down, or had their management changed or arbitrarily dismissed. Mosques and Quranic schools fell under the direct control of the Authority.

What applies to the West Bank does not apply to the Gaza Strip. Hamas' control over the Gaza Strip enabled it to consolidate its traditional platforms, and even made them more organized, and provided the Movement with a wider space for action and recruiting supporters and members.

However, although Hamas’ platforms were not subjected to restrictions in the Gaza Strip after 2007, the gradual transformation of Hamas in the eyes of the people of Gaza, from a resistance movement to a movement that blends resistance with governance, might have resulted in inaccurate estimations regarding the size of Hamas’ public base. That is because segments of society tend to appease the ruling authorities by showing allegiance or refraining from criticism to preserve interests or to ward off harm. Such feeling is generated by the undemocratic practices of authorities, such as the Authority in Gaza (Human Rights Watch, 2008). However, Hamas was able to maintain its platforms in Gaza, and invested in strengthening its mass base, which it lost in the West Bank.

We mentioned previously that movements who rely on early education and socialization, have a greater ability than others to survive when faced with persecution. We also pointed out that the adoption of non-political means of socialization gives movements or parties a wider margin for action, even under authoritarian regimes or in occupied countries. However, the ability to remain steadfast and not be susceptible to influence is not a permanent feature. With the emergence of a new generation of members or supporters who did not receive a religious education or a political upbringing, the base of the movement or party will become inconsistent and lose one of its most important characteristics; and this has recently begun to affect the ranks of Hamas.

The generations who were raised in mosques and in Quranic schools share the same characteristics as the founding generation, while the new generation of youth in the West Bank, and to a lesser extent in the Gaza Strip, did not receive such education or socialization.

The non-political nature of socialization institutions, and their ability to operate within an environment of freedom violations, is a scenario that represented the reality of Hamas during a transitional period between its establishment and its victory in the legislative elections. However, since the results of those elections were announced in 2006, attention became focused on the means of political socialization of Hamas, and on the institutions that serve as incubators for its mass bases.

Accordingly, the Palestinian Authority’s security apparatuses began to deal with all religious, educational, cultural, or entertainment institutions associated with Hamas as organizational cells for indoctrination, socialization and recruitment, and thus launched systematic operations to deprive Hamas of the ability to leverage these institutions, and succeeded significantly in doing so.

Hamas’ loss of ability to expand its mass bases was clear in the student council elections in some West Bank universities, such as Hebron, An-Najah, and Polytechnic universities. Such results can be explained by the severity of the

repression that Hamas activists were subjected to, whether from the Occupation or from the Palestinian Authority's security forces. Despite its relevance, such explanation ignores the fact that Hamas has always been subjected to repression, ever since its founding, and that this did not discourage its members from being active.

If members of Hamas have always been faced with repression and threats, this implies that the new generation of university students have a different psychological and moral formation than the older generation of supporters. In addition, this generation did not receive an early religious or political education, and joined Hamas or supported it either under the influence of their surrounding environment or were attracted to its media discourse. Thus, the absence of the traditional methods of political socialization that Hamas adopted since its founding, affected the quality of the new elements.

The other interpretation, which complements but is not a substitute for the previous explanation, entails that the loss of traditional platforms for education and socialization has reduced the number of new members. In this case the impact is quantitative, given that the numbers of those who are affected by their environment, or the media are less than those who were affected by their mosques, schools, and other organized institutions. For example, the Islamic Bloc, which is the student wing of Hamas, does not need to recruit and attract high school students, as they are ready to join its ranks.

Nonetheless, these days, most students, especially girls, enter universities without a clear affiliation, due to their aversion to political activism following the Palestinian split. However, the most important reason is related to the repression of the advocacy network of Hamas, in addition to the absence of Islamic blocs in most universities in the West Bank, as they are unable to work without being persecuted by the occupation and the security apparatus of the Palestinian Authority. This makes the possibility of attracting new members to the Islamic Bloc a process that will only lead to modest results.

This setback that Hamas witnessed in the institutions of traditional socialization coincided with the birth of new platforms that are free from the direct control of the Authority or the Occupation, which are represented primarily in social networks, and the internet in general, but with a lesser degree of importance.

Hamas paid particular attention to social networks and launched several news websites on the internet as well as e-newspapers and others digital media outlets. Its members became active on these networks as interactors, influencers, writers, and analysts. Through these new platforms, Hamas seemed able to mitigate its losses at the grassroots level,

particularly in the West Bank. These platforms are distinguished by the following:

Firstly: They are very suitable for extending outreach to the generation of boys and youth, as statistics indicate that the age group from 18 to 29 years is the one that mostly uses the Internet in Palestine (Central Bureau of Statistics, 2020). Thus, it was easy to indirectly reach this group, which Hamas had earlier lost the ability to address, during the stage of the split.

Secondly: These platforms transcend geography, and can allow for Hamas to deliver its message, and mobilize the streets from outside Palestine or from the Gaza Strip, which gives it more space for action and movement.

Thirdly: Restricting the Hamas content on the Internet is possible, but it is also possible to overcome these restrictions, as the cost of launching pages is free or negligible compared to the costs of traditional education institutions.

Fourthly: The possibility of working without disclosing the identities of individuals, has reduced the likelihood of security threats against activists in the religious, educational, or media outreach sectors, although it has not completely eliminated them.

However, despite these advantages, the transformation in the tools that Hamas uses in organizing its members faces the following challenges:

First Challenge: The challenge of control. What can be considered a strength in communication networks regarding the possibility of concealing identity, can also become a weakness, as intruders could enter these networks and their credibility cannot be verified. Accordingly, these same platforms can be used by the opponents and enemies of Hamas. As such, the strength of these pages in terms of security will become a point of weakness, especially given that the Occupation authorities have technical superiority in this field.

Second Challenge: The challenge of outputs. The transition from traditional institutions to communicate with the mass bases, such as mosques and others, to modern tools, such as social networks, means shifting from socialization to recruitment. This is one of the major transformations that Hamas witnessed because of its persecution after the signing of the Oslo Accords and the security obligations the latter imposed on the Authority. This challenge is evident in the differences between the outputs of upbringing and those of recruitment, which are:

- The members or supporters who were recruited through media propaganda were attracted for temporal reasons and are often governed by their emotions. This type of attraction may fade with the change of political and contextual conditions. Perhaps these individuals should not be called members of Hamas, but rather supporters or advocates who may change their positions

if they are presented with a different media material. This can be partially evidenced by the high popularity of Hamas among the Palestinians during the Israeli wars on the Gaza Strip (Palestinian Center for Research and Survey Studies, 2021), sometimes as a kind of sympathy for Gaza, given that the media has linked Gaza and Hamas, or as a kind of emotional support for the resistance. In contrast, the membership of partisans, who were raised by the socialization institutions of Hamas, is linked to a set of principles and foundations that may sometimes lead them to criticize their movement if it adopts political positions that differ from the foundational beliefs, but will not prompt them towards defecting from it, or revoking their membership.

- These means have limited effectiveness when the Movement calls on its members and supporters to openly engage in its activities in the West Bank. As far as this behavior is understandable because of what participants may be exposed to when engaging in the activities of Hamas, it is also possible to deduct the difference between the outputs of the different methods of socialization and recruitment. Since the founding of Hamas, its members have been subjected to many forms of restrictions and persecution, and this did not prevent their strong participation, except when there was a change in the methods used for building the mass base.

Conclusion

Oslo Accords is not just a declaration of the principles of agreement between a Palestinian party and the Israeli occupation, but rather an agreement that established the Palestinian Authority and created economic, social, cultural, security, and institutional patterns that were imposed on the Palestinian society in the West Bank and the Gaza Strip. Consequently, dealing with it became obligatory. During the first years that followed its inception, a set of changes enabled opponents of Oslo Accords to argue that the Palestinian Authority and its institutions are no longer based on Oslo, but rather on new references created by the joint struggle in the Palestinian Intifada and the internal Palestinian reconciliation at its end, which paved the way for the participation of Hamas in the Authority and in the second Legislative Council elections. However, this argument, even if it is correct about the references, seems to ignore a stark fact: the institutions established by Oslo Accords were formed only to allow them to work according to the logic of cooperation with the occupation, and even to be associated with it.

Granting the Palestinian Authority the leadership of any national struggle project against the Occupation, is not limited to those in power, but rather to

their ability to make structural changes in the body and functions of the Authority and bear the consequences of such changes at the level of the daily life of citizens, which is to say, their lived experiences and multiple subjectivities. This explains why Hamas faced the dilemma of combining resistance and governance after its victory in the 2006 Legislative Council elections. That is because the Movement worked hard to juggle between both armed resistance and political governance, but its efforts were mostly consumed in governance. Accordingly, it was not able to rule properly after it won the elections, nor to play its role as it should as a resistance movement.

The issue is essentially linked to the structure of the Palestinian Authority, and not to the programs of those in charge of it. Hamas was not able to get out of this dilemma except after many years of attrition, during which it worked to change the functions of the Authority in the area it controlled, which is the Gaza Strip. Accordingly, it ended the environment of cooperation and restored the exceptional status of the Strip and readopted its original position regarding its relationship with the occupation, that of resistance in the face of the aggressor.

However, its presence in Gaza secured the support of the resistance to the ruler. Nonetheless, it did not prevent it from being affected by the broader Palestinian environment. Even though Hamas was able to end the pattern of cooperation in the Gaza Strip, it remained unable to administer the Strip in isolation from interacting with regional and international powers.

This accelerated its presentation of a new Policy document that goes beyond its Charter in many points, the most important of which was avoiding referring to the relationship with the Muslim Brotherhood, revoking the religious characterization of the relationship with the Occupation, and accepting a Palestinian state in the territories occupied in 1967. These transformations did not promote new relations with many international and regional powers but reduced the intensity of international pressure on the Movement.

The third transformation that this paper examined is the transformation from upbringing of partisans to their recruitment. When Hamas took control of the Gaza Strip in 2007, this was followed by the takeover of the Palestinian Authority in Ramallah over the Hamas institutions operating in the West Bank, whether governmental or non-governmental. Accordingly, Hamas was no longer able to use its traditional platforms to educate its members and invested in modern platforms of classic or new media.

These platforms, with their different characteristics, have many strengths – such as relative freedom from the power of the authorities – but also have many weaknesses. That is particularly true since we are talking about an ideological movement. As such, the most that these platforms can achieve is to attract

supporters that enable it to maintain a broad mass base. But the latter is non-homogeneous and changing. Hamas will face the challenge of reconciling the internal differences in the near future, if it continues to rely on the same platforms. Even though some may argue that this transformation allows Hamas to represent a broader segment of Palestinian society under the umbrella of resistance that is freed from the constraints of ideology, this transformation still carries the risk of losing control of the movement's base and the defection of some of its members towards other Islamic currents in the West Bank and the Gaza Strip.

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The Post-Oslo Palestinian Left: Forced Transformations

Hassan Ayoub

This study discusses the “Crisis of the Palestinian Left” from an analytical angle based on an understanding of the deeply changing national, political, and social contexts of the Palestinian society during the years 1993-2021. Understanding the decline of the Left requires comprehending the significant degeneration of the structures and effectiveness of the Palestinian national movement and that of the liberation struggle, through which the Left had a significant presence among the masses. Nonetheless, the popularity of the Left did not enable it to become an active force within the Palestine Liberation Organization (PLO). The paper demonstrates that, throughout its history, the Palestinian Left has neither been a homogenous, nor a consensual player. Therefore, the claim that the Left was united might be inaccurate, and the same applies to referring to the forces that are supposed to represent it as “Leftist”.

This was evident from the position of the Palestinian Left from the last meeting of the PLO’s Central Council, which is this paper’s starting point. The deep contradictions in the positions of these forces revealed to what extent the Left has become weak, scattered, and unable to influence decision-making in its major field of influence, which is the PLO.

However, this analysis does not answer questions related to the social and economic dynamics that led to the profound transformations in the composition of the Palestinian society, and which played a pivotal role in depriving the Left of access to the masses and the new social forces that were being formed at that point. Furthermore, this analysis does not shed enough light on the decline of the Palestinian Left, which has worsened since the years that preceded the second intifada. This leads us to examine this decline by comparing two political

timelines in the life of the Palestinian political system in these years: the era of Yasser Arafat and that of Mahmoud Abbas, as heads of state. The decline of the Left was not evident during the era of Yasser Arafat, as he preserved it within the PLO for political and utilitarian reasons. On the contrary, the Mahmoud Abbas era stopped supporting the Left (albeit gradually), taking a different direction than his predecessor.

A lot of criticism is being raised on the political performance of the Palestinian leftist forces and their role in the struggle. Some have even expressed their decline and potential death. Regardless of whether such an assessment is right or wrong, we cannot deny that the ability of the Palestinian Left to influence political events and the balance of power in the Palestinian arena has reached its most regressive and impotent point. How can this phenomenal decline be explained?

This question is not merely an intellectual exercise, or an academic or political debate. Rather, it is necessary for the context of researching the transformations that afflicted the Palestinian national movement and deepened the asymmetry (or the imbalance of power), which is considered a functional characteristic of the Palestinian-Israeli conflict. One of the imperatives of evaluating the transformations that have occurred in the Palestinian political and institutional actors is the realization of one of the most important facts that brought about the Oslo Accords, and that characterized it from the beginning with inequality. The Accords did not result from a change in the dynamics of the conflict in favor of the Palestinian national movement, which could have changed the state of inequality. The first intifada gradually faded away without achieving political breakthroughs, while the “Zionist Left” remained marginal on the “Israeli” political map, and the PLO was going through one of its deepest political impasses due to the second Gulf War.

In this context, in our quest for means to abolish the restrictions of Oslo Accords, it is necessary to examine these transformations to address their repercussions, as they have reduced the ability of Palestinian political actors to influence the course of events. These include the Palestinian Left, which is considered the most affected actor by the changes that took place in the Palestinian society, and the national movement after Oslo. Why and how did the Palestinian Left fall prey to political, economic, and social dynamics that it was unable to overcome?

First: Contextualizing The Palestinian Left: Methodology and Objectivity

Before answering the research question, it needs to be pointed out that using the term the “Palestinian Left” serves a methodological purpose and indicates the exigency to determine whether it is useful or even accurate to analyze the forces that constitute the Palestinian Left, as a single unit of analysis or as unitary actors, given the clear contrasts that characterize them. From this perspective, this paper does not study these forces as an independent unit of analysis. Rather, for the sake of research, the Left is considered a single force with the implicit assumption that it represents an intellectual state embodied in a political choice that differs from that of the other prevailing forces in the Palestinian political arena. The term “Leftist” in the Palestinian case is closer to a self-description of each of its components, or of all of the components as one unit. It does not necessarily reflect the conceptual and/or political and programmatic criteria that characterize the Left as such, as we will note in this paper.

The historical analysis of the political power of the Palestinian Left indicates that the decline of its political capacity is a process that extended over a long period of time, which began at the end of the first intifada, and has further deepened since the signing of the Oslo Accords, all the way until today. The meaning and implications of this period refer to one of the most important conditions for the Left’s ability to take effective political action, which is the struggle context. This paper presents a historical reading that shows that the periods of the rise and growth of the Palestinian leftist forces, and their political and militia power were linked to the stages and periods of the comprehensive struggle in the mid-seventies of the last century and the first intifada. Any analysis of the capacity of the Palestinian Left and its political and national standing is objectively related to the general context of the development of the Palestinian national movement, and its engagement in a state of open confrontation with the military occupation and Israeli settler colonialism.

In contrast, talking about the “transformation of the Palestinian Left after Oslo” may lead us to believe that transformations did occur. However, discussing the decline of the Left does not mean that it underwent transformations.

Transformations are often intentional and conscious acts that are caused by internal dynamics, which was not the case. The Palestinian Left, as a whole or as factions, has not witnessed any serious ideological and political revisions or changes in its organizational structures and its strategies in dealing with the mainstream current in the Palestinian national movement (Fatah and the PA), nor with the mainstream current outside it (Hamas).

From this standpoint, this paper takes an inductive approach, which gives priority to the subject in its actual manifestations without being restricted by theoretical or methodological introductions. This does not mean that our approach is completely free from such obligation. Rather, it deals with facts first, then considers theoretical generalizations.

To illustrate these introductory notes, we refer to the implications of the positions of the Palestinian leftist forces from the last meeting of the Central Council of the PLO - some forces participated fully (the Democratic Front for the Liberation of Palestine and “FIDA”), or partially (the Palestinian People’s Party), or boycotted the meeting (The Popular Front for the Liberation of Palestine and the Palestinian National Initiative). Other indicators are the coalitions formed to run for the second session of the local elections last March.

Divergences amongst the Palestinian Left mainly revolve around the mechanism for dealing with the prevailing current in the PLO and the PA. Should the Left work from within the system for the sake of reforming and preserving the PLO or is this strategy no longer useful?

The weakness of the Left and its inability to act is self-sustained and has strengthened the reformist tendencies of most of its forces. These, in turn, have preserved its fading political existence, reproduced its weaknesses, and justified the reformist current that promotes radicalism as opposed to the most important characteristic of the Left, which is its militia.

The main field of discord between leftist forces is political (a political dissension in the recent case of the Central Council). This discord dominates the discourse and positions at the expense of proposing a reform program, promoting intellectual distinctiveness, and presenting visions to address the contradictions that are raging the Palestinian society. The political dissension became stripped of its intellectual and social contexts and is being led by political opportunism. This was clear during the discord triggered by the meeting of the Central Council, which can be considered a scene repeated from the history of the Left’s relationship with the PLO.

Second: The History of the Left’s Relationship with the Mainstream Current: the “Change from within” Strategy

For the sake of this research, the Left is studied as a single force, with an implicit assumption that it represents an intellectual state embodied in a political choice that is distinct from that of the prevailing forces in the Palestinian political arena. Was the Palestinian Left historically loyal to this intellectual and

political distinction? In other words: What is the opposition's strategy that the Left has historically pursued in dealing with the mainstream current in the PLO?

Perhaps the latest discord of the Left over the convening of the last session of the Palestinian Central Council is a classic reminder of the relations that have historically been established between its components on the one hand and between these components and the prevailing current in the PLO on the other. If we exclude a few instances in which the Left made decisive choices in opposing the policies of the PLO leadership - such as: the formation of the Rejection Front in 1974; boycotting the Palestinian National Council session in Amman in 1985; and boycotting the last session of the same council two years ago (2020) - the main strategy of the Left is to work from within this system.

In the aforementioned cases, the boycott was momentary. However, it did not reflect a consistent approach or include all the components of the Left. The justification provided by leftist forces for their reluctance to pursue a radical strategy, is provided in their desire to preserve the PLO, which they consider as the most prominent Palestinian political achievement since the June 1967 defeat.

This justification (while acknowledging the importance of the PLO's existence and its role) is reflected by what resembles a Catholic marriage between the Left and the broader framework of the Palestinian national movement represented by the PLO, and the revolutionary legitimacy that it is based on. The general approach of the Palestinian Left was based on opposing the mainstream from within, which meant it was a loyal opposition rather than a serious one. This mostly led to its acceptance of the *fait accompli*, the fate that cannot be undone.

This reformist approach of the PLO was reinforced by the Left's inability to forge Palestinian or regional alliances that could impact the Palestinian decision-making, in contrast with the ability of the mainstream (by virtue of many factors), to forge broad Palestinian and Arab alliances.

This equation reinforced the reformist tendency that does not reflect the components of the political Left in the historical and theoretical sense. From a Marxist point of view, the reformist approach to political and class (social) conflicts is the antithesis of the Left as an intellectual, social, and political/programmatic commitment (Jukman, 2011). It seems that what supported the Left with this strategy is the ability of the PLO and its leadership to maintain their internal cohesion, and with and through it, that of the Palestinian left.

The internal cohesion of the Palestinian political system during the era of Yasser Arafat after the Oslo Accords, is due to the necessity of preserving the PLO institutions and status by virtue of two factors: The first is the power struggle with Hamas, and the second is maintaining the legitimacy for pursuing the

settlement process. Arafat was the personal guarantor of the cohesion of this system (Jukman, 2011). Although this does not apply to the internal cohesion of leftist forces, it promotes their political presence, regardless of their actual weight and presence among the masses. Arafat's policies in this regard played an important role in preserving the political role of left-wing parties, even if it did not include their actual participation in making important political decisions. Arafat was keen to preserve the base of revolutionary legitimacy and a leadership style closest to populist paternalism. Nonetheless, this was completely changed during the era of his successor, Mahmoud Abbas.

While Yasser Arafat maintained a minimum differentiation between the institutions of the new Palestinian political system with its two main components, the PLO and PA, and between the PA and the Fatah movement, Mahmoud Abbas' policies led to abolishing any distinction between the PA and the PLO on the one hand, and between the PA, the PLO, and the Fatah Movement on the other hand.

The events and statements that preceded the convening of the last Central Council proved this fact. Furthermore, the new strategy of the Fatah movement and that of the PA leadership excluded the Left from political participation, breaking with Arafat's strategy in this regard.

The Central Committee of Fatah anticipated the convening of the Central Council of the organization on 19 January 2022 by announcing the decision to renew confidence in Mahmoud Abbas as Chairman of the Executive Committee of the PLO and President of the PA (Rajoub, 2022); thus, positioning itself as an alternative to the institutions of the PLO. This step cornered leftist forces and compelled them to choose between pursuing their opposition while being part of the system and accepting the *'fait accompli'*, or refraining from attending sessions and leaving the decision-making authority entirely in the hands of the Fatah Movement and the PA leadership.

Leftist forces were unable to unify their position or build alliances with democratic and popular forces that opposed the convening of the Central Council, including personalities and forces that had political and public weightage (Khalil, 2022), and political movements that acted on behalf of the Left in confronting the policies of the PA on more than one occasion. Leftist forces were unable to comprehend the strategy of the PA and PLO leadership, which was based on disengaging from the Left. Historically, despite that leftist forces have been under the framework of the PLO, they were unable to bring about serious changes in its balance of power. Accordingly, the predicament of the Left today is serious because of the new policies of the PLO's leadership.

To summarize, the involvement of the Left in the organizational and programmatic structure of the PLO resulted in giving more importance to the national liberation struggle over social issues, the democratic struggle, and secularism. This contributed to the inability to clearly differentiate the Left from other components of the national movement. This organic link also directed the Left (except on specific occasions) towards being content with acting as an opposition from within the framework of the PLO. Consequently, it only issued statements calling to stop the hegemony over decision-making while committing to the frameworks of the PLO and its leading bodies. Furthermore, leftist forces failed to build alliances with one another or with other influential actors in the political system that could curb the state of exclusivity in decision-making. The Left paid a heavy price for this strategy when the PLO faced the opposition of a new force that presented an alternative program as well as a new political thought paired with strong charisma, which was represented by the Islamic movement. We will further discuss this point later.

Third: Armed Resistance of the Palestinian National Movement as a Condition for the Left's Efficiency

The rise of the Palestinian national movement in the context of the confrontation with the occupation, from the mid-1970s until the end 1980s (from Land Day in 1976 to the first intifada in 1987), constituted the general context for the surge of the Palestinian leftist forces and their political and militia power. These years demonstrate that one of the major ways the Left attracted the masses was not only through the adoption of slogans related to liberation and resistance to colonialism, but their transformation to an organizational political program of action with its two dimensions – national and political, and social (Batta, 2020). In addition to the Left's armed resistance, these years were characterized by reaching out to the masses through sectoral organizations.

Since 1993, the Palestinian national movement stopped its armed resistance. This was a major impediment to the rise of leftist forces as factions, and as an active and influential socio-political current. The decline in the presence of the components of the Palestinian national movement within the PLO can be seen as the objective context for the shrinkage of the Palestinian Left. This regression did not only result from merging the PLO with the PA. Rather, it goes beyond it in terms of the profound change that occurred in the prevailing political values and the moral and cultural status of the structures of the Palestinian national movement during the era of the PA. This merging led, among other things, to the erosion of the base of these components, including that of the Fatah movement.

The Fatah movement, being the backbone of the political settlement project and that of the PA, is proof that our assessment is correct. In other terms, if Fatah were not part of the PA, it would lose its position as the largest and most influential faction because its legitimacy is no longer based on the social bases and forces on which it was established. Rather, it derives its mass presence and influence from being the bridge that connects people to the leading authority. Such privilege is not granted to the partners of the PLO, specifically leftist forces, especially when we compare them to the fiercest competitor of the Fatah movement on the Palestinian arena, which is embodied by the Islamic forces - Hamas in particular.

Palestinian leftist forces never posed a serious challenge to Fatah's dominance over the institutions of the Palestinian political system before Oslo Accords, nor thereafter. This is what made the rise of Hamas and the Islamic Jihad, as independent entities separate from the PLO, a dramatic event that changed the organic composition and hierarchy of the Palestinian national movement and its internal balances (Kareem, 2022). The Hamas movement represents the challenge that leftist forces have not been able to embody in their relationship with the Fatah movement.

Since Hamas operates from outside the organizing framework of the national movement, the Fatah movement was able to redirect the organization's policies taking this new challenge into consideration. This moved the Palestinian Left towards the margins of the power struggles taking place on the Palestinian arena, as it lacked the institutional or material resources necessary to maintain its position - including the regional support enjoyed by the PA and Fatah movement on the one hand, and that enjoyed by Hamas on the other. In the same context, Hamas posed a challenge to the ideology of the Fatah movement and that of the PLO, as manifestations of the Cold War era and the accompanying Arab alignments, while Hamas represented (and still does) an ideological alternative compatible with the post-Cold War era. The Palestinian Left was not able to provide such an alternative and therefore lost its attractiveness faced with this sharp ideological polarization between the two dominant forces. In addition, the Left was unable to develop a relationship of any kind with Hamas and remained dependent on the position of the PA leadership and that of the Fatah movement. This indicates a degree of intellectual stagnation and an inability to devise comprehensive national and political plans (Al-Assi, 2019).

The Fatah movement went so far in this ideological struggle that it adopted the vocabulary and slogans of political Islam and pushed towards the PA's adoption of a national-religious project rather than a national-secular one. Here, too, the Palestinian Left failed to present a progressive, secular, and patriotic ideology and program that could compete with both dominant discourses, which found

a favorable socio-economic incubator due to the transformations that befell on the socio-economic structures of the post-Oslo Palestinian society through a social engineering process (Vision for Political Development, 2021).

Fourth: Transformations of the Social Structures and their Impact on the Palestinian Left

The presence of the Left is a national necessity on the political, intellectual, and social levels. It should not be limited to the national liberation struggle but should also address social justice, in particular, because of the PA's commitment to the market economy, even if the system is still pastoral to some extent.

Before the existence of the PA, the progressive social slogans that the Left adopted in the context of confronting the occupation and its policies were able to boost its presence among popular social circles, slums, and Palestinian refugee camps, although the priority was the national struggle. However, the Palestinian Left is currently facing a dilemma as it is unable to understand what the people want, and is therefore unable to respond to their needs. Accordingly, how will leftist forces rebuild their relations with the masses that constitute their popular base, or at least, the social groups that these forces claim to represent? If the Left is unable to achieve this, it will remain restricted to its leadership as an elite that is separated from the popular bases (which are reduced to a large extent), and from the social forces that it is supposed to represent (the Popular Front for the Liberation of Palestine, 2016).

The status quo indicates the exact opposite, considering the profound social changes and the restructuring of the Palestinian society. Leftist forces have not yet acknowledged that they have moved away (or have been excluded, there is no difference) from the popular bases that supported them during the periods of national upheaval and the growing strength of the Left in the seventies and eighties of the last century. What currently remains of the Left are a few sectoral organizations, especially in the field of feminist action, which in turn depend to a large extent on international funding (Shomar, 2008).

There are objective reasons that have prevented leftist forces from maintaining their popular bases. These reasons are related to the major changes that occurred in the Palestinian socio-economic structure following the Oslo Accords, especially after the year 2006. The PA's adoption of economic and social policies, in partnership with donor countries, have led to the restructuring of the Palestinian society and the emergence of new segments, elites, and forces that operate independently from the PLO, factions, and the Left, and which are

closer to the political center of gravity of the PA and NGOs (Ayyoub, 2018).

One of the most prominent signs of the social engineering that the Palestinian society went through is the rapid transition away from collective values towards individual values. If this design (or social engineering) assumed that such arrangements and the emergence of new social forces would lead to the marginalization or weakening of the social base of Hamas and political Islam, the results was quite different from their assumptions. The past twenty years have witnessed the social engineering of the Palestinian society to reflect and fit the criteria of the political authority and system, in contrast with political societies that establish their own political systems (Al-Namla, 2010) and not the other way around. Market policies, a bloated public sector, and the prevalence of political corruption have further alienated the public from the mainstream current in the PA and the PLO, and reinforced their preference for the present alternative, which is political Islam. On the other hand, the post-Oslo transformations have strengthened the presence of the private sector and NGOs, which spread a culture of contempt for partisan and political work and encourage partisans to defect from their parties.

After Oslo, the Left did not have the required structures to maintain its popular and social presence. The inability - or deprivation - of the Left from the resources necessary to maintain its popular bases, which it gradually lost in favor of the new social structures, offered it a very narrow social margin to represent or recruit partisans. This was particularly true with the control of the two major currents - along with the market forces, the private sector, and NGOs - of the active social forces in the Palestinian society, especially the youth and the middle class, which constituted the pillar of the Palestinian national movement, including the Left, before the post-Oslo transformations in 1993.

In this context, the historical tension between the national liberation project and the progressive social project reached its climax in the last decade as a culmination of the Oslo process. The Left was blamed for the failure to implement the national liberation project, as it was one of the main components of the PLO. While the mainstream current in the PLO found an opportunity to continue to play a central role through the PA, the Left had no such option. At the same time, the Left's crisis was aggravated by its inability to effectively carry out its role related to social justice.

The dominance of the discourse of "development" and "international aid" has had a profound impact on the political culture, which has become more submissive and stopped believing in change. In the best scenario, the political culture became connected to the liberal approaches presented by NGOs. These organizations have become a central player that competes with leftist forces to

adopt the agenda of democracy and socio-political change. They are believed to play vital roles in consolidating democracy and political reform in a liberal-democratic framework, replacing grassroots organizations and civil society organizations. It is not surprising that most actors in NGOs are generally leftists (Tabar, 2006) and perhaps former cadres in the Palestinian left-wing factions. However, it is worth noting that they have become closer to liberalism than to leftism.

These transformations and dynamics have strengthened the position of the political mainstream by adopting the discourse of the state and sovereignty. This further deepened the isolation of the Left, whose slogans and statements focus on the nature of the state and its socio-economic obligations, as well as democratization and the adoption of just social policies. Despite the tensions they triggered, these trends did not lead to a clash with the PA. Nonetheless, they led to the monopolization of support and funding of international donors, providing the “state” or the PA an excuse to avoid carrying out its social functions.

After Oslo, the national project - with its slogans, symbolism, and organizational tools - was no longer an active player in shaping the Palestinian society in the context of the struggle and was replaced by at least two dominant discourses: that of the PA and the state, and that of the market and NGOs. The latter presented themselves as representatives of the project of state and development. They also offered life and business opportunities that crystallize the new socio-political influence that target marginalized groups, that fall outside the interest of official institutions (PA employees - both civilians and military - employees and elite of the private sector, and NGOs elites).

Amid this new social formation, the Left, as the representative of a progressive social agenda, has failed on two levels. First, it has failed to expose the attempt of aid and relief programs to camouflage the causes of marginalization and impoverishment, and present democracy as a procedure rather than as the doctrine of the poor. Instead of confronting such discourse, the Left accepted it, was part of it, and promoted it. The second level is that the Left presented itself as an alternative to the prevailing discourse and its approaches. Consequently, the Left could not stand against the “alliance between donors and NGOs, which look at change from two perspectives derived from the liberal model. These two perspectives focus on interests and strengthening the organization of the local community” (Al Namla, 2010). These perspectives adopt a “civil society” angle that is apolitical, and which is promoted by attacking factions and political parties, who are described as undemocratic entities that have proven their failure and inability to meet the economic interests of the public, and therefore their inability to represent it.

Fifth: Self-formation: Leaderships without Popular Bases

The objective factors that we presented above have concurred with the persistent internal dilemmas individually faced by the Palestinian Left, and their collective intellectual and political formation. The first thing that draws our attention is that leftist forces have not undergone any critical intellectual, political, or organizational reviews that could constitute a prelude to rectifying their current situation and restoring the national, political, and social role that they can play. Most of the intellectual and academic production has resulted from external actors rather than from an intentional internal action because of the absence of active popular bases and bodies. As a result, the political and organizational decision-making was left in the hands of the leftist elite, which accepted to become a minor partner of the mainstream current and align (and sometimes boasts) with its politics (Khorma, 2021). With time, this led to the loss of cadres and popular masses, and the transformation of the remaining members into an elite.

The organizational structures and the decision-making mechanisms of leftist forces have become archaic and characterized by “a stagnant leadership and a lack of flexibility to ensure communication between the base and the leadership, and between the party organizations and their public. This led to their inability to quickly adapt to objective changes and external transformations. This became evident through the transformations that took place on the political level during the first intifada, after the Oslo Accords, and following the establishment of the PA” (Hilal, 2000). As such, these forces were unable to deal with these objective changes.

In this context, the adherence to democratic centralism stands out¹. Despite the demise of the tangible model of the left-wing party in government embodied by the Soviet Union, which constituted a decisive blow to the Left around the world, Palestinian leftist factions still adhere to one of the most important characteristics of the internal structure of this model, which is central democracy. Under the slogan of “Unity of Thought, Action and Will,” leadership initiatives and freedom of opinion were crushed, which, over time, led to splits and the loss and departure of cadres.

1 Democratic centralism: It is the alternative adopted by the Palestinian left-wing forces since their inception, as part of the Marxist treatment of democracy in its anti-liberal understanding, and it is known as popular democracy. In its Palestinian version, the concept expresses the domination of the elites of the left-wing parties over the organizational and political decision. This approach was reinforced under the conditions of covert action before Oslo, and despite the Palestinian left abandoning many of its ideological bases, democratic centralism remained one of the most important internal organizational tools that prevented the democratization of decision-making processes within left-wing forces.

Democratic centralism was perhaps more suitable for undercover political activism. However, this is no longer the case since this activism has become public. Accordingly, democratic centralism is currently used to impose the leadership's directions on the remaining intermediary and grassroots bodies. We can cite as an example, allowing the participation of the Democratic Front for the Liberation of Palestine in the last meetings of the Central Council. Democratic centralism has also led to the stagnation of the leadership and its reproduction, without any consideration for leadership rotation. This has produced leaderships that are immune to criticism by virtue of their great independence from their popular bases on the organizational level. This state of independence was reinforced by the overlap with the institutions of the PA and the networks of official Arab and international relations, which provided first-line leftist leaders the ability to act independently from their shrinking popular bases. The latter was also accompanied by the phenomenon of full-time partisans and contributed to the lack of internal criticism and democracy. Eventually, full-time partisans became all of the party's assets.

Considering the abovementioned, a serious discussion or a coherent and viable approach to achieving the Left's unity (regardless of its type) are unattainable. The issue of unity is political and is related to the political position of leftist forces, which act in isolation from their popular bases, whose shrinkage has given the leftist elite greater freedom to act without grassroots pressure.

Conclusion

Contrary to the general assessment of the Palestinian Left's public and political presence, the Student Action Front bloc (the student arm of the Popular Front for the Liberation of Palestine) won an outright victory in the latest elections of the Student Union Council at Bethlehem University in 2022. Although Bethlehem University is not considered a central university in terms of the number of its students or their demographic composition, this victory has its implications. Without falling into exaggeration or underestimation, this victory indicates the potential for the Left to regain its position. However, this possibility is conditioned by structural and other programmatic factors that can open an opportunity for the Left to modify the reasons that led to its continuous erosion, and the decline of its political and social roles and the extent of its involvement in the struggle.

Most importantly, the Left should address its internal organizational slackening and its dependence on the same bodies for decision-making, especially at

the political level. Leaderships should be changed, and comprehensive reviews should be undertaken. In the same context, leftist forces should reconsider their political alliances inside and outside the framework of the PLO, to leave behind the state of intellectual and methodological ambiguity that characterizes these relations. Completing these tasks does not mean that the objective conditions that have led to the decline of the national movement or the changes in social structures will subside, but they undoubtedly lay the foundations for changing the external factors which forced the Left to undergo transformations against its will.

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The Palestinian Partisan Landscape in the 1948 Territories after the Oslo Accords

Mohanad Mustafa

This paper addresses the development of the Palestinian partisan landscape in the 1948 territories in the post-Oslo era. The paper starts with analyzing this landscape through five variables: party structure, party politics, political discourse, public appeal, and party leadership. This paper will not address the history of Arab political parties in the 1948 territories¹. The paper starts with the claim that the partisanship of Palestinians living in the 1948 territories developed after the Oslo Accords, with regard to the five mentioned variables and became the central political component for the 1948 Palestinians. However, its role diminished in the last decade, leading to a weakening of the political field and the lack of attraction to Arab political parties. This void was filled by other fields, such as cultural and youth movements, and economic individualism. In turn, this resulted in a contraction of the political field, which was vibrant after the Oslo Accords, and its confinement to the Israeli parliament and the predominance of political representation over political organization.

Political parties constituted the most important political component of the Palestinian citizens of Israel. The importance of political parties increased, as it was the modern form of organizing the Palestinians that remained in the

¹ To read about the history of the Arab parties, please refer to: Ghanem, Asaad, & Mustafa, Muhanad. (2009). *Palestinians in Israel: The Politics of an Indigenous Minority in an Ethnic State*. Ramallah: Madar Center: The Palestinian Center for Israeli Studies. Also: Ghanem, Asaad, and Muhanad Mustafa. (2006). *Party Organization of the Palestinians in Israel*. Tamra: Ibn Khaldun Foundation. Also: Rohna, Nadim, and Areej Sabbagh-Khoury. (2011). *The Palestinians in Israel: Readings in History, Politics, and Society*. Haifa: Mada al-Carmel Center.

homeland, and who became citizens of the State of Israel. In this context, the political party was the only entity that was able to formulate a system of collective demands for the 1948 Palestinians before the state, and to organize society to achieve these demands. The political strength of Palestinians was linked to the power of their political parties, their activity, their effectiveness, and their ability to attract the public. The importance of political parties increases in the case of national minorities, in the context of an exclusionary ethnic state of a colonial nature (Rouhana and Sabbagh-Khoury, 2016, pp. 163-201). Their role is different from that of political parties that represent a dominant group that strives to gain and rise to power, and then implement its programs in various fields. In the case of nationalist groups (national minorities), the function of political parties is not limited to rising to power or gaining influence through the colonial system, but rather in organizing society. Accordingly, the party acts as a political school that mobilizes people, preserves their identity, and provides direct political education. Political parties affiliated with nationalist groups revolve around the state as they follow a state-oriented policy. On the other hand, national minority parties combine their involvement in the political system with that of society. Some may even refuse to engage in the political system and work only in society, which turns into their imaginary state in an approach that is called society-oriented policy².

In the colonial context, the politics of political parties that represent nationalist groups - which are involved in political action within the limits of the colonial system - engage in the political system of the state without challenging it. Their politics seek to achieve benefits for the national group, without reaching a state of total equality. Rather, they reach basic equalitarianism, which is an attempt to influence an equal (not necessarily fair) distribution of resources in some areas in which they face discrimination, without impacting the structure of the political system or its fundamental orientations - such as equality in social allocations or in budget education. Accordingly, parties that represent nationalist groups do not discuss the identity of the political system and its structure, which discriminates against them by definition.

Besides getting involved and trying to achieve equality in specific areas, there are political parties that follow the politics of recognition (Tayler, 1995), which means requesting states to recognize the collective rights, especially the cultural rights, of a national or indigenous group. The politics of recognition is

2 On the role and importance of parties for national minorities, see: Bieber, et, al.(2008). Political Parties and Minority Participation. Skopje- Macedonia: *Friedrich Ebert Stiftung*; Zuber, Christian. (2015). Reserved Seats, Political Parties, and Minority Representation. *Ethnopolitics*, 14. P: 390-403.

an advanced case of collective demands for basic equalitarianism and should be accepted by the state. Such recognition and the consequent legal and constitutional entitlements, and the allocation of related budgets are subject to a political decision. Accordingly, political parties focus on state policies.

The politics of recognition contributes to dismantling part of the state's structure, which includes abandoning the exclusivity of its historical narrative and that of its national symbols, as well as the dominance of its official language. However, this is faced with two problematics. The first is related to the partial recognition of the state of the collective rights of the nationalist group or their restriction to the formal cultural aspect. The second problematic is that recognition may be at the expense of social justice (Fraser, 2000, pp.107-118). Despite the importance of recognition for nationalist groups, it may not contribute much to challenging the structure of the political system, as it can adapt to it because of its political hegemony and dominance over the distribution of resources.

At the beginning of engagement and recognition, the parties that represent nationalist groups in a colonial context may request the dismantling of the colonial structure and building a system that is based on historical justice and distributive justice by decolonizing the political system. This was the example of the South African National Congress Party, which became involved in the political system after the end of the apartheid regime, which constituted its main demand.

This research is based on five analytical variables:

1. The structure of parties in the political scene: from their relationship with the state to their internal ideological position. This variable includes the basic criterion for classifying the partisan scene among the Palestinian citizens of Israel, between a classification that considers the internal ideological factor, or the criterion of the relationship with the state, with our awareness of the link between the two
2. Policies: Political representation versus political organization. This means maximizing the parties' policies related to organizing society and building its national institutions, versus focusing on representing society in the political system and its various branches. This does not represent a state of contradiction as political representation is at one scope, and political organization and complete isolation from the political system is another scope.
3. The political discourse: From a discourse that calls for basic equalitarianism to one that calls for fundamental equality. Basic equalitarianism is represented in the demands for equality in certain fields, particularly

by allocating specific budgets for them. As for fundamental equality, it stems from considering the Palestinian citizens of Israel as a national group with collective rights that represent their right to self-determination, and the demand for the elimination of the Jewish character of the state.

4. Party attractiveness: from the center to the margin. This variable is represented in the centrality of parties in the Palestinian political field, and their impact on the Palestinian public beyond the demand to vote for them in the Knesset elections. This also includes the extent of public confidence in partisan work, the parties' involvement in all social and cultural activities, and their representation of a political compass for collective political awareness.
5. Party leadership: This variable is related to the transformations of the party leadership, its social backgrounds, its political career, and the characteristics of its behavior and political discourse.

First: The Partisan Landscape Before Oslo

The period of military rule (1949 - 1966) is considered one of the important periods that affected the political discourse and organization of Palestinian citizens of Israel. The military government had placed a whole system of obstacles and restrictions on the freedom of movement of Palestinians in Israel. Moving from one region to another, for any reason, required a permit (permission) from the military government³. This contributed to impeding political work and organization within the Palestinian society. Furthermore, it interrupted the process of urbanization and modernization that was taking place in the Palestinian society in the 1930s and 1940s, along with the Palestinian Nakba of 1948.

The permit system was subject to security and personal considerations. The military government relied on clan heads and traditional leaderships as basic channels for granting government privileges to the Arab community in many areas, such as: education, work, and permits to move from one region to another. Furthermore, it also controlled their political choices during the elections (Lustick, 1980).

3 Most references mentioned that 1966 was the last year of military rule. However, the research of Boimel (2007) documented by archival documents showed that the end of military rule over the last Arab region was in fact 1968.

The decade that followed the June War of 1967 marked an important stage in the history of the Palestinian citizens of Israel on several levels - social, political, and cultural. During that period, the Palestinian society in Israel witnessed the birth of a middle class and a petty bourgeoisie, as well as the emergence of a class of intellectuals who graduated from Israeli universities. New political movements were also founded, and local and national political leaders of the second generation rose, proud of their Palestinian identity. This period also witnessed the founding of national political organizations of a collective nationalist nature that aimed at organizing political and civic action among the Palestinian citizens of Israel, such as: the National Committee for Heads of Local Authorities, the Arab Students Committees in Universities, the National Union for Arab Students, the Union of Arab Writers, and others (Amara & Mustafa, 2013, pp. 273-295).

The Israeli Communist Party, and later the Democratic Front for Peace and Equality and the Communist Party dominated the partisan scene before Oslo. During the period of military rule, they were the only active parties among the Palestinian citizens of Israel as the state struck down any attempts to form a political organization during that period. The Land Movement was particularly targeted and was outlawed in the 1960s, shortly after its founding. In the seventies, the Palestinian situation triggered the emergence of Arab political movements outside the occupied territories of 1948. The Abnaa al-Balad movement appeared, and the Islamic Movement began to crystallize and was launched under that same name in the eighties. Furthermore, the 1980s witnessed the emergence of the Arab Progressive List and the Arab Democratic Party. Nonetheless, the Democratic Front and the Communist Party remained the most present, despite their decline due to the emergence of the Islamic Movement, which the Front and the Party considered the main challenge to their political hegemony. The Party, and later the Front, considered the emergence of any political organization among the Palestinian citizens of Israel as a challenge and, thus, used different excuses to attack them.

The political discourse of the Arab parties in Israel focused on the demand for basic equalitarianism and did not address the essence of the state and the nature of the political system. (Amara and Mustafa, 2018, p 48). Nevertheless, the parties were an important component of the Palestinian political field. They were attractive to Arab society and had a strong influence on it. Since the 1970s, the Arab political movements have been able to defeat the Arab lists associated with the Zionist parties. Furthermore, they contributed to building national and regional organizations such as the High Follow-Up Committee for Arab Citizens of Israel in the early 1980s. Before that, they succeeded in organizing the student movement and form Arab students' committees in Israeli universities,

as well as found the National Union for Arab University and High School Students (Mustafa, 2002). In addition, they established the National Committee for the Defense of Arab Lands and led the strike and events of the Land Day. An attractive and strong center for political action crystallized, based on partisan work and led by a leadership who belongs to the Nakba generation and is part of the educated political elite that remained in Palestine after the Nakba of 1948. Asaad Ghanem indicates that the classification of Arab parties in that period was based on the nature of the relationship with the state and the Jewish majority, such as extremists, conservatives, moderates, and others (Ghanem, 1990).

In general, it can be said that the Arab political discourse that crystallized during the period of military rule, wanted to transcend the reality of defeat and preserve the survival of people in their homeland after the war. This was achieved through an increase in civic discourse in its primitive concept, which focuses on imploring the authority to give a margin of rights and freedoms to citizens to provide the minimum level of living and existential security for this society, which emerged from the Nakba of 1948 defeated, weak, and shocked by its consequences. During that period, the national discourse that emphasized the Palestinian national issue and linked it to the reality of the Palestinian citizens of Israel had a limited presence or was absent. The military rule isolated the Palestinian citizens of Israel from their Palestinian, Arab, and Islamic surroundings. The culmination of their political struggle was the demand to abolish the military rule that restricted their political and civic freedoms, without talking about or linking it to the Palestinian national cause. In other words, most of the political discourse in these years was a civil discourse isolated from the national political discourse that considers the Palestinian citizens of Israel as part of the Palestinian cause (Ghanem & Mustafa, 2018).

Second: The Partisan Landscape After Oslo Accords

The post-Oslo partisan scene can be divided into two phases. The first phase extends from the mid-1990s till 2015, and the second phase from 2015 to the present. Apart from the institutional and official discrimination and the anti-Palestinian sentiment among Jewish communities in Israel, Palestinian citizens in Israel have been marginalized by the Palestinian national movement on the one hand, and have distanced themselves from the national movement on the other hand. That was because Palestinian citizens of Israel sought to highlight the peculiarity of their situation in the 1948 territory in contrast with that of the remaining Palestinian population.

Since the adoption of the two-state solution by the Palestine Liberation Organization (PLO) in the mid-1970s, it has gradually become clear to the Palestinian citizens of Israel, that there is no realistic possibility for them to be part of the Palestinian national movement in the current circumstances, on the basis of equality with the other Palestinian groups. The center of the Palestinian national movement evolved within the diaspora, and later, in the West Bank and Gaza Strip. However, Palestinians in Israel have remained on the margins of these developments.

Later, the Palestinian Authority in the West Bank effectively became the de facto leadership of the Palestinian entity in the West Bank and Gaza Strip, serving Palestinians in the diaspora who seek to return to their homeland. There, within the boundaries of the Palestinian Authority, a refuge for Palestinians is likely to emerge. The Palestinian national movement will continue to develop and establish its institutions within this framework. Consequently, the crisis of the Palestinian citizens of Israel intensified as they were unable to become part of this center or become partners in establishing national institutions. It may be correct to assume that the Palestinian national movement and the leadership of the Palestinian entity will not accept Palestinians living in Israel as equal partners in the Palestinian national movement, because they fear it will complicate the relations between the PA and the State of Israel. Furthermore, both the Jewish majority and the institutions of the state of Israel would also oppose this step. Palestinian citizens of Israel will continue living in historic Palestine and will remain at the margin of the central Palestinian developments (Ghanem & Mustafa, 2018).

The first stage of the partisan landscape after Oslo

After Oslo, two major shifts occurred on the political map of parties representing Palestinians citizens of Israel: the founding of the National Democratic Gathering under the leadership of Dr. Azmi Bishara, and the split of the Islamic movement in 1996 into two movements - one headed by Sheikh Raed Salah, "the Northern Islamic Movement," and the second headed by Sheikh Abdullah Nimr Darwish, "the Southern Islamic Movement."

The post-Oslo political landscape of Palestinian parties was crystalized on an ideological basis, with multiple ideological orientations that were reflected in the parties' political and ideological perceptions, allowing their classification according to their internal ideology or based on their relationship with the state. Three major currents emerged and formed the map of political parties for Palestinian citizens of Israel: the Communist Movement led by the Democratic Front for Peace and Equality and the Communist Party, the Nationalist

Movement led by the National Democratic Assembly, and the Islamic movement.

A new leadership emerged after Oslo, which was born in the fifties and therefore did not experience the Nakba. This leadership was active in the student movement in the seventies and was affected by its relationship with the Palestinian people after the occupation in 1967. Most of these leaders completed their education in Israeli universities, while some of the leaders of the Islamic movement studied in Sharia colleges in the West Bank.

Amal Jammal points out that the new leadership came from lower socioeconomic backgrounds, in comparison with the old Arab leadership, and were able to reach leadership positions inside their political parties because of their personal efforts and as part of the democratic movement within parties. This was reflected in their political demands that went beyond the issue of equality, to demanding a change in the character of the state and collective rights (Jammal, 2006, p.45). In another article on Arab leadership, Jammal analyses the educational level of Arab members of the Knesset, which are considered an important component of the Arab leadership for Palestinian citizens of Israel. The results show that almost 14% of Arab Knesset members since 1948 are PhD holders, and that this segment constitutes 28% of the total MPs since the year 1996. This means that there has been a significant increase in the last two decades, in the number of Arab MPs holding a PhD. The same scenario is repeated with holders of M.A, as their percentage of the total Knesset members is 13%, and 17% of MPs from 1996 until 2019. In addition, the percentage of holders of a B.A. of all Arab MPs from 1948 to 2019 is 42%, and 49% of this category have been MPs in the period between 1996-2019 (Jammal, 2020, p. 42-72). The Post-Oslo era, and the ignoring of the issue of Palestinian citizens of Israel who were considered as an internal Israeli affair, marked the beginning of a new political discourse led and developed by the National Democratic Assembly and theorized by Azmi Bishara. This discourse demands that the state represents all its citizens, and not only Jews, and advocates for the collective rights of the Palestinians as a national group. This discourse originated from the fact that the two-state solution for two peoples who should be treated as equals, which was dominant in the political discourse of Palestinian citizens of Israel, does not respond to the issues these Palestinians are facing. The two-state solution and the survival of Israel as a Jewish state will not achieve substantive equality, nor will it guarantee the recognition of the right to self-determination of Palestinian citizens of Israel, which should be recognized as a national group and ensure the attainment of the collective rights they deserve (Bishara, 2018).

Jammal also enumerates the characteristics and transformations of the Arab political discourse, which has developed in the last two decades, and points specifically to five characteristics. The first is the politicization of the indigenous

identity or emphasizing the originality of the Palestinian society and the consequent collective rights they should obtain, specifically citizenship rights. The second is including true civic and national equality in the constitution. This means developing the concept of equality as a constitutional value in Israel, to encompass the full right to participate in determining the state's budgets, to be represented in its basic symbols, and have the right to participate in decision-making, rather than simply asking to abolish discrimination. Third, merging the policy of resource distribution with that of recognition. Discrimination is not a bureaucratic practice, but rather it is structurally rooted in the essence of the state and its ethnic structure. Palestinians claim that it is not possible to achieve a just distribution of resources without recognizing the Arab community as a national minority. Fourth, unifying individual and collective rights. This means moving away from the policy of individual integration to that of recognizing the collective rights of the Palestinian citizens of Israel, which have become a special component of the Palestinian rights' discourse in Israel. Finally, advocating for the right of self-rule as Arab writings and political discourse address the right of self-determination for the Palestinian citizens of Israel, which can be represented in their cultural autonomy within the borders of the State of Israel (Jammal, 2008, pp.3-28).

The above constitutes the culmination of the Palestinian political discourse that calls for their full rights as a minority in Israel. This moment was followed by the beginning of a political decline, which we will address in the following section. In 2006-2007, several Arab NGOs in Israel, led by a group of politicians and intellectuals, published documents explaining the future vision of the needs and aspirations of the Palestinian community in Israel. Jammal (2008) believes that the contents of the published documents are not new, as the ideas they contain were already part of the Arab political discourse in the last decade. The importance of the documents, in terms of their content, is that they prove that such ideas have stopped being marginal in the Arab political discourse and have become part of its essence in the past decade (Jammal, 2008, pp. 3-28).

The second stage of the partisan landscape after Oslo

The second phase of the post-Oslo period is characterized by the atrophy of partisan work in almost all areas, with the exception of parliamentary work. Since 2015, we have been witnessing a decline in political organization and an increase in political representation.

Many factors triggered this change, the most important two of which are: the banning of the Islamic Movement headed by Sheikh Raed Salah in November 2015, and the establishment of the Joint List, which included all the Arab parties

participating in the Knesset. Banning the Islamic Movement contributed to preventing an effective and central political movement from political action, which weakened both the partisan and the political field. In addition, the ban disrupted the state of balance between the discourse focused on the political organization of society, and that centered on political representation.

The Joint List was eventually established, despite the clear political and ideological differences between its components - Islamists and secularists, nationalists and communists, left and right - after a long history of political conflicts between them. This is considered an important issue, as bringing forward the election date in 2015 was surprising and unexpected, and did not give all parties enough time to discuss the issue of unity. The Joint List resulted from dialogues and negotiations that preceded the election date by only three months. The disagreements between the parties forming the Joint List are also related to their vision of their role in the Israeli Knesset. While the Democratic Front and the Communist Party consider their role in the Knesset to be that of opposing the policies of the Israeli government, the Coalition considers that its presence in the Knesset is an opposition to Zionism and not only to the government policies.

In his article on the Joint List, Palestinian writer Raif Zureik expresses the second position. He believes that the central challenge facing the Joint List is not the parliament, but rather the development of joint work mechanisms and common political action that goes beyond parliamentary work. Zureik believes that the Joint List can be a strong basis for common political action in the long run. However, it can lead to a serious setback for many years if it fails. In this context, Zureik says:

“The first challenge is how to develop joint working mechanisms during the elections and then go beyond the electoral situation to initiate a long-term joint and common cooperation. In this context, it can be said that there are political demands and issues that all parties agree upon, and they can be the basis for joint action in the long run. The failure to coordinate and act jointly will later backfire on political parties because the Joint List project will appear to be a mere measure aimed at solving the problem of the electoral threshold, which may increase the apathy between the parties and voters.” (Zureik, 2015, p.8).

The popularity and attractiveness of the Arab political parties declined during this period. Compared to other Palestinian institutions in the 1948 territories, they obtained the least confidence from the public. In a poll conducted in the post-2015 period on the extent of trust in Palestinian institutions, Arab parties received the lowest percentage (14%), while NGOs obtained more confidence than parties (24%). Even the Follow-up Committee, which is mainly composed of parties, got more confidence than parties (24%). In general, there is a decline

in the public's confidence in Palestinian institutions, but the lack of confidence in political parties is the most severe (Khalayleh, 2020, p. 119).

The decline in the presence of Arab political parties in the local elections was evident. It is true that Arab parties in general have been weak in local governance since the late 1990s, but the pace of their decline has increased in the current period, including during the elections that took place in 2018. As Khalayleh points out in his study on the topic, political parties as a whole obtained about 110 seats in the local councils, out of 840 seats in Arab towns. This means that the strength of political parties is limited to 13% of the total members of local and municipal councils. The weight of each party was distributed as follows: the Democratic Front for Peace and Equality obtained the lion's share among the political parties (55%), followed by the Islamic Movement with 26% of the seats, followed by the National Democratic Gathering with 10%, and Arab Change with 4 % of membership seats in Arab towns. In a related context, it is noteworthy that the political parties collectively won the presidency in 12 local authorities out of the 76 local authorities in which the elections were held. This means that party leaders constitute about 14% of the total elected presidents (Khalayleh, 2020, p. 118).

The decline in the role of parties also appeared with the emergence of youth movements in the Palestinian society - in the field, in the media, and on social media. Perhaps the emergence of this generation in a virtual world free of geographical and political borders is what paved the way for the crystallization of Palestinian youth movements across Palestine, and the countries of asylum and the diaspora. These movements did not limit themselves to traditional protest tools; following the second Intifada, the online arena became a battleground as fierce as the field, where the young generation actively engaged with all their skills.

This period marked the emergence of a new party leadership, after the formation of the Joint List. At this stage, the leadership of the Coalition, the Front, and the Islamic Movement changed. What distinguished the new leadership is that it rose because of its internal partisan work, as well as its political and organizational efforts. Its political and militant credit was based on its partisan and political organization activities within the parties, as it was able to promote internal activism and reach parties' leadership.

The discourse of the Joint List leadership was different from the one that prevailed in the post-Oslo period as it focused on the civic dimension and influencing the political system from within. The rhetoric regarding canceling the Jewish character of the state subsided, and the focus became on allocating budgets to the Palestinians. The Israeli government positively responded to the last

request, as part of the Israeli interest in integrating Arabs into the Israeli economy. This discourse reached its climax following the March 2020 elections, during which the United Arab List joined the current governmental coalition headed by Bennett-Lapid.

To illustrate the difference between the leadership that rose after Oslo and the current leadership, we recall the events of the Al-Aqsa Intifada in October 2000 and the events of the popular uprising in May 2021. During the Al-Aqsa Intifada, the Arab political leadership and the public joined forces. The Arab leadership played an active role during the events, whether through its presence on the ground, or through intense political work and media presence. After the escalation of the situation and clashes between the Israeli security forces and the Palestinians and the resulting casualties, the Or Commission⁴ was formed, which held the Arab political leadership responsible for the events, especially Dr. Azmi Bishara, Sheikh Raed Salah, and lawyer Abdul Malik Dahamsheh. On the contrary, during the May 2021 uprising, there was no cohesion between protesters and the political leadership, which was not present in the field with the youth. With the exception of some heads of Arab local authorities and some members of the Knesset, there was no political presence nor quick reactions that would rise to the level of events.

In this regard, Mada al-Carmel's survey indicates that the Palestinian public believes that the role of parties in the popular uprising was weak or very weak (about 64%), while about 20% believe that their role was acceptable, and approximately 15% perceive that the role of parties was very important during the popular uprising. This assessment of the role of parties applies to Arab Knesset members, as nearly 68% indicated their dissatisfaction with the performance of Arab Knesset members during the popular uprising, while approximately 31% indicated their satisfaction with their performance during the uprising (Mada al-Carmel, 2021, pp. 13-14).

The Al-Aqsa Intifada in 2000 resulted from a political discourse that rejected the Oslo project in general, especially since it did not consider the Palestinians of the 1948 territories as part of the Palestinian issue and its settlement. Furthermore, the Accords postponed the discussion of core matters to later stages; for example, the issue of refugees and that of Jerusalem. The discourse rejecting the Oslo project reconnected between the issue of the Palestinian citizens of Israel and the Palestinian cause, based on the consideration that the Palestinians are the owners of the land. This resulted in the emergence of a discourse on

4 It is the official judicial investigation committee headed by Judge Theodore Orr, which was formed by Israel on November 8, 2000, to examine the causes of the clashes between the Israeli security forces and the Palestinians in the 1948 territories in October 2000.

collective rights, substantive equality, and a challenge to the Jewish character of the state, which was raised by the National Democratic Alliance party headed by Dr. Azmi Bishara. This was further promoted by the political and national activities that consider the Palestinian Nakba as part of the historical development of Palestinian citizens of Israel, and the strengthening of the idea of organizing the Palestinian society on collective and national foundations. The second intifada came after including Jerusalem and Al-Aqsa in the Palestinian political discourse as a current issue, whose banner was raised by the Islamic Movement headed by Sheikh Raed Salah. In addition, a new generation of Palestinian leadership was formed in the 1948 territories from the Palestinian student movement of the seventies and eighties, which was an important part at that time in the student struggle characterized by its political and national character.

On the contrary, the May 2021 uprising occurred despite the atrophy and decline of the Al-Aqsa Intifada discourse, and the rise of a political discourse that seeks to influence by integrating into the Israeli political game without challenging the nature of the regime. In addition, the discourse on collective rights regressed and became centered on economic privileges and livelihood issues, disconnecting from the national issues and relying on an Arab-Jewish partnership related to civic and democratic issues only. This was manifested in the Arab List's recommendation to appoint Benny Gantz as prime minister of the Israeli government in March 2020, the Naftali Bennett-Yair Lapid alliance in April 2021 (Watad, 2022), the desire to enter the government, and the United Arab List's acceptance to join any government, whether right-wing or left-wing, that implements in-kind services for the Arab society - while marginalizing national issues.

Third: The Political Field between Regulation and Representation

The Palestinian society in Israel has undergone fundamental transformations in recent years and has also been affected by changes in the general Palestinian scene. These transformations have contributed to bringing about changes in the Palestinian political field, and appeared in many axes, including the political orientations and actions of the political leadership. It is not possible to understand the leadership transformations in isolation from the socio-economic changes that the Palestinian society in Israel has undergone, and is still going through. For the most part, political leadership (both national and local) is a manifestation of these transformations on the one hand, and plays a role in crystallizing and glorifying them on the other.

In addition to the transformations of the political leadership, the Palestinian political field is witnessing a tendency towards parliamentary work through the Joint List. This, in turn, impacts the position and role of political parties and movements. All parties are witnessing internal and external political movements, mainly through the dynamics of parliamentary work, which represents the idea of political representation for the Palestinian masses. However, no sufficient attention is given to organizing the Palestinian masses to become active in the political struggle through other protest mechanisms to formulate their collective demands.

The dilemma of representation and organization appears in the perception of political parties, and the operationalization of their political role. The logic of representation presupposes the competition for Palestinian representation in the Knesset, governmental forums, and within the political system. While the idea of organization stems from collective action that aims to empower society to struggle for the formulation and achievement of collective rights on the one hand, and the expansion of the political field on the other hand, beyond the representative dimension of parliamentary action.

To have a better understanding of the Palestinian political field at the present moment, we should examine the concepts of organization and representation historically, through a socio-political analysis of previous periods when it responded to the attempts of Israelization, in the early 90s, for example. At that time, the political field witnessed an expansion in terms of intellectual and ideological diversity, and mechanisms of protest and political struggle. Furthermore, there was a greater intertwining with the general Palestinian political scene following the Oslo Accords and its ideology, which turned the Palestinians living in the 1948 territories into a purely Israeli affair and allowed local governance to overlap with national political action. In addition, there was a rise of a new generation of the Palestinian leadership, which saw the collective organization as inherent to the idea of political representation.

The post-Oslo era witnessed a consolidation of the status of political parties, and the transformation of their ideological orientations into systems that could attract people. This was linked to the emergence of a new generation of Arab leadership, conscious of its civil rights and the connection of the question of equality with the Jewish character of the state, and aware of the connection between the issues of Palestinians living in the 1948 territories with the Palestinian national project. This was reflected in the political discourse of the Palestinian citizens of Israel, who focused on political organization and commemorated the Nakba for the first time in the history of the Palestinians through the return marches to the displaced villages inside the Green Line. During this period, the parties were at the center of Palestinian politics and enjoyed a high power of

public appeal, and acted as a compass for the Arab society. The strength and leadership of parties was reflected in one of the most important pivotal events in the history of the 1948 Palestinians, which is the Al-Aqsa Intifada in 2000.

In the second phase of the post-Oslo period, the political discourse of the Palestinian citizens of Israel regressed towards basic egalitarianism, that is, the demand for allocating budgets to bridge the gaps in specific civic areas. A new generation of leadership emerged, experienced in internal political party affairs and whose main asset was organizational action within parties. These individuals worked their way inside their parties until they reached their leadership. On the contrary, the former leadership, which was experienced in partisan work and the student movement at its peak in the 1970s, had a political credit that went beyond organizational party activity. The Joint List, which represented at this stage the center of Palestinian political parties' activity, and whose establishment coincided with the banning of the Islamic movement headed by Sheikh Raed Salah, enhanced political representation, while political organization declined. Accordingly, the Higher Follow-up Committee was weakened in favor of the Joint List, which did not take advantage of the high rates of votes received to build a collective political project, or to proceed with the organization of the Palestinian society. In addition, the ideological boundaries between the components of the Joint List faded, or weakened, in favor of maintaining the List and obtaining a higher representation in the Knesset. The focus on political representation and the decline of the political discourse after Oslo Accords, reached their climax in recommending Benny Gantz, and later the dissolution of the Joint List and the joining of the Arab Movement for Change of the government coalition in June 2021.

The table below summarizes the most prominent transformations in the political field of the Palestinian citizens of Israel.

	Before Oslo	Post-Oslo – stage 1	Post-Oslo – stage 2
Relationship with the state structure	Position regarding the state	Internal ideological positioning	Attitude towards integration into the political system
Policies	Representation and organization without the vision of a national group	Representation and organization with a vision of a national group	Representation with decline of organization
Discourse	Primitive equality	Substantive equality	Primitive equality
Public Appeal	High	High	Declining
Leadership	The Nakba generation	The student movement	Organizational party leadership
Political field	Strong-weak field	Strong field	Weak field

Table (1) The most prominent transformations in the political field of the Palestinian citizens of Israel.

Conclusion

The political field in the 1948 regions is greatly affected by the emergence of new economic, social, and political power relations within the political system, and in the neoliberal context.

The disintegration of this field was reinforced at the organizational level. The idea of political representation and influence on the political system from within rose, based on a discourse that claims that an increased representation increases influence. This idea ignored the colonial essence that characterizes the political system, and the rise of the role of social networking sites and their impact on the Palestinian political field.

There is a high level of historical similarity between the Palestinian situation in general, and that of the 1948 Palestinians. Also, three issues are plaguing the Palestinian national movement. The first being the political division, which is fostered by geography more than ideology (Gaza and the West Bank), and the second being the absence of a common national program (the usage of the term “common” does not deny pluralism, but rather emphasizes that the stage of national liberation involves a common program based on pluralism), which reflects the lack of a common struggle strategy at its very least, and most importantly, the absence of a comprehensive (not necessarily shared) national vision. Finally, there is the damage that has afflicted, for more than two decades, the national institution that embraced the Palestinian national movement and led its struggle, which is the PLO. As for the Palestinian reality inside the “Green Line”, the state of division and disagreement has reached its climax in recent years. Events in the Arab world have contributed to strengthening this fragmentation, and the situation is likely to worsen in the coming periods. Nonetheless, it is beyond the scope of this research to list the objective indicators of this fragmentation, which are different from political disagreement and should not hinder collective action, otherwise, they would result in a split. Furthermore, there is an absence of a clear collective national political program for the Palestinian masses that accepts pluralism. The absence of such a program does not only stem from different visions of the tools of political action, but also from the fundamental divergence regarding the perception of the future of Palestinians and their visions of the reality in which they live (relationship with the state, citizenship, presence and absence of the state, identity, etc.). Finally, there is a damage afflicting the national institution entrusted with managing the political dialogue on these visions and tools and addressing the division by keeping it within the framework of the legitimate dispute, i.e. the Higher Follow-up Committee for the Arab Citizens of Israel.

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The Emerging Palestinian Resistance Factions after the Al-Aqsa Intifada and their Impact on the National Liberation Project

Hussam Al-Dajani

On 14 July 2000, the Camp David summit between Palestinian President Yasser Arafat and former Israeli Prime Minister Ehud Barak, which was directly sponsored by U.S. President Bill Clinton, collapsed. This was reflected on the political scene with the accumulation of aggravating circumstances, which culminated after the former Israeli Prime Minister Ariel Sharon stormed the courtyards of the Al-Aqsa Mosque in a scene that angered the Palestinian masses and sparked the Al-Aqsa Intifada on 28 September 2000.

The Intifada started as a popular uprising. As a natural result of the Zionist violence and terrorism against Palestinian civilians, the Intifada developed into an armed military confrontation, which prompted the traditional Palestinian resistance factions to lead the military action. But what was new during the Al-Aqsa Intifada was the emergence of Palestinian factions that adopted the armed resistance, other than the Palestine Liberation Organization (PLO) or the Hamas and Islamic Jihad movements. The most prominent of these factions are: The Popular Resistance Committees, the Palestinian Al-Ahrar Movement, the Mujahideen Brigades, and the Popular Resistance Movement, which are still active until today. Other movements that appeared after the Al-Aqsa Intifada disappeared after a while, such as: The Ahmed Abu Al-Rish Brigades (Saif Al-Islam) and Jaysh Al-Islam.

These emerging movements did not receive attention from researchers and writers, despite their role in the armed struggle. Therefore, this study aims to cover this knowledge gap and to identify the impact that these factions have had on the Palestinian national project. This study is based on interviews with

prominent actors of these factions, as well as interviews with specialists on the subject of resistance movements.

The main question which the study attempts to explore is: What is the impact of the continuity of the emerging resistance factions after the Al-Aqsa Intifada on the Palestinian national project?

The author uses the concept of “emerging resistance factions” for groups that were established after the outbreak of the Al-Aqsa Intifada in September 2000, which are: the Palestinian Al-Ahrar Movement, the Resistance Committees in Palestine (formerly known as the Popular Resistance Committees), the Mujahideen Movement, the Popular Resistance Movement (formerly the Popular Resistance Committees before the split in 2008).

The study discusses the establishment, political thought, activities, and organizational structures of the emerging factions, as well as evaluating their chances of continuity and their impact on the national liberation project.

The most prominent findings of the study are that most of the traditional Palestinian groups do not see any future for the emerging factions nor any impact for them on the national project. Nonetheless, intellectual elites disagree with this vision and believe that the opposite is true. More importantly, it is an agreed-upon fact that these factions emerged from within the Fatah movement in rejection of the Oslo Accords and its repercussions on the national project. The study also concludes that the Palestinian political division affects the perception of some political forces and elites of the emerging resistance factions, due to the realization of their opponents that their presence aims to break the dominance of the PLO factions over the Palestinian political system.

First: The Palestinian Al-Ahrar Movement

The Palestinian Al-Ahrar Movement was founded on 7 July 2007, following a split from the Al-Aqsa Martyrs Brigades, the military wing of the Palestinian National Liberation Movement Fatah. It was first called the “Yasser Movement” after the late President Yasser Arafat. However, the interventions led by the leader of the Islamic Jihad Movement, Khaled Al-Batsh, at the request of Fatah, prompted the Secretary-General of the Al-Ahrar Movement, Khaled Abu Hilal, to accept to change the name from the Yasser Movement to the Al-Ahrar Movement. One of the main causes of the split from the Fatah movement was the refusal of the resistance factions (including the Al-Aqsa Martyrs Brigades in Palestine, whose media spokesperson and responsible of its media office was the Secretary-General of the Al-Ahrar Movement, Khaled Abu Hilal), of the

decision of the PA to disarm resistance factions. This happened after the assassination of Yasser Arafat and the victory of Mahmoud Abbas in the presidential elections in 2005. At that time, the resistance factions assigned Abu Hilal to sit with the then-Minister of the Interior, Major General Nasr Youssef. Youssef was informed of the message of the resistance factions rejecting the decision to disarm them, to which Youssef replied, “The decision to disarm the factions was taken by the U.S., and no one can reverse it.” Then, the meeting was ended. Afterwards, the factions signed a declaration of honor, emphasizing the sanctity of Palestinian blood. They refused to hand over their weapons and warned the PA against attempting to withdraw it. These decisions were announced in a press conference in the Legislative Council Square in the Gaza Strip on 8 October 2005 (Abu Hilal, 2021).

The Al-Ahrar Movement faced many challenges before and after its launch. The main challenge was the position of the Fatah movement, which rejected the emergence of this new splinter force. This matter prompted an attempt to assassinate the Movement’s leader, Khaled Abu Hilal (Ma’an News Agency, 2007) and his dismissal from the Fatah movement. Furthermore, a systematic media attack targeted his personality and activities. This was further exacerbated after he accepted to become the official spokesman for the Ministry of Interior in the tenth government formed by Hamas, after its victory in the Palestinian legislative elections that took place in 2006. The other challenge was the occupation and its constant pursuit and targeting of the leaders and cadres of this movement because it adopts armed struggle.

The Palestinian Al-Ahrar Movement differs from other resistance factions that emerged after the Al-Aqsa Intifada, as it was launched after the events of 4 June 2007, when an intra-Palestinian armed clash occurred that led to the complete and unilateral control of Hamas over the Gaza Strip, during which the Movement sided with Hamas. In addition, the Al-Ahrar Movement was more interested in politics than military action due to political and objective circumstances related to the factions’ agreement on the truce, on more than one occasion.

The organizational and institutional structure of the Palestinian Al-Ahrar Movement

The organizational structure (the researcher relied on interviews he conducted due to the lack of written sources) of the Palestinian Al-Ahrar Movement consists of three elected leadership bodies: the General Movement Council, the Revolutionary Council, and the Political Bureau.

1. **The General Movement Council**, which includes the members of: The Political Bureau, the Revolutionary Council, the Advisory Council, the Executive Council, district and regional leaderships, the student bloc, the military council, the leadership of the security apparatus, members of the central services, and the leadership of the women's wing.
2. **The Revolutionary Council**: The Revolutionary Council consists of 41 members and is entrusted with following up the work of the Political Bureau. The Council holds its sessions periodically, twice a year.
3. **The Political Bureau**: The highest leadership institution in the Movement, which consists of 11 members who obtained the highest percentage of votes from the Revolutionary Council, provided that one of the members is a representative of the women's wing.

The Secretary-General of the Al-Ahrar Movement, Khaled Abu Hilal, stated that his Movement aspires to work in all fields but does not have the required funding to do so. Therefore, the ability to intervene in social, cultural, sports, and trade union work is still limited (Abu Hilal, 2021).

The internal and external relations of the Palestinian Al-Ahrar Movement

The Al-Ahrar Movement enjoys strong internal Palestinian relations, and coordinates and cooperates with all the resistance factions in what Abu Hilal describes as "strategic relations." The Movement was also able to develop its relations with the other national forces after the boycott it faced at its founding. With the exception of Fatah, which still refuses to recognize the Al-Ahrar Movement, the majority of the Palestinian factions and forces have friendly relations with the Movement.

Abu Hilal also clarified that his Movement does not have any relations with foreign parties (Abu Hilal, 2021).

Political thought and understanding of the national project

The Palestinian Al-Ahrar Movement defines itself as a Palestinian resistance movement that belongs to its Arab and Islamic surroundings. The Movement perceives in Islam a comprehensive system of governance for all aspects of life, and respects the historical borders of Palestine, meaning 'from the sea to the river' (popularized in slogans as 'from the river to the sea', implying the areas from the Mediterranean Sea to the Jordan River) (The Palestinian Al-Ahrar Movement Internal Regulations, 2013).

The Al-Ahrar Movement adopts intellectual issues and concepts that it believes serve the Palestinian national and liberation projects. Accordingly, the Movement contributes to strengthening the Palestinian internal front and addressing the contradictions within it. Therefore, it abides by democracy that guarantees the peaceful transfer of power; and believes in the necessity of preserving public and private freedoms and ensuring the effective participation of Palestinian women in the political field. The Movement also promotes prevailing values and concepts in the Palestinian society, which is an educated, patriotic, and tolerant society.

1. Democracy: The Al-Ahrar Movement manages the political and organizational life through *shura* and democracy (The Palestinian Al-Ahrar Movement Internal Regulations, 2013). The Al-Ahrar Movement Secretary-General, Khaled Abu Hilal, stated that his Movement practiced internal democracy only once, and did not repeat the process due to special considerations. Nonetheless, the Movement believes in the rights of the Palestinian people to choose and supports all forms of elections in all political institutions (Presidency, Legislative Council, National Assembly, local and union elections) (Abu Hilal, 2021).

2. Public and private liberties: Article 13 of the internal regulations of the Al-Ahrar Movement stipulates that: “Human rights, regardless of color, race, or religion, as well as the right of people to freely express their opinions in community matters related to their rights and interests in a manner that does not conflict with the public interest and the freedom of others, are guaranteed and protected.” (The Palestinian Al-Ahrar Movement Internal Regulations, 2013). The Secretary-General of the Al-Ahrar Movement Khaled Abu Hilal grounds his vision of public and private freedoms on the support granted by the Palestinian law, which abides by the Islamic law (Abu Hilal, 2021).

3. Women: The Palestinian Al-Ahrar Movement attaches great importance to women, which are represented in the Movement’s top leadership bodies, among which is the Women’s wing. The work of women within the organizational frameworks is consistent with Islamic Sharia (Abu Hilal, 2021). Article 12 of the internal regulations stipulates that “a woman is equal to a man in her humanity and dignity, and she has the right to fulfill her duties and to serve the community and engage in political activity, as guaranteed in Islamic jurisprudence (The Palestinian Al-Ahrar Movement Internal Regulations, 2013).

4. The peaceful transition of power: The Secretary General of the Al-Ahrar Movement, Khaled Abu Hilal, confirmed that the Movement supports the peaceful transition of power and honoring the will of people. The movement introduces a new vision of the components of the political system, both the PA and the Palestinian Liberation Organization (PLO). According to Abu Hilal, the

Palestinian Authority (PA) is the corrupt fruit of the Oslo Accords and a tool for fighting the Palestinian national project, while the PLO is a corrupt and unsuccessful administrative structure that should be modified due to the dominance and hegemony of Fatah. Accordingly, it should be restructured to represent all the Palestinian components.

The Palestinian National Project

The Al-Ahrar Movement believes that the Palestinian national project is based on the liberation of historic Palestine from the 'sea to the river', and this cannot be attained without resistance in all its forms, especially armed resistance. If this is achieved, it will result in the return of refugees to their homeland. In this context, the Oslo Accords constitute the biggest obstacle to achieving the aspirations of the Palestinians. Therefore, if this agreement - with its political, security, and economic consequences - is not revoked, it will be difficult to achieve the aspirations of the Palestinian people and concretize the national liberation project.

Based on his interviews and analysis of the documents and literature of the Palestinian Al-Ahrar Movement, the author believes that the Movement has aspirations and is keen to build a network of institutions in all political, economic, social, military, and security fields. The Movement was relatively successful in achieving this, despite the scarcity of resources and capabilities. The Al-Ahrar Movement directed financial support to these sectors because the military action was limited after its inception, either due to the truce after its launch in 2007, or the presence of effective resistance factions with greater potential, such as Hamas. Nevertheless, the challenges represented by poor funding and media targeting by the Movement's opponents undermined its efforts in attracting the masses and building institutions, which are necessary for its survival and continuity, as well as for implementing its vision and political goals through working side by side with the rest of the resistance movements to revoke the Oslo Accords.

Despite the discordance between the Al-Ahrar Movement on the one hand, and Hamas and the Islamic Jihad movements on the other hand, the groups share similar positions on several matters. The alignment in political position, thought, practice, and media discourse between them, and specifically with Hamas, raises the question of the relevance of being an independent movement rather than merging with Hamas. This reinforces the hypothesis that the existence of these emerging factions, including the Al-Ahrar Movement, is linked to the discord between Hamas and Fatah. Through supporting these factions, Hamas seeks to create a front that includes the largest number of factions that

share the same political orientations, especially related to their perception of the PLO. In addition, Hamas attempts to prove that it is not the only organization working independently from the PLO, and that although there is great consensus among the PLO factions on many issues, there are groups outside this umbrella that form a momentum that may equal or exceed that of the PLO factions. Accordingly, the author concludes that Hamas is keen to preserve the Al-Ahrar Movement and other emerging resistance factions, and not integrate them into its ranks in order to counter those affiliated with the PLO in any future political dialogue or representation.

Second: The Resistance Committees in Palestine

Years after the signing of the Oslo Accords in 1993, the terms of the agreement became clear to the Palestinian public opinion in general and to the cadre of the Fatah Movement in particular. The internal position of Fatah was not unified towards this agreement, as its signatories, headed by Palestinian President Yasser Arafat, described it as bad. The latter said, in a speech delivered in Jabaliya refugee camp in the Gaza Strip upon his return to the Palestinian soil after the Oslo Accords: “I know that many of you believe that the Oslo Accords are bad. Yes, it is a bad agreement, but it is the best we can achieve” (Usher, 1995). With the passage of time, the parties rejecting Oslo Accords increased, and found an opportunity to organize themselves with the outbreak of the Al-Aqsa Intifada, on 28 September 2000. The most prominent of these parties were the Popular Resistance Committees¹.

Jamal Abu Samhadana “Abu Ataya” (Al-Jazeera Net, 2006) founded the Resistance Committees in Palestine and became its secretary general. During a meeting, Abu Samhadana, Muhammad Abu Nusairah, Abu Yasser al-Shishniyeh, Abu Yusef al-Quqa², and Ismail Abu al-Qumsan, agreed on the name of the Popular Resistance Committees and their military wing, the “Al-Nasir Salah al-Din Brigades”. The group set the date of the launch of the Committees on 28 September 2000, the day on which Ariel Sharon stormed the Al-Aqsa Mosque, sparking the Al-Aqsa Intifada, which raised the slogan of

1 Which changed its name to the Resistance Committees in Palestine after a dispute broke out in its ranks in 2008, which led to the change of name and the emergence of the Popular Resistance Movement headed by Abu al-Qasim Dughmush.

2 Al-Abed Youssef Al-Quqa Abu Yousef was born in Gaza City in 1968. He was an activist in the Fatah Movement and a member of its security forces, despite his strong rejection of the Oslo Accords. He was assassinated in Gaza when a car bomb exploded in 2006.

the liberation of Palestine ‘from its sea to its river’ (Al-Shishniyeh, 2021).

The Resistance Committees in Palestine faced many challenges, the most significant being the targeting of its leaders and cadres, by the Zionist occupation forces. The other challenge was the defection in July 2008 of Abu al-Qasim Dughmush and his comrades, who formed the Popular Resistance Movement.

The Organizational and Institutional Structure

The organizational and institutional structure of the Resistance Committees in Palestine took on a military character, while the political character was absent at the time of their establishment. Over time, there was an increased interest in developing the organizational and institutional structure (Al-Shishniyeh, 2021). Accordingly, the Resistance Committees in Palestine established a network of social, sports, cultural, and women’s organizations. Positions and responsibilities were routinely rotated. Also, the Committees’ management was based on consensus rather than elections due to internal considerations (Al-Shishniyeh, 2021). The Resistance Committees in Palestine developed a general structure for the organization, which is as follows (The Resistance Committees in Palestine, 2020):

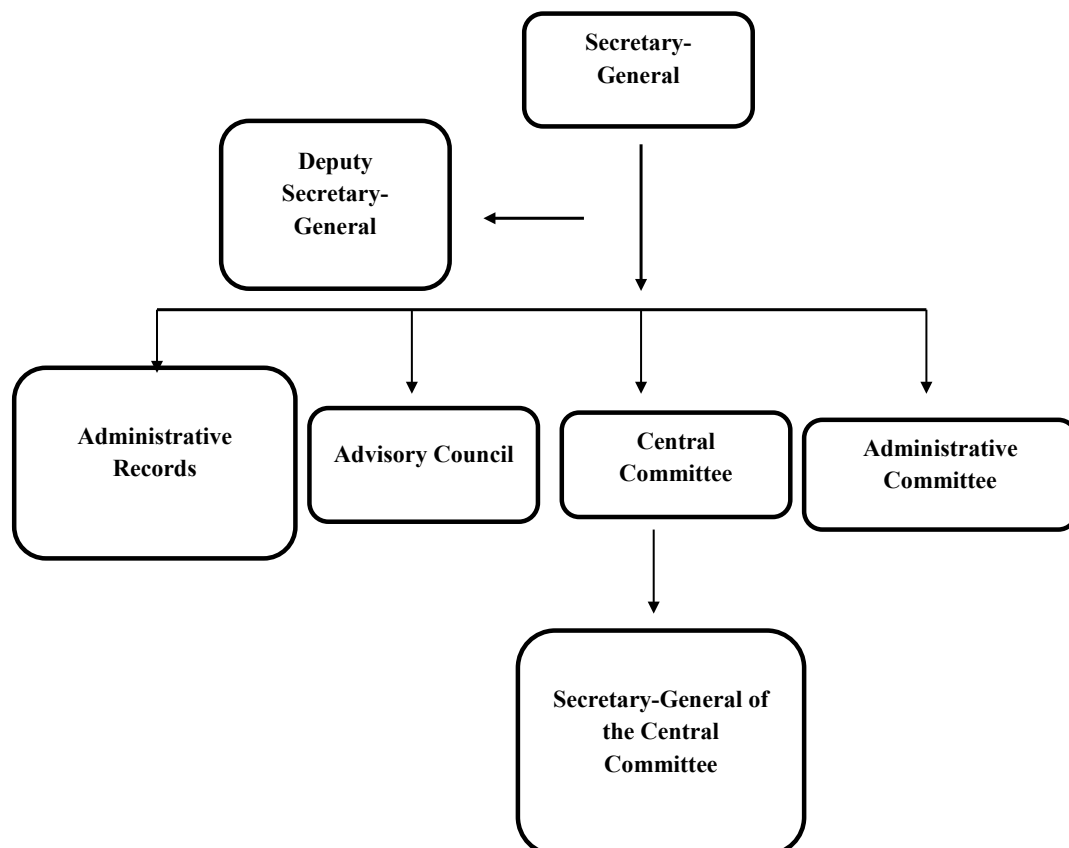


Figure (1) General structure for The Resistance Committees in Palestine

The military apparatus (the Resistance Committees in Palestine, Internal regulations of the Resistance Committees in Palestine, 2020) of the Resistance Committees in Palestine, the Nasser Salah al-Din Brigades, participated in many military operations, which constituted a milestone in the history of the Palestinian-Israeli conflict. One of its most prominent military operations was called the “dispelled illusion”, which resulted in the killing of two Israeli soldiers and the capture of soldier Gilad Shalit on 25 June 2006 (Al-Qassam Website, 2022). The operation later resulted in a prisoner liberation deal in exchange for Shalit in 2011. Another famous military operation led to the explosion of a Merkava 4 tank, known for its fortification, on 14 February 2002 (Qawem Website, 2003).

The Internal and External Relations of the Resistance Committees in Palestine

The Resistance Committees in Palestine are keen to maintain a good relationship with all national and Islamic forces. According to its Secretary-General, Ayman al-Shishniyeh “Abu Yasser”, relations with other factions are based on their position regarding the resistance. Accordingly, his movement has strategic relations with Hamas, the Islamic Jihad, and other resistance factions. Furthermore, it has developed relations with other factions that do not adopt the armed struggle (Al-Shishniyeh, 2021).

Al-Shishniyeh also explained that his group’s relationship with foreign entities should not affect their independent decision-making. He added that they collaborate with Egypt on the security level rather than on the political level and have strong ties with Hezbollah and Iran (Al-Shishniyeh, 2021).

Political and Social Thought and Understanding of the National Project

The first article of the internal regulations of the Resistance Committees in Palestine lays out their political thought and their understanding of the national project. The Committees defines itself as “A Palestinian national liberation movement, whose main goal is the liberation of all of Palestine, the liquidation of the colonial and racist Zionist project, and the removal of the occupation from our land and holy sites,” through resistance. All of the Movement’s actions are based on the teachings of Islam. The political thought of the Resistance Committees in Palestine is reflected in some of the issues that contribute - from their point of view - to advancing the Palestinian national project, which are represented in democracy, public and private freedom, women’s issues, and the peaceful transition of power (The Popular Resistance Committees in Palestine, 2020). The vision of the Resistance Committees in Palestine of democracy is based on religion. The Committees identifies itself as a moderate Islamic group

that does not adopt atonement nor reject democracy. The Committees support public and private freedoms that are consistent with the Islamic law.

Women

The Secretary-General of the Resistance Committees in Palestine highlighted the presence of women in the Movement. But until now, it has not been possible to integrate women into the political office, but the Movement is willing to address this issue in the near future (Ibid).

Understanding of the National Project

The national project as perceived by the Resistance Committees in Palestine is based on the liberation of Palestine, from its sea to its river, through armed resistance (Ibid).

Despite the qualitative military operations carried out by the Committees, they failed to build a network of institutions that would strengthen their foundations as a faction that adopts the armed struggle in the occupied Palestinian territories. This affected the group's organizational structure, especially after the martyrdom of many of its cadres, because the military formation on which the Committees is based does not guarantee their continuity nor their influence in the Palestinian context. On the contrary, it is the ability to build political, service, social, military, and security institutions that qualifies the group to attract more youth who believe in the approach of armed struggle. Finally, the Committees refuse to join Hamas and the Islamic Jihad, and this independence requires unconditional funding from countries, individuals, and political parties that believe in their ideals.

Third: The Mujahideen Movement

The Mujahideen Movement was founded in October 2000. Among the most prominent of its founders are Omar Abu Sharia, Osama Al-Madhoun, Sami Abu Sharia, Nael Abu Odeh, Dr. Salem Atallah, Muhammad Shehadeh, Youssef Abu Ziyad, Ahmed Abu Sharia, Azmi Qudeih, and others.

Most of the founders of the Mujahideen Movement split from the Fatah movement and the PA institutions, motivated mainly by their rejection of the Oslo process and the negotiations that followed it. The first name of the movement was "The Mujahideen Brigades," and its focus was on military action in the West Bank and the Gaza Strip (Abu Sharia, 2022).

The Mujahideen Movement faced several challenges after its launch, mainly the lack of support from countries or movements. However, after the intensification of its commitment, the Movement began a rapprochement with Hamas and the Islamic Jihad. Accordingly, the parties coordinated joint operations, the most important of which was the infiltration and storming of the Netzarim settlement by the Qassam Brigades, the Al-Quds Brigades, and the Mujahideen Movement (Abu Sharia, 2022).

The occupation intensified its targeting of members of the Mujahideen Movement and attempted to execute members of its Constituent Council in the Tel al-Hawa neighborhood in Gaza City. Furthermore, the occupation assassinated several of the Movement's leaders, most notably its Secretary-General, martyr Omar Abu Sharia, who was murdered by the Mossad in Milad Hospital in the Iranian capital, Tehran, while receiving treatment because of his injury in a direct Israeli bombing (Abu Sharia, 2022).

The Organizational and Institutional Structure of the Mujahideen Movement

The organizational structure (Abu Sharia, 2022) of the Movement is based on two structures. The first is the advisory structure that draws policies and strategies, which is the Shura Council. The second is the administrative structure for implementing policies, headed by the Office of the General Secretariat of the Mujahideen Movement, which oversees the management and organizational work. Some offices are based in Gaza and are headed by Nael Abu Odeh, and others are abroad and are headed by Salem Atallah. As for the West Bank, the administrative structure is being established, while the PA's security services are preventing the Movement's activities.

In addition, the General Secretariat of the Movement manages the Institutions Department, which includes sports and social institutions, as well as youth, charitable, and union centers. Furthermore, it embraces an independent women's wing.

The Internal and External Relations of the Mujahideen Movement

The Secretary-General of the Mujahideen Movement, As'ad Abu Sharia said that "the Mujahideen Movement, in its internal relations, is closer to those who agree with it in "thought" rather than parties who have different ideologies. It is closer to the Hamas and Jihad movements and maintains relations with the Fatah movement, with whom it meets in the joint operations room of the resistance factions, including the Al-Aqsa Martyrs' Brigades" (Abu Sharia, 2022).

The Movement does not have any relations with Arab countries, except for Egypt, through the Egyptian intelligence portal. However, it has a strong relationship with Iran as well as connections with the Lebanese Hezbollah and the Yemeni Ansar Allah (Ibid).

The Political Thought of the Mujahideen Movement

According to its Secretary-General, the most prominent characteristics of the political thought of the Mujahideen Movement can be summarized in the following points:

- 1. Democracy:** The term has multiple definitions, but the Mujahideen Movement considers democracy as *shura* (consultations). The Movement believes that it is against reason to equate the voice of the scholar with that of the ignorant, and accordingly, the Movement is based on *shura*.
- 2. Women:** The Movement does not object to the presence of women in the General Secretariat and the Palestinian Legislative Council. However, the organization's regulations do not accept that a woman assumes the presidency of the General Secretariat.
- 3. Private and public freedoms:** Individual freedom is absolute as long as it does not affect the freedom, rights, and beliefs of others. People have the right to form organizations and parties to express their ideas.
- 4. The peaceful transition of power:** The Movement believes that the peaceful transfer of power should be between and through a council of wise men or scholars. Those who were in power must peacefully hand it over to their chosen successors.
- 5. From the perspective of the Mujahideen Movement, the national project is founded on achieving liberation through three foundations:** a supporting Ummah that is unified without sectarianism or discrimination - the Palestinian people in Palestine and abroad embracing the vision and program of the resistance – and a fighting rifle. The revival of the national project begins with reforming the Palestinian political system, especially the Palestine Liberation Organization and the Palestinian Authority. The Mujahideen Movement opines that the Liberation Organization needs to refurbish its structures, as that it does not represent the 'national whole' due to the absence of Hamas, Jihad, the Mujahideen, and others. Regarding its stance towards the Palestinian Authority, the movement believes that its function and role must be changed to serve the interests of the Palestinian people (Abu Sharia, 2022).

The Mujahideen Movement has benefited from the models of Hamas and Islamic Jihad through two paths: building missionary and service institutions, which follows the same path as Hamas and Islamic Jihad through its focus on institution building and diversifying funding sources and establishing external relations to secure financial & military funding, ensuring its survival.

Fourth: The Popular Resistance Movement

The Popular Resistance Movement shares the historical and militia legacy of the Popular Resistance Committees in Palestine since the outbreak of the Al-Aqsa Intifada. The Movement was formed in July 2008, after resolving the dispute that occurred within the Popular Resistance Committees. Accordingly, the latter kept their name and named their armed wing, the Nasser Salah al-Din Brigades, and the Popular Resistance Movement became an independent faction led by its Secretary-General Abu Qassam Dughmush, with an armed wing called the Al-Nasser Salah Al-Din Brigades.

The Popular Resistance Movement, like other emerging resistance factions, faced many challenges, the most important of which were, the persecution from the Zionist occupation, the lack of funding, the pressure of the Fatah movement on the organization's cadres in particular, because the Popular Resistance Movement, like the rest of the emerging resistance factions, was born following a split in the Al-Fatah Movement – and the absence of the institutional capacity to build an organization capable of development and advancement in all fields (Orouk, 2022).

The Organizational and Institutional Structure

The Deputy Secretary-General of the Popular Resistance Movement, Rizk Orouk, denied the existence of social, cultural, and sports institutions affiliated with the Movement, due to the financial crisis afflicting the organization. However, he affirmed the existence of an organizational structure and an internal system to control the organization's relations and institutions. The Movement's structure is composed of the Convening Group, the District Council, the Governorate Council, and the Supreme Council, which consists of the military, the media, and the masses councils. One of the most important tasks of the Supreme Council is to supervise the Movement's activities, set organizational plans, and oversee the general budget (The Popular Resistance Movement, political program and internal regulations, 2000).

“The structure of the Movement is based on the Convening Group, the District Council, the Governorate Council, and the Supreme Council, which consists of the military, the media, and the masses councils. One of the most important tasks of the Supreme Council is to supervise the movement’s activities, lay down organizational plans, and oversee the general budget” (Ibid).

The major tasks of the Political Bureau include implementing the decisions of the General Conference and the Shura Council, working to achieve the Movement’s goals and aspirations, and preparing internal regulations and amendments to the political program. The organizational structure includes the Shura Council, the General Secretariat, and the General Conference.

Internal and External Relations

The Popular Resistance Movement seeks to establish internal relations with all forces, factions, and other societal components. However, its relationship with the resistance factions is emphasized due to the convergence of visions and goals. The Movement has established foreign relations with Egypt, Iran, and the Syrian regime (Orouk, 2022).

The Political Thought of the Popular Resistance Movement

Rizk Orouk, Deputy Secretary-General, summarized the most prominent features of the political thought of the Popular Resistance Movement in the following points (Orouk, 2022):

- 1. Democracy:** The Movement believes that free and fair elections are the only way to choose the representatives of the people. It is committed to freedoms, as long as they do not conflict with Islamic Sharia.
- 2. Women:** The Movement believes in the social and political role of women, as long as it does not contradict Islamic Sharia.
- 3. The National Project:** The national project is to achieve the goals of return, liberation, and the establishment of an independent Palestinian state. The Movement considers that the PLO should unite all Palestinians, and act as a nurturing ecosystem for all the components of Palestinian society. The Movement also believes in the necessity of going back to the Palestinian National Charter. According to the Movement, the PA is committing major political mistakes, especially in dealing with national issues. Therefore, its role should change, and it should stop security coordination with the occupation and revoke the Oslo Accords.

The Popular Resistance Movement has the bleakest future compared to the other emerging resistance factions, as it suffers from a lack of funding and institutions.

The Movement is searching for funding sources that qualify it for survival and enable it to play a political role by strengthening its relations within the resistance axis. But until this moment, the researcher has not been able to identify any political or violent actions, which would reinforce the hypothesis of the Movement's decline in the Palestinian arena, and accordingly, that of its impact on the national project.

In conclusion, it must be noted that other emerging movements have existed for a limited period of time but did not survive, such as the Brigades of the Martyr Ahmed Abu Al-Rish Seif Al-Islam. Based on the special information obtained by the author, it was found that these brigades operated for a while and then disappeared. The same applies to the Army of Islam.

Fifth: An Analytical Comparison between the Emerging Resistance Factions and their Future

After studying the situation of the emerging resistance factions (The Palestinian Al-Ahrar Movement, the Popular Resistance Committees in Palestine, the Mujahedeen Movement, and the Popular Resistance Movement), which are still present on ground, , this study assesses their ability to survive and their impact on the Palestinian national situation, from the point of view of other factions and intellectual elites.

Opinions of the political, intellectual, and factional elites on the emerging resistance movements

The researcher conducted a series of interviews with the leaders of Palestinian factions to find out their opinion on the emerging movements after the Al-Aqsa Intifada in 2000, their future, and their impact on the Palestinian national project, which varied as follows:

The spokesman of the Islamic Resistance Movement " Hamas", Dr. Abdul Latif Al-Qanou', believes that the emerging resistance movements have a presence on the Palestinian scene because of their adoption of the resistance, which is the strategic goal on which all factions, with their various names, strategies and military forms, gather. Accordingly, Hamas sees these movements as an addition to the national project (Qanou', 2022).

Former media official of the Fatah Movement, Munir al-Jaghoub, opines that the most important determinant in measuring the effectiveness and impact of these factions on the national project is their actions against the occupation,

and towards achieving the aspirations of the Palestinian people. Al-Jaghoub believes that what matters is the efficiency of these groups rather than their numbers, and surmizes that the existing factions are not effective. Furthermore, he stated that these groups were established by Hamas to confront Fatah and the PLO factions. Accordingly, Al-Jaghoub does not think that they will impact the national project, but this does not mean that their role in the struggle should not be appreciated (Al-Jaghoub, 2022).

Member of the political bureau of the Islamic Jihad Movement in Palestine, Dr. Walid al-Qatati, believes that the intellectual and political project of any movement is an important factor in determining its role and its continuity. As such, the emerging movements after the 2000 Intifada lack clear projects, and they depend on other Palestinian movements, without which they are mere fighting groups and organizational structures. Therefore, their political future will not be significantly effective and influential, and their impact on the Palestinian national project will be limited, unless they are all united in one front with a unified political program, or if they join one of the movements that have an established political program and an ideological project (Al-Qatati, 2022).

According to the member of the political bureau of the Democratic Front for the Liberation of Palestine, Talal Abu Zarifa, the emerging resistance factions are part of the joint operations room³ and constitute a leverage mechanism for the struggle, alongside the rest of the resistance factions. As such, they have an impact on the Palestinian national project (Abu Zarifa, 2022).

As for the member of the Central Committee of the Popular Front for the Liberation of Palestine, Hani al-Thawabet believes that the future of the emerging resistance factions differs from one faction to another. The only group that has a potential for continuity is the Popular Resistance Committees in Palestine, because of their field and institutional presence, whereas others might disappear. Al-Thawabet affirms that these factions have no impact on the Palestinian national project, neither as individuals nor as united factions (Al-Thawabet, 2022).

Dr. Wajih Abu Zarifa, member of the Political Bureau of the Palestinian People Party, believes that the emerging factions were formed under very complex circumstances, due to the internal Palestinian division and geographical separation, as well as the different political environments in the West Bank and the Gaza Strip. Most of these factions are armed groups that do not have any political or social programs. As such, their organizational structures are closer to

3 It is a joint military operations room that includes the military wings of the Palestinian resistance factions in the Gaza Strip, except for the Fatah movement, which was established for the first time in 2006, with the aim to coordinate the armed confrontation with the occupation.

military formations. Therefore, they did not support sectors or institutions that would contribute to their expansion within the popular masses. Due to their military structure located exclusively in the Gaza Strip, which is ruled by Hamas, and their need for political and logistical support, these factions identify with Hamas in their positions. Accordingly, they are being described as auxiliary formations of Hamas, especially in issues related to the political division and alignment. Abu Zarifa believes that these groups will remain limited by geography and will not expand in the Palestinian West Bank or abroad, in the near future. Therefore, it is difficult for these groups to have an impact on the overall Palestinian context, as they are not part of the PLO nor part of any representative institutions. In addition, they do not participate in the national dialogue or the follow-up committees, and therefore they are a mere opposition with no impact on resolving major national issues (Abu Zarifa, 2022).

The positions of the factions can be summarized through the following illustrative table:

	Faction	The ability to survive	Impact on the national project
1	Hamas	Yes	Yes
2	Fatah	No	No
3	The Islamic Jihad Movement in Palestine	No	No
4	The Popular Front for the Liberation of Palestine	Did not survive except for the Popular Resistance Committees in Palestine	No
5	The Democratic Front	Yes	Yes
6	The Palestinian People's Party	No	No

Table (1) The viewpoint of the Palestinian factions on the potential for continuity of the emerging resistance factions and their impact on the national project

Factors supporting the continuity and influence of the emerging Palestinian factions after the 2000 Intifada

In the previous sections, we reviewed the development and rise of the most prominent emerging political movements after the second intifada in 2000, in addition to their structures and basic social and political orientations. However, their continuity and their impact on the Palestinian context are under discussion among researchers and specialists. Based on in-depth interviews conducted by

the author, the continuity of these emerging factions depends on the following factors:

- Most of the factions that emerged after the second intifada adopted the armed struggle as a mechanism for liberation. Therefore, their continuity is mostly connected to the reason for their existence, which is the occupation. Accordingly, the emergence of armed parties, apart from traditional parties, will continue if the occupation persists (Jawda, Surjyo. Al-Akkad, Abdo, 2022). Also, such groups came to light as a reaction to the state of division, and the hegemony of the Fatah movement over the PLO and the PA.
- The continuity of these factions depends in part on their structure and ability to adjust to the difficult circumstances they are going through, as well as their capacity to adapt to the changes in Palestinian society. For example, researcher Sharahbeel Al-Gharib believes that the more these movements expand their presence within society through social, youth, service, and media institutions, the higher are their chances of continuity. On the contrary, limiting their role to the military structure reduces their chances of survival. As an example, Al-Gharib compares the Al-Ahrar Movement on the one hand, and the Popular Resistance Committees and the Mujahideen Movement on the other. He believes that the Al-Ahrar Movement has a future and may obtain seats if it participates in any upcoming Legislative Council elections, because it addresses non-military dimensions, such as the political and media aspects, and promotes the role of women. This makes it closer to societal segments and boosts its potential for survival and influence. Conversely, the Popular Resistance Committees and the Mujahideen Movement have less chances of survival and influence, as a result of their structure and goals, which are confined to the military aspect.
- Another factor is the ability of emerging movements to obtain financial resources that free them from dependence, as well as help them expand their bases within the Palestinian society.
- The relationship with the other factions is one of the factors that also affect their survival. It is true that most of the emerging factions seceded from the Fatah movement. However, they became closer to Hamas, ideologically and politically. As a result of the financial and military support they receive from Hamas, these factions are not independent (Abu Karim, Habib. 2022), and Fatah perceives them as tools that Hamas uses against it. Consequently, the Movement will not allow them to play any political role, whether by joining the institutions of the PLO, or attending the reconciliation dialogues for ending the Palestinian division, and will not authorize them to operate in the West Bank. Thus, the activities these factions are allowed to perform depend

on the form of the relationship that they will pursue with the Hamas and Fatah movements in particular (Abu Karim, 2022).

- Most of the emerging factions defected from Fatah for reasons related to the Movement's political program and its abandonment of the armed struggle. Consequently, the emerging factions were formed after the Al-Aqsa Intifada in 2000 as an expression of the rejection of Fatah's political path. Hence, the future of their relationship with the traditional Palestinian factions - such as Hamas, Fatah, and the Palestinian Left - depends upon their positions regarding the armed struggle (Lafi, 2022). Hassan Lafi presumes that the emerging Palestinian movements can attract an important group of Palestinian youth who do not find themselves within leftist or Islamist ideological organizations, but believe in the armed struggle against the occupation.
- Shall the emerging factions lose their ability to survive, they will have two options. First, they can decide to merge with larger factions. According to the specialist in the domain of these movements, Abdullah Al-Akkad, the emerging factions have the highest probability of merging with Hamas, because they all agree on the armed struggle. As for researcher Hassan Lafi, he believes that the ideological factor will be one of the challenges against integration. It should be noted that the main reason for these movements' split from the Fatah movement is the latter's withdrawal from the armed struggle. Accordingly, if Fatah were to resume the armed struggle, most of these factions could return to their mother movement. As for the second option, the PLO could assimilate these factions, which would leverage the organization (Abdo, 2022).

Conclusion

Hamas has benefited from the emerging movements after the Al-Aqsa Intifada in 2000, especially the four movements that this study touched on - The Popular Resistance Committees, the Al-Ahrar Movement, the Mujahideen Movement, and the Popular Resistance Movement - as they share the same political and intellectual visions. The research found many indicators through the interviews conducted, that support this point. For instance, Hamas dissolved the Brigades of the Martyr Ahmed Abu al-Rish Seif al-Islam and resolved the dispute within the Resistance Committees in Palestine, which it supports. Finally, the political positions of all these factions are identical to those of Hamas.

Most of the active Palestinian factions do not see a future for the emerging resistance factions, nor an impact on the national project. Many experts differ

with them, suggesting that the continuation of these factions depends on several factors, notably: the form of institutional and structural frameworks, their adaptation to the general political trajectories, and their relationships with traditional factions and the extent of intersection with them. Critics of these factions argue that their existence aims to challenge the hegemony of the Palestinian Liberation Organization factions over the Palestinian political system.

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Transformations within Islamic Movements in Palestine

Adnan Abu Amer

Islamic movements in Palestine are a major actor in the Palestinian cause, given their historic roots in the region. Before the Nakba of 1948, the first branches of the Muslim Brotherhood were founded. Moreover, actors from Arab and Islamic countries attended Shari'ah studies and were associated with the Muslim Brotherhood.

Following the Israeli aggression against Palestinians and Arab countries in June 1967, and the emergence of Palestinian resistance in Jordan, with factions of the Palestine Liberation Organization entering the conflict against the occupation, the absence of Islamic movement stirred harsh criticism among Palestinian youth, particularly from the Muslim Brotherhood. They called for the necessity of engaging in armed struggle, expressing their conviction regarding the weaknesses in the national project, particularly the absence of Islamic ideology within the Palestine Liberation Organization.

At the beginning of the 1980s, several Islamic movements were established in the occupied territories. They launched an armed resistance against the Israeli occupation, and worked on nurturing an Islamic ideology to confront the Occupation. As such, they succeeded in mobilizing large sectors of the Palestinians, who joined these factions.

This study presents the major Islamic movements in Palestine, both political and non-political. It also provides a field-based understanding of their current situation. However, this study does not address the transformations of Hamas, which constituted the cornerstone of Islamic political action, which will be addressed in an exclusive study, separately. The study does not tackle the issue of the historical elements that led to the birth of such movements and forces.

Rather, it will focus on their policies and their impact on the Palestinian cause. The study also presents the map of the Palestinian Islamic movements, in terms of their inter-alliances or organizational splits that could lead to the emergence of more factions.

This study sheds light on several Islamic groups in Palestine, except for Hamas. These include historic Islamic groups, such as the Islamic Jihad Movement, the Hizb ut-Tahrir, and the Hizb al-Tabligh wal Daawa, as well as recently formed groups such as Salafist groups that adopt a jihadist orientation - whether of Palestinian origin or affiliated with foreign groups such as the Al-Qaeda and the Islamic State, which appeared at the end of the twentieth century and the onset of the twenty-first century. We will also identify the factors that helped in the emergence of these movements, as well as their inter-relationships and relations with other Palestinian movements. While it may be observed that these factions have many points in common, regardless of their geographic location or ideology. Nonetheless, it may also be noted that they diverge on several points. This has resulted in armed confrontations between them, as well as mutual accusations.

The study attempts to identify discrepancies in the tools, objectives and modus operandi of these movements. Many of these factions engaged in the armed struggle, which led to their confrontation with the PA at first, then with Hamas. The latter suspected that the activity of some of these movements was meant to challenge its control of the Gaza strip. This resulted in tensions between Hamas and the remaining factions.

The study starts from the hypothesis that the Palestinian Islamic movements are no longer on the margin of the Palestinian political arena, as during previous decades. On the contrary, they play a central role in the Palestinian scene, both politically and organizationally, given their increased influence and the growing number of their affiliates, in addition to their ability to influence the balance of power within the Palestinian political and partisan arena.

First: The Islamic Jihad Movement

There are many questions related to the emergence of the Islamic Jihad Movement, especially because it coincided with the signing of the first settlement agreement between Egypt and the Occupation, namely the Camp David Treaty of 1979, which negatively impacted the Palestinian cause (Tarabulsi, 1988). The crystallization of the movement's project came through following extensive dialogues among its founders, who were Palestinian students studying in Egypt,

led by Fathi Shaqaqi. They sought to find an answer to their problematic question about Palestinian identity, expressed famously by Shaqaqi in the phrase, as expressed by Shaqaqi's famous saying "*Patriots without Islam, and Islamists without Palestine*" (Ahmad, 1997, p.1132). Thus, they believed that their Movement solved this problematic through unveiling the religious, historical, and pragmatic dimensions of the Palestinian issue, and adopting the strategic slogan that "the Palestinian cause is the central cause of the Islamic movement" (ibid., p. 1133).

The Islamic Jihad, which was officially established in 1981, began its mass, political, media, and mobilization actions. This coincided with the gradual rise of the Muslim Brotherhood, which focused on spreading its ideas and da'wah in different circles, such as mosques, homes, streets, schools, institutes, associations, universities, and trade union associations. The Islamic Jihad attempted to influence the Palestinian masses at a time when the Palestinian national movement, with its secular and leftist components, dominated the Palestinian political scene, while the activity of the Islamic factions was limited to the religious, advocacy, and service aspects, away from politics (Ahmed, 1997). The Islamic Jihad played a prominent role in igniting the Intifada of 1987, through planning resistance operations, even though their number was limited, because the Movement's members focused on organizing demonstrations to promote their presence among Palestinians living inside the occupied land (Nafe', 1999, p.38). During the past four decades, the Islamic Jihad has been involved in political and popular socialization, both horizontally and vertically. This enabled it to widen its reach within the Palestinian society and establish its presence in the Palestinian political circles. Even though the Islamic Jihad was unable to achieve what other Islamic or nationalist factions have accomplished in terms of expanding their masses and developing their institutions, the Islamic Jihad gained a considerable number of supporters, and maintained a good position compared to the other factions on the Palestinian scene.

At the beginning of the first intifada, Israel launched a wide campaign of arrests against Islamic Jihad partisans that affected its organizational structure (Jabbara, 1992). In 1995, the Islamic Jihad witnessed a pivotal transformation following the assassination of its founder and secretary-general, Fathi Shaqaqi, by the Israeli occupation, in Malta. This had negative repercussions on its structure, as Shaqaqi was considered as the founder and main inspiration of the Movement's leaders and popular bases. Moreover, the Islamic Jihad suffered from its clash with the PA, which resulted in the arrest of hundreds of its cadres, further deepening the strife with the PA. The oppression of the PA prompted the Islamic Jihad to achieve a rapprochement with Hamas, as both movements felt that they were on the same boat. With the onset of the Al-Aqsa Intifada in late

2000, the Islamic Jihad had the opportunity to resume its armed resistance operations. Accordingly, it focused its efforts on developing its military cells, which expanded at the expense of the social, civil, and service aspects, and resulted in a state of imbalance between its civil and military roles.

When it was first founded, the Islamic Jihad did not focus on its institutional aspect. On the contrary, the Muslim Brotherhood, and at a later stage Hamas, succeeded in this aspect. The Islamic Jihad considered this facet as an attempt to escape from the inevitable clash with the Occupation. Moreover, it believed that focusing on such aspects required an allocated budget, which it lacked. Nonetheless, the position of the Islamic Jihad changed later on, particularly in the Gaza Strip. After Hamas took control of the Strip in 2007, the Islamic Jihad faced no restrictions regarding building its institutions. Thus, institutions focused on relief work, students, trade unions, social work, and media, were established, and the Movement's members were organized through a structural apparatus that supervised their work. Hamas also allowed the Islamic Jihad to establish military bases, conduct military trainings, and increase its armament.

In the West Bank, the PA persecuted the Islamic Jihad Movement and Hamas alike. It also attempted to eradicate it, even though the Movement was not involved in the events that led to the Palestinian split. The Islamic Jihad's adoption of the armed resistance transformed it into a target for the security services of the PA, and those of the Occupation, which made it face unprecedented campaigns of arrests and pursuits. As a result, it was unable to establish institutions in the West Bank. Moreover, it failed to gain representation within student bodies for years.

The Islamic Jihad opposed peace plans with the Occupation, and refused to recognize Israel because it considered Palestine as an Islamic endowment. The Movement's position intersected with that of the factions that rejected the Oslo Accords, and which believed that the Accords were a concerted attempt by the American and the Israelis, to exploit the first intifada in their favor (Zaqout, 2000). The Islamic Jihad considered the position adopted by the PLO as a political suicide. In this context, it accused its leadership of following a policy of appeasement and deception of the Palestinian people, because if a state were established, this would mean the loss of the remaining Palestinian territories. Moreover, such state would be weak and controlled by the West and the Occupation, and would enable the expansion of the Zionist entity across the region (Abu Amr, 1989).

During the past years, there has been no significant change in the position of the Islamic Jihad regarding the PLO, whose political programs it vehemently disapproves. Moreover, it refuses to join it, unless, as agreed with Hamas, the

PLO underwent a reform. This position was emphasized at the meeting of the general secretaries of the Palestinian factions in Beirut in 2020 (Saqr, 2021). The Islamic Jihad also refuses to participate in the presidential, legislative, and municipal elections because it believes that they represent the Palestinian political system resulting from the Oslo Accords (Lavi, 2021).

The relationship between the Islamic Jihad and Hamas has had its ups and downs. The Islamic Jihad criticizes the Muslim Brotherhood, from which Hamas emerged, for its lack of involvement in the armed struggle at the beginning of the Palestinian revolution. Moreover, it blames it for the passivity of the Islamic youth, because the training they receive is not relevant to the reality of the Palestinians (Khalil, 2009). Both movements agree on the major points of their political programs, as well as their ultimate goals and objectives. Despite some tensions in the West Bank and the Gaza Strip on specific issues, the relationship between them was consolidated in the diaspora and resulted in a series of bilateral meetings, in which they reached a set of agreements and frameworks for coordination and cooperation. Moreover, they came out with proposals to achieve unity in the future (ibid). When their relationship was at their worst, the Islamic Jihad and Hamas competed as factions. However, when their relationship was at their best, they jointly worked on advocacy issues and adopted unified political positions. It is worth noting that Hamas and the Islamic Jihad Movement are considered the closest factions on the Palestinian political scene.

Even though we cannot accurately measure the popularity of the Islamic Jihad Movement and the number of its supporters in the Palestinian scene, we can say that, as an Islamic movement, it comes second, following Hamas, in terms of supporters and presence. This might be one of the reasons that led the Movement to refuse to participate in the elections. By doing so, it avoids appearing as a secondary force on the Palestinian scene. Rather, it claims that its lack of participation in the elections stems from national principles.

The Islamic Jihad has not developed regional and international relations in the region, unlike Hamas. However, it maintains a strong relationship with Iran. The latter can be defined as a strategic alliance, because it is the only country that supports the Movement. The relationship between the Islamic Jihad and Iran developed under its new secretary-general, Ziyad Nakhleh. On the contrary, the late leader of the Movement, Ramadan Shalah, attempted to distance the Islamic Jihad from Iran, as well as to balance the relationship with Tehran (Al-Jazeera.net, 2015). The Islamic Jihad also preserved its relationship with Syria and Lebanon, as an extension to its ties with Iran. Egypt led its relationship with the Islamic Jihad through its General Intelligence Service, just like it did with the remaining factions. Moreover, the Egyptian position was also influenced by its perception of the resistance in Gaza and the occupation.

Second: Salafi-Jihadism

After Hamas took control of the Gaza Strip in ,2007 it did not impose the Islamic law nor declare Gaza as an independent emirate because of ideological considerations and its unwillingness to provoke regional actors. However, this position resulted in the rivalry of extremist Islamic currents, which considered it as negligence in fulfilling the Islamic duty. This led to the emergence of Salafist groups (Azzam, 2013).

The first years of Hamas' rule witnessed an increased rise of Salafist movements in Gaza, which called for the establishment of an Islamic emirate. This disturbed Hamas and its rule. The most prominent of these movements are the following:

1. Jaysh al-Islam: The founding statement of the group was issued on May 8, 2006, declaring its allegiance to the Al-Qaeda. Jaysh al-Islam was led by Mumtaz Dughmush, who met with Khatab al-Maqdisi and was a friend of Osama Bin Laden. Its activities were limited to Gaza, however, it no longer has an effective presence on the ground (Al-Tamimi, 2019).
2. Jaysh al-Ummah - Ahl al-Sunnah wa al-Jama'ah: The group had a symbolic existence, and it did not develop into an organization with clear structures. Moreover, it did not have regular activities. Also, the group lacked its own prominent intellectual or ideological symbols. Rather, its supporters embraced the ideas of Osama bin Laden, Ayman al-Zawahiri, and Abu Musab al-Zarqawi. Recent years have witnessed a gradual decline in the presence of Jaysh al-Islam, for many reasons, notably the growing strife and occasional clashes with Hamas, which controls Gaza.
3. Jundallah: Abu Abdallah, the group's leader, strongly criticized Hamas for welcoming Tony Blair in Gaza, by saying: "Criminals, like Blair, are not welcome in Gaza" (Al-Bawaba, 2008).
4. The Islamic Front for the Liberation of Palestine: which announced its relationship with al-Qaeda, and threatened to commit acts of violence against what it called the "Shia Iranian Organization" by which it meant Hamas (Ghattas, 2012).

The activities of Salafi-jihadist groups became public between 2006 and 2007. A British journalist from the BBC, Alan Johnston, was kidnapped on 12 March 2007, by a Salafi group. He was released on 4 July, 2007 following Hamas' intervention. The jihadi presence in Palestine became stronger when the leader of the Jund Ansar Allah in the Environs of Jerusalem group, Sheikh Abd al-Latif Musa, announced the

establishment of an Islamic Emirate in April 2009 (Habush & Abu Aisha, 2012).

The Jalajalat groups, which is a name used among Palestinians to describe youth Salafists, also appeared during that period. Mahmoud Taleb, one of the group's leaders, said that his group did not adopt a particular name. However, they used to call themselves Ansar Al-Sunna. Taleb emphasized that the term Jalajalat refers to an undetermined number of networks working in parallel to maintain the highest level of secrecy. The Jalajalat groups began to operate in the Gaza Strip when Hamas decided to participate in the legislative elections at the beginning of 2006. At that time, they issued a statement claiming that such elections went against Islamic principles (Jabr, 2009).

The Salafi-jihadist groups justified their opposition to Hamas by the following points:

1. The participation of Hamas in the legislative elections of 2006. Salafists issued a fatwa prohibiting the participation in the elections because they go against the Islamic law and support an "infidel" democracy (Abu Amer, 2018). Moreover, Salafists believe that participating in the elections, results in the entry into "infidel polytheist" parliaments that are secular, and which saw the light following the Oslo Accords. The latter resulted in the loss of more than three-quarters of the land of Palestine to the benefit of the Jews, which contradicts the intellectual and legal foundations of Salafi jihadism (Abu Saada, 2016, p. 10-11).
2. The relationship of Hamas with Fatah: Hamas and Fatah forming a common government, the Mecca Agreement of 2007, and the statements of Hamas leaders in which they underlined their respect of international resolutions issued by the United Nations resulted in Salafis accusing Hamas of adopting a secular position and abiding by man-made laws (Abu Amer, 2018).
3. The truce with the Occupation: Some of the truce agreements with the Occupation gave the impression that Hamas abandoned the resistance. This prompted some followers to defect from the Movement because they believed that it abandoned the resistance for the sake of political gains, and betrayed its beliefs and ideology, which made them lose hope in reform and change (Nafeh, 2014, p. 167).
4. The siege imposed on the Gaza Strip, which enabled Israel to control everything that comes in and out of the Strip and only allowing the basic life necessities into Gaza. Moreover, the high rate of poverty and unemployment formed an ideal environment for the growth and spread of Salafist, jihadist, and takfiri currents (ibid., p. 168).

Salafi Jihadist movements developed in Gaza, following the Occupation's withdrawal from the Strip in 2005, and after the division of 2007. Hamas tolerated the presence of such movements in the Strip, particularly at the beginning of the Split, because it wanted to gain the support of Islamic movements. In addition, tunnels between Gaza and Sinai provided an opportunity for movement and contributed to the remarkable development of this phenomenon in the Strip. On the contrary, Islamic movements were unable to develop in the West Bank because they were persecuted by both the PA and the Israeli Occupation.

The rise of Salafi Jihadism in the region, in particular groups such the Al-Qaeda and the Islamic State, impacted Salafi Jihadism in Palestine. The latter adopted ideas that stemmed from Al-Fatwas book by Ibn Taymiyyah, and the writings of Abu Muhammad al-Maqdisi, the spiritual guide of Abu Musab al-Zarqawi. Thus, Salafi jihadism outside Palestine contributed to the birth and nurturing of jihadist organizations and Salafi groups inside Palestine. Some of these groups are not connected with Al-Qaeda. The only point they have in common with the mentioned group is their desire to establish an Islamic caliphate in Palestine that follows the Sharia. With the emergence of an international Islamic current that acts locally, some local Palestinian Islamic groups have adopted an international Islamic ideology (Shehadeh, 2006).

Palestinian Salafist groups, particularly those who follow Bin Laden, believe that the Muslim Brotherhood in Palestine did not respond to the international call for jihad against infidels, because their activism is limited to resisting the occupation. They also perceive Hamas as a national movement that participates in the Legislative Council, rather than as an Islamic movement that adopts the Shari'a. Consequently, the main motivation of Salafist groups is calling upon Hamas to return to Jihad and abide by the Shari'a, instead of participating in the political and legislative life and follow man-made laws (Azzam, 2013).

The relationship between Hamas and Salafist groups went through two distinct phases:

Phase 1: Before Hamas won the legislative elections in 2006 and formed the government, it had friendly relationship with Salafist groups. Moreover, both parties coordinated on many issues and shared similar positions. Nonetheless, the main reason that prompted Hamas to develop its relationship with Salafist groups was based on its need to nurture broad alliances with all the forces that oppose Fatah and the PA. This resulted in a unified front of Islamic forces and currents against secular factions. Hamas was able through this relationship to send political messages about its ability to control Islamic groups, whether through promoting or curbing their activities, based on what is needed.

Phase 2: After Hamas took control of Gaza in 2007, it gained the support of the semi-secret Salafist cells and organizations. In return, Hamas allowed their activities to continue, including military training and recruitment, through an unwritten agreement between them.

With time, ideological conflict between Hamas and Salafist groups related to applying Sharia grew. This resulted in tensions as well as clashes between them. It is worth noting that Salafist groups did not participate in the war launched on Gaza by the Occupation at the end of 2018. After Hamas and Israel reached an unwritten ceasefire following the war, Salafist groups launched rockets on Israeli settlements to provoke Hamas, and prompt an Israeli response against it. This may be due to their ties to external actors who do not see Hamas as part of the Salafist movement in the region, or purely internal factors within Gaza. This could also stem from their perception of Hamas' persecution of Salafist groups, and their resultant desire to encourage the Occupation to target Hamas, and make it suffer heavy losses.

The most dangerous aspect of these Salafist groups is their military activities because:

- a. They have resulted in the presence of an armed militia that is not organized within a proper structure.
- b. Young and naïve people are attracted by such groups because of their will to become 'martyrs', rather than because of their belief in resistance and the armed struggle for achieving liberation and political goals.

Hamas adopted the following means to oppose Salafist Jihadism:

1. On the ideological and intellectual level: Hamas sent its *sheikhs* or spiritual leaders, to mosques to raise the awareness amongst youth who were attracted by Salafists, and convince them to leave such groups.
2. On the security and field levels: After the Emir of Jama'at al-Tawhid wal Jihad, Sheikh Abd al-Latif Musa, also known as Abu al-Nour al-Maqdisi, announced the establishment of an Islamic emirate in the city of Rafah in mid-August 2009, Hamas responded by besieging Musa and his companions and destroying the mosque in which they had barricaded themselves. This resulted in the killing of Musa and 24 other people, as well as in dozens of injuries. Since then, Hamas relies on the persecution of Salafist Jihadist groups through resorting to wide campaigns of arrests and restricting their activities and monitoring their mosques and places of gathering. In parallel, Hamas continues to encourage youth to leave such movements through its sheikhs (Nafe', 2014, pp. 168-169).

Third: The Popular Resistance Committees

With the outbreak of the Al-Aqsa Intifada at the end of 2000, the Popular Resistance Committees were established as a military body that launched bold and targeted attacks against Israeli military targets. Indicators point to the fact that these Committees are ideologically closer to Islamic factions. For instance, they named their military arm ‘the Al-Nasser Salah al-Deen Brigades’ and adopted a religious discourse in their communiqués and declarations. Moreover, their theorists follow the global jihadist ideology (Salafi jihadism). The Committees is one of the factions that had a great influence on the course of the Al-Aqsa Intifada (Al-Jazeera Net, 2014).

The Committees define themselves as a popular, , independent militia, for resisting the Occupation. They include in their ranks fighters who belong to the various factions of the resistance, as well as independent resistance fighters, or members of the Palestinian security services. With time, the Committees became more organized (Al-Jazeera Net, 2014). More than 20 years after its founding, the role of the Committees has receded significantly amidst the stagnation of its political vision, and its role has greatly diminished in the occupied West Bank, following its persecution by the Occupation and the PA. Despite its limited popularity and the absence of support from regional powers, it is militarily active in the Gaza Strip, given the financial support it receives from the Lebanese Hizbullah, as well as financial and military support from Hamas, to which it is closer than to other factions (Halevi, 2006). Lieutenant Colonel Jonathan D. Halevi described the Brigades as the new partners of Hamas and the nucleus of the future Palestinian army. The Israeli intelligence believes that Hamas is in fact using the Popular Resistance Committees as a “subcontractor to fight Israel”, based on the confessions of members of the Committees who were arrested by the Israeli army. These individuals reported that they were required to swear their allegiance before a representative of Hamas, and that they had received military training at the hands of the Movement (ibid.).

Fourth: Hizb ut-Tahrir

The party was founded in 1952 by Sheikh Taqi al-Din al-Nabhani, who focused on promoting Islamic ideals for changing societies. He called for embracing an Islamic way of life, and establishing an Islamic state that follows the Islamic sharia and spreads Islam throughout the world through a comprehensive and radical change, because the current system cannot be reformed. He also called

for drafting the constitution of the aspired Islamic state, and formed secret cells in Jerusalem, Hebron, and Nablus, as well as in the Palestinian refugee camps and among students in Jenin and Tulkarm (Saadeh, 2022).

Although the party was founded by Palestinians inside Palestine, it treated the Palestinian cause based on the following:

1. Unlike Palestinian nationalist movements, Hizb ut-Tahrir linked the Palestinian cause to the fall of the Ottoman Caliphate, which is perceived as the last Caliphate, whose fall is perceived as the essence of all the problems that Muslims are facing. It did not consider the Palestinian cause from an Arab nationalist lens (Al-Barghouti, 2000).
2. The Party addresses the Palestinian public through rhetorical discourse. It does not participate in organized resistance activities.
3. The Party does not recognize the Occupation or any negotiations undertaken with it. It also rejects resorting to the United Nations and the Security Council, and considers the signing of the Oslo Accords not only as a conspiracy against Palestine and Muslims, but also as blasphemy and lack of respect of the Islamic Sharia (Shehadeh, 2006).
4. The Party considers any entity that contradicts the above as a traitor. Therefore, Arab regimes seeking a political settlement with Israel are perceived as traitors and agents of the colonial West. The same applies to the PA, based on its political trajectory (Hizb ut-Tahrir, 1994).

Hizb ut-Tahrir disagrees with Hamas on many issues. For instance, Hamas is involved in internal politics, whereas Hizb ut-Tahrir adheres to the concept of establishing an Islamic state on all Muslim lands. It also rejects nationalism and believes that Palestine should be the cause of all Muslims, rather than just Palestinians. While Hizb ut-Tahrir calls for an armed struggle for the liberation of the land, it claims that it supports pacific means for the establishment of the Islamic state (Hammoudeh, 2014).

Regarding the Palestinian division, the Party blamed Hamas for signing the reconciliation agreement with Fatah, because it considers it a political agreement with the PA, that would lead to surrendering to the Occupation and losing the Holy Land (Abu Zaydah, 2019).

The party affirmed in its literature and political statements that neither the PLO nor Hamas are entitled to negotiate on behalf of Palestine because this issue concerns all Muslims. As such, no party has the right to solely decide upon this issue, with international complicity, except for Muslims. The party does not envision any solution for the Palestinian issue, other than ending the occupation, and this is the major responsibility of the aspired Caliphate state (Abdul Rahman, 1990).

The party did not take any practical or armed steps to liberate Palestine. Instead, as stated in its literature, it adhered to a specific method derived from the teachings of the Prophet Muhammad in establishing the first Islamic state in Medina. This method begins with intellectual struggle, passes through seeking support from a central power in society, such as the army, and culminates in the establishment of the state (Cohen, 1988).

Geographically, the Party has a growing presence in the West Bank, particularly in the cities of Ramallah and Hebron, where it already had supporters before the existence of the PA. The emergence of the Party was related to the level of societal dissatisfaction with the performance of the PA, and was also due to people's fear of joining Hamas, which was facing persecution from the PA and the Occupation. Thus, partisans looked for alternatives, such as the Hizb ut-Tahrir, even though it was formed decades before the emergence of Hamas. As for Gaza, the Party's presence is still modest, compared to other Islamic forces, perhaps because its performance was distinguished by theorizing and constant criticism of Hamas, without offering any real alternative to what it perceives as mistakes in governance and politics.

Fifth: Al Da'wah wal Tabligh

This group was founded in Palestine in 1987, by Sheikh Ahmad Al-Naji, first in Ramallah and the West Bank, then in the Gaza Strip through Sheikh Muhammad Suleiman Abu Kaware and Sheikh Fawzi Mustafa (Lavi, 2007). The Emir of the Al Da'wah wal Tabligh in Gaza, Sheikh Ali Al-Ghafri, summarized the group's approach and thought by stating that it is "based on reminding people to obey God, perform their prayers, and revive the Sunnah from their own will rather than by using force". Al-Ghafri described the relationship of the Group with the ruling authority as "based on friendship rather than conflict." He emphasized that the role of the ruling authority is to provide security, pass laws, and administer justice, while the group's role is to call on people to follow what the Quran and the Sunnah of His Prophet dictate (ibid).

The Group is not a political organization and does not actively confront the Occupation. However, some of its members have tried to become involved in politics, as part of political Islam. The Group does not impose conditions on its followers and does not prevent its members to join resistance movements, such as Hamas and the Islamic Jihad. In this context, some of its members participated in operations against the Occupation (Mabayadeen & Iyadat, 2013, s. 890).

The Jama'at al-Da'wah wal-Tabligh is on good terms with other Palestinian factions, because it does not interfere with their affairs. Because of this, the Group has played the role of mediator between the different Palestinian factions on some occasions, such as when it interfered in the Johnston deal - related to BBC reporter Alan Johnston, who was detained by the Jaish al-Islam group, which is closer to al-Qaeda and is led by Mumtaz Dughmush.

Sixth: Palestinian Salafist Preachers

Salafist preachers began their activities in the Palestinian territories in the early 1980s, when students and teachers who had received their education in Saudi Arabia and the Gulf states returned to their homeland, with the intention of spreading the ideas received from great scholars who believed in the Salafi approach, benefiting from the increasing influence of the Islamic awakening in the Arab world (Azzam, 2013).

In the early 1980s, the activity of Salafis in the Palestinian territories was limited, but expanded with the establishment of the PA in 1994 (Abu Saada, 2016, p.10) which granted licenses to their associations, such as: The Council of Salafi Da'wah, the Qur'an and Sunnah Association in Palestine, Dar Al-Kitab and Sunnah, the Bait Al-Maqdis Association, the Ibn Baz Charitable Association, the Scientific Research Association, the Bait Al-Maqdis Center for Documentary Studies, all of which are institutions and associations that focus on the religious aspect and do not get involved in politics (ibid). Ibn Baz, Ibn Uthaymeen, Al-Albani, and the Council of Senior Scholars in Saudi Arabia are their legal authorities.

Salafis consider the PA (government and president) as a ruler who must be obeyed. Accordingly, they obey President Mahmoud Abbas. On the contrary, Salafis criticize Hamas, which turned against the ruler in contradiction with the Islamic law. While they claim to believe in armed jihad against the Occupation, they think that its time has not come yet, because its conditions haven't been met. In this context, they also reject the individual and collective jihad of Palestinians (Azzam, 2014).

Main characteristics of Palestinian Salafist preachers

1. The Salafist phenomenon in Palestine is not a recent or sudden development. It is rooted in the emergence of the "Islamic Awakening" in Palestine, particularly after the setback suffered by other currents - such as the nationalists and leftists.

2. Salafists refused to get involved in the political and partisan discourse in the Palestinian territories, because they believed that the nation should only focus on religion, and that the existing differences between Islamists and nationalists will only lead to more fragmentation, as evidenced by their position on the crisis between Fatah and Hamas.
3. Salafists constitute a competitor to the major Islamic movements in Palestine, especially in terms of promoting religious mobilization and Islamic awakening. This was particularly obvious in the Gaza Strip, where the presence of Salafist organizations and schools became more evident, and they received a significant number of students. On the contrary, Hamas was negatively impacted by the siege, which badly affected its organization over a few years. However, Hamas was able to provide support for its institutions and enable them to regain their position.
4. The relations of Palestinian Salafists with Islamic currents, such as the Muslim Brotherhood, Hamas, the Islamic Jihad, and Hizb ut-Tahrir, are good, particularly regarding strengthening the Islamic presence against that of secular and leftist currents. However, the relationship changed after some movements became preoccupied with politics, such as Hamas, and since the Palestinian split in 2007.

Conclusion

This study presents an overview of the Islamic movements in the Palestinian context, through addressing the causes of their development, as well as their positions and activities. Accordingly, the findings of the study are summarized as follows:

1. The rise of Islamic movements challenged the hegemony of the secular and leftist currents in Palestine.
2. Hamas, as an Islamic movement, continues to lead the Palestinian political scene, although it lost some of its popularity to the benefit of other Islamist factions, regardless of the reasons.
3. Islamic movements in Palestine, with their ideological differences and loyalties, were not able to converge, as in some Arab countries. Despite their alliances, they did not succeed in bringing about a shift in their roles within the political scene. The experience of Islamic movements after the Arab Spring showed that it is not enough to unite under the title of "Islamic" because they are very different from one another, and not a homogenous

entity. Moreover, the differences among them can sometimes be worse than those with non-Islamic movements. As an example, the gap between Hamas, Salafi jihadism, and Hizb ut-Tahrir can be cited.

4. The past years have shown that the lack of involvement of some Islamic forces in the Palestinian political and social affairs has affected their popularity, especially in the light of the difficult economic and living conditions in Palestine. Consequently, Islamic movements should formulate a discourse and a policy that brings them closer to the various segments of Palestinian society.
5. Many Islamic forces benefited, albeit temporarily, from the field confrontations between Hamas and Fatah, which negatively impacted their popularity. Both parties were blamed and criticized for promoting internal strife. However, Hamas gave more freedom to Islamic movements in the Gaza Strip, as opposed to the PA's persecution of Hamas and other Islamic movements in the West Bank.
6. In contrast to Hamas and the Islamic Jihad, the remaining Islamic movements have refused to participate in the political process. At the same time, they adopt a transnational approach to the Palestinian cause, without effectively taking into consideration what Palestinians want.

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SECTION 2

TRANSFORMATIONS IN CIVIL SOCIETY AND NON-PARTISAN ACTORS

Transformations in the Relationship of the Palestinian Civil Society in the 1948 Territories with Israel

Imtanes Shehadeh & Areen Hawari

The characteristics and role of the Palestinian civil society in Israel since the 1990s should be understood within the Palestinian political context in the Green Line in general, and that of Oslo Accords in particular. The latter negatively impacted the National Movement and Palestinians living inside the Green Line specifically. The transformations in the characteristics and role of the civil society in Israel and around the world should also be considered (Azmi Bishara, 2012).

The 1990s and the beginning of the new millennium witnessed the emergence of the frameworks of the modern Palestinian civil society within the Green Line, which followed the destruction of the cultural and political structures during the Nakba and the subsequent decades of Israeli control over political and cultural action during the period of military rule, and the ensuing policies of repression and control.¹ During that period, tens and hundreds of frameworks were established. The activities of Arab organizations and associations focused on the following fields: human rights and the defense of the rights of the Palestinian minority in Israel; domestic and international advocacy; supporting and empowering the Palestinian minority; as well as raising feminist awareness and empowering women, politically, socially, and economically. In the last two decades, human rights centers and research centers in the fields of natural sciences, humanities, and social sciences have also been established. Their work focused on protecting and promoting the rights of the Palestinian Arab minority in

¹ Regarding the destruction of the Palestinian metropolis, please refer to the study of researcher, Manar Hassan (Hassan, 2022). Please refer to (Lustick, 1979) regarding the repressive policies in the first three decades of Israel.

Israel in the economic, social, and cultural domains, as well as advancing their political and civil rights – both on the individual and collective levels. Arab organizations and associations tried to confront the deliberate marginalization imposed by the state and its institutions and improve living conditions, paving the way for legal and organized collective action. Islamic frameworks were also developed during that period and initially sought to provide relief services and establish an Islamic society. At a later stage, their goals also included addressing national issues.

Feminist organizations that called for the defense of women's rights and their private and public freedoms were also founded. Most of them focused on combating physical and sexual violence against women, and, at a later stage, on advancing women's participation in political decision-making and their economic empowerment. Islamic women's frameworks were also established, which promoted the Islamization of society and mainly provided relief services. During these decades, hundreds of frameworks were established that addressed and are still addressing issues related to the local affairs of their towns (Zaidan and Ghanem, 2000; Jamal 2018).

On the political level, since the beginning of the third millennium, civil society has focused on the relationship between the State of Israel and the Palestinian community. It has tried to provide different interpretations of the reality of the Palestinian minority, putting forward an alternative understanding of its reality and offering solutions to challenge the Jewish character of the state. Hence, a major aspect of the actions taken by Arab civil society organizations (CSOs) focused on combating the existing hegemony in the current system. However, according to a study conducted by Imtans Shehadeh (2015), civil society was still, at the beginning of the current century, at the stage of mobilization, which is characterized by seeking to gain legitimacy and developing mechanisms to organize its action to offer alternatives to the existing system. Nonetheless, civil society has not matured enough to move to the stage of institutionalization, which would enable it to confront racism, support the Palestinian minority, and change the way institutions deal with them, or even change the way Israel treats its Arab citizens.

Israel has tried to curb the political activities of the Palestinian civil society and that of non-Zionist Israeli CSOs through developing specific policies and laws or proposing bills. This paper seeks to answer the question of whether the political role of the Palestinian civil society in the 1948 territories has changed from the 1990s until today, and how? It focuses on actions that challenge Zionist hegemony and which offer alternatives to the existing system. The paper also argues that, since the beginning of the current century and until today, there has been a decline in the role played by the Arab civil society in challenging the

existing system and offering alternatives, even while maintaining the current system. On the contrary, CSOs have focused on providing services and promoting development, with an emphasis on economic and livelihood issues, as well as on addressing policies that improve the status-quo rather than address the essence of the regime and the nature of the state.

The paper provides a general understanding of the context in which civil society frameworks were established, as well as their agendas, their discourses, and the changes they witnessed. It investigates the political and historical context that paved the way for the development of the frameworks of civil society at different stages, as well as the characteristics and role of the Palestinian civil society in Israel. Finally, this paper reviews the role of civil society in advancing the political issues of Palestinians in Israel, locally and internationally, as well as in presenting new political visions related to the situation of the Palestinians living inside the Green Line. The paper tackles the reaction of the Israeli authorities to the growing role and influence of the Palestinian civil society, especially on the political level, and their attempts to restrict and curb its influence.

First: Historical Context of Palestinian CSOs in Israel

In the 1980s, the term ‘civil society’ occupied a prominent position in the international academic, research and political arenas, due to an eminent change in Eastern Europe, on the one hand, and the faltering of the welfare state in some Western countries and the calls for structural changes in the socioeconomic system, on the other hand. Given our full awareness of the existing controversies in defining civil society, and in order to stick to the purpose and limitations of this paper, we will tackle the institutionalized civil society of Palestinians in Israel, or what is known as non-profit organizations (NGOs) or civil society organizations (CSOs), which are part of civil society, according to Gudron (Beshara, 2012; Gudron et al., 2003; Payes, 2003).

The phenomenon of founding organizations and associations is not new to the Palestinian community, and has existed dating back to the 1870s, when efforts were made to establish different types of associations (Zaidan and Ghanem 2000; Jamal, 2018; Jamal 2008). Under the British Mandate, different sectors began to organize to provide services to their members and the general public. Nonetheless, this process was limited to specific social groups, based on a sectarian-religious approach, and only targeted inhabitants of cities (Nakhla, 1990).

According to Zaidan and Ghanem (2000), the development of Palestinian civil society in Israel can be divided into six stages. The first three concern all

Palestinians, while the last three are related to the post-Nakba phase and are specific to Palestinians in Israel.

The **first stage** is that of the establishment of civil society and extends from the mid-nineteenth century to the beginning of the twentieth century. One of the most prominent features of that period was the religious character of associations and organizations. The **second stage** is that of growth, between the first World War in 1914 and the Arab Revolution in 1936. This period was influenced by the British Mandate and the emergence of the Zionist project. The **third period** is that of the decline of civil society between 1936 and 1947, due to the state of despair and national defeat; this resulted in the dissolution of many organizations. The **fourth period**, which followed the establishment of the State of Israel (1948 to 1967), can be considered that of collapse. The **fifth period** (1967-1980), or that of 'revival' and reconstruction, was affected by the end of the military rule and the re-encounter of Palestinians following the occupation of the West Bank and the Gaza Strip. During the **sixth period** (after 1981), there was increased awareness in the Arab society on the importance of establishing CSOs. Moreover, this period witnessed the crystallization of modern CSOs and an increase in their numbers. In this context, between the years 1980 and 1998, 65% of 1009 official organizations became registered, half of which were registered after the year 1993 (Zaidan and Ghanem, 2000, pp. 8-12). According to Shani Bayes, this stage can be considered that of concomitant stability and disillusionment, as CSOs matured on the institutional level and became aware of their inability to achieve fundamental political goals (Payes, 2003).

Second: Relationship of Palestinian Civil Society with the State of Israel

The Palestinian civil society inside the Green Line provided alternative interpretations and formulations of the reality of the Palestinian minority in Israel. It presented political insights and visions in an attempt to challenge the hegemony of the state, with the aim to 'demonstrate' that there are alternatives to defining Israel as a Jewish state, in line with the demands of the minority as well as human rights and democratic principles. These include proposals made by CSOs to define the relationship of the Palestinian population with the State of Israel to present new concepts for the political system in Israel. These include, 'the Haifa Declaration,' a visionary document prepared by the Mada al-Carmel Center – the Arab Center for Applied Social Studies – that proposes a future vision for

the relationship of the Palestinian community in Israel with the State of Israel;² ‘the Future Vision Document’ prepared by the Country Committee of Heads of Local Authorities;³ and ‘the Democratic Constitution’ issued by Adalah – the Legal Center for Arab Minority Rights in Israel.⁴ These documents raised various challenges about the nature of the state, and about the relationship of Palestinian citizens with Jews in Israel. They also envisioned potential solutions for the future.

In recent years, due to the lack of sufficient internal pressure mechanisms to influence state policies and the inability of CSOs to pressure the state, CSOs have tried to influence the international public opinion and international organizations, including the United Nations, to pressure on Israel instead. Furthermore, they attempted to expose the discrimination faced by Palestinians in Israel and shed light on the contradictions within Israeli democracy. These CSOs believe that involving the international community would force Israel to respond to the demands and needs of the Palestinians in Israel.⁵ The reports and research issued in English by human rights centers and Arab research centers – such as the political monitoring reports issued since 2003 by the Mada al-Carmel Center – seek to address international public opinion and provide analytical reports about the Arab minority in Israel. One of the most prominent examples of turning to international organizations and institutions is the participation of some Palestinian CSOs and associations in the first World Conference against

2 The Haifa Declaration, [Mada al-Carmel Center](#).

3 The Future Vision Document, [Website of Mossawa Organization](#)

4 The Democratic Constitution, [Adalah Center](#)

5 A prominent example of these attempts is the direct work of Ettijah (Federation of Arab NGOs) with European and international organizations, the international advocacy process of Adalah, which includes submission of reports to international human rights institutions, the United Nations and the European Union <https://www.adalah.org/en/content/index/2004>, and the international advocacy of Mossawa Association. See, for example, its report on Palestinians in Israel submitted to the High Commissioner for Human Rights at the Fifteenth International Review of Israel <https://did.li/q3irl>, and the work of the Arab Institute for Human Rights versus that of international organizations. We can also mention the periodic shadow reports submitted by feminist frameworks to the Committee on the Elimination of All Kinds of Discrimination against Women in its sessions held to review the official reports of states, and the International Charter on Civil and Political Rights. See, for example, the shadow report submitted by the “Working Committee on the Status of Palestinian Women in Israel” to the United Nations Committee on the Elimination of All Forms of Discrimination against Women in 2010 <https://did.li/LMQNf>, and the shadow report submitted by a group of feminist frameworks for the International Covenant on Rights Civil and political <https://did.li/ijuTY>. (All information in this footnote was accessed from the websites on December 29, 2022)

Racism, in Durban in 2001, as part of the delegation of the Arab League, and in the second conference, held in 2009 (Arabs 48, 2010). Many CSOs also organize study days and international conferences to expose the discriminatory policies adopted towards the minority, to interested parties from across the world, in the presence of representatives of foreign countries.

After the publication of the concept documents on the role of CSOs in challenging the nature of the regime and the state, Nadim Rohana wrote: “It became clear to the Palestinians in Israel that accepting the Jewish state means condemning themselves to living under inequality in their homeland, and to being considered a national group that does not belong to a state or even to a homeland... All documents share a common rejection of the idea of a Jewish state and propose a democratic and bi-national alternative (in the case of the Haifa Declaration and the Future Vision Document) or a multicultural and bilingual state (in the case of the Democratic Constitution). All documents strongly and clearly reject the Jewish state. For instance, the Haifa Declaration calls for a democratic state that is based on equality between Israeli Jews and Palestinian Arabs (...); whereas the Democratic Constitution demands a constitution for “a state that does not dominate and occupy another people and is based on complete equality between all its inhabitants and all its groups (...) in a democratic, bilingual, and multicultural system” (Rouhana, 2010).

The Haifa Declaration was characterized by its call for reconciliation between the Palestinians and the Israeli Jews, from the perspective of corrective justice. The latter requires the recognition of the historical injustices inflicted by Israel on the Palestinian people; the acknowledgment of the Nakba, displacement, and war crimes it committed against them; the return of refugees and the withdrawal from the territories occupied in 1967; and the transformation of Israel from a Jewish state to a state for all its citizens. The Declaration also addressed the right of Israeli Jews to self-determination and recognized the Jewish Holocaust, extending sympathy for its victims while denouncing its exploitation in legitimizing the right of Jews to establish their state (Haifa Declaration, 2006).

According to research conducted by Sigal Gopher (2003), most Arab CSOs can be defined as “outsider organizations for ideological-dogmatic reasons” due to their relationship of mistrust with the state and its institutions, given the minimal recognition they receive from the state, if any. This finding is consistent with those of Yael Yishai (2003), who noted that most Arab CSOs have weak relations with state institutions and limited channels of direct communication with state institutions and ministries. Most importantly, this relationship is distinguished by the absence of direct relations stemming from personal relations between Arab CSOs and decision-makers in Israel. This reality reflects CSOs’ lack of confidence in their ability to seriously influence decision-makers and

state institutions, on the one hand, and the hostility of official institutions, on the other. Therefore, the work of Arab CSOs focuses on combating the existing hegemony in the current system, as well as changing the way institutions deal with the Arab population and reducing racism. Nonetheless, Jamal believes that Arab CSOs failed in changing the ways Israel treats its Arab citizens and in making relations between the two parties more democratic (Jamal, 2008).

It is worth mentioning that some CSOs obtain funding from the state by virtue of their activities, regardless of their political positions. As examples, we can mention the Galilee Society and the Triangle Research and Development Center, which runs research centers for exact sciences and receives funding from the Ministry of Science; the Assiwar Movement and the Women Against Violence Association, which both receive funding from the Ministry of Welfare and Social Affairs for providing hot-lines and shelters for women and girls victims of gender-based violence; and CSOs that focus on early childhood and sponsor nurseries and kindergartens, such as the Al-Tufula Center. One of these CSOs was associated with the Northern Faction of the Islamic Movement and was considered illegal after the Movement was declared outlawed in 2018.

Third: Reaction of Israeli Authorities to the Defiance of Civil Society

The Israeli authorities' attempts to restrict the activities of CSOs are not recent. In some cases, the Israeli authorities relied on bureaucracy to curb the activities of Arab CSOs through the strict monitoring of the Registrar of Associations. Shani Payes defines the way the state deals with Arab CSOs as an 'active exclusion,' as the Israeli authorities treat the objectives and activities of these CSOs with suspicion and distrust (Payes, 2003). She posits that Arab CSOs are aware that the state can limit their work by creating obstacles, confiscating their funds, or closing them under many pretexts, such as posing a security threat. The State implemented this policy when it shut down the Ansar Al-Sajeen Association in 2006 and several associations and institutions affiliated with the Northern Faction of the Islamic Movement, as well as when it banned and shut down the Al-Aqsa Association in 2008.

After the publication of the future vision documents, which challenged the definition of the State in Israel and proposed political alternatives to the system and to managing the relationship with the Palestinians living inside the Green Line, there was a clear change in the Israeli authorities' policies towards these organizations. This was translated into attempts to restrict the work of

Arab CSOs and Jewish Israeli CSOs that are not supported by Zionists, through the enactment of laws or proposal of draft laws in the Knesset in recent years. These include the Draft Law of Associations (Amendment - reservations on the registration of an association and on its activities) of 2010,⁶ which calls for an amendment to Article 3 of the Law of Associations. This amendment would allow the Registrar of Associations to deny registration to an association suspected to be “involved with” foreign entities or providing them with information about ongoing lawsuits against senior government officials or army officers, in connection with war crimes outside the State of Israel; the Draft Law on “the duty to disclose recipients of support from a foreign political entity 2010,”⁷ which aims to restrict the work of associations and CSOs by imposing strict reporting conditions on the financial donations they receive from any foreign political entity; the “Draft Law of Associations (Amendment - Prohibition of support from foreign political entity to political associations in Israel) 2011,”⁸ which prohibits any “political association” that aims – among other things – to influence the political and security agenda of the State of Israel or which organizes activities of a political nature to obtain donations that exceed 20,000 shekels per year from any foreign country or institutions representing countries; and the Draft Law of Associations (Amendment - Reservations on the registration of an association), 2011,⁹ which aims to prevent the legal registration of associations that deny the existence of Israel as a ‘Jewish and democratic state.’

In addition, the Draft Law of Associations (Amendment - Reservations on registering an association that denies the Jewish character of the state), 2011¹⁰ calls for tightening sanctions on associations that do not recognize Israel as a ‘Jewish and democratic state’ and the dissolution of existing associations that contradict the Jewish and democratic character of Israel. The individuals who proposed this draft law not only required that an association recognizes the ‘Jewish and democratic character’ of the state of Israel in order to register it, but also called for denying the registration of any association that does not recognize the ‘Jewish and democratic character’ of Israel, and shut down those who

6 Bill No. F/18/2456, submitted by 40 deputies on 14.6.2010. See: Periodic Political Monitoring Report No. 10, published by Mada al-Carmel, June-August 2010. Mada al-Carmel.

7 The proposal was submitted by Knesset member Ze’ev Elkin and others on 8 February 2010. See: Periodic Political Monitoring Report No. 11, published by Mada Al-Carmel, September-October 2010. Mada Al-Carmel.

8 Bill F/18/3312, submitted to the Knesset on June 13, 2011. See: Periodic Political Monitoring Report No. 14, issued by Mada al-Carmel, April-June 2011. Mada al-Carmel.

9 Ibid.

10 Ibid.

go against that principle. Finally, the “Nakba Law”¹¹ is considered the most racist of these laws because it authorizes the Minister of Finance to reduce government funding to any institution that carries out an activity that opposes the definition of Israel as a ‘Jewish and democratic’ state or that holds ceremonies to mark ‘Israel’s Independence Day’ as a national day of mourning, in reference to the return marches that Palestinians have carried out in Israel since 1998. The Nakba law, in its previous versions, called for punishing those who commemorate the Nakba.

The Israeli authorities relied on bureaucratic tools, including a strict monitoring of Arab CSOs by the Registrar of Associations, confiscating their funds, and shutting them down under many pretexts – for security reasons, for instance. Of the targeted CSOs, we can mention the Ansar al Sajeen Association in 2006 and other organizations affiliated with the Islamic Movement (the Northern Faction) – including the Al-Aqsa Association, which was banned in 2008 – and the shutting down of all associations affiliated with the Islamic Movement (the Northern Faction) in 2015.¹²

The Law of Associations was enacted in July 2016 and stipulates that CSOs receiving funding in the form of donations from foreign countries must disclose their sources of funding in all their advertisements. Such information was used to classify CSOs that receive foreign funding and impeach them.

In addition, Israel systematically restricts donor funds and donor countries to prevent the funding of CSOs that challenge the ‘Jewish and democratic’ character of Israel. In this context, it has established a non-governmental organization called “NGO Monitor,” which aims to track and spy on Arab CSOs and put pressure on donor fundings. The goal here is to direct the work of Arab CSOs towards civil, social, and livelihood issues, to prevent them from challenging the state.

In addition to government policies related to Arab CSOs, there are other challenges that limit their influence and their performance in the face of Israeli policies, including funding issues and internal factors related to the organizations themselves. In terms of funding, most CSOs and associations are almost completely dependent on international funds. In this framework, Amal Jamal argues that their social capital regarding their target audience is weak, which indicates that society has very little knowledge of the presence of these associations,

11 Amendment No. 40 of the State Budget Law (1985) is called the Nakba Law. For details, please refer to the statement on the website of the Adalah Legal Center for Arab Minority Rights in Israel. [Adalah Center](#).

12 On the prohibition of the Islamic Movement, its meanings and its political, legal and social consequences, please refer to (Mustafa & Hawari, 2016).

including renowned CSOs, based on a survey conducted by the researcher. Of these, we can mention the Al-Aqsa Association, the Women Against Violence organization, and the Adalah Center. In this context, 90% of the surveyed who claimed to be familiar with these associations indicated that they are not in contact with them. This is something to underline, given the right-wing attack on these CSOs (Jamal, 67-68).

Shani Payes pointed out that Arab civil society suffers from internal weaknesses and constraints that are related to its operationalization methodology, which focuses on proposing technical solutions rather than fundamental political solutions to confront the policies of the State of Israel. This is particularly true when the balance of power tilts in favor of the state and the majority, which contributes to reducing the pressures on the state, and avoiding proposing alternatives to the existing system (Payes, 2003). The absence of coordination mechanisms, the lack of serious joint action, and the competition between the different CSOs, create additional obstacles. Some even claim that the fact that these CSOs are not elected makes their work less legitimate. Hence, the main source of legitimacy for them is the recognition of the State of Israel and abiding by its laws and regulations. Furthermore, the agendas of CSOs are sometimes determined by the limited sources of internal financing and their reliance on foreign funds (Ibid.)

All these factors have led to the decline of the political role played by CSOs, in particular, related to challenging the Zionist hegemony and offering an alternative political system. Since the issuance of the future vision documents at the end of 2006 and the beginning of 2007, no CSO has attempted to play a political role. On the contrary, since then, CSOs are focusing on economics and development, or integrating Arab citizens into the economic markets. This includes increasing the participation of Arab women in the labor markets and the attempts of Arab Jewish associations to integrate the younger generations into the labor markets. Such CSOs enjoy significant support from the government and from American Jewish institutions. They include organizations such as Kaf Mashveh (Equality Line) and Tsofen (The Compass) for integrating Arabs into the high-tech sector; Ajek association, which is active in the Negev region; the Kowanpak association, which seeks to integrate Arabs into the Israeli private sector; and many Arab CSOs. The goals of these CSOs are aligned with those of the Israeli government, especially the economic policies aimed at integrating Arabs into the Israeli economy without challenging the nature of the regime or the Zionist hegemony (Al-Khalidi & Shehadeh, 2017).

The decline in the influence of CSOs does not mean that they have stopped confronting state policies, but rather that their approach has changed. Many frameworks still carry out projects with a political and confrontational nature.

The peak observed in the 2000s in dealing with the state structure through documents envisioning the future has not escalated, but we still see some civil society frameworks continuing their activities from the same perspective. The publications of Mada al-Carmel Research Center are based on the understanding that Israel is a settler colonial project.¹³ Some frameworks have pushed forward certain political issues and have evolved professionally and popularly through stances confronting state policies. For example, feminist frameworks support women's participation in politics from an intersectional perspective that links national oppression with patriarchal oppression, in the marginalization of women. Similarly, feminist frameworks combat the phenomena of crime and gender-based violence from the same perspective.

Other CSOs, such as the Baladna Association, focus on raising awareness on the right of return, displaced villages, and the rights of the internally displaced, as well as educating the younger generation on these issues.¹⁴

Despite the above indications that the Arab community has little knowledge of the presence of these CSOs, the same research indicates that 62% of the surveyed who heard about these frameworks expressed their willingness to volunteer with them. As such, CSOs themselves are responsible for the lack of volunteers, owing to their lack of public engagements. Furthermore, the survey results indicate that members of society are ready to engage in its public affairs (Jamal, 168-170).

Conclusion

According to the few existing studies in this field, the data presented in this article, and the daily monitoring of the reality of Arab CSOs, it can be concluded that Arab CSOs are still in the stage of crystallization (mobilization), and have not matured enough to move to the stage of institutionalization and transforming this phenomenon into a *fait accompli* for the Palestinian minority. The stage of crystallization is that of gaining legitimacy, developing work mechanisms

13 You can refer to the Mada al-Carmel website (<https://mada-research.org/>). A book entitled: *Zionism and Settler Colonialism: Palestinian Approaches* (Nadim Rouhana & Areen Hawari, 2023) will be published soon.

14 Refer to the various projects of Baladna Association for Arab Youth related to Palestinian identity and communication, knowledge of the geography and history of Palestine and others <http://www.momken.org/> as well as the legal and international pleadings of the Adalah Center for Palestinian Minority Rights on identity, land, housing and others on the Adalah website <https://www.adalah.org/>

to confront the existing state system, and presenting alternatives. Usually, this stage comes after a historical turning point or crisis that weakens the legitimacy of the existing regime in the country, which may encourage civil society to play an active role in triggering change. However, in the last decade, a change in the goals and tools of the work of Arab CSOs can be observed, especially after the publication of the future vision documents and their perception as a threat by the Israeli authorities, who developed tools for the containment and restriction of the work of Arab CSOs. As such, their political role has declined because of laws or bills that restrict their activities or their financing, or for being considered outlaws. The role of CSOs has shifted from challenging the nature of the state, to working in development and addressing economic issues. This has resulted in a win-win situation because these CSOs became recognized and supported by the state, which facilitates their funding or even funds many of them.

Many factors influenced this transformation, including internal politics, the relationship of Arab citizens with the State of Israel, and regional conditions (war and peace). This change was also triggered by global transformations, civil society activism, and funding approaches and policies.

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Post-Oslo Transformations in the Role of the Palestinian Civil Society in the 1948 Territories

Saher Ghazawi

In the past three decades, there has been an increased interest in research and knowledge related to the relations between majority and minority groups. Following the Cold War, ethnic minorities have threatened national and international political stability (Ghanem, 2001). The term minority is sometimes used as a synonym for national, ethnic, racial, and religious groups, as defined by the Sub-commission on the Promotion and Protection of Human Rights and the Sub-commission on Prevention of Discrimination and Protection of Minorities. A minority is a governed group, which holds the nationality of the country in which it lives (Capotori, 1979). The Palestinian Arab minority in Israel is classified as an indigenous minority, by definition and formation (Kimmerling, 2011). The Palestinian minority in Israel meets most of the criteria for indigenesness, which were set by the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, as follows: temporal seniority; voluntary preservation of cultural distinctiveness; self-identification as indigenous peoples; and exposure to subjugation, marginalization, displacement, exclusion, and discrimination by a dominant society. In addition, indigeneity is based on a conditional relationship between the existence of a group of people as a community and their attachment to a specific place (Al-Carmel, 2005). Political scientist, Ted Robert Gurr, considers that the indigenous minority has the right to reject any form of politics that threatens its identity and culture. Because preserving its identity and culture is the basis of everything, the indigenous minority has the right to reject a policy that threatens this principle. The relationship between minorities (especially indigenous minorities) in the world and the state is based on this principle (Gurr, 1993).

According to Amal Jamal (2013), civil society represents the freedom of society and the autonomy of its members. As such, it cannot be part of authoritarian systems. In the case that it subordinates its activities to such ends, it loses one of the essential characteristics of its existence. Political parties and forces can engage in civil society, with the aim of injecting new blood into politics and giving it a popular character. Likewise, elements and officials can be involved in humanitarian movements and charitable social organizations, since society bears the responsibility of managing most of its basic affairs (Hussam, 2015, pp. 11-12).

Many Israeli academics, such as Jacob Landau, Yuval Davis, and Elie Rekhess, have argued that the Palestinian minority in Israel has undergone a rapid process of modernization, manifested in an increased level of education and standard of living, which in turn has led to increasing their expectations. Such an approach is based on colonial assumptions that Arab society is underdeveloped and backward, governed by ancient customs and traditions, and ravaged by religious customs that contradict global civilization. As such, it has less value than European and Western societies (Taha, 2010).

Asaad Ghanem and Mohanad Mustafa argue that the Palestinian community measures its status by the degree of development and achievement of Jews in the state, and the gaps between the two groups in various fields. This leads to a state of frustration and bitterness among Palestinians in Israel, and it forces them to take radical political positions (Ghanem & Mustafa, 2009, p. 53). Sociologist Majid Al-Haj believes that Palestinians in Israel have developed a special coping mechanism over time, which resulted from the objective conditions related to their status in Israel, and the changes witnessed in various fields since the establishment of the state. This includes adopting legal methods of struggle appropriate to this strategy. However, marginalizing Palestinians in Israel by the Palestinian national movement led to the weakening of their status to extents as never seen before (Al-Haj, 1993). The Palestinian civil society in Israel in its various aspects, both as a theoretical concept and as an experimental reality, has preoccupied thinkers and researchers over the past decades. The civic space has developed through voluntary organizations and unorganized popular initiatives, which work in the name of citizens and on their behalf, to defend their issues. As such, civil society constitutes a socio-political phenomenon that raises numerous questions. This study aims to identify the transformations in the Palestinian civil society in Israel after the Oslo Accords, which were signed in 1993 between Israel and the Palestine Liberation Organization (PLO). It also seeks to determine the impact of these transformations on the Palestinian civil society in Israel and the systematic policies of racial discrimination it suffers from, in all respects. Moreover, the study aims to review the historical framework that

paved the way for the establishment of civil society through different stages. Finally, the study reviews the characteristics of the Palestinian civil society in Israel and the challenges it faces due to its growing role and functions.

First: The Palestinian Community in Israel

After the establishment of the Israeli entity and following the ethnic cleansing of the Palestinian people in 1948 (the Nakba), which aimed at emptying Palestine from its indigenous inhabitants (Ghanem, 2011, p. 17), Palestinians – the indigenous inhabitants of Palestine – became a minority in their homeland. Accordingly, they felt a sense of belonging to the Palestinian people as a whole, and to the Islamic and Arabic nations, in terms of civilization, culture, and religion (Ghanem and Mustafa, 2011, p. 315). Since the Nakba, Palestinian citizens in Israel have found themselves on the sidelines of the interests, goals, and social and political formations of the Palestinian national movement (Rouhana and Sabbagh-Khoury, 2011, p. 7). Israel considers the Palestinian indigenous minority as second-class citizens when it comes to government preferences, individual rights, and collective rights. Even though Israel seeks to improve their standard of living by upgrading the services provided to them, it absolutely refuses to recognize or deal with their collective rights, and prevents them from raising fundamental demands for changing the regime or the nature or self-definition of the state. Israel considers collective rights to be exclusive for Jews, and that the Palestinian indigenous minority represents a threat to the Zionist project and to its citizens. (Pappé, 2013, p. 13).

Palestinians living in the 1948 territories developed a collective political agenda based on establishing their status as a national minority. They were determined to defend their property and heritage, as well as achieve equality and recognition (Yiftachel, 2011, p. 130). Successive Israeli governments have ignored the demands of Arab associations – such as the National Committee of Heads of Arab Local Authorities and the High Follow-up Committee for Arab Citizens of Israel – and were hostile to collective demands that benefit the local population, raised by parties or by social or political movements (Galilee, 2013).

The Palestinian community in Israel was formed on the margins of Israeli society. The Zionist ideology, which is at the core of the Jewish state, and the Judaization project have transformed Palestinians into potential enemies because their presence can impede the establishment of a Jewish state. For this reason, Palestinians are not integrated into Israeli society and remain on its margins

(Rouhana and Sabbagh-Khoury, 2011, p. 7). Through its policy, Israel has systematically sought to weaken the minority through segregation (by separating the Druze and Bedouin groups) and robbing the group of most of its political and cultural rights. The Palestinian community in Israel currently constitutes about 21.1% of the total population in Israel (9.450 million people). At the end of 2021, the number of the Palestinian Arab population in the country reached 1,995 million people (including Palestinians in Jerusalem and the occupied Golan Heights), living in Arab and mixed cities and towns, according to the Israel Central Bureau of Statistics (The Israel Central Bureau of Statistics, 2022). The majority of Arab towns in Israel have a low standard of living because of their low socio-economic level. 67% of them are included in the three lower clusters,¹ while only 7% of Arab towns are included in the three upper clusters, compared to the Jewish towns, of which 24% are included in lower clusters and 34% in the upper clusters (Gharra, 2018). Statistics published by the National Insurance Institute for the year 2018 indicate that nearly 60% of Arab families live either below the poverty line or close to it (44.2% live below the poverty line and 14% are very close to the poverty line) (compared to 49.4% for the year 2008), while 20% of Jewish families live either below the poverty line or close to it (13.4% live below the poverty line and 6.9% are close to the poverty line), compared to 15.3% for the year 2008 (Zoubi, 2020). Regarding education, the low level of educational services constitutes an additional reason for the poor living conditions of Palestinians. This discrimination is one of the main reasons for Palestinians' inability to acquire high skills that are compatible with the changes in the labor market, which leads to their involvement in low-paying occupations (OECD, 2018).

Second: The Historical Framework of Palestinian Civil Society in Israel

The phenomenon of establishing CSOs and associations in the Palestinian community dates back to the 1870s, when efforts were made to establish associations for various goals (Zeidan & Ghanem, 2000). The beginning of the twentieth century constituted a pivotal stage in the life of the Palestinian community. The Balfour Declaration had special repercussions on the Palestinian community, which led to finding new means of action to confront the new political reality.

¹ The Central Bureau of Statistics lists the local authorities in Israel into ten groups, called clusters, according to socio-economic criteria. Cluster No. 1 includes towns with a low socio-economic status, and cluster No. 10 includes towns with a high socio-economic status.

Associations were established; they were civil in appearance and political in essence, such as the Islamic-Christian associations that were founded in most Palestinian cities, which were one of the political and social means of confrontation that arose at the time (Zoubi, 2020).

After the creation of the Israeli entity in 1948, there were attempts to establish new associations for the 1948 Palestinians. However, the military rule applied by Israel prevented the reorganization of Arab associations on a voluntary basis and deterred many from making any serious attempts to establish decent associations (Ghanem and Mustafa, 2009, p. 298). The process of launching organized civil action was delayed due to the Israeli oversight that impeded its natural development. Moreover, Israel withheld resources and persecuted such action through enabling administrative and security institutions to monitor the Palestinian community in Israel (Zoubi, 2020).

Despite this, Palestinians in Israel developed through several stages, which led to the formation of a community with its own distinctive characteristics. Palestinian civil society organizations (CSOs) launched various initiatives aimed at organizing the Palestinian community, in parallel with partisan, religious, and media work (Zoubi, 2020). In addition to societal empowerment, civil society, in its various components, is preoccupied with combating the state's policy towards the Palestinian community by challenging the Zionist political and cultural systems (Zoubi, 2020). This sector went through several stages of development, which reflected its interaction with the political and economic conditions faced by the Palestinian community (Zeidan & Ghanem, 2000). Based on the table below, the surge in the process of establishing associations took place during the 1970s, that is, after the abolition of military rule.²

Years of establishment	Percentage of active Arab associations from the registered associations in Israel
1949-1959	2.2% (During the military rule)
1960-1969	0.5% (until the end of the military rule)
1970-1979	16.7%
1980-1990	75.2%

Table (1) Public associations established by the 1948 Palestinians, according to the years of establishment. Source: (Ghanem & Mustafa, 2009, p. 299).

² The Palestinians in Israel were officially under military rule from the occupation in 1948 until the end of 1966, when the military regime was dismantled. Its repressive powers were transferred to the police and the intelligence apparatus, until 1968.

Since the beginning of the 1970s, regional³ Arab political, social, and service associations have emerged. The table below shows the most prominent of them.

Year	Regulatory body
1972	Indigenous People's Union
1972	Regional Druze Initiative Committee
1973	Committee of Arab University Students (University of Haifa)
1973	Committee of Arab University Students (Technion)
1974	The National Committee of Heads of Arab Local Authorities
1974	Committee of Arab University Students (Bar-Ilan University)
1974	Regional Union of Arab Secondary Students
1974	Islamic Women's Association (Nazareth)
1975	Regional Union of Arab University Students
1975	Committee for the Defense of Arab Lands in Israel
1975	Committee of Arab University Students (Ben Gurion University - Beersheba)
1975	Akka Women's Foundation - Dar Al-Tifel Al-Arabi (Akka)
1975	Democratic Front (Nazareth)
1977	Democratic Front for Peace and Equality
1977	The National Progressive Movement - Abnaa Al-Balad (at universities: Jerusalem, Haifa, Tel Aviv, Beersheba)

Table (2) List of regulatory bodies and years of their establishment (during the 1970s). Source: (Bashir, 2006, p. 44).

Palestinian Arab Student Organization was among the most prominent organizational bodies that were active in the 1970s, in Israeli universities, which later developed into a student movement and contributed to the crystallization and consolidation of national awareness among Arab students within the Palestinian community. The Organization participated in national and political activities and produced political and community leaders. The Student Movement resulted in Arab political and societal leaders who played an important role in later stages (Mustafa, 2015, p. 398).

The 1980s and 1990s witnessed an increase in the role of Palestinian CSOs in the 1948 territories. At the end of that period, the number of officially registered

³ A regional institution provides services to groups from the Palestinian community and is not limited to providing services to a group residing in a specific town, such as a local institution.

Arab associations reached about 1,600, which constituted 4.5% of the total number of registered associations in Israel, of which about 300 associations were active on ground. About 80% of these associations were registered from 1998 onwards (Zeidan and Ghanem, 2000). Until the year 1990, there were about 180 public associations for Palestinians in Israel, which sought, according to their specialties, to provide specific services to the community, based on its needs (Ghanem and Mustafa, 2009, p. 299).

Third: Post-Oslo Transformations of Palestinian Civil Society in Israel

The Oslo Accords constituted a starting point for Palestinians living in the 1948 territories, because they isolated Palestinians in Israel from the overall Palestinian population, prompting them to continue their struggle based on their priorities and their understanding of their national role. Thus, they focused on local politics and their particular issues (Nasasra, 2020). The Arab political and intellectual elite realized that the Oslo Accords, based on the concept of two states, required the development of internal mechanisms to address the civil and human rights situation in Israel. This factor triggered the transformations of the Palestinian civil society in Israel after Oslo Accords (Jamal, 2017, p 124).

The Oslo Accords were accompanied by a set of structural changes in the Israeli economy and the withdrawal of the welfare state after the rise of the right to power in 1996, which exacerbated racist tendencies against Palestinians in Israel. Stopping the subsidy policy launched by Rabin's second government, which allocated more resources to the Arab community, deepened the crisis and required new measures to deal with the growing crisis (Reiter, 2009).

The politics and political discourse adopted by Palestinians in Israel at that stage were reshaped. Instead of searching for solutions to address their issues as Israeli citizens, they began considering other options because they were unable to achieve full citizenship on the basis of a 'state for all its citizens' since the rise of the right to power in 1996 (Ghanem and Mustafa, 2011). Moreover, the local government crisis in Israel, which resulted in the disruption of services, affected Israeli society in general, and the Palestinian community in particular (Jamal, 2017, p 124). Therefore, many leaders of the Palestinian community in Israel saw the need for the establishment of CSOs and associations, to provide services and defend their rights in sectors neglected by the state. Such social behavior was described by researcher Nancy Fraser as 'counter public' behavior, as marginalized groups excluded from the public sphere create an

alternative public space of their own and have a social, political, and cultural agenda that contradicts the concept promoted by the state among the Arab community (Fraser, n.d.).

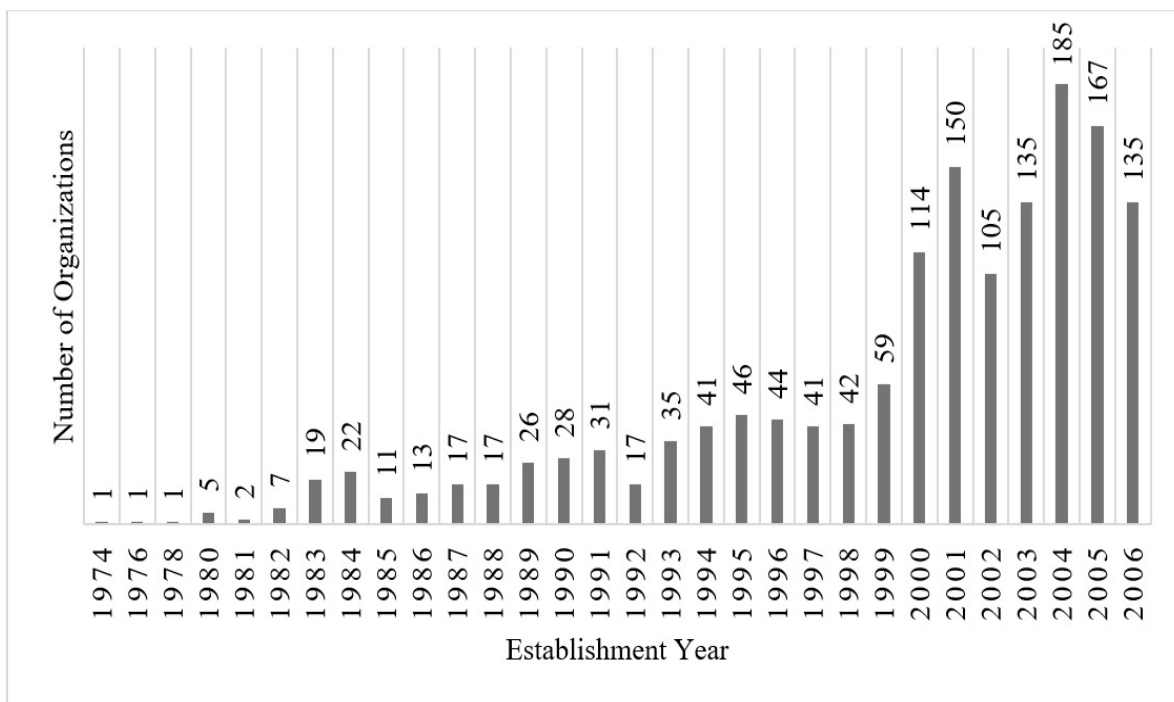
Among the most prominent initiatives and ideas put forward by the Palestinians is the ‘self-made society’ initiative of Sheikh Raed Salah, head of the Islamic Movement (Northern wing), which calls for boycotting the Knesset elections and searching for solutions outside the parliament. Many political and popular forces adopted the project (Ghanem & Mustafa, 2009, pp. 12 - 13, 298) and called for reviving resources, establishing comprehensive projects, and communicating with the Arab and Islamic world. Sheikh Raed suggested appointing representatives of the 1948 Palestinians in Islamic and Arab associations – such as the Arab League, the Islamic Development Bank, the World Islamic Council, and the Organization of Islamic Cooperation. Thirty regional CSOs and associations became affiliated with the Islamic Movement after the Al-Aqsa Intifada in 2000. They specialized in various fields, such as motherhood and childhood; university students; sports and youth relief; media, literature, and arts; research and studies; the land and Holy Sites; healthcare and private hospitals; and private schools (Ghanem & Mustafa, 2009, pp. 341-343).

The huge increase in the number of Palestinian CSOs in Israel since the beginning of the nineties until the present time can be divided into two main waves. The first occurred after 1994, and was the result of the transformations in the Palestinian community in Israel after the Oslo Accords of 1993, which led to a state of frustration and self-retreat among them, and forced them to fend for themselves. The second took place after 2000. Among the active CSOs, especially those that emerged in the nineties and the first decade of the twenty-first century, 1,358 provided special services, and 132 offered different types of social support (Jamal, 2017, p. 123).

The second wave of Arab CSOs may have resulted from the second intifada in 2000, and from Palestinians’ disappointment with the state’s behavior and the decline of their expectations related to service provision after nearly a decade of hope. The events of October 2000 shattered all expectations, and the relationship between the state and the indigenous minority witnessed a downturn (Jerusalem, 2019). This new reality encouraged many Palestinian leaders in the 1948 territories to take the initiative and establish CSOs, with the aim to provide services, protect the rights of Arab citizens, and promote change in government policy (Jamal, 2017, p. 125). This was reflected in the intensification of organized social activity, especially among associations affiliated with the Islamic movement. In 1998, there was a significant increase in the number of newly established associations. However, in 2000, there were more than 100 newly registered associations. In a few years, more than 200 became registered (ESEED,

2019). Shany Payes explains that the increase in the number of Arab CSOs in Israel, and their rapid growth in many proportions compared to previous periods, especially religious organizations, is due to the ‘exploitation’ of the Law of Associations. In her view, the enactment of the Law of Associations caused informal religious organizations to register many associations in the Associations Register, enjoying the benefits associated with this status (Payes, 2003).

Until 2004, the number of registered Arab CSOs reached 2,200, of which only 1,135 are active. The data shows that the majority of associations are located in the northern region, and most of them work in the field of culture and entertainment (Even Chorev, 2008, p. 12). In 2006, the number of registered Arab CSOs reached 2609, of which 1517 are active. This increase is illustrated by Amal Jamal in a study he prepared, as shown in the chart below (Jamal, 2017, p. 123).



Graph (1) Distribution of the number of active Arab CSOs according to the year of their establishment.

According to a study prepared by the Hebrew University in Jerusalem, after 2007, the number of newly established associations that are still active to this day has decreased. This is due to the challenges and obstacles faced by Arab associations in Israel after their establishment, which curb their activities and make it difficult for them to survive. In 2016-2017, the number of associations that have signed contractual agreements with the government reached 875 (Jerusalem, 2019).

Field of activity	Number	Percentage
Culture and entertainment	476	31.3
Education and research	295	19.4
Social welfare	224	14.7
Religion	183	12.0
Legal advocacy, and social and political change	130	8.5
Building, development and housing	90	6.0
Healthcare	47	3.0
Charity	37	2.5
Environment	15	1.0
Professional and trade unions	13	0.8
Commemoration	5	0.33
Global activities	2	0.13
TOTAL	1613	100

Table (3) Fields of activity of Arab associations in Israel, 2007. Source: (Shehadeh, 2015) Adapted from (Jamal, 2008).

In the latest statistics issued in 2022 by the Israeli Associations' website in Hebrew (Guidestar), the number of Arab associations in Israel is 2,305, of which 900 are active, out of approximately 20,000 active associations in Israel. This means that they only represent 4% of active associations. Moreover, these associations benefit from a small portion of the total governmental and charitable resources allocated to CSOs. This affects the extent to which Arab citizens can access social services, as well as the degree to which services are appropriate and respond to specific needs in society (Guidestar, 2022).

Palestinian political scientist Amal Jamal enumerates in his research on CSOs internal and external reasons for the increase in the number of associations since the beginning of the nineties, as follows (Jamal, 2008, p. 291):

Negative factors	Positive factors
Decline of traditional forms of political activism in Palestinian community in Israel.	Rise of individualism among the Palestinian community.
	Increased number of Arab academics and those with professional qualifications.
Weakness of Arab political parties and inefficiency of social services for Arab local authorities.	Increased political awareness among the Palestinian community and the importance of the rights inherent to citizenship.
	Increased social initiatives among Arab youth, and success of many associations that became a model for community work.

Table (4) Group of internal factors (negative and positive) for the increase in the number of associations since the beginning of the nineties.

Negative factors	Positive factors
Lack of Arab influence in the Knesset.	Globalization of discourse that stresses indigenous and human rights.
Lack of social and economic services provided by the state.	Rise in the role of civil society and social movements in the world.
	Rise of Israeli civil society and its influential presence in the Israeli public arena, and the availability of external sources of support for the establishment of associations and CSOs.
Obstacles that the Israeli labor market poses for Arab professionals and educated Arabs.	Activities of CSOs focus on human rights, defending the rights of the Palestinian minority in Israel, local and international advocacy, empowering the Palestinian minority, and research and studies.

Table (5) External factors (negative and positive) that led to the increase in the number of associations since the beginning of the nineties.

Since the 1990s, after the Oslo Accords, the activities of Arab CSOs and associations have focused on the following: human rights and the defense of the rights of the Palestinian minority in Israel; local and international advocacy; and the support and empowerment of the Palestinian minority and women, in the political, social and economic spheres. In recent years, human rights and research centers that focus on natural sciences, humanities, and social sciences were founded to protect and promote the rights of the Palestinian Arab minority in Israel in all areas, such as economic, social, cultural, political, and civil rights, on the individual and collective levels. They also address development, humanism, and nationalism, and encourage research on the Palestinian community in Israel (Shehadeh, 2015, p. 404).

Arab CSOs and associations are also trying to confront the deliberate marginalization they face by the state and its institutions. They also strive to improve living conditions, through organized and legal collective action. Some of these associations use official channels of action, by addressing state institutions and decision-makers directly in order to influence the policies in force, and in order to improve the living conditions of the minority. Several of these associations were able to achieve tangible achievements, mainly by relying on the judiciary (*ibid.*, p. 404).

Fourth: Characteristics and Challenges of the Palestinian Civil Society in Israel

The Palestinian civil society in Israel is characterized by a great differentiation in the social, political, and cultural fields, and by profound and complex transformations in its structure and in the prevailing concepts within it. In recent decades, after a long period of political defeat and the deep social rift that caused the Nakba, there are clear indications that the crisis has been overcome. These indicators are reflected in the formation of a relatively affluent social class, and social, political, and cultural institutionalization that underwent an accelerated path of modernization.

The Palestinian elite in the 1948 territories played an effective role in activating CSOs. This educated elite sought initiative and distinction in the various civil social networks, and established mutual internal relations by preserving the sources of power and social capital (Jamal, 2013). This elite seeks to preserve the normal construction and development of the Palestinian community in Israel within abnormal circumstances, in order to confront the state's policy that seeks to marginalize Arab citizens in economy and politics, and to deprive them of their resources and political power (Jamal, 2020, p. 51).

The activities of the Palestinian civil society in Israel focus on the relationship between the state and the Palestinian community. They provide alternative interpretations to understanding the reality of the Palestinian minority, challenge the hegemony of the state, and define Israel as a Jewish state, in line with the demands of the minority, human rights, and the principles of democracy. The most prominent proposals in this regard are the "Future Vision issued by the Regional Committee of Heads of Local Authorities," the "Democratic Constitution" issued by the Adalah Center – the Legal Center for Arab Minority Rights in Israel, and the "Haifa Declaration"⁴ (Shehadeh, 2015, pp. 405-406).

Some CSOs have contacted international organizations, including the United Nations, with the aim of exposing Israel's discrimination against the 1948 Palestinians, and shedding light on the contradictions within Israeli democracy,

4 This document, known as the Haifa Declaration, is a project that began in 2002 under the auspices of Mada al-Carmel, the Arab Center for Applied Social Studies in Haifa. The project sought to establish a platform for Palestinian citizens from the widest socio-political background that would enable them to break free from the hegemony of political forces to freely discuss a vision of the past, present, and future, especially regarding the future of the Palestinian citizens of Israel, and their place in their homeland and the main challenges they face in their relation with the Palestinian people as whole, the Arab nation, and the State of Israel.

in order to pressure Israel to revoke such policies (*ibid.*, p. 406). Moreover, international advocacy efforts were addressed to international human rights organizations to present and define the rights of Palestinians. These CSOs include the Adalah Center, which is an independent legal center for human rights, established in 1996 in Haifa and registered in Israel as a non-profit association (Adalah, 2022); the Mossawa Center for the Rights of Arab Citizens in Israel, which is headquartered in Haifa and was established in 1997 (Mossawa, 2022); and Meezaan Center for Human Rights, which was founded in early 2000 and is based in Nazareth (Meezaan, 2022).

The Arab Association for Human Rights, which was closed down by Israel in 2017, was one of the nine Palestinian associations that signed a statement supporting the Palestinian BDS movement in 2006. It is one of the oldest associations of Palestinians in Israel, and the first human rights association concerned with the rights of the Palestinian minority in the country. The Arab Association for Human Rights was founded in the early 1980s by Mansour Kardoush, one of the founders and leaders of the Earth Movement, which was outlawed by the Israeli authorities. Mohamed Zeidan, former director of the Arab Association for Human Rights, said that signing the boycott statement resulted in the stopping of funds from the European Union and other European countries, following a campaign by the Israeli Ministry of Foreign Affairs, which qualified the boycott as a ‘strategic danger’. The Israeli Ministry of Foreign Affairs drafted a blacklist of associations that supported the boycott and warned foreign donors and embassies against funding them. Accordingly, the Israeli deputy foreign minister at the time, Tzipi Hotovely, incited foreign embassies to stop their support for the Arab Association for Human Rights.⁵ Palestinian associations in the 1948 territories can be divided into two categories: The first group, affiliated with the Islamic Movement, provides services that meet basic socio-economic and educational needs, in addition to legal advocacy on behalf of the Islamic Endowments and/or the persecuted leaders of the Islamic Movement. The second group includes associations that are defined as secular/civic, and whose activities are concentrated in the following areas: human rights and the defense of the rights of Palestinians in Israel, local and international advocacy and the empowerment of Palestinians in Israel, and empowerment of Palestinian women (Zoubi, 2020). However, most CSOs and associations have ideological and political orientations, and are founded by political parties or movements. As such, they represent the interface for civic activism of Palestinians in Israel. Some of these CSOs became the driving force that helped bring the party/movement closer to

5 Exclusive interview with Mohammed, former director of the Arab Association for Human Rights. The interview took place in December 2022.

the people, and to influence its political direction (Contemporary Studies, 2006, p. 185).

The Palestinian community in Israel faces several challenges, most notably Israel's attempts to delegitimize Palestinian political elites and leaders, associations and CSOs, and to split their ranks in order to limit the possibility of developing an effective civil society that has influence in Arab society (Jamal, 2020, p. 51). In addition to the scarcity of resources that Palestinian associations obtain from state institutions, there are racist ideological determinants in the distribution of resources by Israel to Palestinian associations. Thus, many Palestinian associations are facing serious attempts to curb their activities, including; strict monitoring by the Registrar of Associations and obstacles for conducting their work – such as confiscating their funds and closing down their offices, as happened with the associations and CSOs affiliated with the Islamic Movement that were banned in November 2015 (Zoubi, 2020). Israeli governments have used emergency laws to close down a large number of service, media, and political institutions under various pretexts. The Knesset also enacted several laws that aimed at controlling the freedom of association and the freedom of expression. These include the Nakba Law, the Emergency Law legislation (2016), and the Law of Associations Law (2016) (Mossawa, 2019). Moreover, there was a request in 2010 to amend Article 3 of the Law of Associations, enabling the Associations Registrar to deny registration to any association if it has reasons to believe that it provides information to foreign elements about ongoing lawsuits outside Israel against senior government officials, or army officers in relation to war crimes. Finally, there was a proposed bill on “the duty to disclose recipients of support from a foreign political entity” (Shehadeh, 2015, p. 408).

In addition to the challenges related to the relationship with the State of Israel, this sector faces internal challenges, such as the duplication in its fields of activities, its lack of internal democracy, and its inability and willingness to cooperate with each other. Sometimes, the structural-organizational similarity between some associations and political parties poses an additional challenge, contributing to increasing ‘unhealthy’ competition, instead of networking and formulating a common policy (Zoubi, 2020).

The dependence of these CSOs and associations on foreign support funds poses a threat to them, as such dependency not only jeopardizes their effectiveness but also their existence (Ghanem & Mustafa, 2009, p. 309). In this context, many associations are tailoring their programs to funding agendas. For example, the Mossawa Center, which addresses human rights, has started working on other issues – such as culture, women, mixed cities, and the Negev – based on the foreign funding received. The same applies to FIMED, which was established to serve Arab media and media professionals. According to the funding it receives,

FIMED has become active in the fields of “strategic planning for Arabs”, “the Council for Arab and Jewish Freedoms”, and other fields that are not related to the media. Just like in politics, civic work has become a tool for integration and ‘Israelization’ (Abu Irshaid, 2020).

Although these associations constitute a strong front against the Israeli political establishment, they are unable to achieve a serious change in the state’s policies. These associations and their leaders are aware of this fact, despite the efforts they exert to pressurize state institutions and force them to change their policies.

Palestinians living in the 1948 territories are also confronted with the issue of representation. Although CSOs and associations work to improve the collective rights of Palestinians in Israel, they are not considered elected and representative institutions, which deepens the rift about their legitimacy within the Arab community in dealing with issues relating to collective rights. Communicating with the Arab public opinion is another challenge. Associations do not communicate sufficiently with the broad public, as the same individuals often attend their activities and conferences. Indeed, their activities have become more elitist and limited to specific groups and segments (Ghanem & Mustafa, 2009, p. 309).

Conclusion

This study discussed the most prominent transformations in the Palestinian civil society in Israel after the Oslo Accords, signed in 1993. This period was characterized by a state of frustration because Palestinians felt that they had been abandoned, and left to their fate. This feeling was paired with disappointment with the state’s behavior and lower expectations related to the services it provides.

Based on this, we can draw the following conclusions:

First: The transformations that took place in the role of the Palestinian civil society in Israel after Oslo Accords are not isolated from the historical process of the Palestinians in the 1948 territories, especially with regard to the history of civil society, although the process of launching organized civic action has been delayed due to Israeli policies.

Second: The development of the Palestinian civil society and the increase in the number of CSOs in the nineties is linked to global changes on the political-ideological and economic levels, paired with internal and external reasons that include negative and positive factors.

Third: The significant increase in the number of CSOs for Palestinians living in Israel, from the beginning of the nineties until the present time, is divided into two main waves that are linked to two major events: the first occurred after 1994 (after the Oslo Accords) and the second after 2000 (the second intifada).

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Palestinian Civil Society and its Relationship with the Ruling Authority in the West Bank and the Gaza Strip

Rula Shahwan & Ayman Yousef

Civil society thrives in an independent state and plays multiple roles, either complementing governing authority or overseeing its work. In some cases, civil society is part of political parties and plays a role in mobilization through lobbying and advocacy, by assuming tasks and responsibilities in tandem with the official authority and the market forces of the private sector. However, in the Palestinian case, the role of the Palestinian civil society is singular, as it takes shape and evolves in the absence of a state under the Israeli occupation. This has created a problematic related to its role in relation to development, which is called, in the Palestinian context, emancipatory development and is based on the liberation of society from internal and external domination; creating development models that balance between economic and human resources, amidst the battle for liberation from occupation and the neo-liberal political elite; providing human security, food security, civil liberties, basic rights, employment, financial resources management, trainings, and fair taxes collection from the rich for the benefit of the poor, to ensure societal change (Nakhle, 2011).

This research aims to study the transformation in the role of the Palestinian civil society, represented by NGOs, regarding the relationship between civil society and the Palestinian Authority (PA), on human rights and development issues in the West Bank and the Gaza Strip, following the Oslo Accords.

The research begins with general introductions of the problematic, objectives, and methodology. It addresses the theoretical and conceptual frameworks, which focus on the evolution of the role and structures of the civil society, paving the way to answer hypothetical questions on the nature of the relationship between Palestinian civil society organizations (CSOs) and the ruling authority

– both the occupation authority (before and after the Oslo Accords) and the local authorities in the West Bank and the Gaza Strip – and the impact of the political division between Fatah and Hamas on the strategies of the civil society.

The research seeks to answer the following questions related to the role of the Palestinian civil society:

1. What are the main transformations that affected the role and function of the Palestinian civil society after the Oslo Accords and the political split in 2007?
2. What are the most prominent transformations in the structure and frameworks of the civil society, in particular NGOs?
3. What is the nature of the relationship with the PA regarding human rights and freedoms, given that part of the civil society oversees and defends these issues?
4. How did the occupation and the influx of foreign funding affect development programs and CSOs?

The methodology used in this research is divided into two main parts. The first is based on field interviews in different regions in Palestine and considers geographical distribution, the various interests of CSOs, and gender diversity as primary sources for the research and as an intentional sample that directly serves the research purpose and questions. The second is based on the historical method through reviewing previous studies to study the development of the civil society in Palestine during the 20th century and the beginning of the 21st century, as secondary sources of research. Theoretical and conceptual approaches related to civil society were also used, focusing on the relationship with emancipatory and liberal development. The theoretical framework tackled the concept of civil society and theories related to its emergence, especially in liberal historical contexts. It also explained the development of various spectrums within the Palestinian civil society, including non-governmental organizations (NGOs) associated with liberal globalization, charitable and human rights associations, and grassroots institutions. In the current era, the concept of civil society can be partially traced back to French thinker Alexis de Tocqueville (1805-1859), who stressed the importance of independent voluntary associations which co-exist in a democratic system based on democratic behavior and which provide protection for individuals from authoritarian totalitarian regimes on the one hand, and from the oppression of dictatorships on the other hand, even within an independent democratic system (Wilde, G. 2014). According to Tocqueville, voluntary associations gain their influence from their presence at various levels – local, regional, and national – and become part of a social capital that

promotes civic values such as trust, tolerance, accepting others, and the right to be different. They also set the base for a network of civic engagement to provide major platforms for individuals, the masses, and citizens to express their rights and concerns, considering the brutal polarization of the state and market in a liberal capitalist system (Al Harmasi, 1992).

Since inception, the concept of civil society has been associated with the European civilization, which faced many transformations and developments that gave this term new depths and connotations, making it difficult to find a unified definition. Thomas Hobbes considered the state to be the civil society, which was believed to be the opposite of the pre-state society, that is the law of the jungle. Jean-Luc regarded the civil society and the political society as one body that is subject to the same laws and regulations that govern members of society (Buker, 2017).

However, with the development of the modern state, the boundaries separating the state, as a political institution, and civil society, which rivals authority through its organizations that are independent from the political power, became clear. Foucault also asserted that civil society became a privileged site for the exercise of power and governance and arose in response to the requirements of liberal governance policy and its connection with the capitalist system (Buker, 2017). It seems that leftist Italian thinker, Antonio Gramsci, completed the discussion on the concept of civil society, especially in the context of understanding the processes of democratization and capitalization in Western societies. Through this lens, civil society is considered an integral part of the superstructure behind hegemony and ideology, along with the state, the intelligentsia, popular federations, and trade unions. This differs from the theory of Karl Marx, who stressed the importance of infrastructure (means of production) in bringing about fundamental changes in the capitalist societies of the West (Smith, W. C. 1991).

Gramsci developed the concept of hegemony in his Selections from the Prison Notebooks (Gramsci, A. 2020). The latter is a critical review of the economic deterministic interpretation of history, which is considered a rigid and mechanical interpretation that does not take into account the moral, ethical, and cultural values that influence the nature of leadership or rising elite, not only on the political or social levels but also on the economic level. The new understanding of the issue of hegemony has led to a balance between popular recognition and the coercive power of the law, particularly in the context of western societies. Hence, deepening the cultural and ideological equation is considered a priority to reach a new order of domination in which civil society and the political society are players (Bates, 1975).

The Palestinian civil society, like other civil societies, has been affected by the controversy surrounding the relationship between civil society and the ruling authority. It was impossible to separate between the civic and the social contexts and conditions because, just like thinker Burhan Ghalioun (2003)¹ indicated, civil society is not an abstract concept and cannot be understood as an empirical fact that is separate from the state and the general developments of society. Thus, no human society is devoid of a civil organization or a civil society. Otherwise, such a society would be considered barbaric and inconsistent with contemporary civic values (Abrash, 2001).

Historically, the Palestinian civil society arose under special circumstances, which included many turning points. These circumstances and interactions were reflected in the discourse, practices, frameworks, and structures of institutions that played an important role since the beginning of the twentieth century in confronting the Zionist movements. The activities of the civil society were mostly manifested through demonstrations and conferences, such as the Islamic Conference that was held in December 1931, and was attended by the representatives of 22 Islamic countries; the Palestinian Youth Conference in Jaffa in 1932, which was organized to discuss the recruitment of youth to serve in the national movement; and the Women's Conference in 1929 (Alashqar, 2019). Islamic and Christian associations played a major role in organizing anti-Zionist activities. The concept of civil society became rooted in the Palestinian society since that period, as its role gradually evolved in response to the changes that affected the Palestinian cause under the supervision of well-known Palestinian elite families such as Al-Husseini, Al-Nashashibi, and Al-Khalidi (Alashqar, 2019).

The Israeli occupation of the Palestinian territories in 1948 and the Palestinian Nakba - which led to the displacement of Palestinians to neighboring Arab countries, including Palestinian families whose role as an essential component of civil society was absent at the time - constituted a turning point in Palestinian history. Severe restrictions were imposed on any political activity both in the Gaza Strip, which was under Egyptian rule, and the West Bank, which was under Jordanian rule. This resulted in the lack of any civil society activity in the era that followed the Nakba. However, civil society soon regained its influence and activity after 1964, after the establishment of the Palestine Liberation Organization (PLO), which attracted influential Palestinian personalities and the cultural bourgeoisie elites. The latter supported the PLO financially and politically, allowing the formation of many unions, federations, organizations, and

1 Burhan Ghalioun, the Arab Center for Research and Policy Studies. (2015). *The Arab ordeal: the state against the nation*. The Arab Center for Research and Policy Studies.

parties, and enabling them to play their role in the resistance movement, and society. This restored the status of the Palestinian cause and identity by putting it on the international map (Abrash, 2011).

With the outbreak of the first Palestinian Intifada (1987-1993), the philosophy of civil society profoundly developed, benefiting from the massive popular participation in the activities of the Intifada and the popular and peaceful movements, as well as the contributions of militant women, rebellious youth, and refugee camps. This contributed to the growth of political, economic, and social formations of civil organizations. CSOs bridged the gaps in community work and represented the basic and essential needs of people - especially those of the needy and marginalized, children, the poor, and unemployed youth. During that period, CSOs were mostly arms of national factions, which adopted a liberation agenda at the time, based on national foundations and principles, and adopted strategies of resistance and resilience. They included social work committees, women's committees, and Zakat Committees. These organizations supported the resistance of the Palestinian community through providing safety nets according to the available capabilities throughout the eras of the Palestinian revolution, relying on local initiatives, local funding, and voluntary activity for their funding.

First: The Palestinian Civil Society after the Oslo Accords

After 1993 and the signing of the Oslo Accords, changes occurred in the structure and composition of the civil society. Hundreds of organizations were established, particularly NGOs, which reached 1500 organizations in 2007. The number of Palestinian CSOs is currently estimated at 4,616 organizations, 42% of which are in the West Bank, 31% in the Gaza Strip, 14% outside Palestine, 11% in Jerusalem, and 2% in the occupied territories of 1948. 60% of them are grassroots organizations. These organizations provide more than 40,000 paid job opportunities and have an annual funding of one billion and 600 million US dollars (Ashraf Sukar, Ahed Al-Jaradat, 2020). This economic and societal weight allowed these organizations to play additional roles, such as that of watchdog² over the PA in issues of representation, monitoring, legal review, political and administrative reform, and creating serious developmental approaches (Ogretir, A. D., & Özçelik. S. 2017).

2 Siddique, R. M. S., & Rahman, B. H. (2019). Watchdog Role of Media: An Exploratory Study of the Editorials of the leading Pakistani English and Urdu language Dailies. *Journal of Media Studies*, 32.

Changes included the emergence of the neoliberal system of governance created by donor agencies and international financial institutions. This has led many Palestinians to modify their understanding of how civil society should operate in order to meet the requirements of the “peace process”, and its accompanying state-building and economic and social development programs. Accordingly, many local organizations transformed into NGOs, which gained a growing importance due to their large numbers; their ability to attract donor funds and speak on behalf of the Palestinian civil society; their dependence on foreign funding; and their implementation of bottom-up projects to bring about social change regardless of their field of work - development, humanitarian relief, human rights, democracy, women’s empowerment (Youssef, 2006).

During the said period, international donor assistance provided civil society with high salaries, and other economic benefits and privileges. NGO leaders were able to interact with local and international politicians, foreign diplomats, parliamentarians, UN officials, and international agencies. They were often invited to participate in international events and conferences and to appear in the media. These privileges resulted in the emergence of two types of elites. The first elite includes former leaders and activists who generally belong to the middle class and are politically affiliated with left-wing factions, and have built their reputation and professional capabilities through their previous political activism. However, with the emergence of the PA, they distanced themselves and separated from political parties, forming a non-political community service elite (Abdel Shafi, S. 2004). This can be understood by reading the literature and ideology of leftist factions, through which they promote basic rights - including social, economic, and even political rights. Accordingly, they are closer to the philosophy of CSOs that are concerned with human rights, as a whole (Zein, 1999).

The second elite comprises a younger generation of career-oriented professionals, most of whom have acquired their knowledge and skills from Western universities, or from professional experience abroad. This elite is well acquainted with the latest developments in the dynamics of the aid industry, and usually possesses extensive networks of external contacts, and cooperative and solidarity networks (Youssef, 2006). Their interests focus on specific topics funded from abroad, especially in the field of human rights and public freedoms, as well as the position of women in the local community. This is the role that German thinker Habermas defined for society when he asserted that civil society represents a field in which founding values are based on dialogue and enlightening ethics through providing a channel for telling the truth about civil society outside the framework of the expansion of the exploitative market and state domination, and even against it (Buker, 2017).

With the Legislative Council and presidential elections in 1996, many CSOs were established. They specialized in electoral matters; public opinion polls; and studies on peace, development and democracy, and youth issues. After the Legislative Council elections in 1996, the Council enacted laws and legislation to regulate the relationship between civil society and the PA's institutions, and fill the legal and administrative vacuum left by the withdrawal of the Israeli occupation from parts of the Palestinian territories (Hamami, 2006). The role of CSOs continued to grow, responding to political developments in the Palestinian scene, and the conditions created by the Israeli occupation practices on the ground on the one hand, and in harmony with the agendas of donors to ensure the continued flow of funds, on the other hand.

Second: Changes in the Roles of Civil Society after the Political Divide of 2007

German thinker Georg Hegel believes that it is difficult for civil society to be totally independent from the state and from the developments and changes that surround it. Consequently, the relationship between the two parties remains based on conflict and integration, as no party can thrive and grow without the other³. Based on this conceptual framework, the interactions between CSOs and the PA led to a change and a difference in work priorities. In the West Bank, the new reality increased the pressure of donor countries on NGOs towards strengthening their projects in the fields of governance, popular oversight, combating corruption, promoting public freedoms, and monitoring violations of social, economic, political, and civil rights. While in the Gaza Strip, the focus became on addressing poverty and providing relief, as well as responding to damage caused by the war, especially in the light of the ongoing siege imposed by the occupation authorities on the Strip, which increased financial control over grants and support directed to the Gaza Strip, and reduced opportunities for financing and reconstruction (Abu Al Rob, 2021).

Palestinian academic Walid Mudallal explains that the circumstances and interactions resulting from the Palestinian political division affected the structure and orientations of civil organizations, especially in the Gaza Strip. Khaled Alyan also considered that the internal division is a historic milestone that affected the transformations in the roles of CSOs, and led to the inability to implement any joint work between the organizations of the West Bank and those of Gaza

3 Peddle, D. (2000). Hegel's political ideal: civil society, history and *sittlichkeit*. *Animus*, 5, 113-143.

due to the Israeli siege, and by virtue of the various laws and policies enforced in both the West Bank and the Gaza Strip (Alyan, 2021). For Amal Siyam, fifteen years of political division have reshaped the map of civil society in the West Bank and Gaza Strip. Therefore, we can say that many CSOs went along with the Split (Siyam, 2021). In other words, CSOs affiliated with Fatah and Hamas have supported the division.

Hashem Barahmeh, an expert on planning and local development - the local government sector, believes that CSOs are almost in a state of organic interdependence with political organizations. The change triggered by the political division has also led to the division of CSOs, some of which do not see any opportunity to achieve development under occupation and division. However, some organizations criticized the two sides of the division by adopting a strong discourse, especially human rights institutions such as Al-Haqq Foundation, the Independent Commission for Human Rights, and the Coalition for Integrity and Accountability (AMAN). Other organizations adopted a more realistic policy and worked within a balanced equation that expresses the possibility of coexisting with a specific development situation characterized by a stagnant status, but which realizes achievements on the ground (Abu Turki, 2021), enabling the Palestinian people to stand firm, sustain their presence, and empower them institutionally on the ground. This segment of civil society has adopted a soft critical discourse aimed at building negative civil peace (Brahma, 2021), according to Norwegian thinker Johan Galtung⁴.

As a result of the political rivalries between Fatah in the West Bank and Hamas in Gaza, an alternative civil society has emerged, represented by the organizations affiliated with the two main parties, which receive facilities from both authorities. Some organizations have changed their boards of directors to become closer to Hamas or Fatah, whereas others faced restrictions. This was reflected in the public space in which CSOs operate, and led to a reduction of their role because of the many restrictions required to avoid angering one of the parties to the division.

In order to tighten control over civil society on the one hand, and to integrate work between the organizations of the PA and civil society on the other hand, a presidential decree was issued to establish the Palestinian NGO Affairs Commission, which enjoys “financial and administrative independence, reports to

4 The concept of negative peace was associated with the Norwegian thinker Johan Galton during the process of classifying the patterns of peace prevailing in the world between negative and positive, as he considered that negative peace means the absence of organized violence and the rule of law without warm ties between the grassroots institutions and the ruling authority Retrieved from https://www.irenees.net/bdf_fiche-notions-186_en.html

the President of the Palestinian National Authority, has its permanent headquarters in the city of Jerusalem, and may take temporary headquarters in the cities of Ramallah and Gaza and establish branches and offices for it in any other governorate” (Decree, 2012)⁵. This decree was considered by Al-Haqq organization a violation of the Palestinian Basic Law, which grants the Prime Minister the power to establish organizations. Based on this decree, the Commission will play the role of guardian, mediator, and coordinator between the donor countries and NGOs. Al-Haqq organization considers that this contradicts the freedom of independent and free civil action, mentioned under the Palestinian Basic Law that guarantees freedom of work, expression, and movement (Statement of Al-Haqq Organization)⁶.

Therefore, the roles of civil society changed. Instead of focusing their efforts on development work, positive change, and democratic influence to serve the national interest, these organizations became satisfied with modest interventions that do not have any impact on political change. They became aligned with the political agenda of donors to survive, and focused their work on societal change and individual liberties (Shaqura, 2021).

Muhammad Rabah, director of the Palestinian Circus School, believes that the Palestinian Split has created a state of fear and censorship, which has led to weakening the contribution of civil society in providing services and playing a complementary role to that of the government. He also emphasized that the division violated democratic practices and good governance, which was reflected in the governance and democracy of institutions, and in the work mechanisms of the civil society. Furthermore, the absence of the Legislative Council left voids that CSOs tried to fill, particularly with regards to defending freedoms, opposing political arrests, calling for general elections, and defending freedom of expression (Rabah, 2021).

Writer Nihad Abu Ghosh agrees with human rights defender Hamdi Shaqura on considering that the erosion of the PA’s legitimacy due to the absence of elections and its monopoly of power, has prompted many donors to refrain from and hesitate to support projects implemented by its institutions or unelected bodies. This paved the way for providing external funding for CSOs that have clear and transparent structures and are more capable and qualified. However, this support remains subject to the political calculations resulting from the Oslo Accords and their annexes.

5 Decree No. (11) of 2012 regarding the establishment of the NGO Affairs Commission. Retrieved from <http://muqtafi.birzeit.edu/pg/getleg.asp?id=16460>

6 Al-Haqq. The decree establishing the NGO Affairs Commission is unconstitutional and infringes on the powers of the government. Retrieved from <https://www.alhaqq.org/ar/advocacy/2526.html>

CSOs mostly failed in ending the political division, even though specialized and sectoral movements (women, independents, and youth) were formed specifically for the purpose of calling for an end to the division. However, the division persisted, entrenched itself, and acquired its various institutions and operationalization mechanisms. (Abu Ghosh; Shaqura, 2021).

Third: The Role of Civil Society in Emancipatory Development

The concept of emancipatory development became known after the Second World War in countries that gained their independence. However, old colonial powers and major capitalist powers continued to impose their economic policies on independent countries, ensuring the monopoly of raw materials in ‘third-world’ countries, which they considered an open market for monopolistic companies and states.

On the Palestinian level, Khalil Nakhle defined this concept in a study he published in 2004 on “Emancipatory Human Development” as a concept that seeks to tightly integrate the requirements of liberation and human development (Nakhle, 2004).

Emancipatory development aims to break away from occupation and become freed from the dependency imposed by the Oslo Accords and the Paris Economic Protocol, which enabled the Israeli occupation to impose unified customs, control the market, confiscate agricultural land, and control water resources and borders (Abu Ghosh, 2021). It also aims at liberation from Western external funding and its colonial political and social agendas. Furthermore, it strives to promote the emergence of development from society itself, within its specific contexts (Sama’ra, 2021). Maher Al-Sharif believes that the Oslo Accords have strengthened the economic dependence on the occupation instead of promoting independence and self-reliance. Therefore, Al-Sharif considers that development is not possible under the Israeli occupation (Al-Sharif, 2018).

Mutassim Zayed, a consultant on development issues, believes that there is a discrepancy in the concept of emancipatory development. Some individuals consider that the concept of liberal development is linked to our ability to build institutions and bring about economic and social development under occupation. These individuals abide by the agendas of donors and funders and are involved in international efforts to promote the peace process in the region. Accordingly, they receive the largest share of foreign aid targeting CSOs. Other individuals believe that liberal development is the avenue that leads to liberation from occupation, and to economic and political independence. These individuals consider

that there is no development under occupation. Furthermore, they underscore that development in Palestine is distorted and can only succeed by bringing about fundamental political changes in the Palestinian political system, which should become more capable of accommodating and embracing the contradictions of civil society as a condition for bringing about emancipatory development (Zayed, 2021).

Omar Al-Rahhal, director of the Center for Human Rights and Democracy Media “Shams”, believes that the intertwined and politically complex internal Palestinian situation has limited and restricted American funding opportunities at first, then European funding opportunities. Accordingly, funding opportunities became politically restricted, which increased donor interference in the work of civil organizations in the Gaza Strip and the West Bank, and reduced the chances of sustainable development, especially since most of the West Bank lands are classified as “C” areas (Al-Rahal, 2021). In the same context, European Union countries started dealing with the Gaza Strip through a humanitarian and relief lens. Therefore, the funding allocated to the Gaza Strip targets relief projects to address the consequences of the siege and the ongoing wars on the Strip. Consequently, the concept of emancipatory development became outdated on the agendas of donors due to the difficulty of achieving this goal considering the division, occupation, and siege (Siyam, 2021).

Despite the impact of the division on civil society, it prompted some CSOs to adopt projects and initiatives to end it (Fukaha, 2021), the most prominent of which are the 2007 Pal-Think Foundation initiative, “Exiting the Crisis⁷”, and the Masarat Center’s “National Unity Document” initiative.

Fourth: The Relationship of the Civil Society with the PA; Confrontation or Containment?

Since the establishment of the PA, its relationship with civil society has fluctuated according to political changes. If the PA is elected and in a comfortable position, clashes are limited, and its relationship with the civil society is mostly peaceful. That was the case at the establishment of the PA, when it was more prone to supporting CSOs in various sectors.

The relationship between the PA and CSOs began to deteriorate with the

7 The Arab Democratic Center, Civil Society Organizations Efforts to End the Division and Transitional Justice Measures, November 10, 2020. Retrieved from <https://democraticac.de/?p=70557>

disruption of the legislative authority and the dominance of the executive authority, in particular, after the Palestinian political division in 2007. Some organizations have fully adopted the position of one of the two sides of the Split, making it lose its credibility and act against the foundations of impartial and objective civil work. Other organizations took a confrontational stance with the PA, with no objectivity, and total hostility towards any position it adopts. The PA tried to contain civil organizations or personalities active in civil work to influence their positions for the sake of obtaining their support or neutralizing them (Shaaban, 2021).

From another point of view, Omar Al-Rahhal affirms that the relationship with the official authorities is measured from the perspective of rights, freedoms, and the best interests of the Palestinian citizenry. This relationship is either cooperative or supervisory, according to the type of sector. For example, there is cooperation in the field of relief and food distribution that mainly targets Area C, which represents 62% of the West Bank territory. There is also cooperation in development programs and support for the health, educational, and cultural sectors, especially considering the inability of official institutions to provide their services in all regions given the political complications. Al-Rahhal also adds that there is cooperation in prosecuting and exposing the occupation before international forums - including the International Criminal Court - and developing files to prosecute Israeli war criminals, as some institutions - such as Al-Haqq, the Palestinian Center for Human Rights, and others - played a supportive role for the PA. Khaled Alyan agrees with this perspective, highlighting that the PA's relationship with civil society is based on clear working principles, foundations, and strategies. Furthermore, the Palestinian society is facing one enemy, which is the Israeli occupation. CSOs agree with the PA that the main conflict is with the occupation, and that they should maintain a form of cooperation and self-censorship. Elyan believes that CSOs are independent organizations that cannot be contained, even though some of them are affiliated with the ruling party, whether in Gaza or the West Bank. He perceives these organizations as arms for the ruling parties rather than CSOs. Regarding violations of human rights and public freedoms, the relationship takes the form of monitoring, oversight, and confrontation, as civil society organizes itself and relies on various tools, such as lobbying and advocacy campaigns, to urge the PA and its instruments to respect the constitution and the principle of the rule of law (Alyan, 2021).

The relationship with the PA changes when it comes to the legal, rights, and freedoms aspects. CSOs clashed with the PA on various occasions, such as during lawyers' protests against decisions that affected the independence of the

judiciary (Sadeq, 2021)⁸. The same applies to journalists who protested the Cybercrime law and the blocking of more than 70 websites, according to Al-Haqq organization, and the arrest of journalists on account of their published content (Al-Haqq Organization, 2019)⁹.

Jurist Hamdi Shaqura indicated that some movements are not fundamentally opposed to the PA, but rather are against some of their decisions and trends. Examples of this are the social security movement, the teachers' movement, and most recently, the protests over the killing of Nizar Banat at the hands of the security services, while he was arrested, on 24th June, 2021. Recently, the atmosphere has become confrontational, with tendencies towards boycotting government institutions, and refusing to meet or cooperate with them on all issues (Shaqura, 2021).

Social activist Bissan Al-Sama'ra agrees with Hamdi Shaqura and perceives the current relationship with the PA as confrontational. She adds: "As independent community activists, we are sometimes reluctant to invite government groups to certain activities because we do not trust their support, and even fear that we will be stripped of the freedom of civic development work. Sometimes, we feel targeted by the official authority, which represses most of the solidarity vigils. Protests against its policies and brutality are met with violence, violations, assaults, and legal and human rights abuses" (Sama'ra, 2021). Hashem Barahmeh agrees with Sama'ra regarding the PA's policy of silencing mouths in the West Bank, which has led to the killing of activist Nizar Banat, and human rights violations against those demonstrating to denounce this crime.

Abdulrahman Al-Tamimi, a member of the Palestinian NGOs Network, explained that the confrontational relationship with the PA is due to donors' policies, as both sides try to pressure one another. However, the most serious aspect is that the PA's strategy in dealing with CSOs and civil society in the latest years is based on command and control, rather than participation. In addition, there are circles in power, especially within the security apparatus, that do not believe in civil society, social movements, civil work, and professional human rights unions (Al-Tamimi, 2021). This prompted a group of CSOs to reduce its criticism of the PA in exchange of maintaining its continuity. In short, it can be said that containment includes most Palestinian CSOs through either using the carrot or stick policy, or relying on pressure and rewards strategies (Barahmeh, 2021).

8 Sadiq, Mervat, January 26, 2021. Palestine lawyers step up against harm to the judiciary and "one man's authority". Retrieved from <https://2u.pw/IjYZG>

9 Al-Haqq, (2019). A position paper issued by Al-Haqq regarding a decision on the cybercrime law and blocking websites. Retrieved from <https://www.alhaqq.org/ar/advocacy/16110.html>

This confusing situation, created by the political division, has encouraged the emergence of continuous attempts to control civil organizations by the authorities in the West Bank and Gaza Strip through a set of tools, most notably legislative amendments, the most recent of which was the issuance of a decree by the President of the Authority by Law No. 7 of 2021¹⁰, amending the Law of Charitable Societies and Civil Organizations No. 1 of 2021. This constituted a serious and direct violation of the Basic Law, the constitutional powers of the Legislative Council to legislate, the International Covenant on Civil and Political Rights, and international standards on freedom of association (Al-Rahal, 2021) guaranteed by the Basic Law through Article 26¹¹, which affirms the right to form unions, associations, and federations. In addition, law No. 7¹² transformed CSOs into branches affiliated with the relevant ministries, which restricted their work. This law also granted the Palestinian Minister of Interior, the right to take appropriate measures against associations and organizations that engage in illegal activities. As a result, 103 charitable societies affiliated with Hamas were closed in the West Bank and Gaza Strip under the government of Salam Fayyad in 2007. Hamas perceived this, as stated by its spokesman Fawzi Barhoum, as a political measure aimed at isolating the movement, while Salam Fayyad's government considered the decision to be based on the legal and administrative violations committed in these institutions¹³.

Conclusion

The study reached the following results:

1. Civil society, with all its formations, was part of the national liberation process from the Israeli occupation, in cooperation between political organizations and all actors in the Palestinian arena.
2. The term civil society gained a special importance given the exceptional Palestinian context. The stage of national liberation overlapped with that of building institutions, especially after the Oslo Accords, which

10 Decree-Law No. (7) of 2021 AD amending Law No. (1) of 2000 AD regarding charitable societies and civil organizations and its amendments. Retrieved from <http://muqtafi.birzeit.edu/pg/getleg.asp?id=17441>

11 Encyclopedia of Laws and Judgments of Palestinian Courts, Article No. 26 of the amended Basic Law of 2003 AD. Retrieved from <https://maqam.najah.edu/legislation/11/item/1187/>

12 Ibid.

13 Saudi Press Agency, 08/28/2007 Dozens of charitable societies closed down. Retrieved from <https://www.spa.gov.sa/478081>

- created confusion regarding the clarity of vision and strategic goals.
3. The importance of CSOs deepened in the post-Oslo era, at the expense of political organizations, social movements, and professional unions, because of national parties' competition over power. A special elite of civil society was formed with one of its most prominent characteristics, its adoption of the liberal approach, which seeks societal change through individualism, encouraging societal pioneering initiatives, and spreading a consumerism culture.
 4. The priorities of civil society changed after the Oslo Accords, and focused on bringing about societal changes at the expense of strengthening citizenship and national identity. Furthermore, some NGOs have signed an "Anti-terrorism" agreement, which USAID considered in 2002, a prerequisite for obtaining funding. Some European countries followed the US in this direction, in their quest to neutralize the work of these organizations and shift them away from politics and armed resistance. The aim was to limit their scope of work to implement projects and priorities based on donors' agendas.
 5. The political split between Fatah and Hamas since 2007, has affected the objectives, strategies, courses of action, and political alignment of CSOs.
 6. Civil society cannot be considered a unified body in agreement on all social and economic matters. There are serious and tangible disagreements, related in particular to the issue of development. Some view development in terms of quantitative changes that occur in the size of the economy and GDP (including foreign aid), while other civil society actors and political and societal forces focus on the emancipatory and liberal development and believe in the impossibility of real development under occupation. There is only one body that can be dealt with, and which has one goal and one vision, that is the PNGO. This body seeks to enhance coordination, consultation, and cooperation between member organizations working in various development fields, and to support public freedoms and rights.
 7. The weakness of the PA and its inability to meet its responsibilities towards its people, the imposition of a siege on the Gaza Strip by Israel, and its launch of four wars during this period, all imposed and prompted new roles for the civil society that revolved around relief, humanitarian action, and development. This also prompted some groups to found CSOs for the sake of benefiting from funding opportunities offered by this new reality. The absence of the Legislative Council and its role as a basic reference for civil society in the process of change, oversight, and legislation, has enhanced the role of CSOs in oversight and accountability.

8. The political rivalry between Fatah and Hamas has weakened the ability of the civil society to accumulate development efforts due to the absence of comprehensive national strategies, which resulted from freezing the work of several CSOs on account of their political positions or to restrict their activities based on the approach or their political references.
9. Most respondents considered that the killing of activist Nizar Banat ignited the conflict with the PA; fueling protests, demands for more freedoms, and legislative and presidential elections for the rule of democracy.
10. Grassroots civic organizations linked their interests directly to those of the dominant political actors. New allegiances to the private sector, the business sector, and the agendas of financiers saw the light. This weakened the ability of organizations to achieve a comprehensive development and bring about positive change at all levels. The only exception is trade unions, which maintained their independence as they rely on their own resources.
11. Respondents agreed that achieving the required development is not possible without getting rid of the occupation, as it is a major obstacle to real development.

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Transformations of Civil Society in the Gaza Strip 1967-2022

Nihad al-Sheikh Khalil

The roots of civil society go back to the Renaissance and to the Industrial Revolution in Europe. The concept developed during the stage of remodeling of European society, which was fighting tyranny and striving to consolidate democracy. Now, civil society is being discussed as an entry point for the democratization process in the Arab world and developing countries.

Some researchers believe that civil society in Palestine is unable to play an effective role because of the absence of a fully functional state. Therefore, studying the Palestinian civil society must take into consideration its singular context, particularly in the Gaza Strip. This paper studies civil society in the Gaza Strip from 1967 until 2022, and identifies the roles that it has played in the national, democratic, service and relief aspects, as well as the transformations it has undergone after the Oslo Accords.

This study is divided into four main sections: The first reveals the various definitions of civil society, and the extent to which such definitions are relevant to the Palestinian context. The second tackles the role of civil society in Gaza under the Israeli Occupation (1967-1994). The third presents the role of the Palestinian civil society in the Gaza strip after Oslo Accords until the Palestinian division (1994-2007). Finally, the fourth section discusses the role of civil society in the Gaza strip after the Palestinian Split(2007-2022).

First: Definition of Civil Society

In the Western historical experience, the concept of civil society was born during the process of state-building and the ousting of tyranny. It was also the fruit of the conceptualization process that occurred during the Renaissance and subsequent stages. In this context, Thomas Hobbes (1588-1679) considered that the life of the primitive human was characterized by chaos, misery, and suffering. He also believed that man is evil by nature, and that man is a wolf to man. Hobbes believed that human beings developed a social contract and established civil society, by which he meant the 'state', which imposed an absolute rule. He also assumed that civil society (i.e., the state) is necessary to end chaos, impose order, and achieve stability and development (Bishara, 2012, p. 25).

John Locke (1632-1704) believed that chaos existed and pushed people to establish a social contract to organize themselves, protect their existence, and defend their freedoms. However, he distinguished between civil society and the state. Locke considered that society established a contract with the state by the means of which it waived its right to exercise power, and allowed the state to use violence for maintaining order and achieving public interest. However, the state must respect the law, otherwise, people have the right to revolt against it.

Hegel (1770-1831) believed that civil society is formed after state-building. It is a domain that exists somewhere between the family and the state. Moreover, civil society for Hegel is the product of a long and complex process of historical transformations (Bishara, 2012, p. 24). Marx (1818-1883) believed that the state and society are tools for oppressing people. He called for the struggle of the proletariat to reach a condition in which the need for a state and civil society no longer exists. Alexis de Tocqueville (1805-1859) considered that civil society is based on the effective participation of citizens in the formation of voluntary groups, aimed at achieving the common good, and that such participation requires the existence of a democratic system (Al-Sabihi, 2000, p. 23).

Antonio Gramsci (1891-1937) believed that civil society is a group of superstructures – such as unions, parties, the press, schools, and the church – and views it as the opposite of political society. He considered that civil society plays a militant role in confronting state domination through culture and ideology (Al-Sabihi, 2000, p. 23).

In the Middle Ages in Europe, the countryside was the center of economic, political, military, and social activities. The economy was based on agriculture, and family was central to agricultural production. The system was also based on the feudal lord and his knights, in addition to the church with its properties and slaves. Cities were established during the Age of Discovery (in the 16th century).

The nation-state was formed under the leadership of the monarchy. However, cities remained simple. In the era of the Industrial Revolution, the population of cities expanded, as they became the center of economic life. At that time, young men and women moved from the countryside to the city as individuals, away from their families. During that period, radical transformations took place in European society as follows (Al-Jamal & Ibrahim, 2000, pp. 206-212):

Capitalists became the owners and new lords of factories. They exploited workers, and unemployment rates increased to numbers that were never seen before as technological progress substituted human efforts with machines.

The economic role of the family (the private sphere) declined, especially in cities, in favor of economic production in the public sphere. Accordingly, the status of the family declined, and youth renounced its values. This resulted in strengthening individualism.

The collapse of the traditional inherited structure on which social groups relied to protect themselves from exploitation and tyranny forced them to establish new structures, such as trade unions and student and women's unions, to defend their rights and curb state authority.

As such, civil society became a horizontal and voluntary gathering. It struggled against tyranny and exploitation, and was able, through strikes at times and revolutions at other times, to put an end to exploitation and tyranny. This process took more than two centuries.

The resulting situation was named (civil society). Many individuals fail to properly understand its meaning and consider it a rigorous and scientific concept, or a law that can be applied to all times and places. They ignore that it is a historical situation, which resulted from the struggle between two large groups: workers, on the one hand, and capitalists who control the state, on the other hand. This happened at a historical moment when the two sides desperately needed each other. Workers are indispensable for companies and factories, and capitalists cannot fulfill their promises to their customers in distant markets unless they take advantage of workers. At that time, both parties reached agreements that guaranteed their mutual rights.

From a cognitive point of view, the concept of civil society is a testament to the fact that societies can reach states of disintegration or rift, and rebuild themselves based on new foundations. By doing so, they can solve their problems by rethinking the existing structure, its components and roles, as well as their alliances.

The 1960s witnessed the second stage of the development of civil society in Europe. That period was characterized by the emergence of volunteer

movements. New social units appeared in capitalist societies at that time, such as youth movements, environmental conservation movements, feminist movements, peace movements, and local initiatives of citizens on health, environment, civil, and social planning issues. All these emerged to face state bureaucracy and the economic and market forces that focused on profitability. In this context, a social and political public space emerged to curb the power of bureaucracy and profitability, which is the social and political sector represented by civil society (Bishara, 2012, p. 27).

The third stage is that of revolutions against socialist regimes (Poland as an example). Civil society reappeared in Western political theory after a long absence to frame the parameters of society's rebellion against the socialist state: in Poland, the role of civil society started when trade unions in Poland's Baltic ports began their struggle, which shifted from being a struggle to preserve trade union rights, to a civil revolution against the totalitarian state and one-party dictatorship (Bishara, 2012, pp. 12, 13). In the Western, European experience, civil society is not a single entity. Rather, it has various expressions based on the context.

Civil society played an extensive role in Islamic history. This role stemmed from the willingness to do righteous deeds and was played by the Awqaf Foundation, which was a civil institution at that time prior to becoming a governmental institution in the 19th century. The phenomenon of *waqf* in the Arab-Islamic historical experience is considered a social arrangement that is parallel to the state and in harmony with it (Ghanim, 2010, pp. 77-86).

In the Palestinian context, because Palestinians are still living under occupation in the absence of a state, the concept of civil society, as stated in the definition of Ziyad Abu Amr and that of Ibrahim Abrash, includes all components contributing to the public space. The public space, which includes all modern and inherited components, provides a framework to confront the occupation, provide and implement services, and conduct relief and development operations.

Second: Role of Civil Society in the Gaza Strip under the Israeli Occupation (1967-1994)

The Ottoman Charitable Associations Law enabled the founding of associations and the implementation of their activities in Palestine. Associations were registered, according to this law, in the second half of the nineteenth century. This law continued to be implemented under the British occupation of Palestine.

During that period, the number of relief associations increased, as well as those promoting culture, supporting Palestinian farmers, and establishing political formations. Islamic and Christian associations, which were formed immediately after the British occupation of Palestine, established the Palestinian Conference (Abrash, 2006, pp. 60-61).

Following the Nakba, many CSOs were created, such as the Tawheed Association, which was founded by Haj Zafer Shawa in 1949 and was the first organization to be established in Gaza City after the Nakba. In 1963, the General Union of Palestinian Workers was founded (Abu Al-Naml, 1979, p. 23).

After the Naksa (the defeat in the war of June 1967), the Israeli occupation adopted a particular policy in the Gaza strip, characterized by building settlements on 40% of the area of the Strip, allowing workers to work inside the occupied territories of 1948, subjecting the Palestinian economy to the 'Israeli' economy, spending on services inside the Gaza Strip by intensifying tax collection, while at the same time reducing expenditures, fighting the Palestinian resistance relentlessly, and imposing strict control on society and its cultural activities. This policy can be summarized by the following saying: "Enriching the individual and impoverishing the homeland." In other words, such a policy was based on giving people the opportunity to work in the occupied territories of 1948 against high wages, which enabled individuals to gain fortunes in return for their work. Meanwhile, the occupation drained fields and farms, prevented imports from abroad, and imposed restrictions on factories to maintain an economic dependence on the occupation.

Nonetheless, Palestinian civil society and the national factions eventually succeeded in founding CSOs as follows:

1. CSOs that focus on providing services and relief, while also working in different fields. For example, the Red Crescent Society, which was founded and chaired by Haider Abdel Shafi, provided health services in addition to carrying out cultural activities. This organization was known for its leftist orientation. In addition, the Palestinian Blood Bank provided blood units for patients at hospitals. The occupation restricted the work of these associations and prevented them from developing the services they provide (Habush, 2015, pp. 108-125). Also, the Islamic Center, which was founded and headed by Ahmed Yassin and was known for its Islamic orientation, focused on preaching and guidance. Moreover, it founded artistic groups for promoting Islamic singing and theater. The Islamic Society and the El-Salah Association played a similar role. The occupation persecuted these associations and prevented them from providing health services. However, the latter attempted to

rebel against these restrictions by offering voluntary medical services at mosques, such as organizing blood testing campaigns and providing male circumcision to support poor families (Al-Sheikh Khalil, 2011, pp. 176-190). In the 1980s, the Patient's Friends Society, a charitable association specialized in health, was founded in Gaza city.

2. Sports clubs. Clubs affiliated to the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) were the first to be founded in refugee camps in the Gaza Strip. These include the Gaza Sports Club, which was established during the British occupation of Palestine in 1934.
3. Trade union associations. Three trade union associations were active in the Gaza Strip – the Palestinian Engineering Syndicate, the Palestinian Jurists Association, and the Palestinian Arab Medical Association. Many leaders of the Palestinian factions assumed membership in their board of directors. For example, over the years several Hamas leaders became members of the Palestinian Arab Medical Association, such as Abdel Aziz Al-Rantisi, Ibrahim Al-Maqadmeh, Zakaria Al-Agha; as well as Ahmed Al-Yazji from the Fatah Movement; and Rabah Muhanna and Youssef Awad Allah from leftist parties (Sheikh Khalil, 2011, p. 202). The same applies to the Palestinian Engineering Syndicate – Ismail Abu Shanab became a member of its board of directors representing Hamas, and Yahya Shamiya from the Fatah movement – and to the Palestinian Jurists Association, whose members included Fareh Abu Madin from the Fatah movement, Faraj al-Ghoul from the Hamas movement, and Younis al-Jarru from the Popular Front for the Liberation of Palestine (Sheikh Khalil, 2011, p. 197). These three syndicates were supported by the PLO and the other factions. They played a role on both the trade union and national levels. The leaders of these unions reflected the national positions of the Palestinians and those of the factions (Afaneh, 2008, p. 48). Through them, financial aid was introduced to enhance the steadfastness of university graduates. The most prominent national role played by the unions was manifested during the doctors' strike of 1981. At the time, doctors went on strike for 21 days in protest against the tax policy of the occupation, and all segments of Palestinian society rallied behind them. The aforementioned three associations were an arena for the practice of democracy, as they witnessed free and fair elections in which all political currents participated. These currents succeeded in leading the unions, peacefully handing over the leadership to their successors. Moreover, all councils were participatory, and the political spectrum as well as independents were represented in all committees

supervising the elections. They included Muslims and Christians. Voting often took place at the YMCA's headquarters.

4. Women's organizations operating in the Gaza strip, such as the Palestine Women's Union headed by Yousra Al-Barbari and the Young Women's Muslim Association. These associations empowered girls by enabling them to find job opportunities in sewing, beading and knitting, and as secretaries (Al-Shami, 2012, p. 104). Other associations emerged amidst the Palestinian uprising, namely the Women's Affairs Committee and the Women's Affairs Center, and they adopted a feminist vision (Ismail, 2016, p. 46).
5. Inherited social structures. Tribal traditions, family elders, mosques, and zakat committees played a significant role in strengthening the resilience of Palestinian society. Family elders played a crucial role in resolving social problems and in arbitrating financial disputes that were difficult to resolve at police stations and courts. This role continued after the outbreak of the first Palestinian Intifada in 1987, when the role of the national factions in public life increased. The factions formed committees for reform, which cooperated with family dignitaries. Mosques played an important role, not only through their sermons but also through acting as a center for social and youth activities. For instance, zakat committees were formed to distribute money to the poor; visits to families of prisoners and detainees were planned and support was provided; a mobile blood bank was founded to provide blood for patients in hospitals; and artistic troops were formed to revive traditions during weddings. Youth formed sports teams in neighborhoods. They organized football tournaments in cities and camps, with teams representing the different neighborhoods. Moreover, they formed teams of volunteers for cleaning streets and supported the poor through launching relief campaigns in winter for restoring homes damaged by the rain or distributing clothes. During the first intifada, the occupation closed down the Islamic University, which was the only university in Gaza at the time. In defiance of the occupation, new associations were founded in Gaza – such as clubs, the Catholic Relief Union, mosques, and lecture halls – and all existing associations joined their efforts to provide education for the youth across the Strip, following the University's curricula. The number of associations operating in the Gaza Strip prior to the establishment of the Palestinian National Authority was 36 (Habush, 2015, pp. 82-95).

6. Student movements, emerged to the fore when Palestinian factions founded their students' wings. We can mention the Fatah Youth Movement, the Islamic League of the Islamic Jihad, the Student Unity Bloc of the Democratic Front, the Student Action Bloc of the Popular Front, and the Islamic Bloc of Hamas. Since the 1980s, these blocs competed against each other at universities. They rivaled during the annual elections and attempted to shape the university's identity (Islamic or secular) and make political gains. The students' blocs were also active outside universities. Their members participated in volunteer activities, such as olive harvesting, and assisting the poor and restoring their homes. The student movement at that stage mainly participated in political activism and struggle (Al-Enezi, 2013, p. 775).

Third: Civil Society Organizations in the Gaza Strip after the Establishment of the Palestinian Authority (1997-2006)

1- Inherited social structures

The Palestinian Authority was established at a time when the national factions (Hamas, Fatah, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine, and the Islamic Jihad Movement) had an increased influence. Most of them were opposed to the Oslo Accords. At the time of establishment of the Palestinian Authority (PA) in 1994, late President Yasser Arafat gave special considerations to tribes, because he wanted to restore the balance of power in the Palestinian society. Therefore, he received family dignitaries, visited their offices, appointed family mayors, and provided them with government allocations. In some cases, several mayors were appointed for a single family. The mayors and local dignitaries played the role of intermediaries between society and the PA, and addressed people's interests. The goal was to rebuild allegiances within the Palestinian society and promote the loyalty of youth towards their families, and to the authority, and to make them disinterested to join the factions. There have been wide movements among people in this context, and associations have been established in the name of some families, cities, towns, and villages, such as the Jaffa People Association and others (Khrees, 2014).

The policy adopted by the PA to control families was successful. Senior officers and heads of security agencies competed to attract families by employing their children and strengthening personal relations with their elders. In the

elections of 1996, family *diwans* played a major role through hosting candidates and supplying them with supporters. Moreover, candidates tried to please families in order to obtain their votes. The strengthening of the affiliation to families and clans in Gaza negatively impacted society, and resulted in armed clashes between many of them.

Some families benefited from the opportunities that were granted to them. The most prominent of them – the Mushtaha family – established an elected family council, collected donations from the family, and built a *diwan* to accommodate wedding celebrations, host funerals for all family members, as well as host arbitration sessions for settling disputes between family members.¹

2- Trade unions

After the Oslo Accords, political polarization escalated between trade unions from different ideologies. Fatah ensured to win all the elections of trade unions and made several promises to their members. The elections of trade unions triggered competition between Fatah and Hamas. Unions became highly politicized, and many chairpersons became senior officials of the PA. The trade unions and their elections remained indicators of the rise or fall in the popularity of both Fatah and Hamas. After the legislative elections in 1996, Fatah's interest in trade union elections decreased, after it gained the parliamentary majority. As a result, trade union elections lost their importance in granting the winner increased legitimacy or reducing that of the loser.²

In 2006, after Hamas won the legislative elections and the imposition of the siege on the tenth Palestinian government formed by Hamas, trade union elections regained their importance. When Hamas won the elections of the Palestinian Accountants and Auditors Syndicate (Dunia al-Watan, 2006) Ismail Haniyeh, the prime minister at the time, gave a speech during a ceremony for the Syndicate in which he pronounced that voting for Hamas and its representatives in the Palestinian Accountants and Auditors Syndicate, despite the siege, meant that people trust Hamas (Dunia Al-Watan, 2006).

1 An interview conducted by the researcher with Mr. Bahij Mushtaha, one of the dignitaries of the Mushtaha family.

2 A year after the legislative elections in 1996, the leader in the Hamas movement, Ismail Abu Shanab, won the presidency of the Engineers Syndicate in 1997. For more information, see the following link: Engineer Ismail Abu Shanab, one of the most prominent leaders of the Hamas movement, Al-Jazeera Net, 8/22/2003, accessed on 10.13.2022, through the following link: <https://utm.guru/ue4t5>

3- Relief and service associations

Relief and service associations continued to operate in the Gaza Strip after the Oslo Accords. However, some of them faced restrictions on their activities after the Sharm el-Sheikh anti-terrorism conference in 1996, such as relief charities run by individuals or leaders affiliated with the Hamas movement. However, these organizations adapted to the changes and pursued their activities. On the contrary, CSOs led by leftist leaders and activists expanded their services and became more professional. The most prominent of these associations are the Red Crescent Society, the Union of Health Work Committees, the Palestinian Medical Relief Society, and the Palestinian Agricultural Development Association (PARC).

With the eruption of the Al-Aqsa Intifada in 2000, organizations working in the field of relief and services tried to adapt to the new reality. As such, they addressed poverty and destitution. They also tackled new needs that were generated by the policies of arrests, land leveling, and the demolition of homes. Finally, they catered to the needs of families of the martyrs and the wounded.

4-The student movement

After the PA took control of Gaza in 1994 and organized legislative elections, factions became more involved in politics. This resulted in the decline of the role and importance of the student movement, as the PA and the factions controlled the organization of activities in the public sphere. Moreover, most youth leaders joined the security apparatus. Also, the leaders of the Islamic Bloc and the Islamic Group were suffering from severe persecution, both by the occupation, and the PA. All these factors contributed to the notable decline of the student movements. With the eruption of the Al-Aqsa Intifada in 2000, the student movements in Palestine generally became more active in the national struggle.

5- Women's organizations

The most prominent of these organizations were the Women's Affairs Technical Committee and the Women's Affairs Center. In the second half of the 1990s, feminist organizations and their supporters from non-governmental organizations formed a broad coalition called the "Model Parliament" (Abu Dayyah and others, n.d., p. 6). This Parliament studied the Personal Status Law and called for its amendment. Moreover, this Parliament believed that Palestinian laws must be consistent with the laws of the United Nations. Many women's organizations also received European funding.

When the Al-Aqsa Intifada erupted, women's organizations also embraced

the national struggle. Their platforms enhanced the role of women's struggle and exposed the violations they are subjected to by the occupation. Furthermore, these CSOs promoted the role of Palestinian women and the social and political struggle required to empower them. Through their demands, women's organizations succeeded in including provisions in the electoral law requiring positive discrimination in favor of women through quotas (Palestinian Legislative Council, n.d.).

6- Human rights' organizations

Before the Oslo Accords, and in particular during the first intifada, human rights organizations monitored human rights violations perpetrated by the occupation, such as constraints on the freedom of movement, the demolition of homes, and the bulldozing of lands. After Oslo, these organizations focused as well on monitoring human rights violations committed by the PA, which are related to the freedom of expression, the right to assembly, the right to access information, as well as economic and social rights.

When it was first established, the PA adopted a strict position towards human rights organizations. For instance, it arrested human rights activist Iyad al-Sarraj for his criticism of the PA's violation of human rights (Palestinian Center for Human Rights, 1995). Moreover, the PA expressed its dissatisfaction with the criticism it faced by human rights organizations regarding its treatment of the opposition, and for conducting political arrests. That is particularly true because many of these organizations volunteered to defend political prisoners in Palestinian courts.

The first stage of the PA's life (1994-2000) witnessed its supremacy over the public space, which affected the roles of civil society with its civil and institutional components. Nonetheless, during the second stage of the PA's life (2000-2006), this grip became looser. During the second intifada, the Follow-Up Committee of the Palestinian National and Islamic Forces was formed as a civilian rather than a political entity. Its role was to monitor protests during the Al-Aqsa Intifada. Moreover, it also resolved many conflicts between the security apparatus and activists affiliated with the resistance.

Internal disagreements also happened within the Fatah movement between Yasser Arafat and Mahmoud Abbas. This undermined the position of the PA and promoted the role of CSOs in relief and services, with the support of various external entities.

Regardless of the relationship between the PA and CSOs, many CSOs – whether affiliated with the PA or not – were criticized for abiding by donors' requests, which included supporting 'the Peace Process.' In other words, foreign

funding was clearly intended to create a parallel authority capable of influencing and making social and political policies to serve the international vision of the Palestinian cause.

Fourth: The Palestinian Civil Society in Gaza (2007-2022)

In 2007, the conflict between Fatah and Hamas resulted in Hamas monopolizing its control of the Gaza strip. This negatively impacted the work of civil society. Although the number of CSOs increased to reach about 1,430 institutions in 2022 (Sukar, Al-Jaradat, 2020), they suffered from the ongoing conflict in different ways. The most prominent changes witnessed can be summarized by the following:

1. The decline in the role of the student movements, which resulted from the lack of activation of their role by the factions they are affiliated with, the decision of Fatah not to participate in any elections in Gaza for not providing legitimacy to Hamas in the Strip, and the failure of Hamas to develop student electoral systems to attract other segments of students – such as adopting a full proportional representation system in student elections. Two of the major universities in Gaza do not conduct student elections, Al-Azhar University and Al-Qasa University. From its side, the Islamic University annually announces the holding of student elections, however, only the Islamic Bloc participates and wins by acclamation.³
2. Women's organizations are advocating for the alignment of Palestinian laws related to women with international conventions, such as CEDAW (Media Center, 2019). Moreover, they are pressuring the PA through submitting reports, to demonstrate its lack of respect for international conventions adopted by the UN. Women's organizations are trying to benefit from the absence of a Legislative Council to push for the adoption of the largest number of laws that respond to their orientations, so that once a Legislative Council is elected, it will be unable to abolish such laws.
3. The blockade imposed on Gaza since the onset of the Al-Aqsa Intifada has increased the challenges faced by Palestinians in the Strip. Given the absence of the PA's role, other entities have stepped in to fill the void, such as families, which became very active. For instance, many families

³ For further details, refer to a policy analysis paper entitled "Towards Reactivating the Political and Struggle Role of the Palestinian Student Movement" https://www.masarat.ps/ar_print.php?id=47919cy4690332Y47919c

elected a council to manage and lead their affairs, such as the Atallah family in Gaza city. Moreover, some families established alliances, like in Khan Yunis and in the Al-Daraj neighborhood of Gaza city. These alliances enabled many families to preserve their rights. We can cite as an example the dispute between the Land Authority and landowners, west of Khan Yunis. Family negotiations succeeded in suspending the procedures undertaken by the Land Authority until the necessary arbitration regarding the disputed lands was undertaken (Abu Jarad, 2021). In the summer of 2021, a group of families and clans agreed to form the National Gathering of Clans, Tribes, and Families in the Gaza Strip, which organized several community and national activities (Majadala, 2022).

4. Collective and individual initiatives. The blockade on the Gaza Strip has led to an increase in poverty among different societal groups. Unemployed individuals reached 372,000, with a poverty rate of nearly 80% (Al-Hour, 2022). Moreover, the government was only able to pay 40-50% of salaries. This void was amplified given the lack of prospects for governmental solutions and the imposition of strict restrictions for financing CSOs, and it prompted the birth of collective and individual initiatives for solving pressing problems. For example, the Mobaderron Gathering was established in the city of Rafah, to develop solutions to the urgent problems faced by the poor through youth volunteering initiatives and collecting donations from wealthy persons in the city (Abu Shanab, 2019). During emergencies, such as wars, social solidarity and support can mitigate the effects of wars. For example, Palestinians living in the western part of Gaza hosted friends and relatives. Also, during the famous Nuseirat fire in early 2020, people joined their forces to put out the fire when the efforts of the civil defense and the municipality failed, and concrete companies sent their pumps while water companies dispatched water containers (Masarat, 2020). Through its collective action, the population succeeded in putting out the fire (Masarat, 2020). Likewise, another initiative was launched – The Civil Campaign to Help Cancer Patients.⁴ This association coordinated with officials in Egypt to facilitate the travel of cancer patients, provide them with adequate shelter, and facilitate their access to the required examinations and treatments. In addition to these collective initiatives, individual initiatives have arisen, some of which focus on relief through collecting donations and distributing aid (food and clothing), while others relied on donations and providing job opportunities for young people in

⁴ For more details about the civil campaign to help cancer patients, you can visit the website: <https://hapcharity.org/>.

need of work. Also, fund-raising initiatives emerged with the aim of restoring the homes of the poor.

5. Human rights organizations. Some of them adopted a neutral position regarding the government of Gaza and that of the West Bank, while others considered the government of the West Bank as legitimate and that of Gaza as illegitimate. This distinction was clear in the terminology used in their reports. For example, neutral CSOs – such as the Palestinian Center for Human Rights – used the term (law enforcement agencies) when talking about the police of Gaza and that of the West Bank. In contrast, the Palestinian Independent Commission for Human Rights used different terms, such as the ‘Palestinian police’ when talking about the police in the West Bank, and the ‘ Hamas police’ when mentioning the police in Gaza. This approach was crystallized in the Report of the Independent Commission for Human Rights that was published in 2009. After receiving sharp criticism following the publication of the report, the Commission amended its language (Sheikh Khalil and Mamdouh, 2009). Some human rights organizations, in particular the Palestinian Center for Human Rights, are striving to bring Israeli war criminals before international courts. Such efforts are ongoing but have not been successful yet. Human rights activists have advised the Palestinian resistance to respect international law in order not to be criminalized. In some instances, human rights organizations have issued statements denouncing the Palestinian resistance endangerment of citizens’ lives by storing weapons and explosives in areas inhabited by civilians (Palestinian Center for Human Rights, 2021).
6. Trade unions have witnessed a state of inactivity and lack of effectiveness for two reasons: the first was the absence of competition, as Fatah refuses to participate in such elections in Gaza, and Hamas is unable to find alternative ways to hold such elections. The second is due to the political orientation of the trade union blocs, which are close to Hamas and show solidarity with the government of Gaza. They justify their position by mentioning the blockade imposed on the Strip, and the need to support the government. However, Hamas has failed to develop a new vision for trade union work (Abu Zaiter, 2021).

Conclusion

To conclude, the institutionalized civil society stagnates at times, and adapts to the changing circumstances at other times. Moreover, it clashes with the existing

government in the Gaza Strip and is unable to meet the growing needs of civil society because of the restrictions on its activities and programs that have been imposed by donors, which do not support Palestinians, but rather seek to promote a political settlement between the occupation and the leaders of the PA. Moreover, civil society has failed to push towards the reconciliation of Hamas and Fatah.

On the contrary, civil society organizations of a non-institutional nature show more vitality, whether in terms of expanding the role of families or that of youth initiatives. This includes relief and development work, as well as charitable initiatives in the Gaza Strip, which could further develop in the future, because they respond to the needs of the local community and they are community-based.

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Post-Oslo Transformations in the Structures and Roles of the Palestinian Civil Society in the Diaspora: Lebanon as a Case Study

Jaber Suleiman

The Oslo Accords is one of the major political turning points that generated profound transformations and changes, which affected the various Palestinian social and political structures, as well as individuals who are considered agents of change. These transformations impacted civil society organizations (CSOs) and social and family networks in the diaspora countries, particularly in the host countries that border Palestine, especially Lebanon. They also affected the various national frameworks associated with the presence of Palestinian communities in the diaspora countries, influencing their structures and the nature of their role in the Palestinian national project. In this context, the Palestinian community in Lebanon is considered one of the most vulnerable Palestinian diaspora groups.

Lebanon was, from the early seventies of the last century until the Israeli invasion in 1982, a center and incubator for the Palestinian national movement, before its headquarters moved from abroad to the Palestinian territories, following the Oslo Accords. The Lebanese era witnessed the strengthening of the PLO's diplomatic status at the regional and international levels, leading to its recognition as an observer member of the United Nations. In addition, the various institutions of the PLO grew and prospered in Lebanon, to the point where it was said that it had become a "state within the state".

In this paper, we will address the transformations in the roles of Palestinian social frameworks and networks in the diaspora in the aftermath of Oslo Accords, focusing on Lebanon as a case study. In this context, we will shed light on the changes and transformations that affected the structures and roles of

Palestinian NGOs in Lebanon, within the framework of studying these transformations in the broader Palestinian context.

The paper will address the following topics:

- Conceptual framework: the concepts of civil society/local community and diaspora.
- An overview of the disparities in the legal and socio-economic status of diaspora communities, their impact on the transformations in the roles of civil frameworks and social networks in the diaspora in the post-Oslo era, and their implications on the nature of their roles in the Palestinian national project.
- Analysis of the reality of Palestinian civic engagement in Lebanon in the post-Oslo era by highlighting: (a) The economic, social, and legal frameworks that govern the lives of Palestinians in Lebanon; (b) The emergence and development of civic engagement and the historical background that led to the formation of Palestinian NGOs in Lebanon and other social formations, and their legal status under Lebanese legislation that deprives Palestinians of the right to form NGOs; (c) The areas of work of NGOs before and after Oslo - the traditional areas related to relief and service provisions, and the emerging areas related to basic human rights, individual rights, and national rights (the right of return), which necessitated the formation of new NGOs and networks.
- The role of the Palestinian civil society in Lebanon in the post-Oslo era, and its constant endeavor to harmonize and reconcile relief, development, human rights, cultural and political engagement on a broad national level, and the attempts of civil society to develop mechanisms to adapt to the post-Oslo reality, and even challenge it, through mobilizing and strengthening capacities and energies, and optimizing the use of limited resources.
- The most prominent challenges and obstacles that Palestinian NGOs in Lebanon face are; the challenge of harmonizing or reconciling the various forms of civic work and their fields with national engagement considering the Oslo challenges; and the political role of NGOs or the limits of their influence in the Palestinian political reality.

First: The Concept of Civil Society/Local Community in the Palestinian Context

When studying the Palestinian civil society, we are faced with the multiplicity of concepts and definitions of Arab civic action, as the concepts and definitions used globally have not been subjected to sufficient research and scrutiny by Arab researchers, in order to be reproduced through approaches appropriate to the reality of Arab societies.

Accordingly, this study has used terms such as “NGOs”, “CSOs”, “Civil Society”, “National Frameworks” and “Social Networks” interchangeably, instead of “NGOs” and “Civil Society”, which are commonly used in the international literature¹. This is due to a number of reasons, the first of which is that the term “civil” in the Arabic language refers to the close connection with the broad base of the population and links the people with the community rather than the state; the second is that the term “civil society” is the product of European societies and the modern nation-state, and its use is recent in the Arab world. As for the term “local community,” which derives its origins in Arab societies from the philosophy of “social solidarity” and “charity,” it is deeply rooted in the popular religions and cultures of these societies². The third reason is that the term “non-governmental organizations (NGOs)” presupposes the presence of a “government” or governmental institutions in a nation-state, which is not the case for the Palestinian diaspora, including in Lebanon.

Second: The Concept of Diaspora

The concept of diaspora is connected to that of Palestinians living in the Palestinian territories, and those in exile. These concepts are determined by the physical and demographic presence of the Palestinian people within historical Palestine or outside it, and did not emerge until after the Nakba, when Israel

1 Note from the translator: The study was written in Arabic, and these terms apply to the original Arabic version of the document. They are irrelevant to the English version, where NGO and civil society are mostly used.

2 For further discussion on this concept, refer to: Kandil, Amani. (1994). *Civil Society in the Arab World: A Study of Arab NGOs*. Cairo: Arab Future House. p. 9. For example, the “Islamic Endowment”, before it was subject to the hegemony of the modern national state in the Arab and Islamic worlds, was a civil framework par excellence working in the service of civil society, independently of the authority of the state.

occupied about 78% of the lands of historic Palestine, causing the dispersal of the Palestinian society and the fragmentation of its political movement. Accordingly, there were the Occupied Palestinian Territories and the Diaspora, which gave birth to the Palestinian national movement in the mid-1960s, which aimed at liberating the Palestinian homeland from occupation and return Palestine to the political map³. The concept of 'Palestinian territories' changed, after its geography expanded to include all of historic Palestine following Israel's occupation of the West Bank and the Gaza Strip in 1967, which transformed the Palestinian territories occupied since 1948 into the '1948 territories'.

The concept of diaspora is also closely related to the reality of the Nakba. While the establishment of the State of Israel by a decision of the United Nations led to the creation of a 'homeland' for the Jews who were victims of Nazi persecution in Europe, this caused, at the same time, the dispersal of the Palestinian people and their transformation into refugees, or what is known as a "forced diaspora" for the victims of uprooting, which Cohen classified in his book "Global Diasporas" as "victim diasporas." (Cohen, 1997, pp. 31-51)

But the term 'diaspora', commonly used in forced migration studies, remains controversial for some Arab and Palestinian academics. For example, Basma Kodmani believes that this term is controversial and contains some ambiguity, as it lacks accuracy when used in the Palestinian case. Kodmani and others who have reservations about the use of the term in the Palestinian context believe that the 'Palestinian diaspora' is a new and relatively recent phenomenon. Furthermore, they consider that its use implies the implicit acceptance of the displacement of Palestinians. Therefore, they prefer to use the term 'refugees' for the Palestinians uprooted from their homeland, whoever they are, as an expression

3 Since its inception, the headquarter of the national movement has moved to three or four locations abroad (Jordan, Lebanon, Tunisia, and Syria) before moving to the Palestinian territories after Oslo (1993). There has always been an ambiguous or unbalanced relationship between the headquarter of the national movement and its fringes, regardless of where the headquarter was located. For example, when the headquarter was in Lebanon before 1982, the leadership of the national movement considered that Palestinians in the Palestinian territories were affiliated to the headquarter in exile. This was evident before and after the Madrid Conference (1991), with the PLO leadership fearing the emergence of a parallel leadership at home, and the crystallization of a headquarter for the national movement at home that could constitute a substitute for, or at least compete with, the headquarter abroad. It is no longer a secret that this concern was one of the considerations behind the PLO's entry into the secret talks that led to the signing of the Oslo Accords later. On the other hand, when the headquarters of the national movement moved from the diaspora to the Palestinian territories after Oslo, the matter was reversed, and the headquarter in the Palestinian territories sought to marginalize the role of the diaspora and dealt with it as a peripheral movement (Lebanon as an example).

of their adherence to their right to return to the homeland, from which they were forcibly uprooted (Shublaq, 2005, p. 17).

Linguistics and Translation professor, Ibrahim Muhawi, believes that the word 'diaspora' is in fact stronger in expressing the Palestinian situation than the Arabic word 'shatat' (which also means diaspora), as it was originally associated with the concept of pain and uprooting by force, which is what victim diasporas have experienced throughout history (Shublaq, 2005, p. 17). Accordingly, some researchers accept the application of the term 'diaspora' to the Palestinians living outside the Arab world but argue against its application to those living in the Arab host countries neighboring Palestine. For example, Elia Harik asserts that, since these Palestinians share the language, religion, and cultural heritage of their Arab environment and constitute the majority in some countries - such as Jordan - it is difficult to consider the Palestinian communities in Arab countries as "diaspora communities" (Shublaq, 2005, p. 17).

Third: Inequalities in Diaspora Societies: An Overview

The living and legal conditions of the Palestinians in the diaspora vary from one country to another. The constant is the overlapping of political factors with legal and living conditions, which greatly affect the status of diaspora communities in these countries, and thus their social well-being, and the nature of their roles in the Palestinian national project. While most Palestinians who have found asylum in Europe or America enjoy full citizenship rights, in some Levant countries, they were granted citizenship rights with a degree of discrimination in practice (Jordan), or they enjoyed a wide range of rights, but below the ceiling of full citizenship rights (Syria). Even worse, in other countries, they were deprived of most basic human rights, and the minimum rights they enjoyed were subject to the fluctuations of politics and the moods of successive political regimes (Lebanon). In addition, in many Arab countries (such as the Gulf countries), they were treated as economic migrants, with less tolerance towards them compared to other foreigners.

Some diaspora studies confirm the disparities and differences that exist among diaspora communities and their impacts on the roles and composition of Palestinian communities in those societies. One of these studies addresses the role of the diaspora in the process of building Palestinian institutions and argues that the Palestinian communities in Western countries are characterized by extreme disparities in terms of social class, cultural background, civil and legal status, place of origin, and political and religious inclinations, which constituted an

obstacle to initiatives to establish Palestinian community-based organizations (CBOs). The study raises questions about relationships in the diaspora, such as: “Who is empowered and who is vulnerable in these categories? Who is the actor and who is the target? The truth is that many Palestinians in exile, especially those in refugee camps, do not enjoy freedom of movement, and therefore do not participate in inflows of remittances of expatriates” (Labadi, 2018, pp. 7-10).

Regarding the impact of the Oslo Accords on the reality of the Palestinian diaspora, the postponement of the resolution of the Palestinian refugee issue and its inclusion in the permanent settlement led to the weakening of the role of the Palestine Liberation Organization (PLO) and the decline of its power to influence refugee communities in the various diaspora regions. The pace of this decline steadily increased with the end of the transitional period (1999), without making any significant progress towards the permanent settlement, including the refugees’ issue. Wide segments of diaspora communities clearly expressed that the Palestinian National Authority (PA) does not represent them, and rejected the PLO’s consideration of the PA as the sole legitimate representative of the Palestinian people.

This led to a political vacuum in the representation of the Palestinian diaspora, prompting the launch of many national initiatives and the establishment of many frameworks, structures, and civil formations led by activists and academics of the second and third generation of the Nakba - by virtue of their knowledge and technical expertise, and their ability to initiate dialogue despite the geographical limitations that resulted from the Nakba and the diaspora - through the creative use of the Internet and social media. All these factors contributed to increasing networking between civil initiatives in Palestine and the diaspora.

This was also manifested in the holding of several national conferences that affirmed the unity of the land and the people; the reactivation of solidarity movements with the inalienable Palestinian national rights; the launch of the Return Movement (Al-Awda), the boycott movement, and cultural projects and initiatives related to reviving the memory of the Nakba and preserving the Palestinian heritage and national identity; and reviving patriotic occasions, the most important of which is the anniversary of the Nakba, across borders. There are many concrete examples of such initiatives, which we will not enumerate in this study.

In this context, we cannot ignore the impact of the Oslo Accords and its consequences on perpetuating the internal Palestinian Split, which, in turn, had repercussions on the Palestinian diaspora communities and their role in the Palestinian national project. In fact, the division fueled the tendency of the divided parties to win over the communities and the frameworks associated with them

to support their national agendas and gain popular legitimacy. This competition led to the division of many diaspora communities and their frameworks within one country. Among the manifestations and examples of this division are the multiplicity of Palestinian frameworks - the Palestinian National Council, the annual Palestinians in Europe Conference, and the Popular Conference for Palestinians Abroad – the multiplicity of youth movements at the national level, and the emergence of professional associations in parallel to those affiliated with the PLO. One of the results of this division was the dispersal of the efforts of the diaspora communities and the depletion of their human and material resources. This ultimately led to the weakening of their role in winning international solidarity with the Palestinian cause and presenting a unified Palestinian narrative of the struggle in the face of the Zionist narrative.

Fourth: Post-Oslo Palestinian Civic Engagement: Lebanon as a Model

Palestinian civic engagement in Lebanon after Oslo leads us to the economic, social, and legal framework that governed and continues to govern the lives of Palestinians in Lebanon, as well as to the historical background of the emergence of Palestinian civic engagement in Lebanon, and the legal status of their frameworks as well as their institution building.

The economic, social, and legal framework

Despite residing in Lebanon for more than seven decades, Palestinian refugees in this host country live under extremely difficult conditions that contradict the most basic standards of human dignity. Furthermore, they are subject to ‘ambiguous’ legal conditions that go against international law standards and basic human rights. In this context, we would like to point out that, unlike Western democracies in which an individual acquires civil or citizenship rights by obtaining a residence permit; in most Arab countries, including Lebanon, these rights are derived exclusively from citizenship. As such, Palestinians are stripped of most economic, social, and cultural rights guaranteed by international law and human rights standards, including the right to form NGOs⁴.

4 For more details about the institutional and legal framework that regulates the rights of Palestinians in Lebanon, see: Suleiman, Jaber. (1997). “Palestinians in Lebanon and the Role of Non-Governmental Organizations”, *Journal of Refugee Studies* Vol.10, No.3. Oxford: Oxford University Press.

Furthermore, Palestinians in Lebanon are exposed to several forms of marginalization - economic marginalization through the imposition of severe restrictions on Palestinians' right to work and social security; institutional marginalization through excluding Palestinians from social and cultural institutions; and spatial marginalization that has turned the Palestinian camps into semi-isolated islands, whose function is to contain refugees and limit their freedom of movement, as they are considered a source of danger and a potential threat to the host community.

This marginalization of Palestinians has often been linked to a history of violence and displacement. Accordingly, the Palestinian community in Lebanon has been subjected to continuous internal displacement due to the successive Israeli attacks (1978, 1982, 1993, 1996, 2006) against Lebanon, and because of internal wars such as the civil war (1975 - 1989) and the war of camps (1985 - 1989), and finally the Nahr al-Bared war (2007).

Lebanese legislation does not generally grant refugees a distinct legal status independent of that of foreigners, nor does it define the term 'refugee'. Despite their extended residence in Lebanon, this legislation not only considers Palestinian refugees as foreigners but also as a 'special category' of foreigners. Accordingly, Palestinian refugees are not only deprived of the basic rights enjoyed by all Lebanese citizens, but also of most basic of the economic, social, and cultural rights recognized for refugees under international law⁵.

Because they are considered foreigners according to Lebanese legislation, Palestinians do not enjoy the most basic human rights. Accordingly, they are deprived of the full enjoyment of some of these rights (for example, the right to own property and the right to establish associations). Furthermore, harsh and unfair conditions are imposed on the exercise of other rights (the right to work and to social security). Finally, rights are also subject to arbitrariness (the right to adequate housing and freedom of movement).

Historical background of the emergence and development of civic engagement

The period from the date of the signing of the Cairo Agreement (1969), which organized the relationship between the PLO and the Lebanese government, until the PLO's exit from Lebanon in 1982, is considered that of institution-building of the Palestinian society in Lebanon. That era steadily witnessed the birth of many economic, social, and cultural institutions, which employed a large percentage

5 For more information, please refer to: Said, Wadie. (2001). "The obligation of Host Countries to Refugees under International Law: The Case of Lebanon", in Naseer Aruri (ed.), *Palestinian Refugees: The Right of Return*. London: Pluto Press. (pp.132, 148). (FN 34).

of the Palestinian workforce. In the wake of the PLO's exit from Lebanon, and the unilateral cancellation of the Cairo Agreement (May 1987), the PLO's social welfare system, which was known as the public sector, collapsed, along with most of the PLO's operational institutions and the Palestinian factions, which were greatly reduced. In addition, the services of the remaining ones, such as the Palestine Red Crescent Society, were diminished. As such, the Palestinian society in Lebanon lost its political and socio-economic reference to face the burdens of life.

Following the PLO's departure from Lebanon, the Palestinians who remained in the country experienced horrific events. In addition to the almost total destruction of some Palestinian camps in the south, as a result of the Israeli invasion in 1982, the Lebanese Christian militias loyal to Israel committed the Sabra and Shatila massacres (September 1982), and the Amal Movement militia waged a fierce war against the camps that lasted about two years (1986-1988), causing an almost total destruction of some of them, and an internal migration from these camps to others.

With the signing of the Taif Agreement that ended the Lebanese civil war in 1989, the Palestinians were excluded from the civil peace equation, and thus from the necessary reconstruction projects and social services. Then, the Madrid Peace Conference (October 1991) and the signing of the Oslo Accords (September 1993) exacerbated the suffering of the Palestinian refugee community in Lebanon. For instance, in the post-Oslo era, they were subjected to 'deliberate' neglect by all parties concerned (the PLO, the host country, and the international community). That was due to the focus of the Palestinian Authority (PA) and the international community at the time, on making the experience of administrative autonomy a success by diverting international support channels towards the PA areas.

However, owing to the high dynamism and resilience of the Palestinian society in Lebanon, and its rich experience in developing methods of self-reliance and adapting to wars and crises, some NGOs that were established before 1982 quickly began to revitalize their role and adapt to the new circumstances, in order to confront the social burdens and disasters that resulted from the wars, on the one hand, and the aggravation of the living crisis and the neglect resulting from the repercussions of the Oslo Accords, on the other.

Before 1982, there were only six legally licensed NGOs active in the Palestinian community. Today, there is a wide range of civil frameworks and organizations operating in the Palestinian camps and gatherings in Lebanon, varying in their legal status and their domains of activity. These include fields that did not exist in the pre-Oslo era, such as advocacy for individual rights and the right of return, and the boycott movement.

It is difficult to determine the number of NGOs that are currently operating in Lebanon, unless a clear definition of 'NGO' is adopted, to avoid any confusion, given the presence of a wide range of civil frameworks and organizations operating in the camps that lack the structures and legal framework that allow them to be classified as NGOs.

In this regard, we refer to a study issued by the Lebanese-Palestinian Dialogue Committee, based on a field survey, which estimated the number of organizations and associations operating in Palestinian circles at 213, as of 2012, distributed as follows: 108 (NGOs); 16 (federations and associations); 42 (sports associations); 27 (kindergartens and educational centers); 18 (popular and civil committees); and two bodies that do not fall within the scope of the aforementioned classification (Marcos et al., 2012, p. 17).

However, these numbers and this classification should be treated with caution because the study did not adopt a clear criterion for defining the civil society, and confused the popular committees associated with the PLO with NGOs. It also classified some kindergartens, educational and health centers, and sports clubs as independent NGOs, while, in fact, they are affiliated with specific NGOs and do not constitute independent organizations per se.

In general, the various fields of civic engagement can be classified as follows: pre-school education and parallel education (kindergartens, reinforcement lessons and activities accompanying the curriculum); professional and vocational training; health care and primary medical services; disability and persons with disabilities; culture, cultural heritage, and identity; staff training; developing institutional performance in NGOs; social care (children, the elderly, and needy families); youth sector; emergency relief services during wars and crises; human rights and advocacy (economic, social, and cultural rights, children's rights, women's rights); BDS-related boycott activities; national rights (the right of return); UNRWA (pressure on UNRWA to improve its services, and at the same time defend its existence in the face of the American-Israeli campaign aimed at drying up and liquidating its resources); and other areas (transitional justice, conflict resolution, gender, and community participation).

The services provided by Palestinian NGOs to the Palestinian community in Lebanon are of special importance, regardless of their size and the number of beneficiaries. On the one hand, these services contribute, even in a small part, to alleviating people's living suffering, and, on the other hand, stimulate the latent energies of civil society through pushing towards improving its organization to become self-reliant.

The importance of the work of NGOs in the sector of culture, cultural heritage, and identity should be highlighted given the almost total absence of official

cultural institutions since the PLO's exit from Lebanon in 1982. Civil society plays a distinguished role in this field as it enhances social cohesion and generates a sense of psychological/cultural unity, and strengthens the national identity of the Palestinian diaspora communities, especially among the younger generations, through promoting culture - popular and oral culture in particular.

This role is of particular importance as the UNRWA's curriculum follows that of the host country. Accordingly, it does not teach the history and geography of Palestine, nor share any educational materials related to Palestinian identity. This is particularly true since Israel and the U.S. are pressuring the UNRWA in all its areas of operations to adopt a different curriculum - in the context of the "Framework for Cooperation" (UNRWA, 2021), which UNRWA signed with the U.S. (2021-2022) - and accuse it of promoting an 'antisemitic' Palestinian curriculum.

Civil society services tend to harmonize between 'relief' and 'development,' and reconcile social/developmental work with human rights and culture, with the goal of strengthening the national identity. They also promote political engagement in its broad national sense, which includes preserving the inalienable national rights of the Palestinian people.

The legal status of civic engagement frameworks in Lebanon and their institutional structure

For the purposes of this study, we will distinguish between three categories of civil frameworks operating in the Palestinian camps and gatherings in Lebanon: Non-profit associations licensed by the Lebanese state (according to the notice of recognition); civil frameworks that operate *de facto* and, for the most part, do not have any legal status; and "Village Associations" and "Family Associations" (Suleiman, 1997, pp. 401-402).

First category: There are three types of licensed associations that fall into this category, and each operates according to a determined license:

First, associations licensed under a "notice of recognition" granted by the Lebanese Ministry of Interior, based on the Ottoman Law of Associations issued on August 30, 1909, and the law implemented by Decree No. (10830), dated October 9, 1962. The legal status of such associations is ambiguous because Palestinians in Lebanon do not have the right to establish associations.

Therefore, they resort to establishing associations whose public and administrative bodies are composed of Lebanese nationals, in accordance with the law, while their executive body consists mostly of Palestinian activists in the Palestinian civil society. As such, these associations are Lebanese according to the

law, but Palestinian de facto. This ‘abnormal’ situation makes these associations subject to legal accountability or to ‘extortion’, according to the intentions of successive Lebanese governments, and the policies of their concerned agencies towards the Palestinian presence in Lebanon.

In addition, this situation reflects negatively on the institutional structure of these associations, their internal relations, their decision-making mechanisms, as well as the nature of their relations with the Palestinian civil society from which they emerged.

The ceremonial relationship between the various frameworks entrusted with carrying out the work of these associations, and the disparity of actual interest among them in achieving the desired goals, precludes the potential for developing sound democratic structures based on accountability and transparency. Accordingly, the priority of securing the legal cover necessary for the continuation of the work of these associations in serving the community has taken precedence over developing the institutional structure and democratizing its internal relations, and its relations with the local community.

Second, foreign associations that establish branches in Lebanon are licensed according to a ‘Republican Decree’, and based on the Foreign Associations Law, according to Resolution No. (369 / L.R)⁶ dated 12/21/1939, which stipulates that “every association that has a center or activities in Lebanon and whose foreign members exceed a quarter of the total number of members, or whose directors are foreigners, is considered foreigner.”

According to the first article of the same Resolution, the establishment of foreign associations, their establishment of branches, and the amendment of their statutes and internal regulations are subject to the prior licensing system, against the general principle which stipulates that an association should only notify the authorities of its activities, in order to receive a ‘notice of recognition’. An example of such associations is the Welfare Association, which was established in Geneva in 1983, on the initiative of Palestinian businessmen.

The study issued by the Lebanese-Palestinian Dialogue Committee on the Palestinians’ right to form associations considered Resolution (1939/369) an appropriate text for its present application to Palestinian associations and resolves the dilemma of depriving Palestinians of the right to form their own associations (Marcos et al., 2012, p. 14).

However, this position perpetuates the classification of Palestinians as foreigners in Lebanese legislation and circumvents their right to form their own

6 The Associations Law was based on the decision of the High Commissioner in 1939. For more information, please refer to the following link: <http://77.42.251.205/Law.aspx?law-Id=187904>

associations. Since 2013, no Palestinian association has applied for registration under this decision. It is worth mentioning that this type of association is subjected to strict monitoring by the Lebanese state, compared to the first type.

Third, religious associations affiliated with the Islamic Endowment, which do not require a license from the Ministry of Interior but operate according to a 'certificate of eligibility' that is easy to obtain from one of the Sharia courts directly affiliated to the Presidency of the Council of Ministers⁷.

Second category: All civil frameworks that are active *de facto* and do not enjoy, for the most part, any legal status in the eyes of Lebanese legislation, fall under this category. Such frameworks and associations are widespread in Palestinian camps and gatherings, and include the following: sports clubs and teams, cultural clubs, Dabkeh and folklore singing teams, embroidery workshops, rap teams, scout teams, chess teams, popular libraries, zakat committees, mosque committees, charities, youth unions, religious associations, camps' websites, electronic portals, student cultural clubs in various Lebanese universities, and others.

Third category: Village and Family Associations are included in this category. Such associations have become widespread in the camps, and their membership is limited to people who originate from the same village, based on the pre-1948 Palestinian map, or who are members of one tribe or clan. These associations are based on the values of solidarity, cohesion, and self-reliance, which characterize the peasant society. Some of them are registered with the Ministry of Interior, while others are not, because they do not find it necessary to carry out their activities inside the camps.

The role of the Palestinian civil society in Lebanon after Oslo Accords

We will address pivotal events and activities that indicate the ability of the Palestinian civil society in Lebanon to harmonize and reconcile all forms of relief, developmental, human rights, cultural, and political activities - in its broadest national sense - as well as develop mechanisms to adapt to the post-Oslo reality. We will also tackle attempts to challenge the post-Oslo reality through capacity-building and making optimal use of limited resources, through networking within Lebanon and in the diaspora.

⁷ An example of this type of association is the Al-Ataa Charitable Association, which is based in Al-Rashidiyah camp/Tyre. It was established in 1994 and obtained a 'Certificate of Eligibility' from Tyre Court, under No. 30/3. Another example is the Social Welfare Association based in Ain al-Hilweh camp/Sidon, which operates as a charitable endowment according to 'Certificate of Eligibility' No. 125/12.

In this context, we will shed light on the following activities and events through the following examples:

The Coordination Committee for NGOs working in Palestinian camps and gatherings in Lebanon (1994)

Since the summer of 1993, Palestinian NGOs legally licensed under a 'notice of recognition' launched a dialogue with the aim of coordinating their efforts and developing their structures and performance. In this context, a workshop was held in Beirut (June 28, 1993) to discuss the social and economic conditions of Palestinians in Lebanon and their basic rights in the presence of Lebanese CSOs supporting the rights of the Palestinians, of which we cite the 'Lebanon NGO Forum' and the 'Association of Voluntary Civil Bodies in Lebanon,' among others.

The recommendations of the workshop focused on the need to develop the structures of Palestinian NGOs and raise the level of coordination between them, on the one hand, and between them and Lebanese NGOs, on the other hand, to better invest the available energies and resources and develop them to address the challenges of living conditions in the immediate post-Oslo stage, which was characterized by neglecting the relief and development needs of the Palestinian society in Lebanon.

A follow-up committee was formed after that workshop. In June 1994, an umbrella group for Palestinian NGOs was created under the name 'The Coordination Committee for NGOs Working in Palestinian Camps and Gatherings,' which included most NGOs legally registered with the Lebanese state until that date, and which adopted the slogan 'Coordination for Development'.

At that time, the Committee was formed from (15) local and foreign NGOs, including (6) local NGOs that were established before 1982⁸.

8 The Committee's associations are arranged according to the date of their licensing: The Palestinian Arab Women's Union (License No. 1180/1956); The Palestinian Camp Revitalization Association (Notice of recognition No. 46/ Ed., 1969); Samed organization (Notice of recognition No. 323 / Ed., 1973); Ghassan Kanafani Cultural Foundation (established in 1974); Najdeh Social Association (Notice of recognition No. 169/ Ed., 1977); the National Corporation for Social Welfare and Vocational Rehabilitation/ Beit Atfal Al-Sumoud (Notice of recognition No. 135/AD, 1980), the Social Professional Development Association (Notice of recognition No. 32/AD, 1988); The National Association for Medical, Social, and Vocational Rehabilitation Services (Notice of recognition No. 18 / 1989); The National Corporation for Health, Social and Educational Services (Notice of recognition No. 17/ Ed, 1989); People's Aid for Relief and Development (Notice of recognition No. 44/ Ed, 1990); The Arab Information Center for Folklore (Notice of recognition No. 54/

During the years of neglect of the Palestinian society in Lebanon that immediately followed the signing of the Oslo Accords, the Coordination Committee, as a network of licensed Palestinian NGOs in Lebanon, played an important role in networking with Lebanese CSOs as well as NGOs in Palestine and in the Arab world, and participated in many activities and events on different levels.

In Lebanon, the Coordination Committee cooperated with two Lebanese networks: the 'Association of Voluntary Civil Bodies in Lebanon', which includes 16 Lebanese NGOs and 8 foreign NGOs, and the 'Lebanon NGO Forum', which consists of 13 Lebanese NGOs, and benefited from the relations of these two networks at the Arab, regional, and international levels.

The Coordination Committee joined the Arab Non-Governmental Organizations Network for Development (ANND), which was established following the recommendation of the second preparatory meeting for the Copenhagen Summit and is still a member today.

Thanks to its networking efforts in Lebanon and the Arab world, the Coordination Committee was able, in its legal capacity, or in the individual capacity of any of its member NGOs, to participate in several regional and international conferences and events, of which: The Copenhagen World Summit for Social Development (March 1995); the Fourteenth United Nations Conference on Women (Beijing, September 1995); the Palestine Conference: Solidarity and Development (Paris, October 1995); The World Conference Against Racism known as "Durban-1" organized by the United Nations (2001); periodic conferences of the World Social Forum since its inception, and others.

In addition, Arab, regional, and international gatherings provided NGOs in Lebanon with channels of interaction and communication with their counterparts in the West Bank, Gaza, and the diaspora. For example, the Coordination Committee participated in a meeting in 1994, in which the Palestinian Non-Governmental Organizations Network (PNGO) – which consists of about 70 associations – participated, along with Palestinian NGOs from Jordan. This provided an opportunity for NGOs in Lebanon to communicate and interact with their counterparts in Palestine and Jordan.

On the sidelines of this meeting, an intensive dialogue was held between the Coordination Committee and these NGOs to reach a more accurate and comprehensive knowledge of the specific challenges facing the Palestinian civil society

Ed, 1990); The Disabled Social Association (Notice of recognition No. 446 / Ed, 1990); Kindergarten Information and Training Center (Notice of recognition No. 496/AD, 1993); Norwegian People's Aid (NPA (Republic Decree No. 829/1990); Save the Children Fund (UK) (Republic Decree No. 5329/1994).

in each region, and develop mechanisms for coordination and cooperation based on the exchange of experiences and support, stemming from the unity of the Palestinian people, despite their exile.

Out of the dialogue emerged the idea of organizing meetings between NGOs operating in the Palestinian territories and those operating in Lebanon, Jordan, and Syria, to discuss means for developing a unified vision for the refugee issue and reach a just and lasting solution to the problem within the framework of the full implementation of the right of return. This dialogue resulted in a workshop held in Cyprus entitled: "The Future of the Palestinian Refugees in Light of the New Political Conditions" (Larnaca, 15-16 March 1966). Participants discussed developing and strengthening communication mechanisms between NGOs in Palestine and the diaspora, and ensuring their continuity. The workshop program included presenting and discussing working papers on the economic, social, legal, and cultural conditions of Palestinians in Lebanon, Palestine, Syria, and Jordan. The workshop resulted in an action plan that included the "Program for Defending the Rights of Palestinian Refugees", with the aim of confronting the political challenges emanating from the Oslo peace process, and mobilizing Arab and international public opinion towards improving the economic and social conditions of refugees in the countries of the diaspora, on the one hand, and supporting the right of return, on the other hand (Suleiman, 1997, pp.402-407).

The Coordination Committee of NGOs operating in Palestinian Camps and Gatherings has, over the past years, kept pace with most local, regional, and international conferences and seminars dealing with the Palestinian cause, the right of return, and the basic rights of Palestinian refugees in the diaspora countries, especially in the five areas of UNRWA operations.

Taawon Organization (1995)

In parallel with the role played by the Coordination Committee in the aftermath of Oslo (1993), the Taawon Organization emerged as a donor and sponsor of Palestinian civic engagement in Lebanon⁹.

Until 1993, Taawon supported a restricted number of Palestinian NGOs, according to a limited annual budget of about one hundred thousand US dollars, considering Lebanon an annual emergency program. During the post-Oslo era, like many other international NGOs, Taawon focused on the development of the Palestinian self-rule areas, considering the development of these regions as

⁹ Taawon is a non-profit organization operating in Palestine and in the diaspora camps. It was established in Geneva in 1983 at the initiative of a group of Palestinian and Arab economic and intellectual personalities.

key to the ‘peace process’. However, since 1995, Taawon began to recalibrate its support program in Lebanon, following the developments in the peace process and its disregard for the conditions and fate of the Palestinian refugees in the diaspora, especially in Lebanon. This also resulted from Taawon joining the formation of the Coordination Committee as an observer member.

The evaluation process was carried out within a comprehensive study of the Palestinian situation in Lebanon, which was assigned to a working group headed by Dr. Youssef Sayegh, representative of Taawon in Lebanon at the time. One of the most prominent recommendations of the study was the proposal to increase the annual budget in the 1995 draft budget (which amounted to two hundred thousand US dollars) and divide it among the following programs: developing human resources (70%), developing the work of associations and improving their performance (15%), and heritage (15%).

Based on the results and recommendations of the study, the Board of Trustees of Taawon approved, in April 1995, a three-year program with a total budget of about one million US dollars, provided that support was directed to specific programs with a ‘tangible impact’ in order to ensure accountability and transparency. From 1995 until today, Taawon’s program in Lebanon has developed significantly, the budget has steadily doubled, and the number of partners NGOs has increased. For instance, the program budget for the period (2020-2022) amounted to about \$17 million.

Taawon is currently partnering with about 40 NGOs operating in three main sectors: education (early childhood, basic education, and university education); community development (hospitalization, dialysis, disability, capacity building, youth empowerment, and relief); and culture (libraries, and music and arts). The largest share of the community development budget is directed to health¹⁰.

The activities of Taawon in Lebanon reflect the role of Palestinian businessmen’s networks in Palestine and the diaspora and their engagement towards Palestinian refugee communities in the diaspora, by addressing their living needs after the neglect faced since the start of the Oslo peace process.

The Palestinian Right to Return Movement (Al-Awda)

The Palestinian Right to Return Movement (Al-Awda) was launched by popular initiatives of the Palestinian civil society in Palestine and the diaspora, in the late 90s. . The Movement transcends groups and geography, and aims to confront all forms of compromises over the right of return.

¹⁰ Source: Archive of the Taawon office in Lebanon.

The Return Movement in the West Bank emerged following the signing of the Oslo Accords, when civil society activists began to sense the danger of peace negotiations over the right of return, and held a conference in the Al Far'a Camp in Autumn 1996. Later, in 1998, the "Resource Center for Palestinian Residency and Refugee Rights – BADIL" was established in Bethlehem and played a crucial role in spreading and disseminating the culture of return, and in coordinating and networking between return groups and committees in Palestine and the diaspora¹¹.

The Return Movement resulted in the establishment of the "Palestinian Return Center" in London (1996)¹², and the formation of the Aidoun (Returnees) Group in Lebanon (1999), which was the first group to defend the right of return in the diaspora¹³. This group contributed to the establishment of a similar group in Syria in the early 2000s, known as the Aidoun Group/Syria.

Both groups worked within one network, in close cooperation and coordination with an alternative center in Palestine. In 2006, the Thabet organization was established in Lebanon to defend the right of return¹⁴, and the Palestinian Return Gathering, Wajib, was formed in Syria¹⁵.

These two organizations worked closely with the Palestinian Return Center in London. In April 2000, a Right of Return conference was held at the Boston

11 The Resource Center for Palestinian Residency and Refugee Rights – BADIL is a non-profit organization whose vision and mission are based on the principles of international law. The center works to enable refugees to exercise their right to return to their original homes and properties from which they were expelled in 1948.

12 The center is concerned with activating the cause of the Diaspora Palestinians and demanding their right to return to their homes. The center is a media and academic resource that seeks to be a tributary to the political activity of the Palestinian cause, especially the issue of return.

13 Returnees launched its founding statement on November 29, the anniversary of the partition of Palestine and the International Day of Solidarity with the Palestinian People. The group was formed from a number of intellectuals, academics, and civil society activists, and it is a group independent of the Palestinian factions and organizations. In 2008, the group was legally registered in Lebanon as a Lebanese association under the name "Refugee Rights Center/Returnees" (Notice of recognition 1623, ed.d/2008).

14 The Thabet Organization is a non-governmental, media and cultural organization based in Lebanon. It is concerned with the issue of refugees and their right to return to their homes from which they were expelled during the Nakba in 1948.

15 The Palestinian Return Gathering, an independent popular gathering, was launched in the Palestinian camps in Syria, and seeks to highlight the issue of return at its popular, media and research levels, and to demand this right and call for adherence to it, based on the vision of (obligation) and the ineligibility of any party to waive the right of return, whether it is an individual or a political, international or popular group.

University School of Law, at the initiative of the Arab Student Association and the Trans-Arab Research Institute (TARI)¹⁶.

The Boston Conference resulted in the agreement of the Right of Return committees that participated in the conference (Badil Center, Aidoun Group/Lebanon, the Confederation of the Right of Return in Europe, and the American Al-Awda Organization) to closely coordinate and cooperate with each other.

As a result, these committees, following the initiative of BADIL Center, convened a founding meeting in Larnaca, Cyprus (6-10/10/2000), on the eve of the start of the second intifada, in which several NGOs participated as well as participants from the Boston Conference. Twelve committees and bodies¹⁷ attended from historical Palestine, Syria, and Jordan.

In Cyprus, the idea of establishing the International Palestinian Coalition for the Right of Return was born and was officially announced during the second coordination meeting held in Brussels (November 2001). Since its establishment, the Coalition held 14 periodic meetings for Return groups in historical Palestine, Arab host countries, Europe, and North America until 2016, before it stopped convening. Lebanon hosted the tenth, the eleventh meeting, and the fourteenth meeting of the Coalition.

The Civil Rights March (June 2011)

This March was organized on 17th June, 2010, on the initiative of Palestinian NGOs, after preparations and strenuous efforts that lasted for several months. Its main idea was based on an equation: “If adhering to the right of return and refusing settlement is a common Lebanese-Palestinian constant, then let us work, Lebanese and Palestinians, to fight it together, but through rights” (Suleiman,

16 The Pan-Arab Research Institute (TARI) is a civil institution established by Palestinian academics. Its board of trustees was chaired by the late Dr. Naseer Aruri. This institution aims to encourage scientific research on Palestinian refugees and the right of return and to push the return movement forward by stimulating coordination mechanisms and strategies between its parties, without presenting itself as a substitute for any of them. The proceedings of the conference were published in a book, see below:

Naseer Aruri (ed.). (2001). *Palestinian Refugees: The Right of Return*. London: Pluto Press.

17 The participating bodies and committees are: BADIL Center (Palestine); the Association for the Defense of the Rights of the Displaced Inside the Green Line (Palestine 1948); the Committee for the Defense of Refugee Rights (Palestine); the Union of Social Youth Centers in Palestine; Aidoun Group (Lebanon); Aidoun Group (Syria); The Higher Committee for the Defense of the Right of Return (Jordan); the Right of Return Coalition in Europe; Jaffa Cultural Center (Palestine); the Federation of Women’s Activity Centers (Palestine); the popular committees in Palestine; the Right of Return Coalition in America.

2012). This equation was reflected in the main slogan of the march: “We want to live in dignity until we return” (Palestinian Popular Struggle Front, 2010).

The aim of the March was to lay pressure on the Lebanese legislators to achieve these rights. Thousands of Palestinians marched from all the Palestinian camps and gatherings in Beirut, the south, the north, and the Bekaa Valley to the Lebanese parliament. A hundred Lebanese and Palestinian NGOs participated, in addition to the United Nations organizations operating in Lebanon and international human rights organizations.

This March was held prior to the session of the Lebanese parliament in August 2010, which discussed law proposals submitted by some parliamentary blocs regarding the basic rights of Palestinian refugees in Lebanon. The March was not allowed to advance towards the Parliament building, so it stopped at the United Nations (ESCWA) building instead, as it is the closest point to the Parliament. The Palestinian factions joined the March and adopted its goals, and their representatives delivered speeches in front of the crowds. Civil society activists, who organized the March, presented to the relevant authorities a memorandum regarding the basic rights of Palestinian refugees, especially the right to work.

The March received wide media coverage and prompted the Lebanese Parliament to discuss the rights of Palestinians after a long wait and procrastination in its plenary session on (17/8/2010), in which it amended Article (59) of the Lebanese Labor Law and Article (9) of the Social Security Law, and issued Laws (129) and (128) related to the Labor and Social Security Law, respectively. It is worth noting that these two laws have not gained any legal force until now, because, according to Lebanese law, they need implementation decrees to enforce them. The latter have not been issued until now.

The March of Return on the 63rd anniversary of the Nakba (2011)

The March was organized on the 63rd anniversary of the Nakba at the exclusive initiative of the Palestinian civil society in Lebanon. Later, the various factions joined and sought to invest in it for narrow political and organizational purposes. What distinguished this March was that it started from the camps, with roughly 70,000 Palestinian participants, most of whom were from the third generation of the Nakba, and were born in the diaspora.

The scene was truly majestic, as many carried their grandfathers and grandmothers on their backs up to the hill of Maroun al-Ras, which overlooks Palestine. These young men and women stormed the barbed wire separating them from Palestine, which resulted in six martyrs.

The March of Return claimed the “right of return / basic rights” of Palestinians. Through marching to the Lebanese-Palestinian border, Palestinians made a symbolic return to their villages and cities located behind the barbed wire and announced their firm adherence to their right of return and their refusal to exchange it for the “illusion of a state,” as promised by the Oslo Accords. Two similar marches were organized at the same time by Palestinians, one towards the Syrian-Palestinian border and another to the Jordanian-Palestinian border.

The popular uprising against the plan of the Lebanese Minister of Labor (July 2019)

In July 2019, Lebanese Minister of Labor Camille Abu Suleiman announced his plan to “combat illegal foreign labor on Lebanese soil.” In practice, the plan’s field measures affected Palestinian workers and employers, considered as ‘foreigners’ according to Lebanese legislation.

As a result, protests and anger raged the Palestinian camps and gatherings in Lebanon, which took the form of a spontaneous popular uprising and brought to mind the uprising of the camps in 1969 (with different contexts and motives). Nonetheless, this uprising soon began to organize, inspired by the experience of the first intifada in Palestine in 1987. It also succeeded, to a large extent, in unifying its slogans behind a basic slogan: “No displacement, no resettlement, we want to return to Palestine” (Al-Bardan, 2019). The uprising continued until the October 2019 revolution in Lebanon, which changed the conditions and priorities in the country.

Youth were forced by Palestinian factions to join the uprising. The Ain al-Hilweh camp - considered lawless by the media - provided a model for this popular uprising or for this peaceful popular movement. A march was organized on Friday, 16 July, in Camp, in which various factions and CSOs participated, as well as children, the elderly, women, and school students.

Local Palestinian civil society initiatives in the Lebanese camps

Although the PLO, the PA, and the various factions recently increased their modest support for the health and education sectors, as well as their cash and in-kind assistance, the Palestinian civil society in its various structures played a prominent role in alleviating the severity of the crisis, through launching many community initiatives that provided various forms of aid and assistance to the most affected societal groups.

In this context, the civil defense teams in the camps implemented preventive measures at the entrances of the camps and inside them to help prevent the

spread of Covid-19 (Al-Ali, 2020), while other NGOs manufactured masks in the shape of the Palestinian keffiyeh, and collected donations and provided cash and in-kind assistance to the elderly and the most vulnerable groups.

In addition, the Palestinian Civil Defense teams, along with other youth groups, participated in rescue efforts and the removal of rubble in the aftermath of the Beirut port explosion. Their efforts were appreciated and covered by the Lebanese media.

Among the new youth initiatives that emerged from the womb of civil society, we mention Mamnou' Hada Yjou; initiative (No one should starve) (Shaba-beek, 2021), and Al Dawa Hak Lil Jami group (Everyone should have access to medicine). Such initiatives usually depend on the local support provided by Palestinians from the camps who are living abroad.

Conclusion

Palestinian civic engagement in Lebanon faces several obstacles and challenges. These are particularly related to the legal, social, and economic frameworks that govern the lives of Palestinians in the country, and the work of Palestinian NGOs in particular.

Some of these obstacles and challenges are also faced by the civil society in many Arab countries, while others are specific to the Palestinian context in general, and that of Palestinians in Lebanon in particular. These conditions bear the repercussions of the peace process in the aftermath of Oslo until this day.

The most prominent obstacles and challenges include:

- The weak relationship of NGOs with scientific groups and scientific research frameworks, which constitutes an obstacle to reaching an accurate diagnosis of the actual needs of the Palestinian society and prevents rationalizing their programs and directing donor support towards those needs.
- The increasing dependence of NGOs on external funding sources, which makes their work more vulnerable to foreign policy changes and subject to the conditions of financiers.
- The weak level of coordination between the various Palestinian civil action frameworks, regardless of their legal status, which constitutes a waste of energy and human and financial resources.
- Weak volunteering initiatives due to the absence of the culture of volunteering

on the one hand, and the pressing economic and social conditions on the other hand.

- Weak democracy, monitoring, accountability, and transparency in general. The weakness of the administrative and institutional structure and the shortage in the number of sufficiently trained cadres to carry out some specialized tasks, such as analyzing and correcting policies, managing and investing information, and advocacy skills

The most prominent challenges and obstacles that stem from the specificity of the Palestinian situation in general and the repercussions of the political situation since the start of the peace process:

- In the aftermath of Oslo, the interest of many donor countries and international NGOs has been directed towards supporting the autonomous regions, at the expense of other diaspora regions, including Lebanon. Furthermore, donors' external support policy aligned with the priorities of the political agenda of the peace process. These included imposing financing conditions under the pretext of the so-called "war against terrorism". This increased the burdens borne by civil society in view of the limited resources and the exacerbation of needs, and also prevented some NGOs that have opposing or conservative positions regarding the "peace process" from benefiting from some sources of external (European) funding, which sometimes led to drying up of their resources.
- The challenge of harmonizing between 'relief' and 'development', considering the reality experienced by the Palestinians in Lebanon, in which the need for relief services is constantly emerging (wars, displacement, and economic crises). The transition from the emergency relief pattern to the development pattern requires not only special budgets and programs but also the existence of flexible structures capable of adapting to the circumstances of wars and crises. In this regard, NGOs have learned a lot from the experiences of the internal wars and the Israeli wars against Lebanon and the accompanying internal displacement. However, this emergency transition confuses their programs in providing sustainable services that enhance the concept of human development. In any case, the comprehensive development of the Palestinian society in Lebanon remains a difficult issue in a 'refugee society' that is deprived of basic human rights, marginalized, and not integrated into the fabric of Lebanese society and the economic system of the host country.
- The challenge of reconciling social/developmental, human rights, and cultural engagements related to the promotion of national identity, on the one hand, and national engagement, on the other hand, without one being a substitute

for the other, and without NGOs entering the political field and competing with factions, parties, and political movements. This problematic deepens in the absence of a unified reference for the Palestinians in Lebanon, considering the continuing Palestinian division and the failure to date to rebuild the PLO on inclusive national foundations.

Addressing this problematic requires a keen awareness of the Palestinian civil action frameworks in Lebanon. In this context, they should consider that social/developmental, human rights, and cultural engagements are in fact political, and give way to restituting the weight of politics¹⁸.

The delicate balance between these components will enable Palestinian NGOs in Lebanon to become grass-roots movements that constitute an active element in the Palestinian society in Lebanon. Accordingly, their role would not only be related to providing services, but also to act as agents of change and social mobility, just like in Palestine during the first intifada. Balancing between the various forms of social/developmental work and national engagement would enable civic engagement frameworks in Lebanon to become part of the broader Palestinian society movement in Palestine and the diaspora. As such, they will be able to express the national interests and goals shared by the diaspora refugees (basic human rights, the right of return and the right to self-determination) through the unity of the people and the land.

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18 This problematic was discussed in the regional workshop organized by the “Arab Resources Workshop” in Cyprus (May 1994) on the reality of Arab civic engagement in today’s world, and a number of Palestinian NGOs from Lebanon participated in it. For more details, see: Arab Resources Workshop, *Civil Action in Today’s World* (Beirut: Dar Bissan, 1995), pp. 7-16 and 32-36.

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Post-Oslo Transformation of the Role and Status of Palestinian Popular Unions

Hamdi Hussein

The Palestinian domestic front is going through a difficult period due to organizational and programmatic failures, the weakness of the Palestinian national movement with its various components, and the alienation and dispersion of its supporters. The role of the Palestine Liberation Organization (PLO) as an inclusive national umbrella has become weaker, particularly after it was replaced by that of the Palestinian Authority since the Oslo Accords. Its status has changed, and its role has become limited to traditional functions. The PLO departments have reached a state of severe decline due to administrative bureaucracy, the lack of flexibility, outdated bylaws, and the appointment of the same persons. Main administrative positions are occupied by the same individuals representing the Palestinian Authority, the PLO, and leaders of political factions. In addition, the PLO suffers from a weak geographical representation since the relocation of its headquarters from the diaspora to the homeland.

The PLO's weakness was reflected on its departments and institutions, particularly popular unions, which are at the bottom of its pyramid. Popular unions were created to represent Palestinian social groups and occupational categories in all their locations, mobilize their capacities, and organize them within the framework of the national liberation project. Nonetheless, these unions have undergone functional and structural transformations that have led to the decline of their representative status and the weakening and fragmentation of their bases. The post-Oslo period witnessed a decline in the weight of the diaspora institutions of the PLO in favor of the Palestinian Authority and its institutions, especially after their headquarters relocated to the homeland. This reduced the PLO's geographical expansion and isolated it, thus diminishing its role in the diaspora. Its marginalization increased after the role of the Palestinian National

Council was disrupted as a legislative body that monitors the departments and institutions of the PLO. Simultaneously, the interest in building the Palestinian state institutions increased, and so did popular demands. New sectors emerged under the “state project”, and more importance was given to social, economic, livelihood, and union objectives at the expense of popular political action linked to the liberation project and the struggle against colonialism across social and professional groups. Popular unions did not keep up with these transformations and lacked the ability to update their systems, structures, and mechanisms of action. Consequently, they started to lose their control and leadership role in favor of trade unions. In addition, popular unions witnessed a decline in their ability to communicate with the diaspora, which led to the diminishing of their representative role and effectiveness. They also lost the support of the masses in the homeland because of their inability to achieve the demands of the groups they represent.

The study argues that the role of popular unions declined after the Oslo Accords because of political and transitional factors, which impacted their social environment. These include: the hegemony of political parties on the work of unions and the latter’s compliance with party quotas, the lack of a free democratic option, the election of union members by acclamation, based on the interference and influence of political parties and external actors, the adoption of outdated bylaws, and the lack of union independence. Accordingly, these unions have stopped representing all Palestinians, but only certain groups instead. In addition, the presence of union bodies outside popular unions has led to their disruption, and has weakened their impact and representation. Examples of this include: divisions and conflicts within labor unions, their inability to protect the social and economic rights of their members, and a decline in their public role and political struggle.

The study investigates the reality of popular unions affiliated with the PLO, which include 16 federations and unions. The paper provides a historical overview of the formation of popular unions by addressing the stages they went through and the characteristics of each stage, starting from the idea of a mass nationalistic action from the diaspora after the Nakba, the establishment of the PLO – which included all unions – and the struggle for a Palestinian entity after the Naksa of June 1967. Furthermore, the study focuses on the transformations triggered by the Oslo Accords of 1993, and the establishment of the Palestinian Authority in 1994, and their impact on the status and role of unions. The importance of this paper lies in shedding new light on popular unions as social actors, that play a role both in the struggle and within unions as part of the national liberation project, while seeking to preserve the cohesion of the Palestinian social fabric, the rights of Palestinian refugees, and

their independent identities and subjectivities, in the camps and the diaspora.

The study is based on the descriptive analysis and comparative methods, and clarifies the causes of transformation, its contexts, and its milestones since its inception, with a focus on the post-Oslo transformation context (1993-2021). It relies on the historical methodology to analyze current problems based on previous evidence. The research is based on official literature and documents, in-depth interviews with activists affiliated with these unions, and union activists in general.

The study seeks to discuss the impact of the Oslo Accords on the Palestinian popular unions in the diaspora and the homeland, through answering the following sub-questions: What are the most prominent stages of the emergence and development of Palestinian popular unions and their characteristics in the homeland and the diaspora? To what extent did the Oslo Accords contribute to bringing about structural and functional changes to the PLO and its institutions? What are the main problems and challenges facing unions after the Oslo Accords? What are the most prominent suggestions to overcome these problems?

First: The Establishment and Development of Popular Unions

The PLO defined popular organizations and unions as democratic, popular, and organized structures based on profession, gender, or age. Their mission was to act as productive organizations that participate in, and highlight the political struggle and action towards achieving national unity. It also defined them as frameworks to mobilize and organize the different Palestinian sectors, and connect them to the national struggle movement represented by the armed Palestinian revolution (Wafa, 2022).

Omar Assaf agrees with this definition. He considers that popular unions are a synonym for mass or popular organizations and take the form of political or social organizations that seek to achieve liberation goals. In addition, a union implies that its sectors are organized to serve the liberation goal and attract more members for the sake of political and military action (2013, p. 173).

Popular unions have gone through several stages since their establishment. Political factors and the social conditions of the masses have contributed to bringing about changes and developments in their composition and interactions in the homeland and the diaspora according to the following stages:

- 1. From Nakba to Naksa:** Interest in Palestinian public action became prominent after the Nakba of 1948, which caused the destruction of the

social and economic structures of the Palestinian society and dismantled its institutions; thus, suppressing its identity. Consequently, the national movement, unions, and associations were merged with their counterparts in the diaspora and became active within the framework of Arab political parties – including the Arab Nationalist Movement, the Ba’ath Party, the Muslim Brotherhood, and others, such as the Palestine Arab Workers Society, which was active before the Nakba and held its last conference in 1947. The 36 members of the Palestine Arab Workers Society fled to neighboring Arab countries, and some of them contributed to the founding of the General Union of Palestinian Workers at a later stage (Abu Fakher, 2008, p. 140).

Considering the growing concern over the Palestinian cause, Palestinians started searching for their national identity within their multiple subjectivities, and their role in restoring their homeland without strictly relying on Arab regimes. In this context, the diaspora witnessed Palestinian popular movements and activities. Associations of students, women, and scouts were formed, as well as sports clubs. They expressed the impact of the Nakba on strengthening popular activism (Youssef, 1973, p. 79) and paved the way for the founding of popular unions from the late fifties till the mid-sixties. In that same period, the concept of the PLO came to life. As a result, the General Union of Palestinian Workers was established in 1963, the General Union of Palestinian Women in 1965, and at a later stage the General Union of Palestinian Teachers was founded in 1969 by a political decision from the PLO. This was accompanied by the establishment of the Department of Popular Organizations (Assaf, 2013, p. 173-174).

The Palestinian unions movement represented an expression of the Palestinian reality after the Nakba. Political action and mobilization for the sake of liberation was the main motive for forming unions, as stated in their constitutions and bylaws. An example is the constitution of the General Union of Palestinian Students, which stipulated that the establishment of the Union came within the framework of democratic popular organizing on the right path for return. The General Union of Palestinian Workers defined its role as supporting the PLO and building relations with other organizations. Also, the General Union of Palestinian Teachers believed in “building the militant personality of the Palestinian people and raising a nationalistic younger generation that serves the goals of the revolution and liberation.” Union work as such was considered a secondary goal, whereas the primary goal was political action (Youssef, 1973, p. 60-61).

The PLO showed interest in popular unions that existed before and after the organization’s establishment. In the second session of the Palestinian

National Council, which was held in Cairo from 31/5-4/6 1965, a decision was issued by the media department of the PLO to “adopt the seminars and activities carried out by federations, unions, organizations, and other institutions affiliated with the PLO” (Saleh, 2004, p. 109). Another decision was taken related to increasing the budget allocation of the Department of Popular Organizations from 10,000 Jordanian Dinars to 100,000 Jordanian Dinars, with a particular focus on the General Union of Palestinian Students (Saleh, 2014, p. 110-111). The PLO sought to develop and organize popular action. Accordingly, the Council approved the “Popular Organizing Law”, based on the experience of liberation movements in Algeria, to enable proper popular action for the liberation of Palestine based on liberal foundations that achieve discipline, commitment, and common action. The Council approved the opening of new branches for the Department of Popular Organizations to support existing unions and organizations; urge Arab countries to provide the necessary facilities; benefit from the activities of the National Council members, tribal and clan elders, and popular representatives in the camps in the early stages; and encourage federations to work under the umbrella of the Department of Popular Organizations (Saleh, 2014, p. 11). “It is not a party but rather a vessel that gathers the working forces of the Palestinian people, and acts as the starting point for serious action towards the liberation of Palestine” (Wafa News Agency, 2021).

Interest in popular organizations remarkably increased in the third session of the National Council, which was held in Gaza between 20-24 March 1966, and the founding of organizations was finalized in areas where their activity was allowed. The Council approved a plan for popular organization and recommended its implementation by the Executive Committee in all Palestinian territories. Authority to deal with local issues in areas where popular organizations were formed was given in accordance with the Law of Popular Organizations, under the directives of the Leadership. The National Council called upon the Department of Popular Organizations to conduct studies on the relationship of unions with the PLO and its affiliate popular organizations. It also granted the General Union of Palestinian Women the right to represent women in Arab and international conferences. The Council also referred to the participation in the General Conference of Popular Organizations in the presence of members of country offices elected and appointed by the Leadership in the countries where elections could not be held. Elected members would replace appointed members if elections were held (Saleh, 2014, p. 122-123). This approach encountered various difficulties because some Arab countries

did not support the formation of organizations affiliated with the PLO, and the PLO was unable to conduct a census of Palestinians residing in these countries (Wafa News Agency, 2021).

During that period, popular unions became subject to the dominance of the political aspect over the union aspect, as they aspired for the liberation of Palestine. For example, the General Union of Palestinian Workers worked for, and contributed to mobilizing international solidarity for the Palestinian cause in Asian and African countries. Furthermore, the Union became involved in Arab nationalist causes related to fighting Zionism, colonialism, and Arab regression. It issued political statements on various occasions, and limited its union activities to submitting a memorandum to the Kuwaiti government to prevent the layoffs of Palestinian workers, and another memorandum to the Arab labor ministers asking them to treat Palestinian workers as equals to other Arab workers (Assaf, 2013, p. 179-180).

- 2. After the Naksa of June 1967**, the PLO began working for the establishment of a Palestinian entity and building an independent Palestinian identity. Therefore, it shifted its activities from the framework of the Arab National Charter to that of the Palestinian National Charter (Hussein and Bader, 2017, p. 18). As a result, the focus of popular organizations shifted from the Arab dimension to the Palestinian one. During the fourth session of the Palestinian National Council, held in Cairo between 10-17 July 1968, the Council focused on the “necessity to organize people and mobilize their energies to support the struggle and promote national unity to pursue the revolution until victory” through union activities in the camps and the diaspora, including cultural activities and conferences aimed at expanding popular bases, presenting popular demands, improving resilience, and raising scientific capabilities. The Council decided to replace the concept of popular organizations (which included all Palestinian actors - such as unions, organizations, clans, and others - in the liberation project and adhered to unity, common action, and discipline) with that of organizing popular sectors according to unions and professions. It established the Department of Popular Organizations, which includes popular unions. The latter would be subject to the supervision of members of the Executive Committee for follow ups on the implementation of the plans of federations, organizations, and unions. It would also be responsible for organizing professions, forming committees for mass mobilization, and addressing the cultural and social aspects.

A Higher Council was formed to this end from existing federations. It adhered to the decisions of the National Council and the Executive

Committee related to popular organization and their implementation for the sake of achieving national unity. The Higher Council set the general policy for union activities, coordinated their efforts, and connected them to the armed struggle. The Council submitted a recommendation to the Executive Committee of the PLO to financially support unions and provide facilities to carry out their mission. It also announced the formation of a national sub-council in every Arab country in which popular organizations existed, in cooperation with other national groups and the country office of the PLO. The Council established an office for the Occupied Territory Affairs and entrusted the Executive Committee of the PLO to set regulations for its relationship with unions and the Supreme Council of Federations, while highlighting the need to merge similar unions (Saleh, 2014, p. 146-147).

Most popular unions focused on external media as a basis for mobilizing and building relations with other Arab unions and organizations, through conducting visits and sending delegations to participate in Arab and international conferences. However, the General Union of Palestinian Workers adopted a different trend that focused on the social aspects, and working with the masses by setting up offices in the camps and providing services to workers. At a later stage, the General Union of Palestinian Workers established productive and cooperative organizations with the support of other Arab unions. These projects included the purchase of 80 sewing machines, 3 tractors, carpentry machines, an electric generator, and others; and contributed to securing the needs of fighters, as workers endured social challenges on account of their participation in the revolution, and many families lost their productive youth (Youssef, 1973, p. 105-110).

In its fifth session, which was held in Cairo from 1-4 February, 1969 within the framework of confronting the “liquidation initiatives and projects of the United Nations and the Soviet Union”, represented by Resolution 242 issued by the Security Council on 22nd November 1967, and the Soviet project that aimed at setting a timetable for the implementation of the Security Council resolution, the Palestinian National Council called for the preparation of a comprehensive plan for popular organizing and supporting Palestinian popular organizations (Saleh, 2014, p. 155). In its sixth session, held in Cairo between 1-6 September, 1969, the Council decided to establish the People’s Organizing Committee. Moreover, it emphasized the decisions that resulted from the fourth session of the council, the unity of the Palestinian people in Palestine and Jordan (Saleh, 2014, p. 60-67), and its support for Palestinian unions to fully play their role related to the Palestinian cause (Saleh, 2014, p. 175). Furthermore, the Council showed

interest in popular organizing during the ninth session held in Cairo from 7-13 July, 1971, by providing urgent aid to unions amounting to 25% of the budget set for each by the Executive Committee (Saleh, 2014, p. 214).

The Department of Popular Organizations was founded in Cairo in 1969, in Damascus in 1971, and then opened an office in Beirut. In 1983, it relocated to Tunisia with the PLO. The function of the Department was to follow up on the plans and operations of unions, organizations, and grassroots organizations, without interfering in their internal affairs (Website of the PLO, 2021). Farouk Qaddoumi was appointed as its president.

The framework of the Department of Popular Organizations was crystallized during the eleventh session of the National Council, which was held in Cairo between 6-10 January, 1973. The Council discussed the Department in 27 items, describing it as “a democratic entity that includes popular organizations and unions.” The Department adopted a bottom-up approach according to the profession, gender, and age. It was based on mobilizing and organizing the different sectors of the Palestinian people and linking them to the Palestinian struggle movement. It also interacted with popular organizations through obtaining the expertise of cadres of organizations and unions active in public action and committed to the Palestinian National Charter and the political direction of the Palestinian revolution. Furthermore, the Department acted as a pressure group on the Palestinian leadership without violating its internal rules and regulations. The Department was also active through conferences, organizational frameworks, and periodic meetings with popular organizations and unions. It identified leaders to represent it in conferences and governing bodies, of the National Council, or any council that acted as an intermediary body with the Executive Committee. In 1976, the Department of Popular Organizations became an observer member of the International Labor Organization, supervising 12 popular organizations and unions¹. Its internal regulations were approved by the Supreme Council of Popular Organizations. Members included secretaries-general of unions and organizations, or their representatives.

1 Represented by: the General Union of Palestinian Students, the General Union of Palestinian Workers, the General Union of Palestinian Women, the General Union of Palestinian Writers, the General Union of Palestinian Expressionist Artists, the General Union of Palestinian Economists, the General Union of Palestinian Teachers, the General Union of Palestinian Jurists, the General Union of Palestinian Doctors and Pharmacists, the Palestinian General Federation of Engineers, the General Union of Palestinian Peasant and Co-ops Groups, the Higher Council for Youth and Sports.

The Supreme Council sought to strengthen the unity of popular unions and trade unions (Website of the PLO, 2021). After their establishment, unions committed to the Palestinian National Charter, on the condition that each would work on a unified strategy for the liberation of Palestine. Unions in Arab countries contributed to raising awareness of Palestinians on their cause through various national events and activities, and public conferences (Website of the Department of Refugee Affairs, 2021).

Unions combined both union activities and political action. They established trade unions for the Palestinian state to address the living, economic, and social rights of workers. This was paired with a focus on the national political aspect through political mobilization as well as political training for cadres and preparing them for leadership and the practice of democracy in its organizational frameworks (Wafa News Agency, 2021). An example of a union that was founded at the same time as the Department of Popular Organizations is the General Union of Palestinian Teachers, which was founded in August 1969 and worked on developing the educational curricula of Palestinians in the diaspora and supporting the Palestinian Revolution with educated cadres. The Union became a major pillar of the PLO on account of the presence of teachers in several countries and built relations with unions and federations that support the rights of Palestinians across the world (Muhaysen, 2018, pp. 44-50).

- 3. After the announcement of the ten-point program (Seed of the State project):** The interest of the Palestinian National Council in the Department of Popular Organizations partly declined after the announcement of the Ten-Points Program, which stated the intention to establish a Palestinian entity, during its twelfth session held in Cairo between 1-8 June 1974. The Council did not issue any decision regarding the Department of Popular Organizations, despite the presence of its representatives in the Council. Ten years after the last session, which dealt with the mechanisms of popular organizing and reviewed the work of the Department, the matter was referred to the Central Council, which evolved from a central committee to a council in 1984 by a decision of the National Council, to discuss developments on the Palestinian arena. A decision was issued by the National Council in its session held in 1987 in Algeria, to amend its structure and include popular unions, which were granted 11 seats out of 93 (Ishtiya, 2018).

The Central Council discussed unions and popular organizations in its sessions. However, its decisions did not complement those of the National Council related to the shape of the Department of Popular Organizations, particularly during the session of 1973. The decisions of the Central

Council did not reflect the decision to work in the framework of the Department of Popular Organizations but rather addressed unions and public action in general, and the need to strengthen their role in the field during the Intifada. This role was clarified during the fourth session of the Central Council, which was held in Baghdad nearly a month after the start of the First Intifada between 7-9 January 1988, and during which the Council issued a decision “to strengthen people’s committees and the national action committees in all confrontation sites in Occupied Palestine – in camps, villages, cities, universities, institutions, schools, popular organizations and bodies, and others,” without clarifying the mechanism or determining the person in charge of following-up on the matter. The fifth session of the Council, held on 31 July 1988, specified the mechanism of participation in the Intifada through the involvement of the different social groups – including students, workers, landowners, farmers, craftsmen, academics, merchants, and employees – in the popular struggle against the occupation (Wafa News Agency, 2021).

During its sixth session, held in Tunisia on 31st March, 1989, the Council focused on “the role of mass organizations – including the unified national leadership; popular committees; strike groups; academics, women, and students; economic, commercial, agricultural, and health actors; and others – the necessity to unify their efforts through the supreme councils and the unified national committees across all regions, and their ability to efficiently thwart Israeli maneuvers presented under misleading titles, such as municipal elections and self-administration, which are aimed at providing fictitious alternatives for the PLO.” The Council also stressed, during its eighth session held in Tunisia on 12th October, 1990, the importance of unified national leadership and specialized popular committees, as well as the necessity to deepen the popular character of the Intifada and consolidate national unity among the Palestinian people.

During its ninth session held in Tunisia from 21-24 April 1991, the National Council called for “strengthening the role of the unified national leadership and all other bodies, expanding their framework to ensure their participation in the Intifada, and developing the role of popular organizations and unifying them.”

Throughout this period, the National Council showed no interest in popular unions other than discussing the importance of promoting their role on the ground during the Intifada. In the nineteenth session of the Palestinian National Council, which was held in Algeria between 12-15 November, 1988 and was the first session after the beginning of the first Intifada in 1987, the Declaration of Independence was proclaimed and

called to support the Intifada through “strengthening and developing the people’s committees, as well as public and trade unions frameworks - including strike groups and the popular army - in order to promote their effectiveness and role” (Saleh, 2014, p298). The Department was not discussed. The National Council meetings focused on the developments on the international scene, UN resolutions, conspiracies, proposed political projects, the participation of the PLO in international conferences, and the idea of establishing a state.

- 4. After the Oslo Accords:** With the establishment of the Palestinian National Authority, the weight of PLO organizations declined in general, from its National and Central Councils to its popular base, organizations, and departments, after its headquarters were relocated to the West Bank and the Gaza Strip, isolating it from the Palestinian diaspora. This further marginalized the Palestinian National Council as a legislative body that monitors the status of the various departments through conducting periodic meetings with its members, who are also representatives of these departments.

At that time, there was an increased interest in building Palestinian state institutions. Furthermore, popular demands increased, and new sectors emerged within the framework of the state project. Therefore, more interest was given to union, social, livelihood, and economic goals, at the expense of popular political action related to the liberation project and the struggle against the occupation. In tandem, with the loss of its political weight on behalf of the Palestinian Authority, the PLO also lost its popular support. Consequently, the PLO witnessed an increased marginalization of its organizations, in which internal rules and regulations contradicted the reality created by the Palestinian Authority. These included the Department of Popular Organizations, which did not realize nor adapt to the transformations, and began to lose its control and leadership role in the absence of its central council. Furthermore, there was a strong increase in the establishment of trade unions while popular unions collapsed. Therefore, the Department became a supporter and observer of popular unions, supervising their elections rather than acting as a supreme mass political umbrella that leads, directs, and connects them to the liberation project (Website of the PLO, 2021). Accordingly, the Department did not keep pace with these transformations, in particular, the need to integrate mass political work and unions and organizations work with that of popular unions. Furthermore, it failed to renew and modernize the systems and tools that would enable it to integrate trade unions into popular unions and achieve unity with the branches of other unions in the country.

Considering the decline of the role of the Department, the Central Council of the PLO – which held 18 sessions after the Oslo Accords – called for its activation in more than one session. It allocated a few sessions to the Department, of which the twenty-first session that was held in Ramallah on 23-24 November 2008 and was entitled “the Declaration of Independence, Dr. George Habash, and Poet Mahmoud Darwish”. During that session, the Central Council called for developing and activating the PLO’s institutions and popular unions, as well as democratizing them and laying the foundations for partnership and democracy (Website of the Palestinian National Council, 2017). During the twenty-fourth session held in Ramallah on 16-17 March 2011, the Council called for renewing the bylaws and cadres of popular organizations by holding elections and conferences to meet the subsequent organizational and programmatic requirements (Website of the Palestinian National Council, 2017). During the thirtieth session held in Ramallah on 29 October 2018, under the title of “Khan Al-Ahmar session” and in the context of activating popular organizations, the Council issued a statement that included in its eighteenth item a decision to reconstitute and build the Supreme Central Council of Palestinian Popular Organizations and provide means for popular unions and trade unions to carry out their national and professional duties in all Palestinian diaspora countries and democratically renew their structures (Website of the Palestinian National Council, 2018). However, the decisions of the Council were not implemented, and the Department continued to suffer from deep-rooted problems at the political and trade union levels.

The National Council only held one session after the signing of the Oslo Accords, in 2018, during which it decided, based on the factions’ recommendations, to revoke the quota of popular committees from the electoral law for the upcoming elections of the Council, and grant these seats to factions.

Second: Main Challenges Facing Popular Unions after the Oslo Accords

After the Oslo Accords, the number of popular unions and trade unions reached 16, all of which were affiliated with the Department of Popular Organizations headed by Wassel Abou Youssef, a member of the PLO’s executive committee and Secretary General of the PLO.

Their work focused on the masses and union activities. However, the shift

in role and status led them to focus mainly on union activities and neglect the aspect of mobilizing the masses for the struggle, train cadres, and prepare them for political and militia work as part of the liberation project of the PLO.

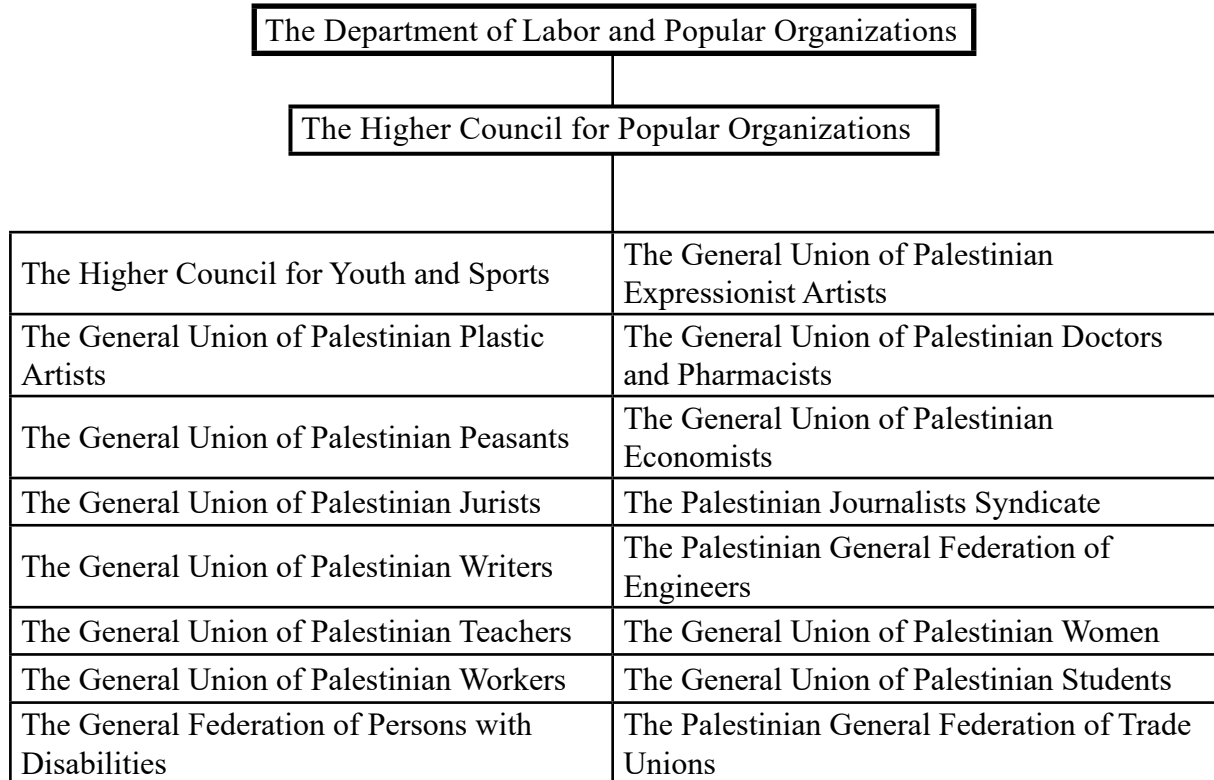


Figure (1) The organizational structure of the Department of Labor and Popular Organizations of the PLO

After the Oslo Accords and with the establishment of the Palestinian Authority, the Department of Popular Organizations experienced, like other departments affiliated with the PLO, organizational and representational challenges that led to a decline in its role and representation. The major challenges were:

Inactive unions

Some unions have been inactive for decades, such as the General Union of Palestinian Jurists, which was founded in 1975, and held five conferences prior to the Oslo Accords. Its General Secretariat moved to the Gaza Strip, where its activities were suspended until the passing away of 8 of the 23 board of directors' members and 4 of the 9 members of its General Secretariat (Website of the PLO, 2021). The same applies for the General Union of Palestinian Students, which was founded under the British Mandate in 1920 and held its first conference in 1936 (the Palestinian Encyclopedia, 2021). Its activity continued until after the Nakba, until the year 1959, when it joined the ranks of the PLO and held nearly 10 conferences, some of which were attended by the Organization's leaders. Its

latest elections were held in 1990. Following the establishment of the Palestinian Authority, the internal focus shifted towards student factions, which constituted the student movement in Palestinian universities in the occupied territories in 1967 (Mushtaha & others, 2020). 39 of the 49 branches of the Union have become inactive (Azm, 2018, p. 115).

The General Union of Palestinian Doctors and Pharmacists, which was founded in 1968, is no longer active on the Palestinian internal scene, despite the continuous work of its branches in the diaspora. The Union of Doctors, which was established in Jerusalem and Amman in 1954 (the Union of Doctors, 2021) and in Gaza in 2013 (AMAN, 2020, p9-10), and the Union of Pharmacists, which was also founded in Jerusalem and Amman in 1957, acted as independent unions that were not affiliated to other popular unions. They were affected by political changes, particularly the occupation of the West Bank in 1967, which led to the suspension of the work of the Union of Pharmacists in Jerusalem. It was reinstated in 1973, and elections were held, with Muhammad Al-Fatiani becoming the first president of the Union at that time (The Union of Pharmacists, 2021).

The absence of a free democratic choice

The weakness and slackness of active unions resulted in the lack of democracy, which was manifested in the absence of democratic elections, and the interference of external parties to appoint secretaries-general by acclamation or based on party quota, such as the appointment of secretary-general of the General Union of Palestinian Teachers, Saed Arzeighat, who was the director of a public school (Tamizi, 2021). This led to the consolidation of state control and the increase of conflicts of interest (Masarat, 2014, p. 19). Furthermore, an old electoral system still prevails, based on which members of the administrative body and the general secretariat of unions are chosen during a general conference attended by external political figures. This deprives union members of their right to vote, and constitutes an entry point for external interference in the work of unions. Sometimes, such conferences are held for the purpose of declaring a new, previously agreed upon secretariat. An example of that is the elections of the General Union of Palestinian Teachers in 2019, in which the central Fatah movement appointed Saed Rizeigat as the Union's secretary-general. This was announced during the Sixth Union Conference, which was attended by President Mahmoud Abbas and Prime Minister Muhammad Shtayyeh, and aimed at electing the secretary-general. However, two Central Committee members of the Fatah Movement, Azzam Al-Ahmad and Tawfiq Al-Tirawi, informed candidates that the election of the secretary-general would not be made through voting but through a recommendation from the Fatah Central Committee (Safa, 2021).

The absence of democracy deprived many competent individuals and activists of leading unions, for not being affiliated with any faction. This also resulted in the appointment of secretaries-general or members of the general secretariat based on their political affiliation, such as the secretary-general of the Palestinian General Federation of Trade Unions, Shaher Saad, who has been holding his position since 1997 (Buwatna, 2021). Furthermore, unions were affected by political division and became an arena for conflict and competition among factions. This has led to the growing crisis of the unions' search for their partisan identity at the expense of their independent union and popular role.

Union	Latest elections	Electoral mechanism
The General Union of Palestinian Peasant and Co-ops Groups	2015	Third general conference of the Union (Dunya Al Watan News Agency, 2015)
The General Union of Palestinian Workers	2021	Appointment of Shaher Saad by acclamation as Secretary-General of the Union for the sixth time (Al Quds News Network, 2021)
The General Union of Palestinian Women	2009	Fifth general conference (Wafa News Agency, 2009)
The General Union of Palestinian Writers	2019	General conference (AMAN, p. 23)
The General Union of Palestinian Expressionist Artists	2015	Appointment of Secretary-General by acclamation from the Fatah Movement Commission (Al Hadaf News Portal, 2015)
The General Union of Palestinian Economists	2019	General conference held in Ramallah (Dunya Al Watan news agency, 2019). The former elections were in 1989 (AMAN, 2020, p. 22)
The General Union of Palestinian Teachers	2019	Appointment from Fatah Central Committee despite organizing the sixth conference (Wafa News Agency, 2019)
The Palestinian General Federation of Engineers	2017	General conference. Appointment of union head by acclamation based on national and factional consensus. (Federation of Engineers, 2017).
The Higher Council for Youth and Sports	2011	The council was formed by a presidential decree with the appointment of the president and members (Wafa News Agency, 2011).
The General Federation of Persons with Disabilities	2018	The founding conference of the federation (Ma'an News Agency, 2021)

Table (1) Date of latest elections and electoral mechanism in active unions.

Lack of political independence of unions

Political interference in the affairs of the unions is manifested by the holding of general conferences for unions under the auspices and with the attendance of government or party figures, who are also present during the electoral process. This contradicts the independence unions seek in their bylaws, memberships, and leadership, and is an indicator that these unions have become politically affiliated with parties and personalities. They also issue statements in support of their political decisions. This highlights the influence of political and partisan figures on the orientations of unions and the decision-making process related to popular demands guaranteed by the law. The need for budget and financial support for holding events has become a reason for some unions to subordinate themselves to authority, political figures, or businessmen.

An example of this is the General Union of Palestinian Teachers, which does not represent teachers, as it did not elect its members. Rather, the General Secretariat of the Union is appointed by the Central Department of the Fatah Movement, or influential governmental figures without holding free and fair elections that guarantee the right of teachers to choose their representatives, in violation of the rules and foundations of the democratic process and the bylaws of the union. Therefore, the Union openly stands against any movement organized by teachers, and deters it, just like it dealt with the teachers' movement in 2016. Accordingly, the Union violated its founding principles by becoming a tool in the hands of the government and a means to achieve personal gains. After teachers demanded the amendment of internal regulations, particularly the electoral law that guarantees the teachers' right to choose their representatives based on their free and fair choice, their demands were rejected. As a consequence, a group of teachers sought to initiate another Palestinian teachers' union through establishing coordination committees in different regions. The idea was met with opposition and official prosecution that led to its abortion (Snoubar, 2021).

The political division contributed to the separation of unions based in the West Bank and the Gaza Strip, and the separation of professional unions that were established at a later stage, due to the different political orientations of the governments in the West Bank and the Gaza strip on the one hand, and the domination of factions over federations and unions on the other. In addition, the governmental discord contributed to a shift in the authorities responsible for responding to unions' demands, such as the Union of Doctors. Another Union of Doctors was established in the Southern governorates in 2013, headed by a different union leader than that of the Union of Jerusalem, as previously mentioned.

The Palestinian Authority relied on local legislation to take decisions related

to organizations affiliated with the PLO. Decisions were made to issue a law that enabled making amendments to organizations affiliated with the PLO without having to rely on their bylaws. For example, a law was issued by the president to remodel the Supreme Council for Youth and Sports, even though it was affiliated with the Department of Popular Organizations whose legal reference was the National Council (Wafa News Agency, 2011).

Loss of representation of the Palestinian diaspora

Popular unions no longer represent all Palestinians, particularly those in the diaspora, after their headquarters and activities were moved to the homeland. The lack of representation of Palestinians living in the diaspora in the general elections further weakened their role. An example of the absence of unions' work and presence in the Palestinian diaspora is the General Union of Palestinian Students, which has dissolved more than 40 branches across the world, and still operates in a few countries, such as the United States and the United Kingdom. Its latest conference was held in 1990. Among the reasons for its disintegration are the differences in viewpoints between supporters and opponents of the Oslo Accords, and the PLO's neglect of the diaspora (Azm, 2019, p50-53). Its decline has led to a weakness in students' activism in the diaspora and the inability to follow up on students' affairs. Despite all this, some branches of the unions tried to remain active and play their roles, such as the UK branch. Nonetheless, the separation of these branches from the union has led to its weakness and limited its role.

Several attempts have been made to bridge the rift and fill the gap left after the dissolution of popular unions in the diaspora, particularly workers and students' unions. Palestinian unions and organizations were founded, such as the Palestinian Doctors Association in Europe in 2008, the Palestinian Engineers Association in Europe in 2013, as well as unions for workers, professions, and teachers. They contributed to involving their cadres in the interest of the Palestinian cause (Rajab, 2017).

Fragmentation of unions

The year 1996 witnessed the first exercise of civil and political rights with the elections of the Palestinian Legislative Council. At the same time, citizenship values were applied, as well as a relationship based on rights and duties between the citizen and the Palestinian government in the social and economic fields. There was also a need for independent groups that fight for the rights of workers and livelihood. Considering the weakness and subordination of unions and their inability to exercise their social and union roles, opposing unions arose such as

the Federation of Independent Unions, which included a number of professional unions established after the Oslo Accords. This further contributed to the fragmentation of unions (Tamizi, 2021).

Another cause of union fragmentation is the presence of strife inside active unions due to disagreements over their management and policies, such as the General Union of Palestinian Workers, which was established before the emergence of the PLO. In the early 1990s, another union was founded, the Palestinian Workers Syndicate, which obtained an official recognition from the PLO and was considered an arm of the Union in the homeland, and was associated with Israel's General Federation of Labour "Histadrut". After the return of the PLO to Palestine, the disagreement around this issue and that of representation deepened between both unions, resulting in a "dual representation" (Masarat, 2014, p. 19) of professional groups between both unions. Consequently, the membership of smaller unions became divided between the two separate structures, each of which had its own secretary-general. Several initiatives from the civil society and other parties were made to reunite the unions and resolve their strife, but to no avail (Tamizi, 2021).

At the beginning of 2003, independent labor committees began to emerge, organizing elections without joining the General Union of Palestinian Workers; for example, the Palestine Water Authority Union, which organizes periodic elections without joining the union. Independent labor committees established in 2007, "the Confederation of Independent Trade Unions", which accepted several activists as members and included union leaders from different backgrounds because it was based on elections rather than party quota. It was not officially recognized until 2011, after the start of the "era of union pluralism". Accordingly, three labor unions became active: the General Union of Palestinian Workers, the Palestinian General Federation of Trade Unions, and the Confederation of Independent Trade Unions (Buwatna, 2021).

The importance of union pluralism lies in the fact that it supports the position of union workers regarding their rights. However, there is a difference between union pluralism and union fragmentation; and what Palestine is currently witnessing is a state of union fragmentation. The government took advantage of this fragmentation to pass laws that negatively impact workers, an example of which is the minimum wage law passed in 2012. The government signed an agreement with two of the three unions that approved the law at that time – the General Union of Palestinian Workers and the Confederation of Independent Trade Unions – while the Palestinian General Federation of Trade Unions opposed it. Regardless, the law was passed. The same procedure was applied for the Social Security Law. Thus, unions did not use their pluralism to strengthen their position regarding issues affecting them.

Rule of administrative bureaucracy and lack of transparency, integrity, and accountability

These unions still perceive reality and the future using tools from the past. They are not keeping pace with developments that the political reality has brought about on the social and economic structure of the Palestinian society. A recent study evaluated (AMAN, 2020, p. 40) that 13 out of the 23 syndicates and unions surveyed, had no strategic plan. Some of them had more than one electronic reference on the internet, or lacked an official website. The same study conducted by AMAN showed that 8 syndicates or unions do not have websites, and 13 do not publish an annual report. This indicates that some unions did not develop their mechanisms to keep pace with the needs of social and occupational groups, considering their weak representation and the rule of administrative centralization due to the reliance on general conferences governed by party quotas and dominated by political parties, including the Fatah movement, through the Commission of Popular Unions. Furthermore, unions rely on old administrative structures that are not compatible with the needs of their sectors, and do not reflect their objectives and activities. Finally, many unions do not operate within the framework of a strategic plan.

Conclusion

The concept of popular organization passed through several stages from the Nakba until after the Oslo Accords. It shifted from unorganized action to organized collective action. However, its effectiveness declined due to political transformations, which resulted in weak and scattered unions, that are used as political and partisan tools. The loss of the role of popular unions in the diaspora means the loss of the organizations' popular base, and the fragmentation of the role of popular diplomacy in promoting the cause within the framework of the liberation project in the diaspora countries.

The transformation process in the structure and effectiveness of unions started before the Oslo Accords, since the Ten-Point Program and the discussion of the idea of a state. Although unions were established to fulfill a representative and political goal for the Palestinian people as well as ensure the participation of all sectors in the national struggle, political changes – particularly the establishment of a state project and building its institutions – and the transfer of the leadership's headquarters from the diaspora to the homeland, contributed to limiting the activities of these unions and isolating them. Livelihood demands became more important than popular struggle. After the Oslo Accords, rallying

around unions declined, and they became marginalized. Government institutions emerged, establishing new references with a different legal framework. This led to the alienation of unions, which lost their popular bases and failed in their union work due to their lack of independence and bureaucracy, as well as their subjection to the party quota and their political affiliation.

As a result of the weakness of their union role, most unions became representatives of a small minority of the broad sectoral base to which they were supposed to belong. Furthermore, people became reluctant to join unions due to the loss of their ability, and lack of will to engage in free activism that fulfills the demands of their members and expresses their concerns and livelihood issues.

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The Palestinian Elite and its Transformations during the Oslo Phase; Structure, Role, and Challenges

Awni Fares

Each society generates its own elites and grants them a margin of influence. The opinions and positions of elites have significant repercussions on the political, social, economic, and intellectual aspects of their societies. The more qualifications and influence they accumulate, the more authority and status they acquire. Palestinian elites have appeared in various fields and have contributed to shaping the general landscape in Palestine. However, what distinguishes them from other elites in our region is that they emerged in the context of a national liberation movement. As such, the Palestinian cause is the environment in which they acquire their experience and exercise their influence, with the associated perceptions and developments.

This paper tackles the Palestinian elite during the Oslo phase. It begins with a general theoretical framework that discusses the definition of the elite, its characteristics, its role, its relationships, its schools of thought, and its most important theorists. Then, it sheds light on the elite in the Palestinian context and reveals its structure, components, characteristics, and role in reshaping the Palestinian society politically, economically, socially, and culturally. It also addresses its position regarding the conflict with the Occupation. The paper also monitors the transformations of the elite in the Oslo era and beyond, the factors that affected it, as well as the most important events that shaped it during the past three decades. Furthermore, it tackles its stances on various issues, as well as the most prominent challenges it has faced. Finally, it tries to anticipate its future in light of the transformations at the local, regional, and international levels.

First: The Concept of Elite

The elite is defined as “a small group or category of people who occupy a prominent political or social position.” The term is also applied to any group that has excelled or gained fame in a particular field, or to a group that has strong competencies in its domain of specialization. The elite may be ruling or non-ruling” (Al-Kayyali, 2007, p. 560). It is the greatest power in society, or in the community, or in a social organization (Shaath, 2019, p. 12). The members of the elite dominate the various fields of life (Hilal, 2002, p. 13); hold decision-making positions (Badr El-Din, 1991, p. 153); control “resources within the important organizations of society; form policies; lead activities; and decide on important issues related to governance, the community, education, and other important societal institutions” (Hamouda, 2015, p. 24). Moreover, they constitute the “real power in the state” (Saleh, 2019) because they are the power elite, and they have the necessary capacities to impose their own interpretation of the political and social systems on the public (Hammouda, 2015, p. 24). They are influential people who make “decisions or exercise influence over the decision-making process for the common good. Moreover, they enjoy a moral, social, or economic status; or possess instruments of control – such as the army or a militia; or represent particular religious sects, or ethnic or tribal groups. These characteristics, together or individually, qualify them to claim to represent the public interest” (Khidr, 2003, p. 11). Finally, they are individuals with influence” (Habib, 1998, p 33).

Members of the elite may have “a higher level of education, knowledge, and practical experience than the general public” (Hamouda, 2015, p. 24). They formulate “values and trends of opinion and thought” (Hamouda, 2015, p. 26). They are also distinguished from the public by their ability to access resources and exploit them to preserve a reality or change it for the benefit of individuals or social, ethnic, or national groups (Hilal, 2002, p. 69). They are characterized by their ability to make or influence decisions, and their social status (Khidr, 2003, p. 11). Some thinkers believe that elite members gain their influence from the role and institution they occupy (Shaath, 2019, p. 12-13). The elite is not a homogeneous bloc; rather, it represents the different groups of society, and reflects their intellectual characteristics and their political convictions (Hamouda, 2015, p. 24-25). Moreover, an elite is “not autonomous and gains legitimacy through interacting with the masses” (Khidr, 2003, p. 37). The relations of elite members with each other vary. They may form coalitions, negotiate, or have conflicting relations with one another, “according to each group’s vision of its interests and the social forces it represents” (Hilal, 2002, p. 7). An elite can be replaced by another, based on the principle of “circulation of elites”

(Bottomore, 1988, p. 47). However, there must be the presence of an elite in any society (Calhoun, 2012, p. 619). An elite may resort to its influence in order to maintain its control over society. Moreover, it may use legal and illegal methods and means to develop its popular base, such as political or tribal organization, money, or even power. The elite may also promote its discourse through the media and the educational system (Hilal, 2002, p. 7). Elites gain their legitimacy in society based on “law, religion, or traditions, or according to partisanship or revolutionary values, or all of the mentioned” (Hilal, 2002, p. 70).

Burhan Ghalioun calls for using the concept of ‘elite’ with reservation. In his understanding, “the descriptive character of the term, which identifies or defines all individuals who possess wealth, hold positions of responsibility, or have knowledge and social prestige as social elite, regardless of their personal characteristics, their self-efficacy, and how they obtained their position... The normative character and characteristics of the term ‘elite’, which refers to groups distinguished by their competencies,” may cause confusion (Ghalioun, 2009). In contrast, Jamil Hilal warns against broadening the concept. He calls for the exclusion of segments belonging to the middle class and some upper classes because broadening the concept, in his opinion, makes it “unanalyzable, and leads to confusion between the concepts of class, elite, and social status” (Hilal, 2013, p. 4).

Elite studies in the West date back to the 1930s (Bottomore, 1988, p. 5). They became an essential entry point for understanding “the establishment of states and the fate of political societies, the exercise of power and implementation of major public policies, and the characteristics of governance systems” (Ghalioun, 2009). Italian economist and sociologist Vilfredo Pareto (1848-1923) is one of the first thinkers to develop a theory about the elite (The Conscious, 2007, p. 159). Italian political scientist Gaetano Mosca (1858-1941) was the first to present a theory in which he differentiated between the ruling elite and the ruling masses, and to establish a branch of elite study in political studies (Bottomore, 1988, p. 7). American sociologist Charles Wright Mills (1916-1962) was the first to rely on the official position to identify the elite in the American society (Abu Zaher, 2013, p. 241); whereas Austrian economist and politician Joseph Schumpeter (1883-1950) pointed out that stable democracies are ruled by competing elites (Calhoun, 2021, p. 619).

Elite studies were dominated by two main schools: Marxism and Classicism. The first considers that the major transformations in societies are based on the struggle between classes rather than the ideas and policies promoted by the elite (Badr El-Din, 1991, 156). Social classes choose their elite accordingly (Hilal, 2002, p. 5). In turn, the elite manage and protect the interests of the social classes that supported their formation (Khidr, 2003, p. 10). The classical school

believes that the elite is at the core of the institutional frameworks and is at the top of their hierarchy (Hilal, 2002, p. 6). Elites are studied by “examining national political institutions, their structure, their role, and the transformations that have taken place during the past as well as continuous social and economic processes, with their internal dynamics and external influences” (Hilal, 2002, p. 8). The classical school considers that elite members possess personal characteristics that are not found among other citizens, such as high levels of intelligence, initiative, and courage, which qualify them to perform vital functions or historical tasks (Hilal, 2002, p. 6).

Second: Specificity of Formation and Role of the Palestinian Elite

The Palestinian elite was rarely a subject of study, nor did it produce literature. Therefore, Hassan Khadr advises discussing it by presenting hypotheses (Khidr, 2003, p. 9). The study of the elite in humanities, especially political sciences, fails to provide a comprehensive picture of the Palestinian elite because these sciences are dedicated to the study of elites operating in independent states, in contrast with the Palestinian elite, which arose under colonialism. Some researchers focused on studying the societal environment in which the Palestinian elite arose (Hamouda, 2015, p. 26) and the biographies of its members to determine its identity and the extent of its influence, as well as to understand its relationship and role vis-à-vis the Palestinian cause.

The contemporary Palestinian elite arose under the British Occupation and the Zionist settlement project. Thus, its national priorities focused on eliminating colonialism. This shaped the strategies and goals of the elite, as well as wove its rhetoric, and determined its tools and means for managing internal conflicts. During the Nakba, the Palestinian community was subjected to a process of extermination, which ended the existence of the elite. However, the latter was reshaped in the diaspora. At that stage, the elite was not representative of the people because it lacked legitimacy and protection from the official Arab regimes, which would enable it to exercise its national role (Khidr, 2003, p. 16). Following the 1967 war, a new Palestinian elite arose, and it took over the leadership of the national movement in the Palestinian diaspora. This elite signed the Oslo Accords, according to which a new political field was created. This resulted in new sources for the elite generation and for gaining its legitimacy. The Palestinian elite entered a phase marked by shifts in its political position, its definition of the national project, and its economic, social, and cultural vision. The institutions of the Palestinian Authority (PA) became a field of intense

competition among elite members. This reinforced the status of new elites who do not belong to the official institutions, but rather oppose them.

Third: Transformations of the Palestinian Elite During the Oslo Era

The Oslo Accords and its repercussions affected the structure of the Palestinian elite, its goals, aspirations, rhetoric, and mechanisms for gaining legitimacy. It also limited its ability to respond to challenges. By signing the Accords on 13th September, 1993, the Palestinian elite declared its withdrawal from its historical role as an integral part of the national liberation movement against settler colonialism, and its acceptance of a political project in which the Occupation plays a central role in setting the pace. The transformation in the path followed by the Palestinian elite in its struggle against the Occupation was radical. As head of the PLO, Abu Ammar (Yasser Arafat) sent an official letter to the Occupation's prime minister recognizing 'Israel'. Moreover, he pledged to renounce violence and considered negotiations as central for the resolution of the conflict, in a step that is perceived as breaking with the past. Based on these engagements, the PA was established, and the foundations governing the Palestinian political life changed. This also resulted in a transition from pluralism – militia groups united under the PLO who gained their legitimacy from their activism – to “a framework managed and defined by an Authority that is bound by agreements, and is subject in its practices and political orientations to new guidance” (Al-Malki & Ladadwa, 2018, p. 234). The new phase played a pivotal role in influencing the roles of political movements and parties, their programs and orientations, as well as the extent of their influence and their inter-relations. Many of them witnessed a profound transformation, such as the Fatah movement, which became the ruling party; the Hamas movement, which led the opposition; and leftist parties, whose influence decreased. New terms were introduced to the political and theoretical discourse, such as democracy, developmental policies, institution building, administrative reform, citizen rights, and civil society (Al-Malki & Ladadwa, 2018, p. 235), all of which affected the roles of the Palestinian elite.

After the signing of the Oslo Accords, the Palestinian elite went through two main stages. The first lasted from 1994-2004, and the second from 2005-2022. Each stage had its own characteristics and was affected by particular events.

First stage: The Palestinian elite (1994-2004)

The elite residing in Palestine gained increased importance, in contrast to the marginalization of the diaspora elite, following the privileges and growing influence it obtained after the signing of the Oslo Accords. Such growing influence is based on the dominance of state-building and institution-building discourse, and the emergence of new mechanisms for elite generation, such as the elections of the Legislative Council and occupying influential positions in the PA's institutions. This was paired with the decline of sectors that previously generated the elite, such as unions of women, students, and workers, as well as trade unions and federations (Hilal, 2013, pp. 61-62).

Prior to the establishment of the PA, the Palestinian elite comprised the elite of the PLO, the Egyptian and Jordanian covenants, civil and non-governmental organizations, young field leaders, and the leaders and cadres of the main opposition factions in the PLO (Khader, 2003, p. 32). Following the founding of the PA, the elite was formed by the Presidency; the Council of Ministers; the Executive Committee of the PLO; the leadership of political parties; the Presidency of the Legislative Council (the heads of its permanent committees); the Presidency of the National Council; governors, mayors and advisors; most or some officials of the PLO and public institutions; and a limited number of independent personalities who derived their status from their political history and involvement in NGOs (Hilal, 2002, p. 70).

Jamil Hilal divided the Palestinian elite into governmental and legislative. The governmental elite consisted of 48 positions – including 24 ministries, ministers without a ministry, three authorities (water, energy, and monetary), and five bodies (oil, tobacco, television, statistics, and administrative control). The elite was appointed by the head of the PA; 32 members belonged to Fatah, 10 were considered independent, and 4 represented other parties. Half of them were members of the legislative council. The governmental elite consolidated its position based on the organizations and families they belonged to, as well as their educational qualifications and experience in boosting the PA's resources. 50% of them belong to families with economic influence, a clan, or both; and a third belong to the middle or working class, boast a patriotic past, are regional representatives, or represent refugees and returnees. The parliamentary elite is composed of members of the National Assembly, the Executive Committee, and the Legislative Council. Political parties and movements elect these elites, which are anterior to the PA's establishment. During that period, Fatah controlled half of the PLO's elite, as well as the legislative elite (Hilal, 2002, pp. 71-75). Samar Al-Barghouti estimated the number of members of the political elite until 2006 at 392. They were members of the Central Council, the

Presidency, the Legislative Council, and the government (Al-Barghouti, 2009, p. 29).

Economic elites were formed by individuals holding influential economic positions in the public and the private sectors (Hilal, 2002, p. 13). They included the upper stratum of the executive authority – such as ministers, representatives, and general directors in ministries related to the economy. The public sector elite attempted to provide resources for the PA from sources other than fees and taxes, by founding public companies that were registered as ordinary ones. These included private companies that provide commercial services, such as telecommunications, and government regulatory bodies, such as those related to oil and tobacco. The private sector elite was based on local and foreign capital. Moreover, intermarriages occurred between the political and economic elites, and thus a relationship developed between the security apparatus and monopoly elite in both the public and the private sectors. Furthermore, partnerships were established between the PA and some of the major capitalists in joint ventures and companies (Hilal, 2002, pp. 86-90). Resident businesspersons began to influence the process of economic policy legislation by forming representative bodies and frameworks for crystallizing unified visions, as well as by pressuring the Legislative Council. Some analysts expect that “they will present their representatives in the upcoming parliamentary elections” (Hilal, 2002, p. 97).

This stage also witnessed the emergence of the globalized Palestinian elite, which is a local formation that follows Western social and economic agendas (Hanafi and Tabar, 2006, p. 252). This elite constitutes about 20% of civil society organizations (CSOs) in the West Bank and the Gaza Strip, and includes important organizations, such as the Union of Medical Relief Committees, which provides 30% of health services in the West Bank. Such CSOs rely on Western funding, and are formed by urban and professionalized elite and technocrats from university graduates (Hanafi and Tabar, 2006, pp. 253-257). Elites also include activists in professional and labor unions, NGOs, and popular federations (Hilal, 2002, p. 13).

What is remarkable during this stage is the rise of the resistance elite, which shares the same social origins as the other elites, but adopts armed resistance for the sake of liberation. Its influence expanded following its opposition to the Oslo Accords and the escalation of its field activities in resisting the Occupation. The PLO’s leadership attempted to attract these elites, especially those affiliated with the Hamas movement and who form a central part of the resistance elite. Since the early 1990s, the PLO has held several dialogue sessions with Hamas in many Arab countries in an attempt to pressure the Movement to adopt the new political trend and abandon resistance. However, the latter refused.

The women’s elite was formed by the same figures who were active before

Oslo, most of whom were affiliated with political parties. However, instead of being members of women's unions and associations, they joined the PA's institutions, as well as NGOs and research centers (Hilal, 2002, p. 84). Nonetheless, the women's elite remained almost completely absent from politics and had no effective presence in economics. Their presence in the national, political, and economic fields was limited to women's affairs (Hilal, 2002, p. 81).

Family and clan elites regained their influence during this stage, following a decline during the first intifada. Family dignitaries became more influential after Oslo due to the re-adoption of the tribal law in resolving disputes. Moreover, the role of clans took an institutional and legal dimension, through the issuance of several decisions and legislation – including the “Clan Affairs and Reform Administration” legislation – for supervising the reform committees in Palestinian cities, towns, and camps, (Tribal Judiciary in Palestine, 2009) and due to the ruling party's attempts to employ family dignitaries to establish its influence and strengthen its positions.

At the same time, the role of the cultural elites declined, and some of them disengaged from the national liberation discourse and adopted that of peace. Their priorities became social issues and civic rights. Many organizations for promoting folklore and organizing festivals were established, breaking with the pre-Oslo cultural rhetoric. Such orientations confused Palestinian intellectuals, especially with the emergence of “different cultural trends, under an authoritarian authority that subordinates cultures and transforms artists into bureaucrats who lack any revolutionary spirit and are unable to be critical or promote a culture of resistance or confrontation” (Okal, 2003, p. 137).

1. Characteristics of Palestinian elites (1994-2004)

Palestinian political elites were characterized at this stage by tracing their origins back to the middle class, and by consisting of individuals who had pursued a university education. They also held positions, including in leadership, in both political and non-political institutions (Hilal, 2002, pp. 78-79). Such elites have been holding leadership positions ever since the establishment of their organizations. Leadership is only changed in the event of death or illness (Al-Barghouti, 2009, p. 115). Moreover, the elites reproduce themselves by controlling the organization's resources and decision-making mechanisms (Hilal, 2002, previous source, 79).

These elites lack unified objectives, visions (Hilal, 2002, p. 80), positions, and political behavior. This is evident in their disagreement over the nature of the national project, the strategies and tactics used to manage internal affairs, and the tense relationship between them. Some attribute this to the difference in their ideological and class origins, the discrepancy in their personal experiences,

their political ambitions, and their conflicting interests (Al-Malki & Ladadwa, 2018, p. 263). Moreover, such elites tend to rely on repression and exclusion. They also deal with each other and the public with distrust and lack of tolerance. Nadia Abu Zaher believes that this is due to the influence of the Occupation and the diaspora alike, because of the different environments and tools used (Abu Zaher, 2013, p. 102).

2. Challenges faced by the Palestinian political elite

The ruling elite suffered at this stage from the erosion of its historical revolutionary legitimacy, especially following its submission to the imperatives of the Oslo Accords, the failure of negotiations, its security coordination with the Occupation, and the escalation of the security services' encroachment on the opposition (Al-Malki & Ladadwa, 2018, p. 265). It also resorted to clientelism "to strengthen its influence and authority, to ensure personal loyalty, and to gain a broad social base from which it derives its legitimacy" (Abu Zaher, 2013, p. 249). Members of this elite cared about their own interests at the expense of public interest (Abu Zaher, 2013, pp. 248-249). Corruption rates intensified because the elite was led by "high-ranking officials – such as ministers, deputy ministers, and general directors – who used their positions to obtain benefits for themselves or for others, or to strengthen their positions both in the PA and society in illegal ways" (Abu Zaher, 2013, p. 216- 217). This corruption was reinforced by the executive power's encroachment on the legislative and judicial powers (Abu Zaher, 2013, p. 215).

Meanwhile, the resistance elite continued to be targeted by the Occupation through campaigns of arrest and assassination, especially during heated confrontations, as in the second intifada. The Occupation forces continuously arrested the elites of the Palestinian opposition, particularly the leaders and cadres of Hamas in the West Bank. Such policy led to a major escalation, following the assassinations of first-line leaders of the elite Palestinian parties, including Abu Ali Mustafa (August 27, 2001), Salah Shehadeh (July 22, 2002), Ismail Abu Shanab (August 21, 2003), Ahmed Yassin (March 22, 2004), Abdel Aziz Al Rantisi (April 17, 2004), and Yasser Arafat (November 11, 2004). This policy, in addition to the Occupation's policy of distinguishing between one elite and another, has kept the Palestinian elite in a state of tension, instability, and caution, with an inability to make decisions.

3. The Palestinian elite and pivotal events

This stage witnessed several pivotal events that had repercussions on the Palestinian political elite, its structure, role, and future, including:

3.1. Presidential and legislative elections in 1996 and formation of Palestinian government

The presidential and legislative elections in 1996 constituted an important milestone in the process of generating and strengthening the Palestinian elite. The elections took place in the midst of sharp disputes between the political elites over their nature, function, and requirements. Palestinians were divided between supporters and opponents of such elections. Both Yasser Arafat and Samiha Khalil competed in the presidential elections. Samiha Khalil obtained 9.89% of the votes, while Yasser Arafat obtained 87.28% (Central Elections Commission, 1996, p. 37). Regarding the legislative elections, the Fatah movement won 77.3% of the seats, and the independents won 21.6%, while the rest of the participating factions obtained only 1.1% (Shaath, 2019, p. 79). According to the data from the Central Elections Commission, Fatah won 50 seats, the independents won 35 seats, and the remaining factions obtained 3 seats (Central Elections Commission, 1996, pp. 81-82). It is worth noting that the increase in the number of independents may be due to several Fatah members running for the elections as independents.

The presidential and legislative elections did not bring about any fundamental change in the Palestinian political elite at this stage. The cadre of the Fatah movement still composed its majority, controlled the legislative and executive branches, and dominated the majority of ministerial councils in the government formation in the first nine governments, with a percentage of 63.5% (54 seats). Independents came in second place with a percentage of 22.4% (19 seats) and the factions ranked third with 9.4% (8 seats). The ministerial elite continued to “renew itself, without any expansion. Any changes and amendments gave the impression that a rotation process existed. However, this was a mere redistribution of members of the ministerial elite from the same department (the circle of members of the Fatah movement, or individuals who were close to President Yasser Arafat)” (Shaath, 2019, p. 89). For example, Saeb Erekat participated in eight government formations, Intisar Al-Wazir in seven of them, and Yasser Abed Rabbo, Azzam Al-Ahmad, Maher Al-Masry, Abdul Rahman Hamad, and Naim Abu Al-Hummus in six formations (Shaath, 2019, p. 89). Azzam Shaath notes that the returnee elite was not dominant at this stage, as many people think, as it constituted only 37.5% of the Legislative Council and 39.5% of the executive power elite (Shaath, 2019, p. 95).

Even though elections were held, they were not legitimate because they were based, according to Jamil Hilal’s description, on clientelistic relations and bureaucracy. Such relations are founded on the citizens’ need for such bureaucracy under the Occupation and the increased fragmentation within the national movement. Moreover, the opposition remained outside the Legislative Council,

and the central current in the opposition persisted outside the PLO institutions (Hilal, 2013, p. 14).

3.2. The second intifada (2000-2005)

The second intifada shook the foundations of Oslo Accords, and brought the Palestinians back to square one in terms of the confrontational relationship with the Occupation. On 29th September, 2000, the demonstrations that erupted towards the Occupation's checkpoints at the entrances of cities strengthened historical arguments about the necessity and feasibility of armed resistance. The second intifada demonstrated that resisting the Occupation is strongly supported by both the Palestinian public and elite, and that the option of negotiations no longer enjoys the required support. Moreover, it became clear that the Palestinian elite does not have a united position regarding the PA and its institutions (Khader, 2003, p 34), given that the resistance strategies adopted by the factions involved in the intifada could have resulted in its collapse.

The second intifada strengthened the legitimacy of armed resistance, and reinforced the struggle as a generator and reinforcer of the elite. This became evident in the significant rise in the status of the resistance elite, and the decline in the status of that of the PA, especially with the absence of Abu Ammar.

The second stage: the Palestinian elite (2005-2022)

This stage witnessed several transformations that had a significant impact on the elite generation, their competition, and their relations with the national project and its outcomes. Presidential elections took place in 2005, legislative elections in 2006, and the Palestinian division occurred in 2007. Two governments were formed, one in the West Bank and the other in the Gaza Strip. The steadfastness and resilience of the resistance was remarkable, as well as its ability to strengthen its military abilities after each war. During that period, the subordination of the West Bank to the policies of the Occupation was consolidated. Moreover, the Occupation had an increased influence on the Palestinian elite, which was used to pass its policies of domination and subjugation. At this stage, attempts were made to renew electoral legitimacy. Also, the major transformations that the region witnessed by what was known as the Arab Spring had a great impact on the Palestinian cause, and on the Palestinian elite and its regional alignments.

1. Characteristics of the Palestinian elite (2005-2022)

This stage was characterized by the change in the roles of the elites, as they were divided between a ruling elite (Fatah movement) and an opposition elite (Hamas movement). When the legislative elections took place in 2006, the opposition elite (Hamas Movement) became part of the government, as it formed

the government and controlled the Legislative Council. The ruling elite (Fatah movement) lost part of its executive and legislative powers, “the government and the majority of the Legislative Council” (Fatah movement). The holding of presidential and legislative elections strengthened the democratic legitimacy of the political elites. However, given that the last presidential elections were held more than 17 years ago, and that the last legislative elections were held 16 years ago, parliamentary life was disrupted. Moreover, there was a rise in unilateral political decision-making and a decline in the level of freedoms, which led to a notable erosion of democratic legitimacy.

Disagreements within the elite became deep-rooted, and were not limited to the Hamas and Fatah movements. Rather, they became evident within some of the major political movements and parties. For instance, the Fatah movement witnessed sharp divisions, and some members in the lower and middle leadership had their memberships frozen or were expelled. For example, Muhammad Dahlan’s membership in the Central Committee was frozen in late 2010. He was then expelled from it in June 2011, following which he formed the Democratic Reform Movement within Fatah. Then, Nasser Al-Qudwa, a member of the Central Committee, was dismissed in March 2021. He then formed the National Democratic Forum and announced that he would run in the legislative elections for the Freedom List.

Then, other members of the Revolutionary Council who participated in the Freedom List were dismissed, such as Fadwa Al-Barghouti, Fakhri Al-Barghouti, and Jamal Huwail.

The crisis of the PA and its elite worsened after it lost its political argument, particularly when its promise of establishing a state was not kept, and it became unable to carry out its social functions (Orabi, 2021, p. 2). In other words, its legitimacy eroded, and its ability to perform the functions that provided it with legitimacy declined. These factors have strengthened its reliance on the security grip to face potential popular uprisings, and on external actors for self-preservation (Orabi, 2021, p. 22). After the PA lost its political horizon, joining its ranks became a goal in itself, which serves the interests of the influential elite. Its attempts to nurture its legitimacy whenever it felt threatened became useless, especially after the cancellation of the legislative elections in May 2021 and requests that Hamas explicitly accept the decisions of international legitimacy in order to agree to sit at the same table with it (Orabi, 2021, p. 26).

This stage witnessed an increased corruption among the elite, after the disruption of the Legislative Council, and the executive authority’s takeover of other authorities. The Palestinian public considered the upper classes in the public and private sectors as the most corrupt (Abu Zaher, 2013, p. 214). AMAN’s report, issued in 2020, indicated the various aspects of corruption of the ruling elite.

These include the weak degree of integrity in governance, the limited number of individuals who hold governance positions, and the appointment of individuals in high and private positions, without respecting equal opportunities and without publishing employment advertisements (The Coalition for Accountability and Integrity – AMAN, 2020, p. 10). The report also underlined that several policies, legislation, and decisions were passed without sufficient transparency from the executive authority with the aim to strengthen the position of some elites in the political system, such as the “decree-law on the presidential office”, or to obtain financial benefits for senior “influential” employees. The latter was the case in two legislation decisions regarding the retirement of ministers and heads of non-ministerial governmental institutions” (The Coalition for Accountability and Integrity - AMAN, 2020, p. 32-33).

The marginalization of elites also increased, such as for members of the National and Central Councils, whom some considered outside the political elite (Hilal, 2013, p. 6). As such, the Palestinian elite became limited to the President of the PA, members of the Fatah Central Committee, the Prime Minister in the West Bank, members of the Hamas political bureau, and the Prime Minister in Gaza (until 2014), according to some experts. The action of parties’ secretaries-general became limited within their organizations because decisions of a national dimension remained “in the hands of the leaderships of Fatah and Hamas. The leaders of the other political organizations had no real influence (beyond siding with one of the two organizations or mediating between them) if they remained in the current state of fragmentation” (Helal, 2013, p. 6). Moreover, elites surrendered to the requirements of the Occupation and became alienated from the struggle for liberation (Asaad, 2019, p. 477-508). As such, they became “mediators between the citizen and the Occupation in daily life issues” (Barghouti, 2016, p. 8).

This stage witnessed the increased influence of the resistance elite. The latter strengthened its positions since the second intifada and the Occupation’s withdrawal from the Gaza Strip in 2005. Then, it obtained popular legitimacy after winning the legislative elections in 2006, forming the tenth and eleventh governments, and resisting the Occupation during direct confrontations in the four wars that occurred between 2008-2021. The resistance elite continually renews itself by rotating the first leadership positions and infusing new blood into its main institutions, especially in the presidency and the political bureau (Abu Zaher, 2013, pp. 251-254).

The resistance elite at this stage was characterized by its cohesion and unity. Moreover, it focused on internal affairs and did not witness any divisions or public disagreements (Abu Zaher, 2013, pp. 251-254). In its discourse, this elite was keen on emphasizing its revolutionary legitimacy and its willingness

to face elections. Meanwhile, the Occupation increased its pressure on this elite by tightening the siege on the Gaza Strip, waging fierce wars against it, assassinating many political and military figures, and escalating the policy of arrests. For instance, following the legislative elections in 2006, 64 Hamas leaders were arrested, of which 44 deputies and 10 ministers in the tenth government.

In parallel, large capital owners strengthened their positions and had an increased influence on the economic and social policies of the PA. They “benefited from the decline in the status of the PA and the weakness of its economic capabilities, and took advantage of the prevailing international climate, which adopts neo-liberalism and promotes the role of the private sector as the main engine for development” (Al-Malki & Ladadwa, 2018, p. 372). Moreover, these individuals took advantage of “the increased pressure of donor countries on the PA to provide a suitable environment for their activities by adopting liberal economic policies that fall under privatization and freedom of trade and markets, without taking into account the colonial reality under which the entire Palestinian society languishes” (Al-Malki & Ladadwa, 2018, p. 372).

The societal influence of families and clans increased with the decline in the rule of civil law, and the increase in resorting to tribal law in resolving disputes (Jabr, 2020), especially those related to murders, which witnessed a sharp rise (Fares, 2021). The influence of family elites also became more evident in institutional matters, as families played an important role in the recent local elections in the West Bank and were present in selecting lists, influencing voters, and controlling or disturbing the electoral process. On the other hand, a positive transformation occurred in the cultural scene (Hilal, 2017, pp. 20-27), and some of the cultural elites became more daring in challenging the current political situation. New names arose from the interaction with the national liberation struggle. The sayings of these intellectuals are being popularized among the rising generation, while national songs and drama are also flourishing. In tandem, intellectuals are called to engage in their people’s battle against the occupation, at least in manifestations of ‘culture as political activism’, and to restore what Elias Khoury calls the “cultural quorum” that would embody the Palestinian grievances.

2. The Palestinian elite (2005-2022) and critical public events

Palestine at this stage witnessed several events that played a pivotal role in determining the path of the Palestinian elite and bringing about some transformations in its nature and role, including:

2.1. Presidential and legislative elections (2005-2006)

The presidential elections took place on 9th January, 2005. Seven candidates competed for them. Mahmoud Abbas, the candidate of the Fatah movement,

won with 62.52% of the votes. His strongest competitor, Mustafa Barghouti, only obtained 19.48% of the votes, while the remaining five candidates received a very low percentage of the votes (Central Elections Commission, 2005, p. 58). Abu Mazen's victory was expected, in light of the major opposition movements' boycott of the elections. Although the elections did not contribute to generating new names within the Palestinian elite, its repercussions are still affecting the political system and the Palestinian elite; this can be attributed to the policies pursued by the President of the PA, whether regarding the management of Palestinian internal affairs or the strategy adopted for confronting the Occupation. On another note, the legislative elections took place on 25th January, 2006. Of the 132 seats, the Change and Reform list of Hamas won 74, and that of Fatah came in second place, with 45 seats. The list of Martyr Abu Ali Mustafa affiliated with the Popular Front obtained 3 seats, while the remaining 3 lists won 2 seats each, and the independents won 4 seats (Central Elections Committee, 2006, p. 145). The results of the legislative elections reflected major shifts in the Palestinian opinion, and showed critical support for Hamas. Moreover, it announced the entry of a new political elite into the legislative and executive institutions of the PA. The new elite led the Legislative Council, and the tenth and eleventh governments were formed with the participation of 33 ministers belonging to Hamas.

2.2. The division of 2007

The intense tension between Hamas and Fatah, following the announcement of the results of the legislative elections, revealed the sharp vertical and horizontal division among the Palestinian elite. The agreement to hold elections after the second intifada was not translated into common programs or shared political mechanisms. Fatah announced its acceptance of the elections' results while attempting to thwart the new government politically and on the ground. The escalation of the dispute between the two parties transformed into an armed conflict, which eventually led to the Split. This led to Hamas' control of the Gaza Strip and Fatah's control of the West Bank. At the elite level, the PA's governance system witnessed a transformation that resulted in an individualistic system, where all powers became concentrated in the person of the president (Badr, 2021).

2.3. Hamas' rule of the Gaza Strip

Hamas took control of the Gaza Strip in June 2007. Within six months, it succeeded in tightening its grip on governance and aspects related to security, economy, and infrastructure (Sayegh, 2010, p. 4). Moreover, it provided employment opportunities to thousands of people affiliated with it, after the PA requested its employees to stay at home. Over three years, Hamas provided services equivalent to what was provided by the PA. Moreover, it excelled in many aspects,

such as strengthening the rule of law (Abu Ramadan, 2010, pp. 49-51). The new government was strict in dealing with specific files, in an attempt to “end armed conflicts, with Fatah and other factions.” Despite the possibility of corruption spreading among the new ruling elite, testimonies provided by non-Hamas sources in the first years of its rule stated that the movement contributed greatly to reducing its incidence (Sayegh, 2010, p. 10). A new elite was created, consisting of ministers; deputy ministers; members of the Legislative Council, security agencies, and the judiciary; and senior Hamas officials. Meanwhile, several elite members from Fatah and the PA left the Strip. In parallel, new academic, media, economic, professional, and trade union institutions and bodies emerged and were affiliated with the new government (Abu Ramadan, 2010, p. 60).

However, the new ruling elite in the Gaza Strip faced major challenges that hindered its ability to achieve accomplishments at various levels. The economic and social crises were exacerbated by the tightening of the siege on Gaza, and the three wars waged against it by Israel since late 2008, in addition to the continuation of the Palestinian division (Roy, 2018, pp. 431-458). This elite faced criticism on many levels because of its obstruction of the local elections, its failure to disclose financial data related to the management of public funds, and its strengthening of the position of the executive authority at the expense of the legislative and judicial authorities (The Coalition for Accountability and Integrity - AMAN, 2020, pp. 15, 28).

Conclusion

The signing of the Oslo Accords and the establishment of the PA brought about a radical change in the elite’s structure, goals, aspirations, rhetoric, and mechanisms for gaining legitimacy, in addition to its ability to respond to challenges. This stage witnessed the emergence of new ways to generate the elite, such as through the elections of the Legislative Council and the occupation of advanced positions in the PA’s institutions. The elite was divided between a governmental and legislative elite, while an economic and a globalized elite began to form. Meanwhile, the resistance elite consolidated its positions, the elite of clans and families reappeared, and the cultural elite regressed.

During the Oslo period, the elite dominated political and non-political institutions and established themselves in leadership positions. However, the elites were divided on their goals, visions, positions, and political behavior. Furthermore, they adopted different definitions for the national project and different

strategies and tactics to manage internal affairs. As such, they ended up practicing repression and exclusion, and they were suspicious of each other and intolerant.

The year 2006 and beyond witnessed changes in the characteristics and roles of the elite. The influence of the resistance elite, which appeared more cohesive, united, and interested in its internal affairs, expanded. Also, some cultural elites became more daring in challenging the current political situation. New names emerged in the field of culture. They adopted the national liberation struggle and influenced the rising generation by their thoughts and sayings. Furthermore, a segment of large capital owners strengthened their positions, and their influence on the economic and social policies of the PA increased. The role of family and clan elites grew. Moreover, the crisis of the PA's elite deepened after the failure of its political project and its inability to play its social role. Moreover, the PA relied on the security grip to address internal challenges. Corruption became more widespread and evident.

The crisis has recently deepened, especially with the blockage of the horizon for internal reconciliation and the lack of hope for the revival of unifying national bodies. Moreover, the resistance elite remains unable to invest its military steadfastness in politics and services.

Nevertheless, there is hope that radical changes will occur in the future, especially with the fluidity of the current regional and international situations. Transformations may occur and may lead to the end of the current deadlock. Any weakening of the Occupation's internal political, social, or economic structure, or any decline in its strength on the ground, could constitute a glimmer of hope. The Palestinian arena has witnessed some new transformations, which could enable it to overcome the Oslo phase and its impasses. The situation on the ground in the West Bank and Jerusalem is witnessing a phase of gradual recovery since the end of the 2014 war. Resistance has escalated, and new formations that expand beyond factions have emerged. The Battle of Saif al-Quds in 2021, enabled Palestinians to break with the Occupation's policy of providing services to Gaza Strip in return for stopping resistance activities, and it promoted the role of resistance as a part of a national liberation project. All these factors may have an important impact at a later stage and may lead to repelling Zionist encroachments. Moreover, it may raise hopes of inducing a positive change on the political, social, and economic structures of the Palestinian society, which could ultimately resolve the elite's crises and induce change toward a more positive, effective, and influential role within Palestinian society and regarding the Palestinian cause.

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The Sociology of Systematic Israeli Change towards the Palestinian Society post-Oslo and its Emerging Transformations

Iyad Abuzniet

Bringing about change in occupied societies is a priority for occupation forces. Various examples have demonstrated that occupiers seek to create a society that is either peaceful or passive, or which normalizes with the occupier. The Occupation in Palestine applies all available mechanisms of change to subjugate the Palestinian society economically, socially, and culturally.

Israel, as an occupying power, followed the path of colonial powers in bringing about change in the occupied societies. Nonetheless, the tools of hegemony it utilizes are different from those of other occupiers. That is because Israel does not want the occupied society to become integrated with its own and adopt its values. On the contrary, it aims for a defeated Palestinian society that has a negative self-perception and is fascinated by its occupier. The Occupation aspires to achieve this change through the economic aspect, which is used as a tool for influencing the Palestinian society. In this context, the Occupation strives to convince the Palestinian society that the existence of Israel - as an occupation that controls its growing internal and external economic resources - constitutes one of the pillars of existence of the Palestinian society, as both are interconnected. This is the approach that Israel has openly adopted in recent years, through linking peace to the economy.

This paper argues that Israel adopts integrated models in bringing about change and does not generalize what was tested on the “micro” level to the “macro” level. Rather, Israel produces dominant theories and analytical models of its own, to mold the systematic change of the Palestinian society in a way that serves its policy and enables it to create theories and models that can be adopted

globally by countries with colonial ambitions, allowing them to personalize innovation. Hence, there is a real need for counter-studies that diagnose the system adopted by Israel, as an occupation, and analyze its trajectory, in a serious attempt to make the Palestinian society more dynamic in the confrontation.

This paper attempts to diagnose the sociology of the systematic change that Israel relies on, to bring about change within the Palestinian society and to dismantle its components, based on the following points:

1. Israel's attempt after Oslo Accords to fuel the conflict within the Palestinian society. Therefore, it is necessary to examine the change in the context of the conflict, as it is a central reference in the restructuring of society.
2. The Palestinians are confused when it comes to their self-perception and the perception of the other. Some Palestinians have a poor perception of themselves and glorify Israel; while others, on the contrary, excessively glorify themselves and underestimate Israel and its capacities. This has resulted in the absence of an objective judgment and perception of the self and the other, which should be addressed.
3. Israel attempted to create a 'new Palestinian' identity, but failed. This leads us to say that the Palestinian society still hoards internal factors of strength, that need to be awakened.
4. The need to unveil the tools and means that Israel relies upon to bring about change, and try to build Palestinian counter models.

The study examines a basic problematic, represented in the presence of manifestations of transformation in the Palestinian society at different levels - such as society, and political movements and authorities - and within the scopes of social, economic, and cultural transformations that have a growing impact on the relationship with Israel as an occupation regime. These manifestations were the product of Israeli tools of change, which were tested on the various components of the Palestinian society over different periods of time. Israel used the approach of change and continuity to measure the impact of these tools in achieving change in the Palestinian society. This triggered a change in the structures of society and its relationship with Israel, leading to the sustainability of the Occupation.

The study seeks to answer a set of questions to address the problematic, as follows: What is the nature of the theories used by Israel to bring about change in the Palestinian society post-Oslo? What are the most prominent tools of change used by Israel? How was the systematic change reflected on the Palestinian society on various levels related to the economy, culture, and self-perception? What are the most prominent transformations arising from

that change, how can they be understood, and how is their scope identified?

The study proceeds from two main hypotheses, as follows:

First: There is a relationship between the change taking place in the Palestinian society and Israel's use - as an occupying power - of tools and/or theories that have implemented that change. Rather, there are indications that the change taking place in the Palestinian society is directly affected by Israel's use of its tools and their development in different contexts and periods.

Second: The transformations in the Palestinian society came from outside the social system and passed through social agents. This led to transformations in the relationship between the occupied and the occupier, which prevented the transition of the Palestinian society from the position of defending its land to a struggle for liberation.

The study uses a set of multidisciplinary methodologies and approaches to explain and deconstruct the phenomenon under study:

First: The Descriptive Approach, which describes the manifestations of growth and development in the social transformations taking place in Palestine, and attempts to monitor the most prominent mechanisms of change used by Israel, and describe their repercussions on society and its structures - socially, culturally, and economically.

Second: The Continuity and Change Approach, which commensurates with the studied case and is used in this study to monitor the changes within the transformations in the Palestinian society. This approach monitors the type of change (positive/negative), the speed of change (sudden/fast/gradual/steady/or slow), the time span of change (long/medium/short term), and the continuity of change (sustainable/ discontinued/used in some cases).

The study aims to highlight the change in the Palestinian society after the Oslo Accords, based on internal factors and their impact, as well as external factors represented by Israeli tools. In addition, the study seeks to unveil the transitions taking place in the Palestinian society and the circumstances and factors that caused them over different periods, as well as the Palestinian society's response to those changes, and whether it confronted them or surrendered to them.

First: Explanatory Theories that Israel Relies on to Achieve Change

1- The theory of “elimination”

Occupation (colonialism) is defined as the conquest of a people by military force to plunder its wealth, exploit its land, and harness the energies of the population for the benefit of the colonizers. This is accompanied by plans to convert the people to a different religion, concepts, principles, morals, and individual and social behavior, in order to sustain the occupation (Abd al-Rahman, 2000, p. 53).

Israel adopts several theories to achieve the largest number of transformations in the Palestinian society to serve its interests. The study argues that most of Israel's theories and mechanistic tools stem from a basic theory, which is the ‘theory of Settler Colonialism’. This theory explains the occupation in Palestine as a colonialism based on geographical, economic, and cultural occupation. This is known as the Logic of Elimination Paradigm, which was primarily developed by the Australian historian, Patrick Wolfe.

Colonialism is characterized here in being exploitative, as it exploits all available resources of the occupied people and relies on exploitative tools - whether at the level of discourse, practice, monitoring, or tools of change. While the main goal of the colonizer is to create a settlement in the geographical sense and to seize land, it is paired with another goal, which is the attempt to change demography and eliminate the indigenous population. This indigenous population is then exploited as a surplus value through combining its cheap labor power with the resources of the colony, which it contributes to building. The colony then expands at the expense of its land and, through its expansion, eliminates it as a people. Wolf described this as the “Logic of Elimination”. For the theory to become ready for application, both goals must be accompanied by transformations in the economic, social, and cultural perspectives as well as the self-perception of the occupied people; and that's what Israel is doing.

The occupation here is characterized by its exclusionary relationship with the indigenous population, as Wolf points out, by creating a permanent relationship with the colonized land and through intensifying its exclusionary ideological discourse. However, it faces a complex problem. On the one hand, it has not been able to eliminate the demographic presence of the original component. On the contrary, the demographic balance has tended to balance in recent years between the occupied people and their occupiers. On the other hand, the indigenous population is still struggling for self-determination (i.e., the inability

to physically remove it); and third, the Zionist settler colonialism is unable to eliminate or integrate the indigenous population within its society (social and cultural elimination) as the differences between the colonizer and the colonized are not based on race or color, but on religion (Habas, 2017, p. 4). Due to the unwillingness to integrate the indigenous population and the inability to eliminate the occupied society, the Occupation has sought and is seeking to achieve a delicate social engineering for the components of the occupied society that aims to transform it into a dependent society that constitutes a “surplus value” for the occupier and supports its continuation.

2- The theory of “physical separation”

Targeting the consciousness of the occupied people is one of the pillars of change that aims to create an occupied society with conflicting social structures, and which has divergent views over who owns the tools to fight the occupation. Accordingly, new elites emerge, each claiming to have greater awareness regarding the existence of the occupier. This entails that some political and social components of the Palestinian society oppose progress, in a situation that reproduces underdevelopment and dependency (Al-Sourani, 2010, p. 13). The Occupation mainly follows a policy of physical separation to remold the consciousness, characterized by disengaging from the Palestinian society as much as possible, so that it redefines the Occupation through specific practices, namely the actual harm perpetrated against an individual. Accordingly, the Occupation is not physically present in Palestinian cities and villages, nor openly confronts the population. Rather, it implicitly uses tools that drive the community to establish relations with it through its economic influence, and for commuting or obtaining treatment. At the same time, it fragments the social structure through forming a social class that operates within it, intentionally or unintentionally, for the benefit of the Occupation. In parallel, the environment incubating these Palestinian social structures remains protected and controlled as much as possible. This can be illustrated by the security grip of the Occupation outside the Palestinian cities and on their outskirts, through control centers, which alternate the use of hard and soft power. The Occupation uses hard power – through its soldiers, forces, and settlers – as well as soft power, such as granting work permits and communicating with the Palestinians through social networking sites. Simultaneously, the Occupation promotes the division and dismantling of the Palestinian society by using tools that include the provision of weapons, and controlling local politics or elites as needed, particularly if they get out of its control. Besides, the Occupation can create a new set of tools when needed and compare them with one another in terms of influence, speed, and the extent of society’s response to them, based on the policy of Necropolitics (Gordon, 2008, p. 2), which is based on monitoring and controlling who lives or dies

from amongst the occupied people. This approach is combined with the theory of surplus value, enabling the Occupation tools to become hybrid.

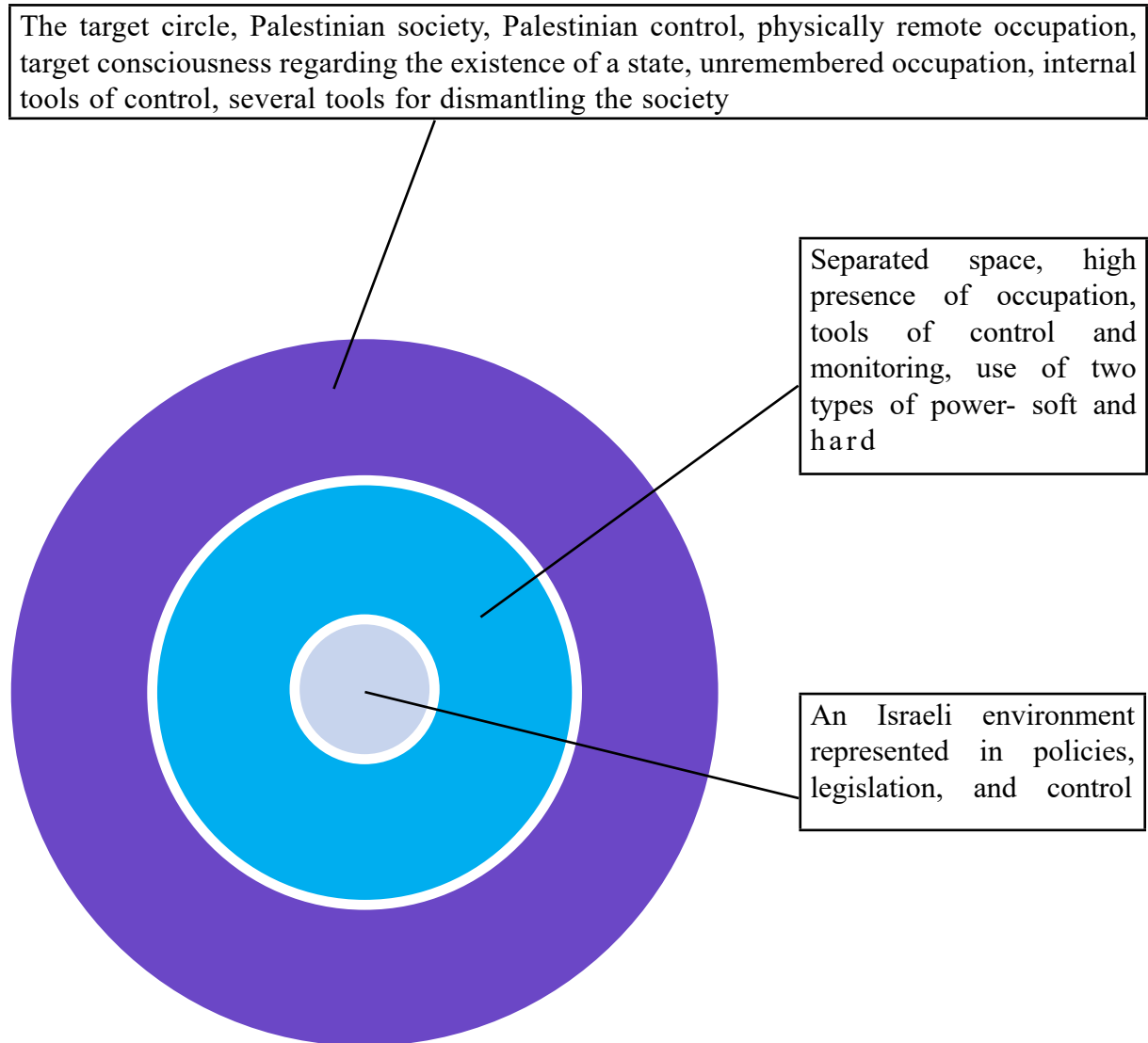


Figure (1) Israeli surveillance and control layer over Palestinian society.

By adopting the above-mentioned theories as determinants of the Occupation in the Palestinian society, Israel relied on a set of tools to create a continuous change through replacing the actual variables of change and introducing new ones to experiment them, and thus, prevent the occurrence of a natural change¹ in the Palestinian society.

¹ Social change is a natural transformation in social structures. It is an observable transformation, which is always inherent in social life, that affects the structure and function of the social organization of a group, and changes the course of its history. Through a set of tools adopted by the Occupation, change became a systematic and planned active act, that

Second: Control and Monitoring Mechanisms Employed by the Occupation at the Social and Economic Levels

The tools of social control and domination used by the Occupation vary in their form, their use, and their impact. Israel relies on several tools and mechanisms that it uses for the sake of preserving its existence. These tools were developed very swiftly, and through well-crafted strategies in the post-Oslo era, achieving a bigger impact on the Palestinian society. Other mechanisms were also developed to keep pace with the change in the Palestinian society. Several such old and modern tools and structural mechanisms were monitored, based on the continuity and change approach adopted in this study.

1- Disintegrate the geographic space. Building settlements is the main tool for disintegrating a geographical space. Settlements have developed at a high rate post-Oslo, and are mainly based on seizing the largest possible geographical area of agricultural and uninhabited land, as this facilitates the insertion of Israeli settlers into areas that can be invested on the one hand. On the other hand, this practice restrains the Palestinian population within narrower geographical areas and facilitates the production of a distorted Palestinian society. Building settlements is a deeply rooted and constant tool and continuing policy used in Israeli politics, that survives the change of governments. It is based on two foundations. The first is religious; **Begin** believes that the “state of Israel” must be based on the entire geography allotted to it in the religious text. He says: “Judea and Samaria are Israeli lands that belong to the Jewish people alone, and settlement in them is a right and a duty.” He adds: “Jerusalem was and will always be our capital. The Land of Israel will belong to the people of Israel, in its entirety and forever” (Ben Meir, 2012). The second foundation is strategic, and is demonstrated by Israel’s expansionist political view of the state and of geopolitics. In this context, Israel adopts an organic geographical theory, which assumes that the state is an organic unit that consists of a population and a land. The ability to survive is determined by its potential to grow in the space in which it lives and interacts, just like other living organisms. This viability is an internal necessity that must be achieved through all means necessary, including war, if needed, even at the expense of neighboring countries. Accordingly,

took place to engineer social transformations. During various time periods, and through different means, the Palestinian society passed through multiple phases of change, without becoming consciously aware of the process of change, considering that the change in the Palestinian situation resulted from a set of factors, most of which came from outside the social system, in order for the current change to occur. For more information, see: (Anthony, 2005, p. 743).

the state has two options. Either to grow and expand as much as needed in its environment to achieve its optimal growth, or decline and die (Mukalled, 1979, p.102). Within this expansionist thought, borders are seen as fluid and unstable regions that grow and shrink according to the strength of the state. They are perceived as the organs that surround the heart of the living organism (the state) (Riyad, 2014, p. 45).

2- Reshape the demographic map. Preserving the demographic balance in Palestine is a focal point of the Israeli occupation policy, which seeks to maintain it tilted in its favor; or at least balanced with that of the Palestinians. Israel has used many means to achieve demographic superiority after and during its creation, such as wiping out the indigenous population prior to founding its state during the Nakba (Ghanim, 2013, p. 118). Israel succeeded maintaining the balance from 1948, until the signing of the Oslo Accords. After Oslo, Israel noticeably worked on this strategic tool through adopting a new and accelerated logic to grow the number of settlers in the West Bank to unprecedented levels - in terms of presence and geographical location - as their numbers attained nearly 800,000 settlers or more, while the number of settlements reached 151 settlements at the beginning of 2021 (Palestinian Central Bureau of Statistics, p. 21). This demographic expansion reflected negatively on the Palestinian society at the economic level, represented in the inability to benefit from the resources. This is particularly true given that settlements are based on a geophysical principle, which includes the annexation of the largest number of useful and rich areas in terms of resources, and on the other hand, creating a mixed demographic environment in the areas of contact and convergence between Palestinians and settlers. Added to that is the increased isolation of Palestinians in cities and villages, who end up surrounded by demographic and geographic settlements.

3- Settler violence as a means of change. In its geographic and demographic settlement expansion, Israel focused on a certain type of settlers, who have ideological creed and are advocates of extremism. The goal was to create new colonial power centers, based on the systematic practice of violence against the Palestinians in the new settlements in the West Bank and Jerusalem. Attacks on Palestinian citizens are launched daily from these settlements, backed by the protection of the Occupation's soldiers, so that it seems as if the violence taking place has nothing to do with the occupying state, but rather is a form of embodiment of the Palestinian-Israeli conflict between new settlers claiming their right to the land, and the original owners of the land. Terrorist settler organizations have made their appearance inside the settlements, such as the terrorist "Price Tag" movement, which is an Israeli settler terrorist organization that carries out terrorist operations, mainly against the Palestinians, and signs these operations and various activities under the name of "Price Tag". The organization appeared

in mid-2008, and its name carries a double meaning - it is a nickname for the terrorist activity carried out by settlers in the occupied West Bank against Palestinians and their properties, and also against the Israeli government's policy towards settlements, which is perceived as deceitful (Mahareb, 2012). Settler violence is one of Israel's new tools in creating social transformations in the Palestinian society by keeping the Palestinians in a constant state of fear, moving from the attack stage to that of defense. On the one hand, Palestinians face a great danger if they initiate an attack against the new terrorist groups; and on the other hand, they are unable to protect themselves against the increased aggression they are facing.

4- Mixed settlements as a form to achieve change. To implement the idea of surplus value mentioned at the beginning of the study, Israel developed a new type of settlements, based primarily on the establishment of large settlement blocs containing a group of Israeli industries and their products, especially in the West Bank areas, to attract the largest possible number of Palestinian laborers. This is not traditional employment that is based on employing Palestinians for manual labor, but rather technical, artistic, and creative jobs, particularly in technology. These settlements were engineered to attract the Palestinian minds, based on their operational capacities, the wages paid, and employing Palestinians from both sexes. As such, these settlements have become Palestinian-Israeli coworking spaces, through which Israel aims to maximize its profit from the Palestinian economy and innovation, which fuels its economy. Furthermore, these settlements aim to modify the Palestinian consciousness from considering Israel as an occupying power to perceiving it as a place that offers good employment opportunities. In addition, these settlements introduced an important social transformation within the Palestinian labor force through including the Palestinian woman in this force, and breaking the stereotype related to limiting employment for men inside settlements; thus, further normalizing the relation with the occupation. Although there are no recent statistics about women working in settlements, some reports indicate that 2,000 women have obtained a regulated work permit (Nisa FM, 2020), while others work without permits, with no accurate figures about them.

5- Change through digital diplomacy. One of the new Israeli tools for achieving change is the social networking sites. Israel relies on soft power through using sites that have become a reference for Palestinians to encourage them to communicate with the Occupation. These sites might seem harmless as they address topics related to work, health, and emergencies, while in reality, they constitute spaces to attract the Palestinians and encourage them to interact with the occupation with no boundaries. Through these sites, Israel aims to remove any points of convergence between the Palestinian citizens and the leadership.

One of the most prominent examples of this are the social networking pages run by the Israeli Civil Affairs in the West Bank, the most prominent of which is the *Almunasseq* application, which one must mandatorily access to obtain a work or treatment permit. This is a mechanism that aims to humanize the Israeli occupation by focusing on how it deals with Palestinian victims of traffic accidents, helps farmers to reach their jobs, or seeks treatment opportunities for patients. The results of a research study on the subject showed that there is a Palestinian interaction with the Occupation's social networking pages. Such change tools have actually been able to influence the receiving Palestinian public by sensing their needs through their posts, and analyzing their comments and following up on them to deepen community targeting tools in the future. The study also mentioned that Israel was able, through diplomatic public relations, to reframe, form, or normalize the relationship with the Palestinian society. Accordingly, Israel has transcended the mediator represented by the Palestinian Authority. Furthermore, this influence has increased in the absence of official Palestinian political strategies to confront the Israeli digital policies (Mustafa, 2021, p. 103-105).

6- Policy of privileges for the Palestinian elites. This policy gained significance post-Oslo, and Israel used it as a tool of change in the Palestinian society, based mainly on granting privileges to the political and economic elites in the Palestinian society. These included Israel granting movement and travel cards to some Palestinian officials, and entry permits to the territories occupied in 1948. These privileges were not limited to politicians, as Israel also targeted the economic elites in the Palestinian society with packages of privileges that included movement permits and licenses necessary for the exclusive import of some products. This resulted in a convergence of interests between the Palestinian and Israeli political and economic elites. This policy also created new Palestinian elites that were distinguished by wealth, at the expense of needy social classes (Abu al-Ezz, 2015).

These privileges are one of the practical applications of the idea of economic peace, which Israel seeks to promote as one of the tools of annexation, domination, and creation of dependency. This tendency seems to have increased in the post-Oslo period, and contributed to the creation of distorted Palestinian social classes in the West Bank and the Gaza Strip.

7- Deepening of the Palestinian social disintegration. This is a traditional as well as modern tool employed for bringing about change. Even though it was already used in the past, the focus on promoting disintegration as a basic tool for change increased after the Oslo Accords, expanding significantly after the Palestinian division in 2007. Its forms varied, between the Israeli targeting of resistance movements in the West Bank, and between the political Authority's pursuit

of wanted persons whom Israel considered a source of danger, and which was considered by Israel as one of the duties that the Palestinian Authority (PA) was obliged to fulfill. This resulted in a growing estrangement between the PA and the popular masses that supported the Palestinian struggle. On the other hand, the Palestinian Split has constituted an important resource for the disintegration that Israel seeks to perpetuate, by creating elites who benefit from its existence.

The seven tools that we just presented are the ones most frequently employed to influence systematic Israeli change in the Palestinian society at the societal, political authorities, and movements and parties' levels. To apply the study's approach of continuity and change, an approximate image can be built to determine the changes that affected the tools, and the extent to which these tools succeeded in achieving change.

Third: The Emerging Transformations in Society and its Structures

The previous mechanistic tools that Israel used to trigger a continuous change in the Palestinian society resulted in transformations at three levels: society, the political authority, and movements and parties. These tools worked in tandem to create the transformations, the most prominent of which are as follows:

Transformations in the society's structure and behaviors

The emerging transformations in the post-Oslo Palestinian society did not only affect the structure of society or its class hierarchy, but also modified the Palestinian societal behavior and brought about several developments, elaborated as follows:

Decline of civil society influence. Civil society, which could have been a tool of influence, faced a decline in its role and ability to play a pioneering role in change. Also, its influence on the political community has reduced, as evidenced by its inability to date, to exert real pressure to end the political division, and its contentment with playing the role of mediator, without having real means of exerting pressure that can be used to correct the course followed by the political community.

Development of changing social classes. Post-Oslo, a new class of political and social bourgeoisie emerged, different from the one that preceded it. This new class stratification is characterized by instability, or the absence of clear and specific class characteristics, which result from the formation of class

consciousness (Al-Sourani, 2010, p. 118). As a result of Oslo Accords, distorted social classes appeared in the Palestinian society, leading to the inability of the social structure to generate stable social strata. Party affiliation, nepotism, tribalism, and Israeli privileges collectively support the production of a temporary social class, which may change based on its affiliations, or the conditions it is subjugated to.

Fragmentation of the social fabric. As a result of the Occupation, the Palestinian social fabric was disintegrated several times and was reshaped based on the circumstances and their limitations. After the Nakba, the social fabric was disintegrated and the population was distributed over a new geography, in the West Bank, the Gaza Strip, and the Diaspora. New demographic communities emerged, which included in their structure a community that shares visions and perceptions, in parallel with the rural and urban societies. After 1967, the same scenario was repeated. As such, this social fabric was considered diverse, yet united by a common history of oppression, and whose harmony was preserved by the amount of resistance this society offered against the occupying forces. . After the Oslo Accords, which resulted in reducing the involvement in the resistance as a means to obtaining rights, the fragmentation became clearer, particularly in the West Bank. In the Gaza Strip, other factors seemed to promote the disintegration of the social fabric, notably the siege and poverty.

Negative self-perception and its imbalance. In this context, ‘the self’ means the Palestinian essence and collective identity. The imbalance can be clarified through addressing the relationship between the Palestinian ‘self’ and its position regarding the Occupation. The relationship in the post-Oslo era became conflictive between the two Palestinian selves, one of which is defeatist or negative and sees the occupation as an inescapable fate and formulates its visions and policies accordingly, and the other which is excessively positive and perceives the occupation as temporary. Accordingly, it raises high ambitions and considers it easy to confront the occupation. This resulted in the inability of the first ‘self’ to develop its means of struggle, and that of the second to take the Occupation seriously. This miscalculation resulted in a transformation in the self-perception and led to the belief in the inability to confront the Occupation. Even though this cannot be generalized to the Palestinian context, it is important to refer to it in the context of transformations, so that researchers can address this phenomenon.

Fragmented and dependent economy. The post-Oslo era did not constitute a rupture with the Occupation, as desired. On the contrary, the forms of economic dependence increased because of internal factors such as the decline of Palestinian production - while the self-sustaining Palestinian resources and productions were one of the reasons of the ability to resist during the first intifada

– as Palestinian policies failed to support the commercial sectors. All the aforementioned was added to the agreements that restrained the Palestinian economy, preventing it from entering development processes or making structural adjustments that could help in its recovery. Therefore, the recovery became linked to the Israeli economy and the space it provides for improving the Palestinian economy, as 55 percent of Palestinian imports into the West Bank and the Gaza Strip are from Israel, and 80 percent (Goldstein, 2021) of Palestinian exports are also to Israel.

Transformation in the shape of Palestinian cities. A transformation occurred in the cities of the West Bank, changing their appearance from that of occupied cities – which walls should be adorned with anti-occupation banners or in which areas of productive work abound – to that of touristic cities, which boast services and entertainment. We do not imply that Palestinian cities should remain imprisoned by grief or be prohibited from progress. Rather, this progress should be positive and have an impact on the occupier. It is important to emphasize here, that the state of physical separation that the Occupation imposed was an important reason for the transformation of the shape of the Palestinian city.

Increased levels of internal migration. The local migrations represent a real danger to the villages and communities who migrate to the cities, because it means neglecting the land, which is at the core of the conflict between the Palestinians and the Occupation. There are two factors that have an important impact on the increase in internal migration rates. The first is the Israeli settlement policy, which pushes Palestinians towards searching for safer places to live. The other is the inability to support the resistance of citizens in the threatened villages and towns. Internal migration in its current form means the concentration of the population in more crowded demographic spaces, while leaving empty lands that are vulnerable to Israeli exploitation, especially in the Palestinian countryside and the Jordan Valley.

Spread of consumerism culture. An important shift occurred in the lifestyle and family consumption patterns within the Palestinian society after Oslo, specifically in the last ten years. It is true that the spread of the consumerism culture is due to many factors, of which we can mention globalization, open market policies, freedom of trade, and others. Nonetheless, in the Palestinian case, it unconsciously drifts from the experiences of people aiming at liberation from occupation. The abandonment of small local productions and the increased dependence on foreign markets worsened the situation, and promoted the dependence on the economy of the Occupation. Accordingly, the structure and pattern of consumption in the Palestinian society has become irrational.

Fourth: Transformations at the Level of Political and Parties' Structures

This section discusses how Israel was directly and indirectly able to change the concepts and tools that characterized the Palestinian struggle, and which built the identity of all Palestinian resistance factions throughout their history - from their inception until their adoption of the armed struggle - based on two factors. First, changing the concepts of struggle and its tools as understood by Palestinian organizations in general, and those affiliated with the PLO in particular. Second, changing the relationship between the militant institutional structure and the organizations on the one hand, and their relationship with the Occupation on the other hand.

Changing concepts

Following the signing of the Oslo Accords and the formation of the Palestinian Authority, the Israeli Occupation sought to develop concepts that would lead the PLO, and the resistance factions under it, to accept a new reality in the conceptual relationship with the Occupation. This was concretized through requesting the cancellation of the provisions of the Palestinian National Charter that call for the destruction of Israel. During the convening of the National Council in the Gaza Strip in 1996 (Miari, 2021), there was a unanimous vote on its amendment.

The matter soon evolved from addressing concepts of national liberation to including those related to the state and the political field. The latter were overstated, as if they were based on reality, particularly in diplomatic missions. In parallel, names for political and security positions emerged, which Israel supported by granting VIP privileges, PMC cards, and other privileges that reinforced the illusory concepts of the Palestinian sovereign political entity, with the aim of abandoning the concepts of liberation or obliterating them, while the occupation of the land persists (Abuta, 2016). Israel used the same strategy to deal with various national figures, through allowing them to return to Palestine and exercise their political work within the limitations of the Oslo Accords. Accordingly, whoever did not respect these limitations would be the target of arrest or assassination, as with the Secretary-General of the Popular Front, Abu Ali Mustafa (Rabah, 2020).

Israel's focus during the post-Oslo period on changing concepts aimed at amending the national identity of Palestinian organizations and parties, leading to a change in the organizational ideology and their societal base. The sociological

change of any society goes through structural stages that are carried out either through the components of the society itself, the political and intellectual elites that represent it, or the political parties. Accordingly, the concept of ‘conflict’ shifted from being existential to the search for economic and social gains related to the quality of life (Al-Zu’bi, 2021). As a result, the concept of Occupation was replaced by the ‘State of Israel’, the counterpart, or the neighbors. Also, the West Bank was transformed from a comprehensive geographical concept to areas under Palestinian control and areas under Israeli control; and the Israeli checkpoints became “crossings”. As such, the relationship between both parties resembles an existential entanglement based on the conceptual fusion against which the terms of liberation, confrontation, and resistance have receded.

The conceptual change extended to the struggle tools, transforming the concepts of armed resistance into “violent” resistance, and “popular” struggle tools into “peaceful” resistance. Israel pushed for this transformation with the aim of creating a process of self-rejection of the internal Palestinian struggle tools and considering them as tools that no longer fit the new reality, requiring the Palestinians to become more pragmatic or neoliberal in dealing with the Occupation (Al-Qasim, 2012, p. 21).

Changing the Relationship

In parallel with the processes of changing concepts, Israel sought to bring about a state of fundamental change in resetting the relationship with the Palestinians on two levels. The first is the Israeli relationship with the Palestinian factions and parties. The second is the interrelationship between the same factions, which has culminated in a state of political division that has been fed in an integrated way by Israel since 2007.

Regarding the first level, which is the relationship of Israel with the factions and parties, Israel relied on several principles, which are:

Integration: The Oslo Accords and the process of engineering and building the Palestinian society that followed aimed at integrating the national movement - which was mainly represented by the Fatah movement, the largest popular Palestinian faction at that stage – in the political reality that resulted from Oslo. This was represented either by releasing thousands of Palestinian prisoners under conditions such as the renunciation of activism and “violence”, or by accepting their involvement in the various institutions of the PA, including the security apparatus. Thus, they became part of the settlement project, which was later transformed and focused on economic peace. This was one of the major proposals for the formulation of the Israeli-Palestinian relationship, which entailed reconceptualizing the conflict.

Disruption of the institutional structure related to the national identity. Although the Palestine Liberation Organization (PLO) represented the other end of the Israeli occupation, and there was mutual recognition after the signing of the Oslo Accords, Israel was working in a different and parallel way on weakening the national institutions that arose and adopted the concept of liberation. This includes the Palestinian Authority, which was one of the major outcomes of the Oslo Accords. In the second intifada, all the PLO's major organizations were eradicated, and the concept of institutional sovereignty was destroyed. In addition, Israel directly intervened in the outcomes of the second legislative elections that took place in 2006, contributed to dismantling the structure of the legislative institution, and interfered in the structuring of institutions regulating Palestinian political action through the conditions of the International Quartet (Abd al-Rahman, 2019).

Promoting individual relationships over institutional relationships. Israel established individual relationships with many Palestinian political and social leaders and transformed them into state-to-individual relationships to suppress the Palestinian institutional building. This was clear in the relations developed with the Palestinian Authority or other organizations. This policy was reflected in the atrophy of party structures, including the traditional ones and those which adhered to the political visions and proposals of the peace process. Entities emerged calling for the necessity of giving way to the so-called technocrats or elites, based on reform projects and interests. There were also international demands to redefine the concept of political leadership away from organizational and partisan identity (Malhis, 2019).

Furthermore, since the preparation phase of the Oslo Accords, Israel worked on creating an internal Palestinian rift between the different political parties and organizations. Although the PLO tried to maintain the geographical connection between the West Bank and Gaza in the Oslo Accords, under the title "Gaza, Jericho First", Israel sustained the geographical division through the crossings, by controlling commuting.

In 2007, Israel supported the Palestinian political division and took advantage of it to revoke the political unity of the West Bank and Gaza while pursuing its settlement policies and plans in the West Bank. At the same time, Israel dismantled the institutional structure of the Palestinian organizations in the West Bank. In that context, imposing siege on Gaza was an attempt to abort the liberation project through pushing the population to stop its support for the resistance (Al-Naami, 2011).

By strengthening the state of division, Israel intended to achieve a set of goals, which was undoubtedly one of the steps through which it was able to restructure the concept of Palestinian partisan and organizational work, among which are:

- Distract national leaders in the West Bank and Gaza with their internal disputes while promoting issues that could aggravate the internal strife and strike civil peace. After succeeding in reducing the popular support for and confidence in organizations, Israel was able to implement its plans on the ground.
- Denial of national identity or party affiliation. The division, and the political persecution it entailed, contributed to creating a state of fear of the concept of organizational and party affiliation, and prompted society to rethink national identity and the role it could play, given the fighting of organizations over power and authority.
- Israel took advantage of the state of division on two levels. The first to eliminate the concept of armed resistance in the West Bank, dismantle its structure, and use “intimidation” to avoid repeating the Gaza scenario in the West Bank. The second to strengthen the security cooperation in the West Bank through abolishing the national rejection for it and promoting it under the claim that it would benefit the current political status-quo and avoid that Hamas takes control of the West Bank, like it did in the Gaza Strip.

Conclusion

Based on the arguments presented in the study, it can be concluded that the Zionist Occupation is a continuous process of elimination, domination, and control, that constantly develops itself and its mechanistic tools in order to ensure its sustainability. The Occupation always sets a regulating framework for its tools, which are used to achieve a confusing change within the Palestinian society, so that they do not diverge - despite their diversity and multiplicity - from the ruling theories but change according to the counterpart, time, place, and situation. The Occupation seeks to transform Palestinians to a “surplus value” in work, politics, and culture, through destroying what constitutes a threat and exploiting whatever benefits it. In addition, the Occupation strives to create a physical separation between the Palestinian society and its occupied surrounding, so that it stops believing in the possibility to abolish it. In parallel, the Occupation takes as much advantage as possible of the Palestinian society so that it serves its interests.

The position of the Occupation regarding change is not temporary but rather a systematic dynamic, characterized by experimentation, which includes experimenting change tools and examining their ability to achieve their goals, within an approach based primarily on continuity and change, and as part of a programmed system to bring about change by displacement, which means, a greater achievement of the goals of the Occupation.

Real transformations appeared in the Palestinian society, such as the changes in the societal structure and its behavior, which were manifested in its social, economic and cultural realities. These transformations were also reflected internally, and impacted the relationship with the occupying forces. At the same time, there was a change in the Palestinian urban and countryside structures, as well as in Palestinian political structures. There have also been transformations at the level of Palestinian political structures, where the occupation, through its tools, has been able to reset the concepts of conflict with these structures, and to control and leverage these relationship to its advantage.

The study's enumeration, clarification, and explanation of the changes that have occurred in Palestinian society are not meant to spread despair or frustration. Rather, it aims to highlight the gravity of these transformations for the Palestinian society. In fact, there are many indicators that support the belief that, despite the alienation, change, control, and domination it has experienced, Palestinian society is capable of awakening factors of resurgence, resistance, and confrontation.

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SECTION 3

TRANSFORMATIONS IN THE PLO AND THE PALESTINIAN AUTHORITY

Transformations of Authority: Forced Integration into Colonial Systems of Domination

Khalil Shaheen

The paper analyzes the most prominent transformations witnessed by the Palestinian Authority (PA) following the Oslo Accords, in the context of its subjugation to colonialism and the internal division. It also presents suggestions to resolve the dilemma that resulted from the transformation of the PA's structure and functions into an administrative, economic, and security agent for the colonial regime in parts of the West Bank. Moreover, the paper addresses the predicament related to the transformation of the Hamas rule in the besieged Gaza Strip into a model of unilateral domination, due to its monopoly of power and authority.

The paper focuses on the major shortcomings of analytical tools used after the emergence of the PA – which are based on theories of democratic transition in post-colonial contexts – in analyzing the PA's path to establishing an absolute rule based on political hegemony and power monopoly. The PA relied on a clientelistic network that includes individuals and formal political entities seeking to preserve the status quo represented by the colonial relationship and the authoritarian nature of the PA in the West Bank. Meanwhile, the Gaza Strip witnessed the development of another authoritarian regime, which also monopolizes power. Both authorities in the West Bank and the Gaza Strip benefit from the ongoing state of internal division. Appropriate tools to study the transformations of elites and PA institutions in the colonial context should be reconsidered, given that the latter is seeking to consolidate its domination systems rather than dismantle them.

The paper presents several hypotheses and questions. It starts from colonialism as the most influential factor in the transformations witnessed by the

emerging Palestinian political system following the Oslo Accords. This agreement not only defines the nature of the relations between the self-governing authority and the occupying state on the political, administrative, economic, and security levels, but also the limited competences of the PA. It also determines the foundations that govern the relationship between the PA, on the one hand, and what is known as the Palestinian civil society, on the other hand, with its broad definition and which includes political forces.

In essence, the Oslo Accords were meant to establish an authority that would regulate and control the Palestinian society under occupation. The 1995 Palestinian-Israel Interim Agreement (Taba Agreement) referred to the exercise of governance “according to democratic principles”, rather than “establishing a democratic rule.” This led to the emergence of a non-democratic “political system” that lacked pluralism and failed to develop political partnerships, even with the adoption of democratic principles and manifestations such as elections. Thus, we can question whether the “political system” that emerged since the establishment of the PA constituted an extension of the national political field as it was known during the PLO’s pre-Oslo era – bearing its features, structures, and components – or whether it seceded from it? To answer this question, the paper assumes that the political field, which was called a “political system” and was meant to complete a process of democratization after the establishment of the PA, was the first victim of the Oslo process. This is because the PA remained a transitional self-administration authority and did not transform into an independent sovereign state, despite its domination of the PLO and its political field.

Accordingly, the paper attempts to understand whether the PA has transformed into a multi-layered system that seeks to perpetuate its control over the Palestinians in response to the settler-colonial regime’s desire to promote dysfunctional power relations that serve its interests. This entails answering the following question: Is it possible to reform this system/authority, or should the PA be dissolved or have its structure and functions changed?

A critical review of the literature on the transformations of the Palestinian “political system” and “political field” during the Oslo era shows that many studies projected theories of democratic transition on the emerging regime, especially during the transitional period before the collapse of the Camp David negotiations in 2000, and the outbreak of the Al-Aqsa Intifada. Such a tendency still occasionally permeates the discourse of the PA elite, especially with narratives that consider that the PA has exhausted its opportunity to transform itself into an independent state, at least based on its current role, structure, and functions.

During the pre-liberation period from colonialism and military occupation,

there were apprehensions regarding democratic transformation. Nonetheless, the transformations in the structure and functions of the PA led to the reproduction of a new pattern of hegemony in the political field; which affected both old and new political formations, under the umbrella of the false state discourse which promoted the notion that “the establishment of a state is within reach.” The changes in the components of the political field were not reflected in the balance of power and the size of political formations within the new “rule/political system”, which kept its opponents on the sidelines of, or outside the decision-making process.

The imbalance of power governed the structure, powers, and functions of the PA. As such, the settler colonial domination systems were expanded, while the powers of the PA were limited, and attempts were made to integrate it in such systems. This resulted in the PA serving these systems and adopting their strategies instead of confronting them. Meanwhile, regional and international positions consolidated the structure of the PA’s civil and security institutions, based on a clientelistic approach, and encourage them to embrace the option of negotiations and political settlement accepted by the PA’s leadership. In this context, holding elections was supported, as long as they served the dominant party and did not respect the “peaceful transfer” of power.

First: “Oslo” and the Creation of the PA

The PA was created following the Palestinian-Israeli Declaration of Principles on Interim Self-Government Arrangement of 1993, which did not include a clear text referring to building a “democratic government.” It did, however, mention holding elections so that “the Palestinian people in the West Bank and the Gaza Strip can govern themselves according to democratic principles” (Oslo Accords, 1993).

Subsequent agreements dealt with the structure and composition of the PA and the electoral system. The most important of these was the Agreement on Preparatory Transfer of Powers signed in Cairo in May 1994 (Oslo 2 Accord), which was replaced by the interim agreement signed in Washington in September 1995. Since then, the “Palestinian political system” has undergone changes and modifications under the restricted authorities and powers granted to it under these agreements. However, these transformations meant to build authoritarian institutions that are ruled by individuals who are loyal to and support the Oslo process. Opponents of the Oslo Accords who refused to participate in the PA’s legislative elections of 2006, were not included in such institutions, and were

even excluded from them at a later stage. Fatah determined by itself the features of this system, “and dominated the bureaucratic apparatus of the PA, including the security services and public funds, while the Palestinian leadership lacked a clear vision about the nature of the required political system.” Therefore, there was “distortion, inconsistency, interference, and unclear limits of powers between the authorities, or within the same authority, especially after the amendment of the Basic Law in 2003” (Muwatin, 2013, pp. 63-80).

This regime exercised the limited powers of self-government on the territory allocated to it, based on the Oslo Accords. It reproduced its domination over national relations and the national political field in general, and over individuals who were loyal to it, or those who opposed it. This was achieved by building a network of entities who share common interests, which included economic, security, and social forces within the Palestinian society. The PA aimed to consolidate its hegemony and widen its scale, compared to the pre-Oslo PLO, by monopolizing politics and controlling institutions. It also legitimized its use of force/arms by promoting concepts such as “imposing the rule of law”, the “legitimacy of carrying weapons and practicing internal violence”, and “protecting independent decision-making”. The political field became fragmented within a “political system” that does not meet any of the criteria of a presidential system, a parliamentary system, or even a mixed electoral system. “As such, the Palestinian political system could not be classified within any of the known political systems.” Thus, it became considered as a “hybrid system”, rather than a mixed one. This political system, as defined in the Basic Law, “is no longer able to follow the development of the Palestinian situation in light of the continued occupation and the absence of any time limit for the transitional period, and given the political and geographical division.” Consequently, this system should be revisited, especially since the division “revealed the defects and shortcomings of the Palestinian political system” (Muwatin, 2013).

After the Israeli invasion of the areas controlled by the PA in 2002, the assassination of President Yasser Arafat, and the division, these transformations inflicted a severe blow to calls for the reform of the “political system” and achieving a “democratic transition” under the Occupation, particularly given the institutionalization of the political system’s disintegration into two political entities. All these factors contributed to the regression of the study of transformations in the nature of the PA, which had been based on theories of democratic transition in post-colonial experiences. These theories were adopted after the establishment of the PA, and persisted until the end of the transitional period in 1999; they were later replaced with studies on the similarities and differences between the Palestinian context and others experiences of liberation from colonialism. Such an approach allows the use of methodologies and analytical tools

capable of understanding the causal relationship between continued, systemic settler colonial domination and the spread of authoritarianism, tyranny, and individual rule in the PA, which, in turn, is subjugated to the colonial entity.

Understanding Palestinian political thought requires a critical review of previous studies, which concluded that there is a possibility to build a governance system that meets the criteria and conditions of democratic transition, free general elections, peaceful transfer of power, and a sustainable development model. According to these studies, this would be achieved by reaching an “understanding” with the Occupation, rather than engaging in resistance against it. Researchers studied clientelistic relations within the PA and the existence of a political system that has characteristics similar to the so-called “modern patrimonialist political systems” or “modern clientelism” (Irshaid, 2007, pp. 67-77). Many studies do not exclusively adopt theories of democratic transition to understand the nature of the PA, or the governance systems in both the West Bank and the Gaza Strip. Analysis tools link external factors – primarily the impact of the Israeli occupation, external funding, and regional and international interventions – and internal factors, including the division and the struggle for power hegemony and influence, which are exacerbated by the concentration of powers in the hands of the head of the executive authority. All these transformations influence the nature of the PA and deepen its autocratic character, prevent ending the internal division, and support the continuation of the struggle over positions of power, influence, and unilateral hegemony in the two existing authorities in the West Bank and the Gaza Strip.

Jamil Hilal believes that attempts to exert “hegemony” over the new political field shifted from seeking to control the PLO to dominating the PA, in an attempt to establish a state on Palestinian territory. Immediately after its establishment, the PA granted itself the symbols and shape of a modern state in its areas of operation, based on the Oslo Accords and subsequent agreements. “The PA shifted the focus of its discourse from liberation and resistance to monopolizing the use of violence in the areas it controls, based on its agreements with Israel. Thus, the PLO, with its armed factions and headquarters abroad, no longer dominates the Palestinian political field. As such, the PA has transformed into a new authority that monopolizes internal violence and political decision-making, controls a territory, and negotiates with Israel” (Hilal, 2010).

Hilal believes that the Palestinian national political field has disintegrated, and there is a decline in the role of institutions, especially since the Split. This is manifested in the undermining of national institutions that represent all Palestinians at the political, popular, and professional trade union levels, as well as the disintegration of the national political field and the indifference of political elites, particularly in the West Bank and Gaza Strip, regarding the dangers and

implications of the political division and the geographical separation, as well as on national matters. This disintegration is also embodied by the special weight enjoyed by security services in terms of the number of their employees and their share of the general budget. Moreover, this is also reflected in the consolidation of the “revenue-generating” character of the PA’s institutions, which depend on foreign aid, after the expansion of the settler colonial state’s authority over all aspects of daily life (Hilal, 2017, pp. 21-52).

Other researchers studied the case of the security sector to explain the steadily growing authoritarian and policing nature of the two authorities in the West Bank and the Gaza Strip. Such tendency is consolidated by the wide adoption of containment and counter-insurgency methods to tame popular and social movements and the dangers they represent to “the ruling authority” in both regions. According to them, the division promoted prioritizing the security sector. However, the transformations in the structure and role of the PA’s security apparatus in the West Bank are rooted back in the Oslo Accords and the Security Arrangements Protocol. The latter defined the function of the security apparatus as related to “countering terrorism and violence” and “maintaining public order” by imposing control over society, in cooperation with the Occupation. The same applies to the ruling authority in the Gaza Strip. Hamas promoted its security apparatus through adopting methods of societal control based on the doctrine of counterinsurgency, as a means to maintain its unilateral dominance. Alaa Tartir and Sabrien Amrov addressed the transformations witnessed by the authority in the West Bank and the Gaza Strip in a paper. They demonstrated the existence of similarities between the two authorities, including: the size of employees of the security sector compared to the total number of civil servants on both sides; and the endeavor to seize the reins of power by intimidating and terrorizing other armed groups, and violating public freedoms (Tartir & Amrov, 2014).

Second: Criticism of Political Thought

The emergence of the PA is undoubtedly a turning point in Palestinian history. Studying the transformations of the PA should not begin with the onset of the negotiation process. Rather, we should study the transformations that led to the Oslo Accords during the two decades preceding Madrid in 1991, starting from the early 1970s; these changes resulted in the adoption of this path that entailed the establishment of the PA. Ignoring the pre-Madrid transformations in political thought, which influenced the programs of the PLO and the political direction of its leadership, resulted in arguments that justified the Madrid Accords and then the Oslo Accords. This included blaming the “hasty investment” of

the achievements of the first Intifada in 1987. There was also a fear of eradicating the PLO following a policy aimed at draining its resources after the siege of Beirut and the exit of the PLO's forces and factions from Lebanon in 1982. Moreover, there was a change in the conception of the liberation process, which was no longer launched from the neighboring countries, and in the regional and international environment, which no longer supported the Palestinian cause.

The impact of these earlier factors cannot be ignored. However, only examining their consequences reflects a failure to consider colonialism, which is the most important factor in studying the transformations of the PA. Such a shortcoming arises from adapting political thought to the requirements of political settlement, as well as speculating on the possibility of establishing a Palestinian state by reaching an understanding with the Zionist colonial settler regime. This approach is based on a negotiating process that is managed by the Occupation. The imbalance of power tilts in favor of the Occupation, making the struggle against it and attempts to dismantle it even harder to achieve.

Accordingly, there is a need to address the dilemma of Palestinian political thought, which became translated into action plans and political practice that governed the reality of the PLO and the components of the political field. The adoption of what was known as the "Palestinian Peace Initiative" during the nineteenth session of the Palestinian National Council in Algeria in 1988 resulted in the establishment of the Palestinian state and affirmed "the determination of the PLO to reach a comprehensive political settlement of the Arab-Israeli conflict, with the Palestinian cause at its core" (Political Statement of the Nineteenth Session of the National Council, 1988).

Acknowledging that the Palestinian situation has transformed into a "dilemma" rather than a "crisis", and adopting this as a starting point for studying the future of the PA would determine the nature of the desired change, which can take the shape of reform or radical/revolutionary change. The latter would require specific capacity building, means, and tools to be achieved. The obstruction of the reform's horizon results from the dilemma of political thought. A comprehensive reform that aims to reproduce political thought and redefine the national project as a national liberation project should be achieved, in order to trigger a change that will impact the Palestinian situation.

Such review should not be limited to studying the literature that reflects the changes in the national program adopted by the PLO and its factions. Rather, it should expand to adopt a definition of Palestinian political thought that includes, what Abd al-Ilah Belqaziz describes as "the thought that establishes a vision for national action, draws strategies for it, and provides answers for problematics facing the struggle in the field." The contemporary Palestinian

national liberation movement adopts “thoughts produced by its intellectuals and activists or leaders in the field who provided ideological guidance even as they led national activism. They are detailed in the programs of the PLO factions, and govern all forms of political expression of the Palestinian national concepts among these factions and the national movement in general” (Belqaziz, 2005).

According to Belqaziz, an impasse is “a state of severe damage that is more serious than that expressed by the concept of crisis. A crisis indicates a dysfunction that can be rectified or addressed. If addressing a crisis fails, it may reproduce itself. This does not apply to the impasse, which means a blockage that cannot be rectified except by adopting a path different from the one that eventually led to the impasse” (Belqaziz, 2005).

Palestinian political thought, with its principles and forms of political practice, has led to the situation we are witnessing today, which is characterized by political realism and “state” definitions before achieving liberation. Moreover, Palestinians have been seeking an impossible political settlement for five decades. They also requested the acceptance of Israel, the United States, and the West in general to negotiate with the PLO in Madrid in 1991 and in Oslo in 1993. Furthermore, they seek international recognition of the PA from the Occupation and foreign donors, so that it can build and manage “state” institutions. This led to “the continuation of work within the framework of the existing colonial relations with the PA, and to some extent with the PLO. In this context, transformations can be seen in the partisan discourse, which shifted from promoting national liberation to calling for the establishment of a “state” or both (Shahin, 2015).”

All of this resulted in transformations in the traditional political field, as expressed by the PLO and its factions, institutions, and popular and trade union frameworks. This was highlighted after the Madrid Peace Conference and the conclusion of the Declaration of Principles Agreement (Oslo), which resulted in the establishment of the PA based on the “two-state solution.” This framework is considered an “understanding” built on direct or indirect bilateral negotiation with the colonial domination system.

The process of negotiations and building the PA’s institutions was based on “state” perceptions and structures. These were subjugated to power relations that contributed to the deepening of occupation, settlement, and racism, and enabled Israel to reproduce matrices/systems of domination over Palestinian communities, according to their “status” in the eye of the colonial regime in the West Bank, the Gaza Strip, and the 1948 territories. What’s more, it imposed a coercive path on the PA to adapt to these systems. Israel now considers the PA’s structures and functions as one of the layers of these systems, whose

sustainability it supports, because they serve its goals. As such, leaving such a system would lead to the dissolution of the PA.

The transformations in the traditional political field and the emergence of active Islamic forces makes it difficult to talk about a Palestinian state, given the Palestinian division, which resulted in the presence of two ruling authorities.

The political field, which is composed of the national forces that constituted the PLO before the establishment of the PA, is fragmented. The presence of these forces is becoming weaker in comparison with the rise of Islamic forces, with Hamas at their core. The crisis that the national forces are witnessing is becoming deeper because they are promoting the traditional political thought, which is also undergoing a crisis. This is particularly due to their involvement with the current Authority, whose structures and functions are based on the Oslo requirements. The Authority in the Gaza Strip shares the same structure and functions as that in the West Bank, which claims to have achieved a structure that resembles “statehood.”

Third: The PA within Multi-layered Systems of Domination

Mohanad Mustafa believes that analyzing the Israeli discourse regarding the structure and essence of the Palestinian political system indicates that “the Zionist project is not heading towards dismantling colonialism in the future, because the negation of colonialism contradicts the essence of the Zionist project, which relies on Israeli military occupation, settlements, and the fragmentation of the Palestinian people.” Therefore, the Palestinian political system, from the point of view of Israelis, “must be formed from within (internal relations between its political actors) and through Israel to maintain colonialism” (Mustafa, 2019).

To ensure that this is achieved, Mustafa identifies three pillars on which the Israeli policies related to the structure of the Palestinian political system are based. First, the survival of the colonial condition; that is, maintaining settler colonialism in the Palestinian territories. Second, the security pillar, as Israel was keen, through the agreements it signed with the PLO, to control external security in the PA’s territories. Third, the political pillar, which stems from the denial of the Palestinian people’s right to self-determination, as well as the denial of the existence of the Palestinian people, as embodied in the Israeli National Law passed in 2018. In this context, the existence of a PA does not mean for Israel that it has the right to self-determination, which was written off in the nation-state law. Likewise, any Israeli position on the future of the Palestinian political system will be “linked to maintaining colonialism”. Thus, it is possible

to understand Israel's interest in preventing the collapse of " Hamas " while " impeding its reconciliation with the PA to weaken it politically " (Mustafa, 2019).

Regarding the PA's position in the Zionist security system, General Amos Gilad, former head of the Political and Military Division in the Ministry of the Occupation Army, confirmed in a statement published on February 8, 2022, that " the Palestinian Authority is part of the Israeli security system. " He underlined that cooperation with the PA over the past years " is a strategic treasure for Israel " that must be preserved. Commenting on the meeting between Benny Gantz, the Israeli Minister of Defense, and the President of the PA, Mahmoud Abbas, Gilad underlined that the importance of this meeting lays in the culmination of the precious role played by the PA in thwarting operations in the West Bank. This makes it imperative for Israel to " work by all means to prevent its collapse, and in particular to prevent its economic collapse " (Sama News Agency, 2022).

The PA's acceptance of becoming one of the layers of the colonial domination system indicates the heavy price paid by what was known as the Palestinian " political system " through its transformation into the first victim of the Oslo Accords. As such, the PA went beyond political mistakes to making historical concessions, especially when the national liberation movement decided to recognize the legitimacy of the colonial regime's existence on its homeland. This constitutes a turning point in the path of " political realism ".

Therefore, the mistrust gap has widened between the Palestinian public and the PA, especially after the goal became to maintain the PA's existence. Meanwhile, the role of the PLO as a national representative for political and militant action regressed, along with a decrease in its political participation. The current situation led to the exclusion of large groups of people from decision-making and the marginalization of their rights and issues. Additionally, the issues of refugees in the diaspora, Palestinians in the 1948 territories and Jerusalem, and the population of the classified areas (C), which constitute two-thirds of the area of the West Bank and is the incubator of its natural resources, turned into a minority in comparison with the settlers. Finally, there is a lack of interest in the issues that concern Palestinians living in the Gaza Strip, which has been besieged for more than a decade and a half.

Fourth: The Division and Institutionalization of Disintegration

The national liberation movement of the PLO constituted the national political field, before it fell under the control of the PA. However, it disintegrated after the survival of the PA became the ultimate goal, based on the Oslo Accords,

external political and financial support, and a clientelist network that benefits from maintaining the status quo. Nonetheless, it is impossible to ignore the impact of the division of authority between the two parties, and the intensification of polarization between them in the context of the struggle to “legitimize” hegemony over the political field. The division is the most prominent manifestation of the “institutionalization of disintegration” of this political field into local fields in the Palestinian political sphere. The latter is dominated by political entities who derive their “legitimacy” from a loyal clientelist network, which, in turn, benefits from its association with them.

There is a difference between the two models of governance in both the West Bank and the Gaza Strip. Meanwhile, Hamas is seeking to present a model based on blending “governance” with resistance. Nonetheless, the struggle with the Occupation and the siege on Gaza raise controversy regarding the success of this model, which is perceived as a pattern for reproducing domination and marginalization. Despite the increased weight of the Islamic movement within the Palestinian political field since the founding of Hamas, this is not reflected in its participation in the PA nor in its institutions. This, however, does not justify the Movement’s unilateral control over the Gaza Strip to break Fatah’s hegemony over Palestinian institutions. The strategic assessment of Hamas failed to take into account the impact of major factors on the combining of governance and resistance. The major factors are the “rules of the game” that are governed by colonialism and its domination systems, which affect the jurisdiction of the PA and seek to transform it into a mere agent of the Occupation. Moreover, regional and international powers support the continued subjugation of the nature and functions of the PA to the determinants of the Oslo Accords. In addition, they promote clientelism and the adoption of the political choices embraced by the Occupation by the PA.

The “military operation” carried out by Hamas in the Gaza Strip can be described as a “coup”. Nonetheless, the coup was not carried out against the PA, which seeks to maintain its monopoly over governance despite Fatah’s loss in the Legislative Council elections in 2006. Rather, it was an attempt to change the rules of the game by trying to play the role of “referee” while facing two challenges: The first is to challenge attempts to strengthen the integration of the PA within the Zionist colonial domination systems in the post-Arafat era. The second is that of hegemonic equations that regulate power relations within the PA and the entire traditional national field, as well as Palestinian exposure to more regional and international influences and interventions.

In terms of outcomes, Hamas’ “military operation” or “coup” on July 14, 2007, constituted an unconscious response or a step marred by a miscalculation of the goals of the scheme that the Israeli Prime Minister at the time, Ariel

Sharon, was seeking to achieve by fragmenting the PA to local authorities/entities. This started with the Israeli Army's redeployment outside the Gaza Strip in 2005, as a prelude to besieging it and separating it from the rest of the Palestinian land. Such action was paired with accelerating settlement and annexation plans in the West Bank, and encouraging the emergence of autonomous local administrations/entities in the West Bank, within the colonial domination system. Right-wing and fascist Zionist parties in Israel are seeking to revive this plan. Meanwhile, their weight and influence in official decision-making is increasing because Israeli public opinion is leaning towards more extremism, and settlers in the West Bank have gained an increased weight in the dynamics of political life in Israel.

However, the strategic miscalculation of Sharon's plan was not limited to Hamas, but also extended to Palestinian political behavior, on the official and unofficial levels. It underestimated the dangers of the "disengagement" plan, which entailed Israel separating from Palestinians. Moreover, it did not focus on the importance of agreeing on a national strategy based on the successes of the resistance and the development of its capabilities in the Strip. The latter is a factor that contributed to the redeployment of the occupation forces and settlers outside the Strip. This would have enabled them to join forces to confront the dangers of settlement and annexation policies in the West Bank, as well as the policy of besieging and separating the Gaza Strip. Such goals were revealed by Sharon in a speech at the Herzliya Conference in December 2003, in response to the "Arab Peace Initiative" that was presented months earlier and to prevent attempts to implement the "road map plan" (Sharon's speech at the Herzliya Conference, 2003).

Later, Israeli Prime Minister Benjamin Netanyahu adopted the essence of the "disengagement" plan (without evacuating settlements in the West Bank), despite his opposition to it when Sharon proposed it. The plan "aims to abort the project of establishing a Palestinian state in the West Bank – including Jerusalem – the Gaza Strip, and the 1967 borders, and to resolve the conflict through strengthening self-rule in the West Bank under Israeli sovereignty and promote a separate rule in the Strip. Moreover, the plan includes conducting a strategic dialogue with Egypt to agree on sharing control over security and sovereignty between the two countries, through reconsidering the Camp David security annexes. Thus, the Israeli strategic political vision regarding the future of the Gaza Strip is closely connected to that of the Palestinian state project and the outcome of the conflict in the West Bank, as well as the orientations and ideology of the coalition that leads the Israeli government" (Mahra, 2017).

Despite the shortcomings in the strategic vision regarding the dangers of Sharon's plan, the majority of Palestinians considered the evacuation of the Gaza

Strip settlements and the redeployment of the occupation army in its vicinity as an indicator of the success of resistance, as opposed to the failure of negotiations. This was reflected in the balance of power in favor of those who advocate for resistance, especially armed resistance, within Palestinian society.

An opinion poll conducted by the Palestinian Center for Policy and Survey Research, following the plan's implementation, showed that 75% of Palestinians considered Sharon's plan as a "victory for the Palestinian armed struggle." Support for armed operations against Israeli soldiers in the West Bank and the Gaza Strip reached 87%, against settlers 86%, and against Israeli "civilians" inside Israel 53% (Palestinian Center for Policy and Survey Research, 2005).

Fifth: Authoritarianism and "Legitimacy" of Internal Violence

Authoritarianism, political monopoly, and legitimizing the practice of internal violence have become the most prominent features of the internal behavior of the PA in the West Bank. Meanwhile, the PA's survival is dependent on the occupying state. The "rule" in the Gaza Strip is also characterized by authoritarianism. Yezid Sayegh refers to the constant endeavor of the two dominant movements to maintain their political monopoly in his study on the impact of factionalism, or factional politics, on the structure and role of the security apparatus of Fatah and Hamas. The common characteristic between both movements is that they both seek to increase their number of partisans. Moreover, the competition between the two movements impedes the ending of the politicization of security forces in the West Bank or the Gaza Strip. Ultimately, the political leadership, in both the West Bank and the Gaza Strip, oversees the transition of authority, which it is unable to stop or even reverse (Sayegh, 2014).

Politicizing security and civil institutions is considered a tool for expanding the clientelist network, whose interests become linked to the survival of the "ruling regime" and which seeks to exclude opponents from decision-making circles. "One of the requirements of the democratic system is preventing the security forces from supporting a political party in internal conflicts or peaceful competition over power. As such, security forces are a tool that serves the state rather than defends the survival and hegemony of a ruler or government", according to Azmi Al-Shuaibi, in his study on "Security Reform – Palestine", issued by the Coalition for Integrity and Accountability - AMAN (Al-Shuaibi, 2013).

According to Al-Shuaibi, the Palestinian leadership has supported the formation of multiple security agencies led by persons loyal to it. As such, it did

not build a comprehensive and unified institution that is led by a politically accountable team. Moreover, the PA oversees the security branches in their various fields and determines their jurisdiction” (Al-Shuaibi, 2013). Such a model can also be seen in many Arab countries. In this context, clientelism is the basis for security and civic institutions, whose negative impact is further felt because of the occupation and internal conflicts, in the Palestinian case.

Eva Beilin, professor of Arab studies at Brandeis University in the U.S., explains the survival of authoritarian regimes. She believes that what characterizes the Middle East is not the absence of preconditions for democracy, but rather the existence of conditions that promote strong authoritarianism – specifically the existence of an exceptionally repressive apparatus that is based on clientelism rather than institutions, and which is subjugated to funds and international donors. In this case, the security elite becomes more inclined to suppress democratic reforms because of its focus on the survival of the regime and its belief that changing it may be dangerous. Likewise, any type of reform may expose it to undermining or collapse (Bellin, 2012).

Khaldoun al-Naqeeb opines that tyrannical rule in the Arab region may be implemented by an individual or by a group. It is important to highlight that “tyranny” stems from the state’s penetration in society to dominate it through “monopolizing the sources of power and authority in it” (Al-Naqeeb, 1996, pp. 20-21). The phenomenon of marginalization – which includes monopolizing power and the decision-making process, excluding society from participation, and confiscating human rights – results in the paralysis and atrophy of the political act, and in not keeping pace with changes. This occurs because the political and social visions are not renewed and are monopolized by the ruling elite, regardless of its legitimacy. Relations or alliances between the ruling elites and traditional structures (for example, clans) further exacerbate this phenomenon and allow it to reproduce itself. This leads to the loss of all opportunities for positive change and reform (Al-Naqeeb, 1996, p. 20-21).

In the Palestinian case, reports by human rights organizations indicate that the period of division witnessed a deterioration in the state of public rights and freedoms due to the appropriation, dominance, and tyranny of the executive authority. Many violations took place in the West Bank and the Gaza Strip. These include violations of the right to life; the prevention and obstruction of peaceful assemblies; the detention, arrest, and search without warrant from the Public Prosecutor; the failure to provide the minimum requirements for a fair trial; political arrests of political opponents, journalists, media professionals, and social media activists; the practice of torture and treatments that degrade the human dignity of detainees; the targeting of associations and the violation of their freedom of formation and the exercise of their missions, whether by

their dissolution, or the prosecution of those in charge of them, or the disruption of their bank accounts; the taking over of the powers of the judiciary by the security services and the military judiciary; and other violations of rights and freedoms.

Sixth: Precursors of Rebuilding the National Field

In contrast to the transformations in the PA, the years that followed the Israeli aggression on the Gaza Strip in 2014 witnessed shifts in Palestinian political awareness, as well as capacity building from the bottom-up. These are manifested in the emergence of new forms of struggle, as well as political and cultural action, to respond to the exclusion and marginalization that large segments of the Palestinian people were subjected to on several levels, both in the homeland and in the diaspora. Moreover, such transformations reflect the awareness of the colonial condition, which was motivated by the steadfastness of the Palestinian resistance in the face of the aggression on the Gaza Strip. Such an event has shaped the popular consciousness, animating belief in the need to build the strength to withstand and confront, even if through self-planned and implemented operations. This is paired with the emergence of armed formations across partisan factions at the local levels in several Palestinian governorates, especially in Jenin and Nablus, in the northern part of the West Bank.

Meanwhile, sectorial movements emerged amongst teachers, lawyers, engineers, doctors, and others, as well as political movements. These include the “Lift the Sanctions” movement on the Gaza Strip; demanding justice for the assassination of activist Nizar Banat; rejecting political arrest by the security services in the West Bank; as well as initiatives calling for ending the division, the restoration of national unity, and holding elections for Presidency, and the National and Legislative Councils. Although many of these movements are dispersed and unsustainable, they constitute the beginning of the development of new forms of expression of identity, opinion, and political and militant action, outside the scope of the traditional political system personalized by the PLO, the PA, and the political factions.

The younger generation spearheaded many of these activities and initiatives through various political, militia, social and cultural expressions, based on action programs that focus on specific issues. Meanwhile, there was a debate among the intellectual and academic elites about the priority of building new systems for political action based on action programs that target a unanimously agreed-upon national issue or issues shared by several Palestinian groups.

There was also a mention of reviving Palestinian institutions and enabling them to play their traditional political roles, particularly the PLO. However, the general trend indicates the appearance of emerging powers on the Palestinian scene, each of which has its own scope of action and influence, and adopts a specific path to build a common vision through more organization, communication, and networking, which contributes to rebuilding the national field.

Seventh: The PA and Choices for the Future

The PA is unable to adopt options that contradict its current role regarding its relations with the settler-colonial regime. This explains why the decisions of the National and Central Councils of the PLO and those of the meeting of the factions' general secretaries, which emphasized the need to reconsider relations with the occupying state and changing the form and functions of the PA, were not implemented. This returns us to the debate about the necessary changes in the context of dead-end reform, given the increased absence of national institutions and the monopoly over decision-making and the engineering of the PA's institutions as an effective alternative to the PLO. Moreover, there is risk associated with the intensification of the struggle over succession in the event of the absence of the president, particularly with the dissolution of the Legislative Council and the failure to take legal and institutional measures to guarantee the election of the president.

There are many approaches and initiatives that seek to bring about change from outside the existing institutions and by generating a national and popular situation that exerts pressure upon those in charge of them. This is particularly true given the existence of different points of view, such as those demanding the dissolution of the PA or those asking for its structure and functions to be changed, on the basis of revoking the Oslo Accords and its annexes. Each of these two options requires an analysis of the strategic context in terms of the power factors available to the Palestinians and the negative factors affecting any option adopted. These are policies and procedures that the Israeli government may apply to counter the adopted Palestinian option, as well as the Arab, regional, and international positions regarding the future of the PA. These include considerations of international law and the balance of positions within United Nations bodies and agencies, following the rise of the status of Palestine to an observer state. The most important factor of all is the balance of profit and loss, in light of the prevailing balance of power analysis. This means the cost of each scenario or option for both the Palestinian and Israeli sides, on the political, economic, and social levels.

Given the availability of extensive justifications for each of the two options, this paper will only mention that the dissolution of the PA, without rebuilding the national movement within the framework of the PLO, would create a vacuum in the management of the Palestinian community's affairs – one which would be filled by the Occupation's military and security apparatus. This would also pave the way for adopting Israeli measures and abandoning tens of thousands of employees in the public sector; these employees and their families would subsequently become victims of the Occupation's measures, lacking any guaranteed fate. Meanwhile, the call to reconsider the structure of the PA, its role, and its functions stems from the need for some form of central authority that can continue managing the affairs of Palestinians and providing services and needs to enhance its steadfastness and resistance. This could be achieved through a transitional phase during which the national alternative is built. It would be grounded in reconsideration of the role and program of the national liberation movement; ending the division; and preparing to face adverse scenarios that could result from conflict with the occupation and settlers, including the collapse of the PA institutions or the spread of internal chaos.

Choosing to reshape the role and functions of the PA means prioritizing the rebuilding of the national movement and revitalizing its role. This necessitates a reconsideration of the PLO's role and the component structures and roles of the national movement. The deepening of the Zionist colonial and racist project on the land of historical Palestine may force the national movement to cross the so-called "Green Line", rather than remain confined to the cantons imposed in the West Bank and the besieged Gaza Strip.

Conclusion

Researcher and academic Nimer Sultany believes that, "to get out of the impasse, we must first immediately stop being fascinated by representation. Unfortunately, this fascination is not exclusive to one group. It is present within the PA, just as it is present in the Joint List in the Israeli elections. Such representation becomes an end in itself for the elites, and therefore does not necessarily constitute (especially if there are no objective factors other than representation) a revolutionary factor for reality. Thus, without realizing it, we become stuck in a vicious cycle of representation for the sake of representation. Secondly, we have to move to the stage of organization that is appropriate to the current stage. This is because the organization in its finest manifestations is an attempt to change power relations, not to adapt and coexist with them. Representation becomes an obstacle to organizing, because it distracts us and hides from us the

shabbiness of the current organizational capacity. Therefore, we must, thirdly, democratize the process of organizational construction and build it from below at the level of cadres, not from above at the level of leaders” (Sultany, 2018).

According to Sultany, “this organizational work should not be subject to legal and geographical fields, but rather it should include all sectors of the Palestinian people. This means that it should transcend the duality of Palestinians living in the 1948 territories or outside them. Such an organization would pour meaning into the concept of social agency and the concept of leadership, which would not stop at the limits of representation or at playing the role of victim” (ibid.).

In a nutshell, the priority is to rebuild the national movement and its operationalization strategy. This can be achieved by agreeing on a national project for radical change that focuses on building a broad national movement in the homeland, and diaspora that transcends geography and factionalism, believes in national unity, on the basis of political partnership, and adopts a strategy of open conflict with the colonial Zionist regime settlement to achieve a historic victory over the Zionist project. In this context, national representation is rebuilt based on the popular will to support a project of change aimed at paving a new strategic path in the national struggle.

This broad popular national movement accommodates all factions and movements. Its activities and role are strengthened by the experiences of struggle and organizational and public work of the broad national movement. This may take the form of a National Front or a National Salvation Front, and it is not a substitute for the PLO. On the contrary, it seeks to rebuild it to include all political forces, popular frameworks, trade unions, civil society, the private sector, independents, women, and youth.

The foregoing does not overlook the existence of a conflict dynamic imposed by the Zionist right, in its attempts to deepen occupation, annexation, settlement, and forced displacement, as well as promote racism. The Zionist right may seek to impose changes on the policy that the Palestinian leadership can adopt, especially in terms of imposing a political and field confrontation with the occupation forces and settlers. Moreover, the rebuilding of national unity at the level of the PLO and the PA, after changing its structure and functions, should be included in the Palestinian strategy.

This scenario should depend neither on the Occupation nor on the conflict on the ground. Rather, there should be continuous work to build a national and popular current that encourages nationalist and Islamic activists from the various factions, as well as independents, to get involved in a national conference – one that would resultantly shape a strategic path. This can be attained through a comprehensive national dialogue that focuses on the foundations and requirements

for rebuilding national unity within the framework of the PLO; this would be based on a consensual political program, the formation of a unified leadership, and consensus on the foundations of national partnership. Such an approach requires the participation of everyone and the reunification of the PA's civil and security institutions, as well as defining the relationship with the Occupation. It also encompasses revoking the Oslo Accords and its annexes, reconsidering its role and functions, and correcting its relationship with the PLO. This would result in the PA becoming an authority concerned with providing services to citizens and enhancing their steadfastness and ability to resist.

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The Legal Game: The Transformations in the Relationship between the Palestinian Authority (PA) and the Palestine Liberation Organization (PLO)

Rashad Twam

“They wanted to replace the Palestine Liberation Organization with the Palestinian Authority, and had it not been for the success of Hamas, they would no longer be affirming the necessity of activating the PLO as the sole legitimate representative of our Palestinian people and the political reference for the emerging Palestinian Authority.”

Farouk Al-Qaddoumi (2011, pp. 71-72)

In its attempt to gain a universal recognition as the national liberation movement of the Palestinian people and their sole legitimate representative in 1974, the Palestine Liberation Organization (PLO) fought a battle for its emergence, during which it broke free from the Arab regimes, which tried to restrict its activities since its founding in the spring of 1964. The Palestinians perceived the PLO as a transitional moral entity, whose task was to achieve the liberation of Palestine and the return of refugees, as well as establish their desired entity (the state), in harmony with its nature as a national liberation movement that has an international legal personality. Until 1974, the PLO had established – in exile – constitutional, legislative, and bureaucratic systems, and engaged in a “state” transformation that is unprecedented at the level of the national liberation movements in which it is classified. In the second half of that decade, the PLO developed a judicial system (the Palestinian Revolutionary Penal Code), which is similar to a third imperfect authority, in addition to the legislative (the National Council) and the executive (the Executive Committee) authorities that arose with the establishment of the PLO a decade earlier. It then founded the

Central Council, which acts as an intermediary body between them.¹ In addition, a large and complex structure of administrative, military, and security agencies were also established (Twam, 2020; Twam, 2013, pp. 28-55; Kassim, 2010, pp. 77-108).

Until its declaration of the State of Palestine in 1988, which constituted a lever to intensify the momentum of statism, the PLO's transformation towards the state did not stop at appointing a president and the formation of a committee to prepare its draft constitution. This declaration had political consequences, after which the PLO became involved in the "peace" talks that led to the signing of the Oslo Accords and the establishment of the "Palestinian National Authority" (the Authority or the PA) in 1994, which was politically based on those agreements and was legally considered the PLO's arm, according to a decision of its Central Council in 1993² (Khalil & Twam, 2014, pp. 5-11).

Months before the establishment of the PA, and after a timid and hesitant discussion about the nature of the desired relationship between the PA and the PLO (Nawfal, 1997, pp. 83-86), the Central Council of the PLO assigned its Executive Committee to "form the National Authority Council in the transitional period," and appointed the head of the Committee as head of the PA. Some of the major PLO's organizations merged with the PA, and its leadership was appointed in positions within the PLO and the PA. "Duality" soon appeared (Kassim, 1995, p. 21), and the PA infringed upon the PLO (Nawfal, 1995, pp. 53-54). When the first elections were held, in 1996, the balance of power shifted from the PLO – which had always lacked popular electoral legitimacy – to the PA. Many leaders preferred to assume positions in the PA, even if it meant giving up their positions in the PLO (Sadiq, 2009, p. 282). While the Palestinian National Fund was financing the PLO and the PA, it ended up receiving financial allocations from the PA. Also, while the Political Department acted as the Ministry of Foreign Affairs, its role was suspended and was replaced by that of the PA's Ministry of Foreign Affairs. The National Council became absent and only attended symbolic events. When the relationship between the leadership of

1 "Intermediary" in terms of the number of members and the meetings between the two original bodies, and not in the sense that the Central Council is an exclusive link between the Executive Committee and the National Council (Twam 2022).

2 The National Council - under the Interim Program of 1974 - had adopted two decades ago the goal of "establishing the people's independent national fighting authority on every part of the Palestinian land that is liberated." Although this was in a more ambivalent context than the situation in the early nineties (Hourani, 2015, pp. 213-219; Twam, 2011; Faris, & Johnson, 1974, pp. 24-27), it did not prevent it from being inspired by or invoking the name after twenty years (Parsons, 2005, p. 109), and developing it (Nawfal, 1997, pp. 81-83; Shtayyeh, 2009, p. 535).

the PLO and that of the PA became more complex, the “Palestinian Leadership” was revived. The latter is a loose leadership framework (Nawfal, 2005, p. 348; Abuhasna, 2007, pp. 38-39) that is meant to camouflage the role of the Committee (Hilal, 1997, 96). Many other frameworks emerged, crystallizing what can be described as “The Dilemma of a Son Who Adopted His Father” (Khalil & Twam, 2014, p. 6), or an “upside down reality” (Hilal, 1997).

The PLO remained absent until Hamas won the majority in the 2006 legislative elections and formed the government. The control of Fatah and the PLO’s factions over the already shabby political system was compromised, so the leadership sought the help of the PLO’s organizations that had previously been excluded, and the two parties entered rivalries. The situation quickly exploded, with the outbreak of the political division in the summer of 2007. Hamas seized the Gaza Strip by force, and Fatah tightened its control over the West Bank. Both parties justified their control by relying on their electoral legitimacy at times (although it had expired) and their revolutionary legitimacy at other times.

During those years, the Legislative Council was paralyzed, and the president excessively issued laws under the guise of necessity. The parliamentary bloc of Hamas in Gaza passed a series of “laws” automatically until the dissolution of the council at the end of 2018, based on a ruling by the Constitutional Court. While early 2021 saw an announcement of general elections (presidential and parliamentary for the Authority) and complementary elections for the National Council, they were swiftly hindered before the start of the electoral campaign. As the president advanced in age and in the absence of the Legislative Council, with no clear constitutional solution for the interim presidency until elections are held, the sudden death of the president would present unresolved challenges. Dealing with them might entail resorting once again to the organization, filling the vacuum in accordance with its legislation and customs (Khalil & Twam, 2019); or even, replacing the parliament of the PA with that of the PLO, for a transitory period, in the absence of electoral legitimacy. Adding to these apprehensions is the Constitutional Court’s fatwa, issued in 2018, which considered the Declaration of Independence (promulgated by the National Council in 1988) superior to the Basic Law of the PA, which had always been considered the acting constitution until the latter was promulgated. According to the draft state constitution, the PLO (through the National/Central Council) can confiscate the people’s right to referendum, through preventing societal discussion about the constitutional drafting process.³ The event that followed the completion of the writing of this study, early January 2022, added to these concerns,

3 Those years also witnessed the promotion of Palestine’s status in the United Nations. While the PLO had obtained observer status in the General Assembly in 1974, the status

as the Central Council convened in February 2022 to exercise the powers of the National Council (Twam, 2022).

There is a large body of literature related to the relationship between the PLO and the PA. The issue is indirectly addressed through analysis of other topics, and any study related to the Palestinian political system must acknowledge this relationship when addressing flaws in the political and/or legal system, or as a secondary topic within a historical narrative.⁴ Direct literature on the subject, which was mostly short opinion articles,⁵ appeared over two waves. The first one took place at the beginning of the era of the PA (the first wave), indicating the depth of the crisis. To some extent, the same character dominated the second wave of studies accompanying the death of Arafat and the victory of Hamas in the legislative elections. In addition, there were some attempts to present forward-looking visions.⁶ After these two waves – which were dominated by the political approach – more specialized studies appeared related to one or more dimensions of the relationship, and which were more scientific.⁷

What distinguishes this paper from existing literature is that it is based on a legal approach and follows a scientific methodology. This paper reviews the dimensions of the complex relationship between the PLO and the PA and how it evolved and resulted in the PLO becoming a safety buoy for the PA, while it was its reference at the base (**refer to the Annex**). This is the hypothesis that this paper argues. All political transformations search for a foothold in the law; and the latter was used as a tool in the role-playing game between the PA and the PLO.

Based on this “legal game”, we will note in the following that the transformations have occurred over several “stages”, during which the relationship between the PLO and the PA moved from bequeathing the former to the latter, to networking between them, then sacrificing the PLO in favor of the PA, and

was transferred to “Palestine” in 1988. Then, the end of 2012 witnessed the granting of the “State of Palestine” that status, which means recognizing the status of the state for Palestine, even if it did not enjoy full membership. This event had many legal and political consequences that exacerbated the complexity of the relationship. The dual Palestinian representation in the United Nations, between the state and the PLO, and its results, remained the subject of controversy (Khalil, & Twam, 2014; Barakat, 2018).

4 Like most studies on which this paper is based on or refers to.

5 Example: Nawfal, 1995; Al-Khalidi, 1997; Shabib, 1997; Shikaki, 1997; Sayegh, 1997; Quba’a, 1997; Nawfal 1997; Hilal, 1997.

6 Example: Musa, 2005; Abrash, 2006; Al Hamd, 2006; Sharif, 2006; Al-Abdullah, 2006; Nawfal, 2007; Sadiq, 2009; Palestinian Planning Center, 2007.

7 Example: Al-Shuaibi & Abdel-Rahim, 2013; Khalil, & Twam, 2014; Khalil, & Twam, 2019.

finally merging the PLO in the PA. As for the fifth phase, which is still hypothetical, it is characterized by the PA resorting to the PLO.⁸

First: The Inheritance Stage: Bequeathing the PLO to the PA

The inheritance stage prevailed during the first year of the PA's life (1994-1995). Among the most prominent characteristics of this phase was the merging of sectors of the PLO's huge human and institutional resources into the PA (phase one), and the enforcement of revolutionary penal legislation within the jurisdiction of the PA (phase two). This is the "inheritance" that has gone through all of the following stages and is still in place today.⁹

Phase 1: Merging the Human and Institutional Resources of the PLO with the PA

During its three decades in exile, the PLO developed a huge bureaucratic apparatus (Twam, 2013, p. 82). When the PA was established, it relied mainly on the PLO's cadres and employees of the Israeli Civil Administration to form its government sector (Hilal, 2002, p. 68). The bureaucratic apparatus of the PLO was deliberately transferred from abroad (Hilal, 1997, p. 95), to become the "institutional backbone" of the PA. It was reinforced with individuals residing in the Palestinian land to support the project of self-government (Parsons, 2005, p. 37). The same was the case for the security sector, as most of the security apparatus that the PA formed at the beginning of its reign (such as the Palestinian National Security Forces, the Presidential Security "Force 17", and the Palestinian General Intelligence Service) relied on absorbing cadres from the PLO's corresponding agencies (Melhem and Barghouti, 2009, 19-23) or even Fatah agencies (Such as the Preventive Security Service) (Ibhis, 2015, p 460). This resulted in the inflation of the security sector (Friedrich & Luethold, 2007, pp. 19-20) and the civil service (Bashnaq, 2002, p. 53; Raslan, 2009, pp. 208-209). A bloated employment apparatus was created early on, with the aim of "accommodating the largest possible number of loyalists and partisans for the purpose of achieving the internal stability of the PA during the founding years"

8 We draw attention to the fact that these phases were not always separate but sometimes overlapped, even though it seemed that a certain phase predominated over a certain phase of time more than the other. The results of each early stage continued to be influential in the following stages.

9 Except for the interventions of the "death factor", which takes away veteran or "inherited" cadres.

(Farraj & Dana, 2021, p 1), “even without specifying their jurisdiction, which confused the administrative work” (Al-Qaddumi, 2012, p. 183). This also meant to accommodate “thousands of Palestinians in administrative jobs,” in the face of “Israel’s policy of closing the autonomous lands” (Ruslan, 2009, pp. 208-209), “as a tool to reduce unemployment rates” (Hilal, 2002, p. 69). This was the beginning of the politicization of public office.

Thus, the “leadership and administrative approach” (Qabba, 1997, p. 77) or the “political and organizational legacies” of the PLO (Saad, 2015, 301) and its political culture (Al-Zubaidi, 2003, 67, 86) characterized by administrative and financial corruption (Itani) were transferred (2015, 685) from the PLO’s organizations to those of the PA. This included the worst legacy of the PLO, represented by the “Factional Quota” (Twam, 2013, pp. 99-102). Accordingly, “the revolutionaries became officials or security men” (Abrash, 2006, 119), and “there was a transition from managing the revolution to managing the ‘state’” (Qabba, 1997, p. 71), which is a common feature of state-building projects in developing countries during the post-colonial era (Parsons, 2005, p. 109; Hilal, 2002, p. 79). Palestinian president Yasser Arafat was aware of this characteristic (Nawfal, 2005, 31); and Hamas followed the same approach with its subsequent takeover of the Gaza Strip (Ibhis, 2015, pp. 458-459). The transfer of institutional resources accompanied the assimilation of human resources, in preparation for integrating them in the PA’s institutions. As soon as the PA was established, “many of the PLO’s institutions began returning from abroad to the Palestinian land, and permanently closed their offices abroad.” Accordingly, “there was administrative and functional overlap between the newly formed institutions and the returning institutions, in an attempt to meet the requirements of establishing a self-government” (Shabib, 1997, pp. 54-55). As a result, the “comprehensive national institutions of the PLO were marginalized” (Hilal, 2002, p. 60). The military judiciary of the PA remains the most prominent example of this succession as it is a comprehensive extension of the revolutionary judiciary of the PLO, with its cadres, structure, and legislation. This is what we will address in the next section.

Phase 2: Enforcement of the Revolutionary Penal Legislation of the PLO within the Jurisdiction of the PA

In the context of its transformation towards the state, the PLO enacted much legislation, compared to other liberation movements. This included constitutional, administrative, financial, and penal legislation (Barghouti & Twam, 2010; Barghouti, 2019, p. 65). In this study, we will tackle the “revolutionary” penal legislation issued in the Lebanese arena in 1979. This legislation, based on four laws and collectively known as the “People’s Law”, is derived from

what was known as the “Storm Law” by Fatah. The PLO adopted this experience in establishing the “Revolutionary Judicial Authority” in the mid-seventies and generalized it (Twam, 2013, pp. 85-86). There are also indications of more ancient “attempts,” dating back to the late 1960s (Qassem, 1981, p. 29; Nassar 1991, p. 61). “The authority of these legislation, in text and application, was applied to all Palestinians, military (rebels) and civilians, and its authority (in application) was applied to non-Palestinians in all places where the Palestinian forces were present, during the period of absence of the authority of the Lebanese state (1975-1982),” in application of what a revolutionary judge called “the theory that nature abhors a vacuum” (Al-Barghouti & Twam, 2010, p. 20). With the establishment of the PA, and with the ending of the exile of the revolutionary judiciary, the “National Security and Police Judiciary” – the previous name for the “Military Judiciary Authority,” which was recently changed (2018) to the “Security Forces Judiciary Authority” – enforced the revolutionary legislation “to fill the void created by the lack of laws in this regard.” This was based on a decision by the head of the PA in 1994, whose number is not known, and which was not published in the Official Gazette (Mulhim & Barghouti, 2009, p. 12; Barghouti, 2019, pp. 227-228). This makes us question its legitimacy. In addition, these legislations do not fall within the scope of the principle of continuity of the legislation in force before the establishment of the PA.¹⁰ Also, the enforcement of legislation is contingent upon its publication in the Official Gazette. Nonetheless, it was not published, neither in the PA’s official gazette (Al-Waqa’i al-Filasteenah) nor by the PLO, which did not have an official gazette. In addition to all the mentioned, this legislation is suspected of bearing constitutional flaws, and being inconsistent with the provisions of the Basic Law with regard to the right to a fair trial, and to resort to a natural judge (Constitutional Law Unit, 2018, 6-7), especially since civilians were prosecuted by the military judiciary, based on such legislation (Rubei, 2008).

After years of such practices, during which the Supreme Court, in its constitutional capacity, rejected the appeals related to the constitutionality of these legislation in form,¹¹ it finally repudiated them because they were “not based on a legal basis.” Accordingly, the Court claimed that these legislation were issued by “the Palestinian National Council, which represents the ‘legislative

¹⁰ Whereas, Presidential Decision No. (1) of 1994 limited it to “that was in effect before the date of June 5, 1967 in the Palestinian territories.” As for the revolutionary legislation, it was not issued on that date, nor was it ever valid in the Palestinian territories. Even Law No. (5) of 1995, regarding the transfer of powers, even if the date was brought forward to May 19, 1994, it also limited the legislation to geography itself.

¹¹ Resolutions with numbers: (1/2009) dated July 21, 2009; (2/2010) on December 28, 2010; (2/2011) on September 6, 2011.

authority' in the PLO, and among its powers is the issuance of laws and legislation, which include penal legislation" that were issued "based on the provisions of the charter" of the PLO, and the decisions of its National Council.¹² It is not clear on what grounds the Court said this, as the review of the decisions of the National Council in all its sessions does not provide any indication of their enactment or even approval of these legislation.¹³ Also, referring to the National Charter, without specifying an article, is evasive. On the other hand, it is likely that these legislation were issued by the Executive Committee, which expanded its jurisdiction under Article (16/c) of the PLO's statute.¹⁴ But the most notable development happened in September 2018, when the Supreme Constitutional Court (following the previous court) issued an interpretative decision in which these legislation were entrenched, and the widest interpretation of the extent and forms of their mandate was adopted, which also included civilians (Unity of Constitutional Law, 2018).

Second: The Networking Stage between the PLO and the PA

Like the bequeathing phase, the networking phase started early, and both phases overlapped. This phase addresses two basic features of networking: the overlap in the membership of the parliament of the PLO and that of the PA (phase one), and the duality of presidency (phase two). Networking is not limited to these two features, as many people held overlapping legislative and executive positions within the PLO and the PA. This ultimately led to "the distortion of the principle of accountability in the Palestinian political system" (Shiqaqi, 1997, p. 61), with the possibility for members of the PA to evade accountability by finding refuge under the PLO's umbrella (Qabba, 1997, p. 77). The result of networking was not the intended one, which was to activate the role of the PA. On the contrary, it became "a source of

12 Decision No. (1/2011) dated January 31, 2012. The Palestinian Gazette, No. (119), on March 29, 2016, pp. 45-50.

13 Especially the legal decisions issued by the Council until 1991 (Palestinian National Council, 1996).

14 This is supported by the fact that the legislation was issued as a package pursuant to Legislative Resolution No. (5) issued by the Chairman of the Executive Committee, even though it was based in its preamble on the "Decisions of the National Assembly", without specifying their nature or the session in which they were taken. Those who support the fact that the Executive Committee undertakes to legislate laws: Twam, 2013, p. 83; Barghouti, 2019, pp. 90, 205.

confusion, marginalization, and weakening of the PLO” (Nawfal, 1997, p. 88).¹⁵

Phase 1: Overlap in the Membership of the PLO and the PA’s Parliaments

Membership in the National Council is regulated by the PLO’s statute and the Council’s election system (Barghouti & Twam, 2010). The PA’s first general election law included a provision stating that “the members of the Palestinian Council [= the Legislative Council] shall immediately be elected as members of the Palestinian National Council, in accordance with Articles (5) and (6) of the Basic Law of the PLO.”¹⁶ This law was issued by President Arafat in his capacity as the Chairman of the PLO and President of the PA. Its preamble referred to the reliance “on the approval of the Executive Committee [...] with the participation of the President of the National Assembly.” With the amendment of the law in 2005, this provision was absent, which sparked controversy over the interpretation of that incident, to the extent of describing it as a “conspiracy” (Abrash, 2006, pp. 121-122). In response to the National Council’s denunciation of this “act”, perpetrated by the Legislative Council without the knowledge of or a notice to the President (Abbas at the time) (Khalil, 2015, p. 188), an amendment of the law was issued the following year to restore that ruling. The ruling remained in effect with the amendment/replacement of the law in 2007 (Current Law, Article 6/4).

Relegating the 1995 law to the aforementioned articles of the Basic Law is a maneuver, as these articles do not support that ruling. The legislator became more evasive in subsequent laws, dropping article numbers and keeping reference to the statute without specifying articles.

The irony is that the Chairman of the National Council was supportive of that ruling, to the point of attacking the Legislative Council when they overthrew

¹⁵ The call was made early to separate the two executive authorities, with the members of the Executive Committee leaving the government (Nawfal, 1995, p. 64). But the Chairman of the Executive Committee and a number of its members rejected these proposals, which were also discussed before the establishment of the PA, so that some of them were desperate to enter the PA (Nawfal, 1997, p. 86). This was attributed to their fear of “being excluded from the political scene” in light of their belief that the PA would practically replace the PLO (Al-Shuaibi and Taha, 2013, p. 163). Thus, the Executive Committee deprived itself - if it remained outside - of the margin of maneuver and movement (Al-Qaddumi, 2011, pp. 24-25), and consequently the PLO was deprived of maintaining an alternative plan in the event of the failure of the PA (Al-Qaddumi, 2012, p. 209). Therefore, the PLO’s elite (or what remained of it) “lost much of its influence in favor of the elites who lead the institutions and apparatus of the PA” (Hilal, 2002, pp. 73-74).

¹⁶ Article (3/1) of Law No. (13) of 1995.

him in 2005, because he believed that the ruling meant the subordination of the PA to the PLO. But in fact, the PA infringed upon the legislative competence of the PLO, which National Council alone should determine the mechanism of its membership (Khalil & Twam, 2014, pp. 41-42). The approval of the Executive Committee of the law (as stated in its preamble) is irrelevant in this case because this issue is related to an older problem, represented by authorizing the PLO's statute of the Executive Committee to determine how to elect the National Council (Article 6). Such a ruling is paradoxical, or even fallacious. How would the lower authority (the Executive Committee) control the membership of the higher authority, especially since the Executive Committee emanates from the National Council, within a political system that identifies with the Council system?¹⁷

Before concluding this section, it is worth noting a related matter, namely the reference to the General Elections Act of the PLO and the Declaration of Independence. Accordingly, Law No. (1) of 2007 sets among the conditions for candidacy for the membership of the Legislative Council (Article 45/6) and the Presidency of the PA (41/4) a commitment to "the PLO as the sole legitimate representative of the Palestinian people, the Declaration of Independence, and the provisions of the Basic Law." Such a condition was not mentioned in previous election laws, including the law based on which the second Legislative Council was elected in 2006, when Hamas won the majority of its seats. Rather, this law came as a reaction to the election results and was issued at the onset of the Palestinian division. At the beginning of 2021, four days before the call for general elections – which were subsequently disrupted – a decision was issued for an amended law that drops this condition as a requirement for being elected in the Legislative Council but maintains it for running for the presidency.¹⁸ This condition was initially set against Hamas, which does not recognize the PLO and refuses to join it, as well as refusing to recognize the content of the Declaration of Independence concerning the borders of the desired state and the determinants of the "international legitimacy" basis. As such, the condition was later abolished for its sake, following secret or public agreements in the Cairo meetings held at that time. Thus, it is clear that the intention was not to promote networking but, rather, to use the law for political ends.

¹⁷ This is also a paradox: How can a national liberation movement adopt a political system that requires stability, while Switzerland is the only country that adopts such a system?! (Twam, 2013, p. 83).

¹⁸ No. (1) for the year 2021. To note the amendments that took place and comment on them, see: Manasra & Twam, 2021.

Phase 2: Combining Presidencies

The problem here lies in President Arafat and his legacy of “presidencies,” the combination and intertwining of which changed the nature of the PLO’s political system, from a council system in theory to a system that is outside any classification in practice. As a result, he was sometimes addressed as the Leader of the PLO, with no legal basis (Twam, 2013, pp. 83-84). Among those presidencies, we are concerned with three: the Executive Committees of the PLO, the PA, and the state. Arafat assumed the first position after being elected by the Executive Committee, starting in 1969, while he assumed the second after being appointed by the Central Council in 1993, and later through popular elections in 1996. Finally, he became President of the State of Palestine in 1989, following the Declaration of Independence, after being appointed by the Central Council with the approval of the National Council.

With the martyrdom of Arafat in the fall of 2004, these presidential legacies had to be “bequeathed.” After the failure to distribute these positions to more than one person (Al-Qaddoumi, 2011, pp. 54, 65), Abbas inherited them all. The Executive Committee elected him as its chairman on the same day Arafat died, in November 2004, based on the provisions of the PLO’s statute. He was also elected by the people as the President of the PA in January 2005, in accordance with the provisions of the Basic Law of the PA, while the Central Council appointed him as Head of State in October 2008 (Khalil & Twam, 2019, p. 1) without a legally binding basis for occupying this symbolic position at that time. This appointment was symbolic and imitated the theatrical appointment of Arafat as Head of State following the Declaration of Independence (Nawfal, 2005). This position was reinforced at the end of 2012, with the promotion of Palestine’s status in the United Nations to that of an observer state. It is worth noting that the third position remained vacant for four years, to coincide with Abbas’ appointment at the end of his term of office as President of the PA, which legally ended in January 2009 (or February 2010) but continues until now.¹⁹ Consequently, analysis suggests that this appointment was an attempt to consolidate Abbas’ legitimacy through that of the PLO, at the level of the PA/state, as an alternative to his lost electoral legitimacy (Abdul-Hadi, 2008). This appointment was condemned not only by Hamas (Al-Zahar, 2008) but also by Farouk Al-Qaddoumi (head of the PLO’s political department at the time)²⁰ because it

19 There are those who argue that the president’s term expired legally in February 2010, coinciding with the end of the term of the Legislative Council (Khalil, 2015, 20-23). Despite the merit of that jurisprudence, delving into this issue is currently unproductive. Because both dates have passed, and the president’s legal mandate has ended in any case.

20 “In advance,” meaning before it actually occurred in 2008, as Qaddoumi’s denunciation

“leads to monopolizing the Palestinian decision-making” (2012, p. 265).

The different mechanisms of assigning these presidencies show that they are divergent, “and the occupation of one is not considered the occupation of another.” The transitional period that followed Arafat’s death provided practical evidence for this. While Abbas was the Chairman of the Executive Committee, Rawhi Fattouh (the Chairman of the Legislative Council at the time) temporarily held the presidency of the PA to fill the sudden vacancy, in accordance with the provisions of the Basic Law. In parallel, the presidency of the state remained vacant for four years (Khalil & Twam, 2019, p. 2), to serve as an “alleged” exit for the legitimacy crisis. Until then, while it was understood – and even assumed – that there was a difference between the PLO and the PA, and the PLO and the state, the presence of the state as opposed to the PA was paradoxical, as the PA was meant to constitute the nucleus of the state. Therefore, how could they coexist, with each of them having its own president, even if it is the same person?! At the end of 2012, after obtaining the status of a state in the United Nations, the situation made more sense, and a presidential decree requested the replacement of the PA by the State of Palestine.²¹

To deepen the understanding of the controversy related to the plurality of presidencies, it will be useful to focus on their legislative outputs, by studying examples of laws issued by the PA since its establishment until the end of 2020.²² In this context, Arafat issued laws and stamped them as the Chairman of the Executive Committee (first) and as the President of the PA (second). Only one of them referred to the PLO’s legislation (the statute).²³ Thus, Arafat’s use of his status in the PLO was based on his reliance on its legislation. This argument is supported by the fact that Fattouh, when he temporarily assumed the presidency of the PA, issued laws and stamped them in his capacity as the President of the PA only. In one of them, he referred in the attribution to the legislation of the PLO.²⁴ Thus, compared to Arafat’s experience, there was no necessary connection between the position and the legislation followed, as even Fattouh,

dates back to an interview with him in May 2005 (and included in a book he published in 2012). It only happens in 2008.

21 No. (2) of the year 2013.

22 The sample is 38.5% for Arafat, 100% for Fattouh, and 20% for Abbas. These percentages are related to the total number of legislation published in the Official Gazette, and available through the “Al-Muqtafi” system of Birzeit University (<http://muqtafi.birzeit.edu>), until the date of “Al-Tashkif”/retrieval (November 22-23, 2021). Noting that it is not necessarily all that was actually published, as some of them seem to have not been published in the newspaper and/or are not available through Al-Muqtafi.

23 Law No. (16) of 1995.

24 Law No. (16) of 2004 (hereafter referred to).

who was not the Chairman of the Executive Committee, abided by the PLO's legislation.²⁵

During his era, Abbas followed the path of Arafat by being the Chairman of the executive body of the PLO and the President of the PA. At the end of 2008, he also became the Head of State. The latter position was given precedence over the previous two and coincided with Abbas' appointment by the Central Council as Head of State. At the beginning of 2013, with the change of Palestine's status at the United Nations, Abbas dropped his presidency of the PA and kept that of the State and of the Executive Committee. During his era, decisions "followed the Basic Law of the PLO," in addition to the Basic Law of the PA. This phenomenon began in 2018,²⁶ and has become the norm since 2019, even though there was no concrete reason to refer to the PLO's statute.²⁷

As a result, we are now left with two presidencies: the Chairman of the Executive Committee and the President of the State (the former PA). Each has a different mechanism, but they are both occupied by the same person. What deepens the problem is that the legislation of the PA/state assigns powers to the "chairman", who is defined by both legislation as the head of the PA/state and the head of the Executive Committee, in plural.²⁸ Thus, the sudden separation between the two positions in practice would raise a conflict over competencies.

25 As for the legality of Fattouh's reliance on the PLO's legislation, the assessment varies depending on the occurrence of one of the following three scenarios: the first, the case of formally relying on it in the context of strengthening the subordination of the PA to the PLO; the second, the case of reliance on it with regard to the authority of the head of the PA; third, the case of reliance on it for the purpose of amending or cancelling it. The first case does not raise a problem because it is purely a formality that does not harm or benefit, unless it is misleading. The second case is theoretically legitimate, but in reality it does not exist as none of the PLO's legislation mentioned the prerogatives of the PA's head. And neither of these cases has practical examples (at least within Fattouh's sample). The third case is acceptable, and (which seems to be lonely) the legislation referred to in the previous footnote (Law No. 16 of 2004) is an example of it.

26 Decree-Law No. (7) of 2018.

27 It is close to the "first case" referred to in the preceding footnote, which may be misleading, for implying - unrealistically - the existence of a relevant jurisdiction in the PLO's statute, according to the logic of the "second case".

28 In contrast with Fattouh, who limited the definition to the PA, see: Law No. (15) of 2004.

Third: The Stage of Sacrificing the PLO for the PA

At this stage, the PA began to outweigh the PLO. The latter faded to the background and sacrificed its charter in favor of that of the PA (phase one) and its Basic Law for that of the PA (phase two).

Phase 1: Amending the PLO's National Charter in Favor of the PA

Since 1974, the PLO has dealt with the National Charter in an evasive manner, violating it when needed, but without resorting to amending it (Hourani, 2006, pp. 152-153, 196-198). But at an early stage in the life of the PA, the PLO found itself compelled to sacrifice its Charter – despite being its most important document – “in favor” of the PA, as a result of the requirements of Oslo and its annexes²⁹ and the insistence of the American and Israeli administrations to abolish anti-Israel texts (Talhami, 2017, p. 752). Arafat was quoted as saying, at the opening of the amendment session: “The consolidation of the foundation of the National Authority is the urgent and current task of the Palestine Liberation Organization. Your National Authority is facing the challenges of construction, development, security, and stability in difficult and harsh conditions [...]” (Abu Afifa, 2000, 628).

Officially, amending the Charter took place during the National Assembly session in April 1996. After a lengthy preamble that attempted to link the Declaration of Independence with peace commitments, the Council's Resolution (consisting of two articles only) stipulated “amending the National Charter by canceling articles that conflict with the exchanged messages between the Palestine Liberation Organization and the government of Israel on September 9-10, 1993,” and assigning the “Legal Committee [in the Council] to redraft the National Charter and present it to the Central Council at its first meeting.³⁰ Thus, it did not specify exactly what the articles were, and there is no published reference or output about the work of that committee. A modified version of the Charter was not issued, like in the past, when the charter was first amended in 1968 (Khalil & Twam, 2014, p. 33; Barghouti, 2019, p. 72). A subsequent session of the Council in 1998 (in the presence of the U.S. President) witnessed the “ratification” of the amendment, of which there are two copies: the first does

29 Clause (31/y) of the “Taba Agreement” of September 28, 1995, available on the Wafa Agency website: <https://bit.ly/3m6laxv>.

Note: Unless specifically indicated otherwise, all links referenced in the paper were restored on April 30, 2022.

30 The text of the decision via the Wafa Agency website: <https://bit.ly/3m1Kc0D>.

not specify the amended articles,³¹ while the second does.³² In fact, 12 articles were removed and passages of 16 articles were deleted, all out of 33 articles in total. This means, quantitatively and qualitatively, the abolition of the charter or of whatever is relevant in it (Belkeziz, 1999, p. 80).

While this incident, which some had warned about beforehand (Nawfal, 1995, pp. 59-60; Al-Hout, 1996), appears as a neglect of the PLO and its charter in favor of the PA, to the point of considering the event as the demise of the PLO (Andoni, 1996), there was controversy regarding the constitutionality of the amendment. In this context, there was a questioning on the quorum of the Council (Al-Hamd, 2006, p. 38; Saleh, 2007, pp. 57-58; Damj, 2007, p. 119; Abu Hasna, 2007, p. 38; Hourani, 1996, pp. 56-58) and on the officiality of the document issued at the 1998 session (Khalil & Twam, 2014, pp. 32-34). Thus, the incident appeared as a new tactic by Arafat performed under external pressure, while disregarding the constitutional flaw. The same happened on a previous occasion, during the spring of 1989, when Arafat described the Charter – under pressure – using the French word *Caduc*, meaning obsolete or outdated (Barghouti, 1999, p. 118; Twam, 2013, p. 66). This skepticism is supported by what was quoted from the Speaker of the National Assembly, who said: Indeed, a decision was taken to amend the Charter, “but there was no legal amendment that could be implemented by the institutions” (Al-Hamd, 2006, p. 111).

Phase 2: Predominance of the PA over the PLO in the “Battle” for the Basic Law

The PA began to legislate at the level of ordinary legislation (laws) and secondary legislation (lower grade), without the existence of a constitutional document that acts as a supreme legislation. This was the case until 2002, when the first version of the Basic Law was issued, even though it was enacted by the Legislative Council back in 1997 (Khalil & Twam, 2014, p. 6). One of the reasons for delaying its issuance was the debate between the Parliament of the PA and that of the PLO about the eligibility to enact such constitutional legislation, as Arafat seemed inclined to consider the constitution as a matter that concerns all Palestinians, who are represented by the National Council and not by the Legislative Council (Milhem, 2006, 129; Al-Khalidi, 1997, p. 51; Kayed, 2015, p. 249). But in the end, the National Assembly lost the first “round” in the battle to enact the Basic Law. “This was a historical precedent regarding the separation

31 Like the version published on the websites of the PLO and Wafa Agency: <https://bit.ly/3kUHbOV> | <https://bit.ly/3HHP8R1>

32 Like the version published on the Yasser Arafat Foundation website: <https://yaf.ps/page-485-ar.html>.

of the constitutional legislation of the PA and that of the PLO” (Khalil & Twam, 2014, p. 34).

Since the Basic Law stipulates that it can only be amended by the Legislative Council (with a two-thirds majority), the National Council was not able to “compete” in the two “rounds” of its amendment in 2003 and 2005, although it made during the first amendment (which is an alternative version of the 2002 version) fundamental changes to the nature of the political system, by creating the position of Prime Minister as opposed to that of President. This raised “[the] fear of pulling the rug from under the President of the National Authority, who is also the [Chairman] of the PLO” in favor of the Prime Minister, and consequently weakening the PLO (Al-Shuaibi & Taha, 2013, pp. 164-165). Therefore, the “formal” approval of the Central Council was always requested.³³ The second amendment was minor and referred to the electoral law regarding the formation of the Legislative Council, which saw an increase in the number of its members (from 88 to 132). Since the members of the Legislative Council automatically enjoy membership in the National Council, this is a matter that falls within the core competence of the PLO and its National Council. Therefore, this issue was denounced (Al-Qaddoumi, 2012, p. 272).

Given that the National Council did not interfere with the law enactment and amendment, we will discuss how the Basic Law deals with the PLO and its affairs.³⁴ The PLO was not mentioned therein except in four places: at the end through signing the release, as despite the fact that the PLO was not involved in the enactment and amendments rounds, the Chairman had to sign the document, given his capacity of Chairman of the Executive Committee. Also, in the introduction, there was an attempt to “tame” the PLO by using terms that assert it is the only legitimate representative of the Palestinian people. The third topic addresses Article (8), which refers to the “official flag of the country” adopted by the PLO. Of the PLO’s organizations, only the National Council was mentioned twice. The first as a formality, following the mention of the Declaration of Independence in the introduction (because it issued the Declaration), while the second was substantive, and related to the invitation of its Chairman — along with the President of the Supreme Court — in attending the President’s swearing-in ceremony before the Legislative Council (Article 35). As for the basic documents of the PLO, only the “Declaration of Independence” was mentioned

33 In its emergency session, March 8-9, 2003, to read the text of the statement via the National Council website: <https://bit.ly/33SlcTh>.

34 The following presentation is by reference to the applicable version of the Basic Law, but the relevant provisions are the same in the two versions, even if the article numbers have changed.

(in the introduction, as previously indicated), in a literary formulation that does not contain a legal background. Overall, the legal value of the preamble to constitutions remains the subject of extensive controversy that we will not be discussing in this paper.³⁵

The Basic Law was formulated to strip the PLO of its competence in foreign affairs, according to the determinants of the peace agreements, which stipulated that the PLO should act as a representative of the PA in international relations (Al-Qaddoumi, 2011, pp.

36-37; Al-Shaqqi, 1997, pp. 60-61). The “President of the National Authority” was entrusted with appointing “representatives of the National Authority to countries, international organizations, and foreign bodies and to terminate their duties. He is also entitled to appointing the representatives of these bodies to the Palestinian National Authority” (Article 40). The intention to limit the role of the PLO appears in two facts: First, the deletion of the provision of the Basic Law that emphasizes not to compromise the functions of the PLO, including in foreign affairs (Shaqqi, 1997, p. 60). Second, restricting the definition of “President” to the person holding the capacity of the PA’s presidency only rather than that of the Executive Committee as well, as is the case in most of the PA’s legislation (as indicated above), with the exception of the Diplomatic Corps Law, which follows the Basic Law. This supports the hypothesis of stripping the PLO of its competence in foreign affairs, in clear violation of the provisions of the PLO’s statute (particularly Articles 19 and 27).

Fourth: The Stage of Merging the PLO with the PA

While the PLO was sacrificing its status and only playing a secondary role in the former stage, it becomes completely out of the picture in this stage, given the control of the PA over its areas of competence: legislative (first phase), and financial and diplomatic (second phase).

First Phase: Control of the PA over the Legislative Sphere of the PLO

Given that the National Council was the Parliament of the PLO and its executive power, and provided that the PA emerged from the PLO, the interference of the

35 On this subject, please refer to a study under publication by the researcher: “The Hero of the Novel: Religion in the Prefaces of Constitutions and its Impact in the Light of the Controversy of its Legal Value”, *Journal of Law*, under publication in a forthcoming issue. Kuwait University, Kuwait.

PA's legislation in the affairs of the PLO's parliament and its legislation under the "legislative complementarity" between the PLO and the PA (Al-Barghouti, 2019, pp. 209-219) is in reality an infringement of the PA upon the PLO in an attempt to control it.

This approach quickly became clear and could be considered as part of the networking stage. The most prominent example is the inclusion of members of the Legislative Council in the National Council, according to the legislation enacted by the first. The Civil Service Law also provided an early example of this approach. With its promulgation in 1998, the PA Council of Ministers was entrusted with determining the "equivalency of jobs and grades" for "the PLO's cadre and its institutions."³⁶ This raises the question of an implicit conflict between this law and the PLO's "Statute of Personnel."³⁷ Some pointed out that the National Council was able to challenge the Legislative Council, which defined itself in the first draft of the first election law as "the supreme authority of the Palestinian people and its sole representative" (Qabba, 1997, pp. 73-74).

In addition to these two early examples, three more explicit examples of the merging approach can be cited. Among them, the Law on "Insurance and Pensions for the Palestinian Security Forces" is of particular importance.³⁸ On the one hand, this law was issued at the end of 2004, during Fattouh's temporary presidency of the PA. Fattouh was not the Chairman of the Executive Committee, which means that the assumption that the President can dispose of the affairs of the PLO as well as those of the PA under a single legislation for being the president of both is wrong. On the other hand, this law implicitly canceled two PLO legislation referred to in the form of "informative content," which are the Pension Laws for Non-Commissioned Officers and Soldiers of the Palestinian Liberation Army of 1974.

The year 2005, which coincides with the beginning of President Abbas' term, witnessed two prominent examples. The first was the inclusion of the General Retirement Law in his address to the PLO's employees and institutions.³⁹ The second is the establishment of the Diplomatic Corps Law based on the Basic Law, to initiate the PA's independence in foreign affairs.⁴⁰ Several provisions of this law conflicted with the "Regulations of the Offices of the Palestine Liberation Organization" issued by the Executive Committee (Khalil & Twam, 2014,

36 Article (106/1) of Law No. (4) of 1998.

37 You can read its text and any other legislation of PLO that is addressed in the following: Al-Barghouti & Twam, 2010.

38 No. (16) for the year 2004.

39 Articles (1, 8, 110-111) of Law No. (7) of 2005.

40 Number (13) for the year 2005.

pp. 38-39), and contradicted the statutes of the PLO, as already indicated.

What unites the previous three examples is that they are “laws”, meaning they were enacted by the Legislative Council and issued by the President. Thus, they express the position of the PA’s parliament. It is possible to cite two more recent examples (2016-2018), which were issued in the form of a “decision by law” (legislation that must be enacted and issued by the President, in the absence of the Legislative Council). The first explicitly amended the Revolutionary Code of Criminal Procedure of the year 1979 of the PLO.⁴¹ The second legislation was on the same subject (military judiciary) and was related to the “Judicial Authority of the Security Forces” (the military judiciary) and made implicit amendments to the entire set of revolutionary penal legislation.⁴²

The PA’s legislative encroachment over the PLO did not stop at laws but also included presidential decrees and decisions as well as decisions of the Council of Ministers. The PA intervened a lot in establishing institutions, committees, and offices, as well as including them or withdrawing them from the PLO’s structure (Khalil & Twam, 2014, pp. 43-44; Khalil, 2015, pp. 39-40). A recent example is Decree No. 1 of 2019 “regarding the reformation of the Supreme Presidential Committee to Follow Up on Church Affairs in Palestine,” according to which the National Fund was assigned to “follow up on the financial and administrative affairs of the Committee.” As for the cabinet decisions, they are more diverse (Khalil & Twam, 2014, p. 43). A recent example is Resolution No. (1) of 2020 “Emergency”, which stipulated a wage deduction from the PLO’s employees — similar to that of the PA’s — as part of the declared state of emergency measures taken to confront the outbreak of the Covid-19 virus.

An unprecedented controversy was stirred at the popular level after the completion of this study, , triggered by the issuance of a law on “State Lawsuits” in February 2022, in which the Definitions Article (Article 1) considered “the Palestine Liberation Organization and its departments, as well as its institutions

41 Decree-Law No. (31) of 2016.

42 Decree-Law No. (2) of 2018.

Since we are looking at making amendments to the PLO’s legislation in accordance with the PA’s legislation, some may think that as long as the PA can amend its legislative inheritance from previous foreign eras (from the Ottoman rule until the Israeli occupation), it is a fortiori that it can amend its legislative inheritance from the PLO. This belief is based on an objective and systematic fallacy; the legislative legacy of the PLO was an era “within time, outside geography” (Twam, 2015, p. 27). The PLO’s legislation did not apply inside the Palestinian territory until after the establishment of the PA. This is on the one hand, and on the other hand, the PLO is still in place, while the regimes that ruled the Palestinian land before the PA are foreign, and they no longer exist or have no legitimate justification for legislation in the Palestinian land.

and all affiliated institutions” as part of the “state departments”. This version was not published in the Official Gazette but was leaked through the media and social media.⁴³ Following popular and institutional condemnation (Brown, 2022; Saleh, 2022; Malhis 2022), the presidency issued an alternative version of the decree-law, which was published in the Official Gazette,⁴⁴ in which the PLO removed the definition of “State Departments” in Article (1), and replaced it with “State Claims Bodies”, while Article (2) presented the following ruling: “For the purposes of implementing the provisions of this Law by Decree, lawsuits related to the Palestine Liberation Organization, its departments, institutions, and all its affiliated institutions, shall be treated as state lawsuits and are considered in their judgment, whether they are plaintiffs or defendants.”⁴⁵

In fact, the alternative version did not change anything on this particular issue. Rather, it was an attempt to present a “softer” version of the legislation that was considered shocking in its first version, as it was direct and straightforward as well as revealing (and not “constructing”)⁴⁶ the reality of the relationship between the PLO and the PA/state. This is what concerns the style of drafting related to addressing the PLO in that resolution. It seems that the popular objections focused on this dimension. However, the most important dimension is extending the authority of the PA’s judiciary to the PLO, with a clear and explicit legislative text that considers it “as part of the Palestinian bureaucratic apparatus, whose headquarters is in Ramallah. This law seemed to seek to attach a body that is the only legitimate representative of the Palestinians as a people, into the constrained, authoritarian, and

43 The copy (the first page) appeared without a number, while the issue seal indicated the date of the documentary issue (February 8, 2022), with the number “issued” (117). This copy can be viewed through the Maan Agency website through the link: <https://bit.ly/3Mp5Kio>

44 In addition, it should be noted that both versions included in the definition of “state departments” (the first version) and “state litigation bodies” (the second version) a clause that includes “any institution listed as an item on the state’s general budget, unless another law provides otherwise. that”. Since the PLO and/or some of its institutions are included in the budget (as will be referred to in the next section), a broad interpretation of that item includes the PLO and/or its institutions.

45 In addition, it should be noted that both versions included in the definition of “state departments” (the first version) and “state litigation bodies” (the second version) a clause that includes “any institution listed as an item on the state’s general budget, unless another law provides otherwise. that”. Since the organization and/or some of its institutions are included in the budget (as will be referred to in the next section), a broad interpretation of that item includes the organization and/or its institutions.

46 Revealing and constructing are legal terms. While the first states that a ruling has established a new order, which was not previously present, the second states that the ruling has revealed an already existing matter.

largely powerless circles of the Palestinian National Authority” (Brown, 2022).

The PLO has never expressed the existence of a court specialized in civil and administrative cases (but only criminal, through the Revolutionary Judiciary Authority before the establishment of the PA). It should be noted that the decisions of the Central Council during its thirtieth session (October 2018) included referring the “proposal to form the Palestine Liberation Organization Court to the President of the National Council and the Legal Committee of the Council to take the necessary legal measures to follow” (Article 20).⁴⁷ It was not possible to follow the procedures for dealing with this proposal, and therefore it is not possible to determine the nature of the relationship between that proposal and the inclusion of the PLO and its institutions in a decision by the aforementioned state lawsuits law. It seems that the attempt to issue this decision through a controversial law, which entails including the PLO and its institutions and structures, came as a reaction to the High Court of Justice’s rejection of a case two years ago, in which one of the PLO’s structures (the Palestinian Teachers Union) was sued; the case was rejected due to “lack of jurisdiction”. The court rightly found that the legal framework regulating its work does not give it the power to decide on this case.⁴⁸

During the period that extends between that ruling and the issuance of the law, the president “authorized” his legal advisor (in person and not in his capacity), “on behalf of the Chairman of the Executive Committee of the PLO, to appoint lawyers and/or advisors to follow up on the cases brought against the Organization and/or the secretariat of its Executive Committee and/or the National Fund, with all kinds and degrees of courts and judicial authorities in Palestine [...]”.⁴⁹ According to the law, the representative of the PLO and its institutions becomes the Attorney General of the PA/state, just like the institutions of the PA/state (Article 3).

Second Phase: PA’s Encroachment over the Financial and Diplomatic Roles of the PLO

Among the departments of the Executive Committee, the National Fund and the

47 You can view the decisions of this session via the Wafa agency website: <https://bit.ly/3x-QTTFR>

48 The Supreme Court of Justice, Judgment issued on February 10, 2020. The researcher obtained a copy of this decision, in addition to the statement of claim and the answer statement, from attorney Nael Al-Houh (agent of one of the defendants: Secretary General of the Teachers Union), on April 28, 2022, through the application “WhatsApp”.

49 Resolution without a number for the year 2021, not published in the Official Gazette, issued on September 8, 2021, bearing the notarial issue number (1859). The researcher obtained it from a source who preferred not to be named.

Political Department have always had a special place in the work of the PLO. While the Fund played the role of the Ministry of Finance, the Department played the role of the Ministry of Foreign Affairs. Both held metaphorically the status of sovereign ministries, and each of them worked according to a specific legislative regulation.⁵⁰ In practice, the Fund has financed the PLO's organs by receiving and developing resources through the establishment of several productive projects around the world (Twam, 2013, pp. 94-95). One study, in the mid-1980s, estimated its annual income to be between \$125-150 million (Zagorin 1989, p. 197).⁵¹ As for the Political Department, it handled issues related to diplomatic relations and consular functions, and some countries have treated the head of the department as a Minister of Foreign Affairs (Twam, 2013, p. 88; Nassar 1991, p. 68).

In the face of the legacy of these two departments, and despite the continued need for them, the PA marginalized them. The beginning was with the National Fund, which, with the establishment of the PA, quickly turned from a funder of the PLO to an institution that receives its budget from the PA's Ministry of Finance, and from a decision-maker on the PLO's budget to a line-item in the PA's budget.⁵² This is the case for the rest of the PLO's departments and institutions, which have become items within the PA's budget, which did not even allocate any money to the Fund in some budgets.⁵³ It was not possible to trace these practices over time considering the non-compliance with publishing the budget in the Official Gazette.⁵⁴ However, they seem outdated according to the description provided by the Fund's General Manager (Khoury, 2019, pp. 176-177). While some believe that the PA became the reference considering its financial capacity, as opposed to the lack of the PLO's resources (Sadiq, 2009, 282; al-Hamad, 2006, p. 118), Al-Qaddoumi commented on the marginalization of the Fund by saying that the "Palestinian leadership" "neglected" "taking care" of it, and "robbed it of funds allocated for managing embassies and PLO offices" (2012, 187). On the other hand, the General Manager of the Fund recently spoke about

50 In particular the Fund: In addition to regulating its work in the statute of the PLO (Articles 24-25), it had its own system and intervened in the various financial legislation of the organization. As for the political department, the statute of the PLO only mentioned it, while its work was partly organized in the two systems of offices and employees. To read the texts of these legislation: Barghouti & Twam, 2010.

51 In the same time, another study indicated an estimated annual income of nearly \$500 million (Al-Jabeir 1987, p. 18).

52 See, for example, Decree Law No. (6) of 2012

53 See, for example, Decree Law No. (12) of 2009

54 Also, previous budgets are not available through the Ministry of Finance website (<http://pmof.ps>) within the date of retrieval (April 30, 2022).

ongoing efforts to “regulate and institutionalize the relationship between the Fund” and the Ministries of Foreign Affairs and Finance (Khoury, 2019, p. 182).

Mentioning the embassies and offices of the PLO leads us to talk about the Political Department, whose dilemma is deeper and whose battle is greater, as it is mainly determined by the limitations of Oslo. According to the Accords, foreign affairs are the responsibility of the PLO, which acts as an agent of the PA in this regard (Al-Qaddoumi, 2011, pp. 36-37; Khalil, 2015, p. 38) because the PLO has an international legal personality that enables it to conclude and sign international treaties and diplomatic representation. Here lies the paradox: Al-Qaddoumi is forced to rely on those agreements – which he rejects in the first place – to defend his Department’s jurisdiction (Sadiq, 2009, 283)!

The PA continued to use the name of “Ministry of Planning and International Cooperation” until 2003, when it was modified to the “Ministry of Foreign Affairs” (first assumed by Nabil Shaath), coinciding with the separation between the two presidencies of the PA and that of the Council of Ministers (Khalil & Twam, 2014, pp. 37-38). This is how the “crisis of duplication in the Palestinian diplomacy” started (Abu Shamaa, 2019; p. 39). Thus, the crisis between the Political Department and the Ministry of Foreign Affairs started at the end of the era of Arafat. This angered the head of the Political Department, who saw in this a replacement for him and his department (Al-Qaddoumi, 2012, pp. 254-259). Al-Qaddoumi chronicles that there were previous failed attempts by the PA - at the beginning of its reign - to “impersonate a diplomatic and representative character” (2012, pp.183-184).

The crisis further deepened during Abbas’s era, when Nasser Al-Kidwa took over the Ministry of Foreign Affairs, and both made changes in the appointments of the diplomatic corps (Al-Qaddoumi, 2012, pp.269-271). This happened in parallel with the issuance of the Diplomatic Corps Law that entrusted the management of the corps to the Ministry of Foreign Affairs and proposed that the Legislative Council acts as an alternative to the National Council (Al-Qaddoumi, 2011, p.38). Although Al-Qaddoumi won several times against the Minister representing the PA while competing for Palestinian representation in international forums, he began to lose against al-Kidwa, who was supported by Abbas (Khalil & Twam, 2014, p.57; Masoud, 2009, pp.121-122). Thus, the outcome of his battles with his rivals was controlled by the President; Arafat and then Abbas (Parsons, 2005, p.254). The crisis took on a “dramatic” dimension with the victory of Hamas in the legislative elections and its formation of the government and the appointment of Mahmoud al-Zahar as Minister of Foreign Affairs. While Al-Qaddoumi continued his denunciation of the PA’s takeover of the PLO (2011, pp.37-38), the leadership of the PA worked to exploit his initial position by “lifting the siege” on him (Saad, 2015, p.309) and encouraging him

to oppose al-Zahar. This led to a verbal argument between them on the eligibility for representation during a meeting of the non-aligned countries in 2006, which ended with the withdrawal of al-Zahar (Masoud, 2009, p.122). When the split occurred in the summer of 2007, the Hamas government became “illegitimate, and a replacement was appointed in the West Bank. Then, the year 2009 witnessed the culmination of the nuisance that had begun previously (Saad, 2015, p. 310; Ismail, 2009, p. 38), represented by stripping Al-Qaddoumi of the Political Department, which became controlled by Abbas (Twam, 2013, p. 88). That same year witnessed the scandal of Palestinian diplomacy by sacrificing the “Goldstone Report,” which was one of the most prominent outcomes of the duplication crisis (Abu Shamaa, 2019, pp. 41-43). Perhaps it is no coincidence that the same scenario repeated itself with the National Fund, whose presidency was also retained by Abbas.⁵⁵ As for the Political Department, it is no longer mentioned or assigned to any of the members of the Executive Committee.⁵⁶ Also, embassies and diplomatic missions now follow the PA rather than the PLO (Al-Amouri, 2015, p. 55). The discrepancy in the design of the letterheads of embassies reflects the extent of confusion, as discrepancy is noted between one embassy and another in the use of the logos of the PLO and/or the state and the position of each in relation to the other (Barakat, 2018, p. 195). This reminds us of the state of confusion that followed the Declaration of Independence (Nawfal, 2005, pp. 133, 141). In practice, the researcher witnessed the closure of the Department’s headquarters in Tunisia in the fall of 2015 due to ceased funding, after years of scarce funding that started with the era of the PA (Nawfal, 1995, p. 57).

As a result, the suspension of these and other departments resulted in a “neglect of the life and livelihood issues” of the refugees. This situation created, at an early stage in the life of the PA, “a state of disengagement from the PLO, and weakened the struggle movement of the Palestinian people’s gatherings abroad” (Qabba, 1997, p.79).

55 This continued until February 2022, when the General Manager of the Fund was elected as Chairman of its Board of Directors, to become a member of the Executive Committee. This was during a “problematic” session of the Central Council, which is commented on in the conclusion.

56 The current formation can be seen on the National Council website: <https://bit.ly/3nQCpEj>. This link was originally retrieved on January 8, 2022, and a list of the names and positions of the members of the Executive Committee was available through it, and it did not appear in which the political department assigns any of the members or even the president. Today (up to the new retrieval date: April 30, 2022), and after the election of new members of the Executive Committee, during a “problematic” session of the Central Council in February 2022 (to be commented on in the conclusion), the list now contains only the two chairs – that of the Executive Committee and that of the board of directors of the National Fund.

Fifth: The PA's Potential Resorting to the PLO

There is evidence that points to a potential fifth phase of the relationship between the PLO and the PA that is characterized by the PA resorting to the PLO. This can be unveiled through two aspects: drafting secret legislation (phase one) and the jurisprudence of the Constitutional Court (phase two).⁵⁷

Some parties apprehend the idea of the PA resorting to the PLO, and even describe the role of the PLO as similar to that of a “male bee” who dies after mating. While those concerns stemmed from the fear that maintaining the PLO would give legitimacy to the Final Status negotiations (Yassin, 2009, 11; Ismail, 2009, 39; Badwan, 2012, 36), this paper argues that the PA will seek the PLO's support as an alternative to its electoral legitimacy. This argument does not spring from the vacuum but is based on practical precedents.⁵⁸

57 After the completion of writing this study in early January 2022, reality witnessed a third entry that intersects with these two entrances, represented by the Central Council assuming the competencies of the National Council. We chose to comment on it in the conclusion.

58 In addition to what was mentioned in the paper, the authority appealed to the organization on several pivotal occasions, such as appealing to the Executive Committee in the context of the rivalry between Fatah and Hamas, at least twice: the first, by requesting the committee's approval of the program of the first Hamas government in March 2006, while the Basic Law does not require granting it confidence from the legislature only. This is what happened in the end, despite the denunciation of the Executive Committee, which considered that the program does not explicitly acknowledge the organization's reference to the authority (Abrash, 2006, p.123). Paradoxically, it is a measure similar - somewhat - to what Arafat did “against” Abbas when he became prime minister (Ismail, 2009, p.38). As for the second, it was the result of Hamas militarily taking control of the Gaza Strip in the summer of the following year. Although the president could invoke the organization of the state of emergency in the Basic Law, he felt the need to cover his actions taken during it with the cloak of the organization's legitimacy, so he went again to the Executive Committee (Al-Qasim, 2015, pp.108-109). The appeal did not stop with the Executive Committee, but also with the Central Council, and on more than one occasion, perhaps the most prominent of which witnessed at the end of 2009 the authority's appeal to the legitimacy of the organization by extending the term of its presidency and legislative council, until the general elections are held. This is the event for which the Central Council issued a decision in its twenty-third session, which was called - paradoxically - the “Palestinian Constitutional Legitimacy Session”! (To view the decision on the National Council website: <https://bit.ly/3cW51FK>). There are those who refer to a similar procedure that took place in 1999, with the end of the terms of the President and the Legislative Council at the end of the supposed date of the transitional phase (Kayed, 2015, p.231; Al-Barghouti, 2019, p.82), but it was not possible to find out what supports this by reviewing the decisions of the sessions of the Central Council. For the years 1999-2000 (four sessions), as published by the National Council website: <https://bit.ly/3rGDyAu>. In general, the circumstances of

First phase: Drafting Secret Legislation

The legislative process, especially at the foundational-constitutional level, should be transparent and with societal participation, and not in secret. Based on this, it is possible to talk about two examples: the first is the drafting of the state constitution, while the second is the issuance of a new system for electing the National Council.

1- Drafting a Draft State Constitution

The Declaration of Independence in the fall of 1988, marked the beginning of the Palestinians' involvement in an unprecedented constitutional legislative movement. At times, they worked on the draft constitution of the state, and at others, on a basic law for the PA. Between both drafts, they were confused about the idea of a "constitutional system for the transitional period" and "the concepts of the constitutional document." The Constitution Preparation Committee (the first) was formed on the sidelines of the Declaration of Independence. Its work stopped with the start of the Oslo negotiations; then it was reconstituted (a second committee) in 1999 and until the spring of 2003 produced four drafts (the last of which was the third revised draft), all of which were published and made available for public discussion. In 2011, coinciding with and preparing for the application for full membership in the United Nations, a special committee of experts was formed to review the latest draft (Khalil & Twam, 2014, pp.5-11), and the drafting project was revived once more in 2015 (Al-Barghouti, 2019, p.58). During those experiences, the extent of the identification or confusion between the institutions of the PLO and the PA became clear in the formation and modification of the committee (Brown, 2003, pp.1-2; Abdeen, 2004, pp.3-7; Khalil & Twam, 2014, pp.5-11). While we will not delve into this dilemma in this paper, there is an urgent need to inquire about the reason for the current committee's secrecy over its work.

No official draft was published after 2003, while researchers circulated an unofficial, leaked electronic version, dated September 2015.⁵⁹ By comparing it with the last draft published in 2003,⁶⁰ specifically, with regard to the reference to the PLO and its institutions and related matters, we notice that the PLO and its bodies were invoked in the 2015 draft after they were absent from the 2003 draft. The earlier draft addressed the establishment of the "Advisory

that period were related to the controversy over determining the duration of the transitional period (Khalil, 2015, pp.19-20).

59 The researcher makes it available for reading through his Google Drive account: <https://bit.ly/3xMkgfZ>

60 The researcher adopts the version listed in: Brown, 2003.

Council” (Articles 109-111) as an advisory institution that seemed to be an alternative to the National Council and is affiliated with the state, and thus replaces the PLO (Khalil & Twam, 2014, p.51; Brown, 2003, p.36). That draft (2003) referred to the PLO or its bodies through mentioning the ceremonial role of the National Council (or the Central Council in case the first is unable to convene) in adopting the draft constitution (Article 185). The draft constitution should be adopted before the establishment of the state, to be approved by the elected parliament (the successor to the Legislative Council of the PA), which has the right to either approve it or submit it to a popular referendum.

The 2015 draft referred seven times to the PLO – three times as literature in the introduction, with no legal background, and four in the body of the text (Articles: 1, 2, 3, 32).⁶¹ As for the PLO institutions, while the Executive Committee was never mentioned, the National and Central Councils were sometimes mentioned along with the PLO. For instance, the National Council was mentioned in the introduction in the context of the Declaration of Independence (being its source) and in some articles,⁶² the most important and most dangerous of which is the article (266). This article enables the National Council (or the Central Council) to confiscate the people’s right to a referendum on the constitution, in the event that it is not possible to convene for “compelling reasons by a decision of the Constitutional Court.” This jurisdiction differs from that stipulated in the 2003 draft. While it had a ceremonial role (initial approval), its role became fundamental in the 2015 draft as it transformed into an alternative to the popular referendum, which is one of the democratic methods in drafting constitutions.

61 While it was mentioned in Article (1) in a literary form, Article (2) affirmed that the establishment of the state does not detract from the status of the PLO “as a representative national entity and a comprehensive framework.” This is followed by Article (3) to stipulate that the state is linked to the PLO “in an organic and complementary way”, and referred to the National (or Central) Council to draw up a document “the legal framework regulating the relationship between them” and to define “the powers and authorities of each of them in a manner that does not conflict with the provisions of this Constitution.” And in connection with this article, article (272) of the draft stipulates that this document, in addition to the preamble to the constitution, is “complementary to the constitution and an integral part of it.” As for Article 32, the PLO joined with the state in their commitment to “care for the Palestinians in the diaspora, protect them, guarantee their rights and freedoms, enable them to perform their public duties towards the state and society, and contribute to the development of the homeland and self-determination.”

62 The National Council and the “House of Representatives” were entrusted with approving international treaties related to “the independence, sovereignty, unity and territorial integrity of the State of Palestine or any issues affecting the fate of the Palestinian people,” before submitting them to a general popular referendum (Article 145). /3). It was also referred to in the context of his president’s attendance at the swearing-in ceremony for members of the House of Representatives, the President and his deputy (Articles 134 and 178).

If the National Assembly were popularly elected, there would be no problem in that draft ruling. In the latter case, it could be approached through other democratic methods, such as the Constituent Assembly. However, since the establishment of the PLO, the National Council has not enjoyed electoral legitimacy (Al-Qaddumi, 2012, 210; Hilal, 1997, 91). This was attributed to the conditions in the diaspora and the lack of cooperation of the host countries (Faraj, 1998, 66; Twam, 2021b, 1). While the Council elections were scheduled to take place in the summer of 2021, they were suspended (as well as the presidential and legislative elections), by a decision of the President, hours before the start of the electoral campaign.

2- Approving the “New” System for Electing the National Assembly

As previously mentioned, the year 2021 was scheduled to witness presidential and legislative elections, followed by the National Council elections.⁶³ While the presidential and legislative elections were going to take place in accordance with a law issued by the PA (Manasra & Twam, 2021), it was not known – even after the start of the electoral process – according to which legislation the National Council elections would take place, as its original election system is outdated (1965), and includes outdated provisions (Twam, 2021b, p.3). It was found that the Executive Committee secretly issued an alternative system in May 2013, but did not publish it. However, the researcher obtained a leaked official copy of it from a reliable source, who preferred not to be named, and conducted a review about it (Twam, 2021b).

The new system (lowest grade) involved a constitutional flaw, as it included violations of the provisions of the PLO’s statute (highest grade), such as restricting the competence of the National Council and extending its term of office. Furthermore, the proportional representation system was adopted instead of the single vote system, given the existence of two electoral districts (the “Palestinian territories” and “the diaspora”). The option of “consensus” was made available instead of voting in countries where elections cannot be held.⁶⁴ The number of members was set at 350, evenly distributed among the two constituencies (175 for each constituency). Since the members of the Legislative Council were supposed to represent the Palestinian territory in the National Council, the system

63 Considering the election of the Legislative Council is a preliminary stage in the election of the National Council, since the members of the first are by extension members of the second, as was indicated previously.

64 It is understood that elections are held in some diaspora countries, provided that resorting to the option of consensus regarding them is not automatic or easy. The principle is to hold the elections. There is no shortage of options in organizing them (Hourani, 2007, pp.17-18).

did not answer a central question: “Are the members of the Legislative Council (132 members) included within the quota of the ‘Palestinian Territories’ district (175 seats), and therefore only the remaining of them will be elected? (i.e. 43 members)? Or are they added to the quota, and thus the number of members of the National Council in total is 482, of whom 307 are from within the ‘Palestinian territories’ and 175 are from outside them?” (Twam, 2021b).

The literal interpretation of the text favors the second hypothesis, despite the “inequality”, which, if it existed, would have been “unjust” for the majority of the Palestinians in the Diaspora (Twam, 2021b, p.7). The attempt to interpret the text as an external observer provides a different meaning than what is stipulated in the law, which determined the number of members and their distribution over the two districts. This leads to a third hypothesis: limiting the representation of the “Palestinian territories” to members of the Legislative Council. In this context, Al-Qaddoumi asserts that the consensus was on considering the members of the Legislative Council as “Members of the National Council from Palestinians living in the Palestinian territories” (2012, p. 272). Accordingly, the representation of Palestinians living in the Palestinian territories was limited to the Legislative Council. The same conclusion is presented by Hamas in relation to the Cairo Declaration of 2005 (Hamdan, 2007, p.191) when researchers drafted its proposal (Nawfal, 2007, 84). If this intention is fulfilled, this means that it would become impossible for a person to combine in the future between the presidency of the PA/ state, and that of the PLO’s Executive Committee.⁶⁵ Is there really a tendency to legally separate the two presidencies?!

The introduction and conclusion of this paper include two quotes by Farouk Al-Qaddoumi and Marwan Barghouti, both of whom were “candidates”⁶⁶ – along with Abbas – to share Arafat’s legacy from the “presidencies” (Al-Qaddoumi, 2011, pp. 54, 65). In the end, Abbas won, denying the fact that “one of the most important legacies of Arafat was that he established a political system” whose cohesion was supported by his own person; a fact that “must change after his death” (Jukman, 2005, p.51). This is where the solution to the Palestinian

65 On the one hand, the statute of the PLO requires that the head of the committee be a member of the National Council (Article 13). On the other hand, the General Elections Law requires that the candidate for the presidency of the PA / state be a “permanent resident in the Palestinian territories.” (Article 36/3). He is prohibited from being a member of the Legislative Council “unless the member first submits his resignation from membership of the Council” (Article 46/2). But that resignation will not change anything. As soon as one of them resigns from the Legislative Council, he automatically loses his membership in the National Council and therefore is no longer qualified to chair the committee, even if he was previously elected and actually took over.

66 The candidacy here is not in the official sense, but rather the name was put up in the internal discussions within the formal and informal frameworks of the PLO and the Fatah movement.

political system's dilemma lies: dismantling the presidencies, dismantling the institutions, and reforming them based on their nature and jurisdiction. But this should not be improvised. For instance, what would have happened if the 2021 elections were held and had produced a President of the PA who is different from the Chairman of the Executive Committee? How would they have dealt with the PA's legislation, which presumes that one person holds both positions? What is the extent of the conflict that would have arisen between the two presidents over the leadership of an intertwined political system?! A final question remains: What if the ambiguity in this new system is a political maneuver that aims at separating presidencies considering the current President's loss of the PA elections?⁶⁷

Second Phase: Jurisprudence of the Constitutional Court

The PLO did not rely on a body specialized in constitutional interpretation and oversight of the constitutionality of legislation to ensure that they do not violate its constitution. Rather, the PLO adopted improvised practices by referring some projects/proposals to special committees or the legal committee in the National Council (Al-Barghouti, 2019, pp. 91-92, 233). On the contrary, the PA experienced a development in the establishment of a central constitutional judiciary, starting in 2006 with the Supreme Court as a (temporary) constitutional court, and the sudden formation of the Supreme Constitutional Court in the spring of 2016.

While the two courts are affiliated with the PA, which means that they have no authority over the PLO's legislation, they have adopted an expanded understanding of their competence in constitutional oversight and considered appealing the constitutionality of the revolutionary penal laws and deciding their constitutionality (as indicated above). Given its legal interpretation background, the Constitutional Court fought in determining the legal value of one of the constitutional documents issued by the PLO, the Declaration of Independence, and

⁶⁷ This question, which is based on the "conspiracy theory" and which cannot be measured with scientific research tools, is based on two foundations: the first, that this legislation (the system) was made in secret, and it was not published even four months before the date of the scheduled elections. The second is that the Palestinian official set a similar precedent in this regard, when it amended the general election law, to put obstacles in the way of independents running for the presidential elections (Twam, 2021a). At that time, analysts tended to consider obstacles specially placed before Barghouti, who intended to run as an independent, in light of the Fatah Central Committee's support for Abbas's candidacy, and its attempt to dissuade Barghouti from doing so. In fact, many analysts suggested that the real reason behind the delay in the elections was the failure of the Central Committee to dissuade him, but rather went to put forward an independent list for legislative elections.

decided its prevalence over all of the PA's legislation, including the Basic Law. The other interference is a fatwa issued by the Constitutional Court to dissolve the Legislative Council (the PA's Parliament). Both events happened in 2008.

1- The Constitutional Value of the Declaration of Independence

Since the Basic Law did not determine the status of international agreements in the national legal system, and given that Palestine has ratified more than a hundred international agreements since 2014, the Constitutional Court issued a fatwa that stipulates the supremacy of agreements over all internal legislation. This fatwa was followed by another,⁶⁸ which stipulated that agreements transcend ordinary legislation, while the Basic Law and the Declaration of Independence transcend international agreements (Twam & Khalil, 2019).

What concerns us here is the status of the Declaration. While it is not possible to delve into the doctrinal debate about the value of declarations of independence, and declarations of rights in this paper, it is sufficient to point out that the Court's ruling contradicts the experiences of several countries which have ratified similar Declarations, most notably the experiences of: the Americans (Declaration of Independence of 1778), the French (Declaration of the Rights of Man and of the Citizen of 1789), the Egyptians (Declaration of the National Action Charter of 1962), and the Algerian (National Charter of 1976 and Charter of Peace and National Reconciliation of 2005). Only the French constitutional judiciary granted the Declaration an explicit constitutional value, but it did not place it above the Constitution, as the Palestinian Constitutional Court did.⁶⁹

What concerns us here is the possibility of giving more power to the PLO's legislation over that of the PA whenever the latter needs a way out of a constitutional crisis, such as the sudden separation between the two presidencies of the PA and the PLO (as mentioned previously), and/or considering its intransigence to resorting to electoral legitimacy. Perhaps the future will provide an example in that regard.

2- The Dissolution of the PA's Parliament

After more than ten years, the Legislative Council was suspended due to the Palestinian division. To respond to "whether the Legislative Council works regularly or is disrupted, and whether members of the Legislative Council in its

68 Resolution No. (5/2017) dated March 12, 2018. Al-Waqa'a Al-Falasteenah, No. (119), on March 29, 2016, pp. 45-50.

69 In this paragraph, the researcher summarizes some of the results of another study of his, under arbitration for publication purposes, in partnership with Mahmoud Abu Sawi, entitled (temporary) "Above the Pyramid: The Legal Value of the Palestinian Declaration of Independence in the Light of Comparative Experiences."

current situation deserve salaries or not,” the Constitutional Court, based on its interpretive competence, dissolved the Council and called on the President to conduct legislative elections within six months.⁷⁰ Since the Basic Law did not authorize the dissolution of the Council, this fatwa was denounced for its encroachment on the legislative authority and for the political involvement of the Court (Al-Khalidi, [2018]; Kayali, 2019, pp. 32-35). What is a cause of concern is that the intention behind the dissolution of the PA’s parliament was to replace it with that of the PLO (the National/Central Councils). It is true that since the dissolution of the PA’s Parliament, the PLO’s Parliament has not enacted any legislation, as the mechanism adopted is to interpret the Basic Law and rely on legislation of necessity issued by the President (decisions through laws).⁷¹ However, the dissolution of the Legislative Council meant that the Basic Law (Article 37/2) could no longer be followed to fill the sudden vacancy in the PA’s presidential position by temporarily appointing the President of the Legislative Council for this role until elections are held within sixty days. This suggests that, in case of the President’s death, the PLO’s institutions would become the decision-maker, without relying on electoral legitimacy. The first scenario is the appointment of a PA Council based on the experience of 1993, when the Central Council issued a decision to form the Council and chose Arafat as its president. The second scenario is the replacement of the Legislative Council by the Central Council through issuing another problematic fatwa from the Constitutional Court, according to which the President of the Central Council would temporarily assume the presidency. The third scenario revolves around expediting the approval of the draft state constitution through the Central Council, whose “provisions” indicate filling the vacancy by assigning the presidency to the President of the Constitutional Court. The fourth scenario is the succession of the PA by the Palestinian State and the appointment of the President by the Central Council, based on its experience in appointing Arafat in 1989 and Abbas in 2008 (Khalil & Twam, 2019). This approach relies on an easy electoral mechanism often characterized by “the applause from the audience”, which indicates approval! (Nawfal, 2005, p. 248).

70 Decision No. (10/2018) dated December 21, 2018. Al-Waqa’ al-Palestiniani, No. (119), dated 3/29/2016, pp. 45-50.

71 During statistical research conducted by the researcher in the spring of 2021, the number of decisions regarding laws issued since the beginning of the division, until the beginning of 2021, reached more than 300 legislations.

Conclusion

“The role of the PLO has declined after the establishment of the Palestinian National Authority, and its institutions are aging and impotent, and lack the vitality enjoyed by the Palestinian people, which the Organization represents.” “In order to play its representational role, it must be developed. Hamas and the Islamic Jihad should also be included through electing a new National Council, a new Central Council, and a new Executive Committee.”

Marwan Barghouti (2010, p. 31)

The call to consider the PLO, reform it, activate its institutions, and separate it from the PA is not new, dating back to the beginning of the era of the PA (Nawfal, 1995, p. 62). In fact, the PLO reached in the mid-1990s that historical moment when it was afflicted by various causes of weakness and aging (Hilal, 1993; Kassis & Nakhla, 2009, p. 101), especially its lack of electoral legitimacy, which made it weak compared to the PA, which also quickly lost its electoral legitimacy. Even though the problematic relationship between the PLO and the PA dates from a long time, it was not taken seriously until recently, for various reasons (Al-Shuaibi & Taha, 2013, pp. 163-164). Despite the presence of various fronts opposing its leadership (Belkeziz, 1999, p. 79), many Palestinians still prefer to revive the PLO rather than “build a new, completely independent national movement,” (Masarat, 2013, pp. 18-20) although there are some who believe that the PLO no longer exists (Abushawar, 2018) or argue that it “has faded” (Frisch, 2009). Other Palestinians consider that “it is not possible for the PLO to regain its previous role, neither as a political institution resembling the state nor as an umbrella that encompasses the national identity of all Palestinians” (Sayegh, 1997, p. 66).

These reform calls revolved around conducting a national review that would produce a new national charter and a new statute for the PLO as well as revive its institutions and form them through elections, not through quotas. This would further promote the separation between the two presidencies of the PLO and the PA (Nawfal, 2007, pp. 83-86; Hourani, 2012, pp. 187- 189; Masarat, 2013, pp. 32-35). The positions of the factions affiliated with the PLO were similar (Abu Al-Arada, 2007; Abdel-Aal, 2007; Al-Natour, 2007), although those of the independent factions were clearer and more specific (Hamdan, 2007; Abuta, 2007).⁷²

⁷² The description of the positions of the factions is related to what was announced by their representatives in a conference organized in 2006, and was published in a book in 2007. The researcher preferred - in the interest of objectivity - to adopt this reference in light of

This is particularly true for Hamas, whose position on the PLO has undergone drastic changes (Abrash, 2006; Shabib, 2016). Still, the factions believe that this is what will achieve national reconciliation, which, in turn, remains stagnant.⁷³

Even with the establishment of a sovereign state on part of the Palestinian land, there will still be a need for the PLO. It is true that, according to international law, it is a temporary entity with a purpose (a means to achieve a goal). However, even with the establishment of a Palestinian state within the 1967 borders, the PLO has not achieved its goal, as this state is for some Palestinians, not all.⁷⁴ And the rest have the right to decide their fate and to be represented by a national liberation movement. The relationship between the state and the PLO must be organized based on defining competencies to avoid confusion and overlapping of responsibilities (Dweik & Khalil, 2013, p. 91; Khalil & Twam, 2014, pp.65-74). This requires teaching the PA's constitutional system and its relationship with the PLO at Palestinian law schools (Twam, 2020).

Until the establishment of the State, and although reviving the role of the PLO is a central demand, this should not be achieved for the sake of supporting the PA/state system, based on the apprehensions presented by this or other papers. Also, such a decision should not be taken by the factional political elite, which may use legislation to confiscate the right of people to self-determination through democratic means. In this paper, we noted that the relationship between the PLO and the PA can be divided into four phases, in which the relationship changed from bequeathing to networking, then from sacrificing the PLO for the sake of the PA, and finally merging the PLO with the PA. In all of them, the law was employed to serve the desired interest, seeking "lawfulness" (compatibility with the law), even if it conflicts with "legitimacy" (the will of the people). The paper warns against consolidating this approach through a fifth phase, based on

the lack of a more recent reference that contains the various positions at the same time. It should also be noted that the following year (2007), another conference was held in the Gaza Strip, in which only the organization's factions participated. See: Palestinian Planning Center, 2007.

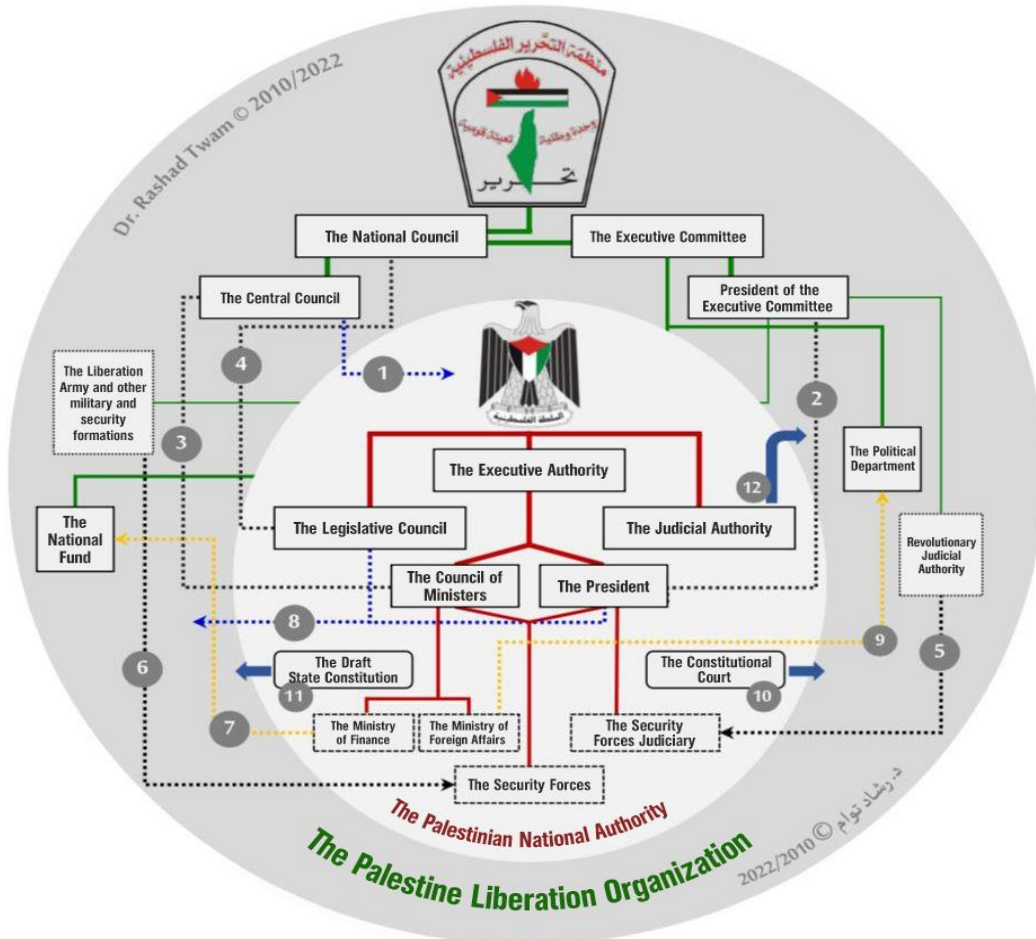
73 To read some of them on the Wafa agency website: <https://bit.ly/3FOP8NO>. For summaries about it, see: Al-Barghouti, 2019, pp. 185-187.

74 Although the Declaration of Independence sees it as a state for all Palestinians. I may conclude here with a "physical" approach that I usually present to my students in scientific research as an exercise on the importance of using numeration tools. The declaration states, "The State of Palestine belongs to the Palestinians wherever they are [1] in it [2]. They develop their national and cultural identity, and enjoy [...]." This quote is from the version published by the Wafa Agency website (<https://bit.ly/3ELrFMr>), and does not include a "comma" in positions (1) and (2), which suggests that if the comma is in position (1), the state is for all Palestinians, if it were in position (2), the state is for its residents only!

a “legal game” whose broad title is the PA resorting to the PLO to leverage the factional elites in the face of the popular will and the national interest!

The study reviewed several situations that support its analysis regarding these concerns. After the completion of the writing of this study (early January 2022), the Palestinian reality presented another scenario that reinforced the concerns related to the potential future role of the Central Council at the expense of electoral legitimacy, represented by the convening of the Central Council in February 2022, to carry out the functions of the National Council. The National Council had delegated its functions, in toto, to the Central Council during its latest session of 2018. During that session of the Central Council, the Presidency of the National Council and members of the Executive Committee were elected, including the Chairman of the Board of Directors of the National Fund, which are the original functions of the National Council. By prioritizing lawfulness over legitimacy, the National Assembly seems to have written its own death sentence (Twam, 2022). Today, the Central Council has become more “qualified” than ever to confiscate the popular electoral will and present itself as an alternative to it!

Annex



- 1- Establishment of the PA by decision of the Central Council
- 2- The combination of the two presidencies (de facto)
- 3- Partial membership duplication (de facto - sometimes)
- 4- Partial dual membership (by virtue of the law of the PA)
- 5- Historic origin, legislative source, and human resources
- 6- Historic origin, source of human resources
- 7- The National Fund is an item in the PA's budget
- 8- The PA's legislation interferes with the work of the PLO
- 9- The Ministry of Foreign Affairs invades the political circle
- 10- Judicial fatwas in favor of the PLO's legislation
- 11- An enforcement mechanism granting the PLO the right to confiscate popular referendum
- 12- Extension of jurisdiction over the PLO in "state lawsuits"



This figure is an upgraded and modified version of a figure designed by the researcher, the first copy of which appeared in: Moin Barghouti and Rashad Tawam. (2010). The legal system of the Palestine Liberation Organization. Ramallah: Birzeit University Institute of Law, p. 82. Note: It is recommended that you view a color and animated version (video) of this format, via YouTube, through the link or by scanning the QR code



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