

Towards Institutionalized Citizen Participation in Local Development Planning and Program Implementation in Palestine; Gaza Strip Case

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Abstract

This empirical research has been carried out in the context of local governance in Palestine. It focuses on the participation of organized groups of Palestinian civil society (NGOs) in local development planning, policy formulation and program implementation. Since its inception, the Palestinian NGO sector used historically to play the para state functions in supplying local communities by social services. However, after the establishment of the Palestinian Authority (PA) in 1994, a new debate had emerged about whether NGOs are considered civil society agents or are replacing the government by providing services to the population. Hence, there was a need to revise their relations with PA particularly in areas of local development planning. This research takes a start from the observation of the poor access of NGOs to decision makers at local government levels. The research then questions why having this limited access though the Palestinian NGOs have proven in many occasions their relatively high capacity to participate in development? This research basically investigates the degree to which existing policy spaces that are created to involve NGOs in local planning and policy formulation can provide sufficient and efficient channels for them as to influence local policies and plans in a way to hold local governments more accountable and responsive to citizens' needs? Are Palestinian NGOs willing and able to participate in local planning and policy making? How are policies made at local level? Whose knowledge accounts?

This research has revealed many disconnections between NGOs and local governments at different stages and levels, and between different configurations of actors, knowledge and spaces. There is a disconnection between diverse knowledge about the experience, causes and impacts of policy formulation and implementation. Although there are some scattered mechanisms which are appeared to be committed to enhance bottom up approaches, analysis of these spaces suggests that exclusionary power relations influence the kinds of knowledge that are created within them. Further, the staging of an event for participation to occur is little or no guarantee either that knowledge arising from the event will be used, how it might be used, or by whom? There is a disconnection between the perceptions of idealised roles – what should happen – and practice – what does happen. There is a disconnection between ordinary citizens and their representatives which is a major obstacle to the development of an accountable policy process. The limited spaces which are created to involve NGOs are mainly 'donors led' and more importantly, they have never been integrated in the government's decision making nor the political structures. Palestinian policy spaces face challenges of good representation, inculcation of key civil society actors and are bound to knowledge of the government.

Several reasons as revealed by this research have contributed to the emergence of weak policy spaces and disconnections between Palestinian NGOs and local government. They include the following among others: government sees itself as the repository of expertise for planning and policy making; Palestinian NGOs emphasise service delivery strategies and thereby undermining advocacy strategies; and NGOs' limited knowledge of government's planning operations, languages and procedures.

Thought, much is yet to be learnt about which are the most appropriate entry points for creating proper spaces, the lessons from this research suggest that the creation of inclusive policy spaces will not occur without addressing the power relations which surround the interstices of policy and planning processes themselves. That implies strengthening the capacities of less powerful actors, democratizing knowledge, and broadening the rules at the local level about what kinds of knowledge counts.

Preface

In the 1950s, and particularly the 1960s, early initiatives of development assistance and of planned interventions to promote change in less development countries had commenced via the actions and processes of community development, sought to involve local people in efforts to improve their communities. The notion of “citizens’ participation” is now widely recognized as a basic operational principle of development programs and projects. Yet it is a complex process with few universal truths, approaches or methodologies. Citizen participation cannot be merely proclaimed, it must be promoted. It takes time, resources, understanding and perseverance, but the end result should be a development planning process which is not exclusively in the hands of development professionals or outsiders experts, but which also involves local people, their representatives, their ideas, skills and knowledge. Participation does not have to be complicated, nor does it have to follow a set formula or pattern of development. The best formula should be based on the questions of what is citizen participation (CP)? What are the objectives of CP? Who should be involved? What can citizens contribute by their participation? What is the scope of CP? When to involve citizens in the planning process? What mechanisms should be used? Hence, effective institutionalized participation process entails that the actors should be involved in the whole planning process (plans and programs formulation, implementation, monitoring and evaluation) and they should participate to develop common vision and goals, an agreement to work together, an action plan to reach specific goals, and distribution schemes of clear roles and responsibilities among actors.

In development terms, the last decade or so- after the establishment of the Palestinian National Authority (1994)- has been influenced by fragmented efforts to promote citizen participation. This would involve a fundamental shift both in attitudes and in methodology and break decades of top-down, non-participatory practice during the British mandate, Egyptian administration and the Israeli occupation. Major donor development agencies have put their weight behind and committed resources to promoting participatory development, recognizing the problems caused by non-participatory approaches. In general, the challenge facing the Palestinian society and government today is how to bring about development that is responsive, accountable, equitable, and sustainable in order to meet the new needs, demands and aspirations of the Palestinians and to be able to fulfil the national development goals and objectives. Whether this challenge can be met depends on how the government affects the policy environment so that efforts would establish a specific political and legal framework within which all of the planning institutions (governmental and non-governmental), communities and individuals operate and thus affect their potential contribution to the development agenda. The enhancement of citizen participation in local development planning is still in its initial stages. The absence of legal and political framework beside the weak organizational capacity at the grassroots level continues to negatively affect the citizen participation process in local planning and decisions making. To this extent, this Ph.D research is carried out (in the University of Dortmund/Germany) in a way to overcome these problems and pave the way for establishment of effective legal, institutional frameworks and operating structures to foster effective citizen participation.

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List of Acronyms and Abbreviations

- ARC** : Agriculture Relief Committees. (PNGO)
- Ayan** : Arabic name for most rich, notable and dominant families.
- CBO** : Community based Organization.
- CCBCP**: Central Committee for Building and City Planning.
- CEC** : Palestinian Central Elections Commission.
- CP** : Citizen Participation.
- CPRS**: Centre of Palestine for Research & Studies. (PNGO)
- CS** : Civil Society.
- CSOs** : Civil Society Organization.
- DSP** : Development Studies Program. BirZeit University
- EU** : European Union.
- FAO** : Food and Agriculture Organization of the United Nations.
- Fatah** : The reversed Arab acronym of the Palestinian National Liberation Movement. (political party)
- GTZ** : Gesellschaft für Technische Zusammenarbeit. (The Society for Technical Co-operation)
- Hamas**: The Arab acronym of the Islamic Resistance Movement. (Political party)
- HDR** : Human Development Report.
- HPC** : High Planning Council.
- Intifada**: Arabic name of Palestinian Revolution against Israeli Occupation.
- LC** : Local council.
- LGU** : Local Government Unit.
- LNC** : Local Neighbourhood Committee
- LPC** : Local Planning Council
- IDS** : Institute of Development studies; England.
- IP** : incremental Planning
- MAS** : Palestinian Economic Policy Centre. (PNGO)
- MOF** : Ministry of Finance.
- MoH** : Ministry of Health.
- MoLG**: Ministry of Local Government.
- MOP** : Ministry of Planning.
- NGO** : Non Government Organization.

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- PA** : Palestinian Authority.
- PB** : Participatory Budgeting.
- PCHR**: Palestinian Centre for Human Rights.
- PCM** : Project Cycle Management
- PCBS**: Palestinian Central Bureau of Statistics
- PDP** : Palestinian Development Plan
- PECDAR**: Palestinian Economic Council for Development and Reconstruction.
- PFLP** : Popular Front for the Liberation of Palestine. (political party)
- PHC** : Palestinian Housing Council
- PHDR**: Palestinian Human Development Report
- PLC** : Palestinian Legislative Council.
- PLO** : Palestinian Liberation Organization.
- PMA** : Palestinian Monetary Authority.
- PNA** : Palestinian National Authority
- PNGOs**: Palestinian Non-governmental Organizations
- PNGON**: Palestinian NGOs Network. (NGO)
- PO** : people Organization
- PRA** : Participatory Rural Appraisal
- PVOs** : Private Voluntary Organizations
- RCP** : Rational Comprehensive Planning
- RRA** : Rapid Rural Appraisal
- UAWA**: Union of Agricultural Work. (PNGO)
- UHCC**: Union of Health Care Committees.
- UHWC**: Union of Health Work Committees.
- UN** : United Nations.
- UNCRD**: United Nations Centre for Regional Development; Nagoya: Japan
- UNDP**: United Nations Development Program
- UNRWA**: United Nations for Relief and Working Agency.
- UPMRC**: Union of the Palestinian Medical Relief Committees. (PNGO)
- WBGS**: West Bank and Gaza Strip.
- WATC**: Women Affairs Technical Committee (PNGO)

1 Introduction to the research focus and context

The non-governmental sector in Palestine has evolved due to particular historical and political circumstances. If by ‘NGOs’ one means societal organization of varied types existing in relative independence from the state, then according to Giacaman (2000), such organizations have had a long history in Palestine, beginning during the first decades of 20th century. In the form of its current and modern structure, the NGO sector flourished in the 70s and 80s and continued to grow rapidly in the 90s up to the present. Since its inception, this sector has played a para state function to substitute the disabled state in providing services, particularly in the social arena. Currently, Palestine probably has the highest influence of non-governmental institutions (local and international) on the welfare of the people, anywhere in the world.

The Palestinian NGOs have always played a vital role in Palestinian society. The NGO sector’s vitality and dynamism are at the root of the evolution of Palestinian civil society, with all aspects of plurality and diversity. However, Palestinian NGOs historically used to keep a quite far distance from the state, working in a separate and independent fashion. While this might have been justified in the past during the absence of a Palestinian authority, a new kind of relationship now needs to emerge between NGOs and government, following the formation of the Palestinian Authority in 1994. Although the NGO–government relationship has experienced some developments recently at the central level which culminated in the formulation of the NGOs law in 2000, close observers observe that wide gaps exist at the co-operation levels between NGOs and local governments. This research, as part of its objectives, is intended to enrich the discourses of the areas of NGOs- LGUs co-operation and interactions at the local level in the fields of policy making, planning process and program implementation.

During the years of Israeli occupation, “..civil society organizations including NGOs provided almost one third of education services, more than half of primary health care services and hospital care and nearly 100% of all agricultural extensions” (Sullivan 1996 cited in Al-Shouli 2006:11). However, the role the Palestinian NGOs assumed created a debate after the establishment of the Palestinian Authority in 1994. The debate focused on whether NGO’s are considered civil society agents or are replacing the government by providing services to the population. According to Jarrar (2005), due to Palestinian NGOs’ history and the transitional and uncertain nature of the Palestinian political context, the relationship between NGOs and the Palestine government has gone through different phases:

- Firstly, the uncertainty which occurred directly after establishment of Palestinian Authority in 1994.
- Secondly, mutual acceptance where the government recognized its inability to provide service alone.
- Finally, the emerging of collaboration between NGOs and central government to formulate the NGOs law in the year 2000.

This research commences with the last of these phases described by (Jarrar 2005). It can be shown that co-operation might have taken place between NGOs and central ministries in various aspects. However, and regardless of the nature and efficiency of this co-operation, literature has kept silent when talking about co-operation between NGOs and governmental institutions at the local level. Is this because the co-operation in principle

does not exist? Or because the NGOs could not widen their co-operation with government to reach local level? Hence, another important question can be raised: are the Palestinian NGOs *willing* and *able* to participate in local planning and policy making? This last question pinpoints an essential issue to be investigated by this research.

Characterized by weak and disabled state mechanisms, Palestine has seen huge international interventions and a huge number of local operating NGOs. Planning and policy making are heavily dominated by political and factional interests. The Palestinian NGOs have neither easy access to decision makers nor are they legally empowered to have an influence over local policy formulation and implementation. Thus, the Palestinian NGOs face particular challenges in influencing important policy and planning decisions in such a way as to hold local government more accountable and responsive to local needs. An immediate question we need to ask is: How have the Palestinian NGOs coped within the constraints of the government systems – i.e. the disabled state, which has been poorly resourced, poorly motivated and resistant to change?

Most of the opportunities that have been created to bring NGOs and LGUs together in policy making were donors' led. This research, as one of its objectives, will also investigate these opportunities (which we will call spaces in this research context) and explore the extent to which they have provided effective and sustainable involvement for NGOs to exercise their influence.

The 'spaces'¹, which are our main focus, will refer to all opportunities available for organized groups of civil society to influence the planning process, and may be any or a combination of the following: physical spaces in the environment, contextual spaces, formally mandated bodies like councils or committees, informally constituted bodies like task forces and special teams, or even a moment in time.

These spaces may either be 'invited' or 'autonomous'. 'Invited' refers to the spaces created by governments to involve non-governmental institutions in its decision-making structure, while 'autonomous' spaces are the attempts created by the non-governmental institutions to influence government's decisions in the policy making process. These attempts might take various forms such as forming special advocacy groups or networks or even social movements among others. Each of these spaces may have different rules of engagement, and participation in one or the other or both will come with advantages and disadvantages, strengths and weaknesses.

This research questions whether the spaces that exist at the local government level can provide sufficient opportunities for NGOs to be effectively involved and to have a substantial influence on the policy making and planning. While some literature² reveals poor access of NGOs to local government decision making, this research questions why despite having this limited access, Palestinian NGOs have proven on many occasions their relatively high capacity to participate in developing the Palestinian society..

This research chiefly investigates these existing spaces and the degree to which they can work as efficient channels for NGOs to have an influence on policy formulation and implementation. The research also explores the disabling factors together with the exist-

¹ Grindle and Thomas (1991) as cited in (Brock et al 2001:22) define 'spaces' as "moments in which interventions or events throw up new opportunities, reconfiguring relationships between actors within these spaces or bringing in new actors, and opening up the possibilities of a shift in direction". According to McGee (2004:16), "the concept of spaces provides a useful lens through which to view the policies and practices of actors who are engaged in the policy process, and to examine how their power to act is enabled and constraint. It makes it possible to break down the policy and planning processes into observable, influence able elements. It also raise questions about their actions, and what potentials arises as a result of these"

² See for example Palestinian Human Development Report (2002, 2004) and Rocard Report (2000)

ing potentials for the creation of new institutionalized ‘spaces’ where local NGOs can meet, discuss and consult with local municipal councils (LGUs) in areas of local development planning and policy making, and also in holding local governments more accountable and responsive to citizens’ needs. In order to meet these objectives, this research asks basic questions:

- How are policies and plans made at the Palestinian local governmental levels?
- Do Palestinian NGOs have spaces where they can be involved in shaping and forming local policies?
- How could the institutional dynamics of *power* relations between range of different *actors* at the local level, specifically NGOs and municipal governments make and shape local planning and policy *spaces*?
- Whose knowledge accounts? Who provides it? How is it used?
- Who occupies policy spaces and why? How can NGOs gain access to them?
- How could interplay of power, knowledge and actors hinder or facilitate the establishment of *institutionalized* participatory spaces?
- How to assess the efficiency or success of institutionalized spaces?
- More importantly as mentioned before, are the Palestinian NGOs *willing* and *able* to participate in local planning and policy making?

In order to increase our theoretical understanding and knowledge concerning previous mentioned issues, this research made use of concepts related mainly to:

- Firstly, participation and policy making processes: to understand how local policies are made and how could interplay among actors, power and knowledge shape spaces (McGee, Gaventa and Brock 2001, 2002, 2004).
- Secondly, institutionalization of participation: to explore various dimensions of institutionalized participatory spaces (Brinkhoff and Goldsmith 2001).
- Thirdly, evaluation theories for measuring successful participation: can successful NGOs’ participation be measured? (Webler 2003).

After having reviewed theories, a conceptual model (terrain) is then drawn up, upon which to build the empirical research. The fieldwork for the research was carried out in the context of local governance in Palestine and focused on two local municipal councils (Rafah and Gaza municipalities) together with 15 NGOs and three local neighborhoods committees working in their municipal jurisdictions. The final objective of this research is to find out what could be the best strategies and policies to promote the establishment of institutionalized spaces for direct participation of organized groups of civil society (focusing on NGOs) in local planning and policy making processes.

Clearly, the challenge of this research is that it works with development of participatory practices in a constantly changing context, with uncertain political environment and not yet clearly defined legal frameworks to guide NGOs / government relationships, particularly at the local level. On the other hand, and although literature is full of theories of participation, there is little scientific literature on how to translate these theoretical approaches into practice and how to adopt these approaches systematically in the real world. Indeed, by providing an account of the evolution of these participatory practices in such a changing context as in the Palestinian case, where in particular NGOs are important and LGUs are weak, and examining how these practices might evolve with relation to context, would stand as a major contribution of this research by itself in planning theories and practices. This contribution is likely to take the form of what lessons could be learnt from the Palestinian experience.

1.1 Introduction to research concept

The research is based on an understanding of policy making and local planning processes as series of complex, dynamic and political processes, rather than as linear progression from formulation to implementation. Literature revealed clearly that decisions in the planning and policy processes are made up of a series of distinct but linked spaces, in which a wide range of actors (governmental and non-governmental) engage in order to influence and shape policy making and plans . Each actor brings into the policy space their own unique version of knowledge and expectations about development planning, which inform and guide their actions. Power dynamics between actors permeate all spaces in the planning process. Thus, this research explores the dynamics of the making and shaping of policy and planning process. It takes as a starting point a critique of linear versions of policy making and planning, highlighting the complex interplay of power, knowledge and spaces in planning process. The planning process involves a complex configuration of interests between ranges of differently positioned actors whose interactions are shaped by power relations. This would require an understanding of how particular ways of thinking about participation in development planning have gained ascendancy, coming to determine the frame through which participatory planning is defined, measured and tackled. Making sense of participation in local development planning and policy making processes requires that we identify and explore policy spaces in which various knowledge may be expressed by a variety of voices and the dynamics of inclusion and exclusion that surround them. By examining how different actors interact in such spaces – as well as how they may be excluded from them - we can better understand the ways in which power and knowledge frame the planning and policy process.

Hence, this research is based on the approach of three interconnected themes.

- *Knowledge*: the information on which policies are based: what counts as knowledge? Who provides it? How it is used?
- *Actors*: non-government and governmental actors involved in policy making and implementation- who occupies policy spaces and why? How can organized groups of civil society organizations be empowered?
- *Spaces*: the opportunities available for actors to interact and for NGOs to influence decision making- Do spaces first of all exist at the Palestinian local level? What constraints imposed on them by politics, culture and history? What kinds of potentials and limitations could enable or disable NGOs to have new created spaces where they can influence local governments’ policy to be more accountable and responsive to local communities’ needs?

It is important to emphasize that this categorization of knowledge, actors and space, does not presuppose a fine separation between the categories, but they are used as analytical signifiers to help us make sense of the process of policy making as it plays out at the Palestinian local level scene.

1.2 Organization of the research

In order to meet the previous mentioned objectives and questions, the research has been structured into eight chapters. In *chapter one*, we begin by providing a brief background to the research, pinpointing the study area in question. In order to give the reader the general sense of this research, a brief introduction to the research context and concepts will point out major concepts and questions to be covered. The introductory chapter

clarifies also the focus of the research in both the theoretical discourses to be reviewed and empirical schemes to be investigated. The last part of this chapter deals with the structuring of the study, indicating the flow of discussion of various issues and how each section leads to the next.

Chapter two paves the way for deriving specific agenda of participation for more in-depth analysis and focused investigation. It begins by exploring the historical, cultural and political factors that have shaped the evolution of both local governmental structures and NGOs in Palestine. Conceptual clarifications for what are meant by Palestinian local government and NGOs in the context of this research will be formulated earlier here in order to acquaint the reader with their distinctive and to avoid any confusion. This clarification will be re-enforced in the theoretical review of NGOs in chapter three. The last part of the second chapter will present the context of the current local planning process and policy making together with the institutional ‘spaces’ that are created for NGOs and local councils to meet for shaping policy and making plans. A specific agenda will then be derived for further analysis to include: appropriateness of legal frameworks, types of institutional spaces and the extent they are instrumentalized; locus of decision making power at the local level, the extent to which it is shared and the degree to which NGOs influence local policy formulation and implementation; institutional dynamics of power relations, and the knowledge, willingness and capacity of each actor to participate. It is believed that deep exploration of these issues will lead to determining driving forces that hinder or facilitate establishment of institutionalized spaces for effective and direct involvement of organized groups of civil society in local planning and policy making processes.

A conceptual model (terrain) is then sketched out, on which empirical research will be built in *chapter three*. This chapter takes as a starting point a critique of linear versions of policy making and planning, highlighting the complex interplay of power, knowledge and spaces in shaping planning and policy processes. This research is based on the understanding of the planning process as a series of complex and dynamic processes rather than as linear progression from formulation to implementation. It involves a complex configuration of interests between ranges of differently positioned actors whose interactions are shaped by power relations. With this specific understanding of planning and policy making processes, the next step will be linking this interpretation to the emerging of new collaborative approaches in planning theories pointing out major paradigms and challenges in this regards. After explaining the driving forces of shaping policy making and planning processes, the next logical step will be to find out whether success can be measured or not, and if yes, how can we relate evaluation criteria to the interplay of power, actors, and knowledge? How may these factors result in or deter creation of institutionalized ‘spaces’? In order to answer the last question, we will need to know what is meant by institutionalized space. What kind of disabling and enabling legal factors are seen to be of greatest importance? How, theoretically, will a healthy relationship between government and NGOs at the local level look, as a result of creation of institutionalized spaces? While putting theories into the research context some specific assumptions are to be derived. As a major conclusion of clarification of the interplay of these conceptual issues, a specific analytical framework will be drawn out, on which to build where our empirical fieldwork.

How will the conceptual framework guide the empirical work? This will be explored in *chapter four* in the form of a methodological framework where the nature of research methodology, methods of data collection and analysis will be delineated. The first section will provide a clear framework of research goals and operational objectives. Then, some hypotheses as derived in chapter three will be defined together with others based

on observations. The research is mainly qualitative in its nature (inductive and deductive) and makes use of two research methods namely descriptive and casual. Descriptive method involves gathering of information concerning existing situations and critical inquiry of past events. While casual research determines which variable (driving force) might be causing a certain behaviour.. This kind of research method is very challenging since it might be very difficult in the real world to determine exactly which specific factor would lead to an exact and certain behaviour since the output is a result of a complex interplay of various interrelated entities. To simplify this issue, the research focuses only on issues related to planning science narrowing focus more to the local level. Types of data collected will be identified on the basis of the derived agenda for research which has been identified in chapter two. Selection criteria will be set out to identify proper governmental and non-governmental actors to be interviewed in the field. The primary data will mainly be collected through three various means: key informant interviews, one workshop, and observations. Then, a set of analytical tools will be framed to include: stakeholder analysis (matrix), SWOT analysis (strengths, weaknesses, opportunities and threats) and power distribution matrix. These tools are used due to their simplicity. The last section of this chapter is intended to highlight limitations and major challenges as encountered by the researcher in the filed work pointing out their implications on the research context, coverage and analysis.

Chapter five is intended to provide briefly the socio-economic data concerning the study areas in Gaza and Rafah municipalities together with profiling and classification of existing NGOs in Gaza Strip in general and in the two municipalities' jurisdictions in particular.

Chapter six will be the direct reflection of our conceptual and methodological frameworks particularly on the way how data will be organized, structured and analyzed. Major sections describe key determinant conceptual issues namely: knowledge, actors and power relations and spaces. The chapter begins by analyzing the contextual legal environment where the interplay of these elements occurs. In conclusion, there is an exploration of factors that disable or enable NGOs' involvement in local policy formulation and implementation and in which legal spaces if exist. This is then followed by several sequenced sections analysing the interplay of knowledge, actors and space. Here we explore the institutional dynamics of the Palestinian NGOs and local municipal councils, pointing out the research findings in this regard. The findings will be based on observations, interviews and narratives together with national checklist data and documentations shared by respondents.

Key challenges and lessons learnt from experience in the Palestinian context constitute major themes of *chapter seven*. The challenges include issues facing both Palestinian NGOs and LGUs to forming proper spaces for their engagement in policy formulation and implementation. The second important section of this chapter derives lessons of what others could learn from the Palestinian experience. This section also includes derivation of some further hypothesis from the research findings. It is important to emphasize in this regard, that due to the very inductive nature of this research, the intention was not to test the previously identified hypothesis and assumptions. The derivation of practical findings into hypothesis is only to enrich understanding of the issues that are assumed and their applicability in the Palestinian context.

Chapter eight is composed of summarizing conclusion and direct recommendations. The direct recommendations target how to promote the establishment of participatory spaces in the Palestinian context. A set of important and concrete suggestions in this regard will be clearly articulated and will take the form of policy and capacity issues to be dealt by various actors namely: central state, local governments, NGOs and donors.

2 Contextual factors for evolution of local government structures and NGOs; derive agenda for research

As it appears in the title, this chapter has three objectives:

- First, to explore the historical, cultural and political environment where both local government and NGOs have emerged.
- Second, to explore the nature and areas of relationships where NGOs and government were brought together to interact in development planning pointing out major discourses and challenges in this regard.
- Based on findings of the first two objectives, the third objective is to derive specific agenda which will be subject for further research and deep investigation.

2.1 Evolution of local government structures; historical perspectives

Local government systems in Palestine evolved through various historical stages from the Ottoman Empire (19th century till 1917), passing through the British Mandate (1917-1948), Jordanian and Egyptian administrations (1948-1967) and finally by the Israeli occupation (1967-1993). After 1993, a peace agreement between the Palestinians and the Israelis was endorsed and the Palestinian Authority was established. Hence, since 19th century, the local government systems have been subject to many changes, obstacles and difficulties. None of the ruling powers (Ottoman, British Mandatory, Jordanians and Egyptians and Israeli Occupation) were working for the empowerment of local governments, which were mainly appointed to serve the rulers' agenda. The absence of any developmental role for the local councils was the main feature of local government system in all of these periods. Another feature was the centralized pattern of governing and planning that resulted in more consolidation ties between local and central governments. The combination of the nature of the ruling authorities with the existing culture of the Palestinians affected the creation of new forms of local governments. These external authorities issued much legislation and set in place institutional arrangements that were mainly created to serve their interest and to tighten their control over the Palestinian territories. In all of these eras, communities' views, needs and aspirations were undermined.

Ottomans era; introduction of rural district law

In the mid 19th century, the Ottomans adopted a group of reform measures seeking to tighten their control over the Palestinian territories (Ma'oz 1968:33). The reform measures included comprehensive institutional arrangements aimed at structural adjustments in the financial, military, judicial, administrative, educational, and economic sectors. It also included measures and regulations aimed at re-defining the concept of 'citizenship' in accordance with the western line. Of great concern among these measures was one enacted in the 1840s which set up Administrative Councils at the provincial level. These councils, which enjoyed financial, administrative, and judicial authorities, were set up to check the *Wali's*³ power, and to serve as institutional foundation for social mobilization and political participation. According to Porath (1974:14), though they succeeded, to

³ A person appointed by Ottoman (Turkish) authority as a ruler for Palestine

some extent, to check the *Wali's* authority, they failed to serve as a strong institutional foundation for wider political and community participation. The deputies to these councils, who were appointed by the authorities, were derived from the leading families of Palestine, or the *Ayan* (urban notable). Middle and lower classes of Palestinian society were underrepresented and the non-Muslim deputies were marginalized. Consequently, the public were denied the right to decide on their local affairs, and the *Ayan* with their strong economic power and social influence, as well as their control over most of Palestinian lands, dominated these councils.

In 1864, the *Wilayet* law (rural district law) was introduced to promote local government at village and town level respectively. The law, enacted in 1867, introduced a system of *Nahiyas* (rural districts) at the village and town levels. The *Nahiya* was said to be under the control of the *Mudir* (chairman) who should chair a local council proposed to each *Nahiya* (Findley 1986:10-13). Despite this, view councils have been established, the *Mukhtars* (Villages' chiefs), introduced by virtue of the same law, managed to assume the functions of the local councils (Elazer and Migdal 1994: 18-19).

With regard to town planning, legislation in Palestine started toward the end of the Ottoman era with the promulgation of the 1867 law for regional *Wilayet* and towns. A system of building permits for towns was set up as well as rules for the appropriation of land for building roads and for regional development. According to Muhkimar (2005), planning under the Ottomans stressed the physical aspects (i.e. roads and building, particularly in the towns) and disregarded the economic and social aspects. According to Abdela'tey (2005:18), at the end of Ottoman era, there were only 22 municipalities, two of which were located in Gaza Strip (Gaza and KhanYounis municipalities) whereas the others spread across all historical Palestine.

British mandate; introduction of local elections and regional plans

The situation was worse under British mandate. The Palestinians were denied any access to central state institutions such as cabinet, though they were permitted to take part partially on the municipal councils. The councils' responsibilities were delineated to collect fees, taxes, and other charges with a total absence of any economic or social developmental roles. Planning continued to be dominated by physical aspects as it was the case in Ottoman era, which may be expected as the plans were formulated mainly by the outsiders who had their own agenda and objectives. According to Zahlan (1998: 211), "The plans were established on the basis of imported concepts orchestrated by the town planning consultant, for example, concepts developed in an industrial society like Britain". Indeed, many factors impeded the local councils from an being effective tool of wider political and community participation such as: the high illiteracy rate, the mixture of civil domain with the political one and sweeping powers conferred to the British commissioner.

In 1936, the British Mandate issued the 'Town Planning Order'. The structural planning provided by this order established the basis for the planning process, for land use and for the planning authority in Palestine. This order still constitutes legal basis for planning and government structure in Palestinian to the present, with very little modifications concerning names and some rewording. The planning institutions set up by virtue of the 1936 'Town Planning Order' were composed of three levels: local committees in the towns, regional committees in charge of planning and approving the plans for the whole area, and the central level which included the town planning consultant and the high commissioner. The office of the town planning consultant (headed by a British architect) prepared and approved regional and local plans. The planning institutions at

that time, which may have been dispersed in terms of their locations, were centralized in regard to performance. The town planning consultant had considerable authority to plan, approve and amend local and regional plans.

As regards involvement of communities in selecting their local councils' representatives during the British mandatory era, local council elections were conducted three times in the years 1927, 1934, 1944. In all of these elections the electoral base was very narrow. Voting qualifications included only males of either 21 years old or above with tax rate paying qualification. Nominees had to be literate and to pay a specific amount of money to run for election. Given that the Palestinian communities were in general poor and illiterate; this limited their access to participate effectively in those elections. Two factors, according Migdal (1994:96-156) impeded these local councils from being an effective tool of wide political and community participation. The first factor was the sweeping powers conferred on the British commissioner, and the second was the social and cultural setting of the rural areas. The former factor left the future of these councils, in some occasions, hostage to the political winds of the country. One main feature of the second factor (cultural setting) was its emphasis on community affiliation at the expense of any other form of modern affiliation (national affiliation for example). Providing this cultural setting, the decision making process was guided by factors other than rational choices (Migdal 1994:134).

Alongside these problems, was the village's cultural setting which remained hostile to any trend of institutionalization. The failure of the British mandate to bring about any significant changes as far as this culture is concerned (through education for example) left a large percentage of Palestinian villagers hostile to these councils, and prompted them to perceive these councils as a threat to their traditional way of life. What strengthened such belief among Palestinian villagers was the fact that the Mandatory government which provided these councils was a foreign power. When the Mandatory government enacted its Ordinances concerning local councils, it was inspired by the European culture emphasizing horizontal relations and the individual as self-standing entity. This contradicted the traditional cultural setting of Palestinian village emphasizing vertical relations and community affiliation. The fact that the number of Palestinian local councils decreased from 24 in 1924 to eleven in 1948 (the year when the Mandate was terminated), and the local councils of incoming Jews (who were European oriented) increased from three in 1924 to 26 councils in 1948 (Elazer and Klachheim 1988: 15), might confirm how various cultural settings demote or promote the success of any local authorities schemes.

Jordanian regime and Egyptian administration; tightening control over Palestinian local governments

Following the 1948 war, as a consequence of which the State of Israel came into being, the Palestinian territories were divided into two regions: the West Bank ruled by the Jordanian Kingdom, and the Gaza Strip ruled by the Egyptian Administration. Many of the factors prevailing in British mandatory era continue to prevail under the Jordanian regime and Egyptian administrations. Both authorities sought to establish strict control over the system of local government in the West Bank and Gaza Strip through tying it to the central authority in Amman or Cairo. They did not prepare plans for the villages except in a few cases. According to Khamisi (1998 in Zahlan 1998:212), the Jordanian authorities did nothing to amend the planning system established by the British mandate. They only devised the structural plans for some towns and supervised construction. These plans disregarded the demographic needs as well as the future economic and

social requirements of the population. As for the Gaza Strip, according to (Abd Ela'tey 2005:34), planning depended on decrees promulgated by the Egyptian administration. Instead of having elected local councils in the Gaza Strip, temporarily formed committees were appointed in order to administer local affairs. These committees lacked autonomy and influence on local social and economical development.

To conclude the situation under Jordanian and Egyptian administrations, the failure of the Palestinian municipal system to deliver basic services was not merely due to a wide-scale governmental intervention in their work and lack of financial support, but also due to the absence of the necessary social prerequisites for the attainment of an effective municipal system. In other words, and as it historically used to be, clan and familial background remained the determinant factor in access to social power.

Israeli occupation; politicizing local governments and development works

The situation was worst under the Israeli occupation followed the 1967 six days war where many aggressive measures were taken to strengthen strict control over the work of the municipalities and to reduce their developmental and planning roles. Palestinians were robbed of all authority and responsibility for their own regional and planning institutions. The local government councils were utilized as a political tool to confront PLO (Palestinian Liberation Organization) supporters and institutions. Local council elections were held only twice, in 1972 and 1976, and only in the West Bank. We should note, however, that in these elections the electoral base was widened to include women (just as voters not candidate) for the first time and that the age qualification was reduced to 18 years old, and that tax paying qualification was disregarded. Apart from that, Israel continued the appointment and dismissal of local council members and mayors, and the work of local councils was totally controlled by military officers. There was no role for the councils in the formulation of any developmental policy, and the several military orders issued in this period aimed to strengthen strict control on the work of the municipalities. The role of these councils became a mediatory role between villagers and the occupation government. According to (Mekkey 2005), the relationship between the central authority represented by the Israeli occupation and the local councils in Palestine was distinguished by the desire of the Israeli occupation to dominate the Palestinian community and land in order to achieve its aim to occupy all Palestine. Therefore, Israel restricted the powers of these councils, regarding them as departments of the occupying central authority. When Israel failed to do so, it turned to a different policy of resisting the elected councils that refused to co-operate with the occupying authority and carry out its plans.

According to Khamaisi (in Zahlan 1998:208), during more than 28 years of occupation, Israel has imposed restrictions and obstacles, making use of construction laws and planning mechanisms to limit the Palestinian urban development, while allowing every opportunity for the development of the Jewish settlements in the occupied territories. Despite this, "Palestinian towns and villages did develop, their population increased and their built-up areas have expanded, mostly without previous planning" (Khamaisi 1998:208). There was a little awareness of the importance of planning, since Palestinian society is mostly rural with a low economic standard of living, and a relatively slow pace of development. Israeli occupation for more than two decades deprived Palestinians of any sovereignty in running their own local affairs.

Discussion of the competencies and roles played by the municipalities during the period of Israeli occupation should not be separated from several considerations related to the hindrance of their performance. Palestine has witnessed successive occupations and

implementation of different laws that largely viewed municipalities as departments directed by the central authority. Legal, political, and economic restrictions were factors hindering the performance of municipalities. The traditional political attitude towards the nature and roles of the municipalities, the legal restrictions imposed on them and their financial non-independence, in addition to the administrative hindrances, limited the functional role of municipalities in providing the citizens with vital basic services such as: water, electricity, road pavement, and waste collection. In the late 70s and early 80s, the non governmental sector flourished as a response to the weak service delivery by local and central governments. These NGOs began to play, together with UNRWA⁴ affiliated institutions, a vital role in meeting peoples basic needs particularly health and education.

Bringing the discussion of historical evolution of local governments closer to our research context, one can easily conclude how the constantly changing political context has affected the emerging of coherent local government in Palestine. Local governments are used to working as departments serving a central agenda and policies. In addition, communities are used to having very limited access in choosing their representation in local councils, as it has been the trend though all historical eras for central authorities to appoint local councils' members and mayors, except in a few cases. Even where these councils wielded some power, this had to be focused on physical planning not the socio-economic needs of their communities. With relation to NGOs, which were new phenomena flourishing in their new modern structures particularly at the end of the 1970s, literature reveals a total disconnection between local councils and NGOs. One must not forget that some kind of traditional organized groups of Palestinian civil society existed, emerging even during Ottoman era. These groups took the shape of family, tribal and religious organizations focusing only on charity works (as will be discussed later in the evolution of Palestinian NGOs). Even these organizations were found to have little relationship with local planning with local councils. The local councils themselves had no influence over the development of NGOs, nor did they have control over their affairs.

This situation continued to prevail till 1994, when the Palestinian Authority was established. For the first time, Palestinians began to plan for themselves. The major characteristics of government structures and planning system after the inception of the PA (Palestinian Authority) will be discussed in the next sections.

2.2 Current planning system and structure in Palestine

The modern Palestinian territories are very young. The beginning of an autonomous planning process in Palestine was intended to start with the establishment of the Palestinian National Authority (PNA) in 1994, following the endorsement of the Oslo Agreement between the Palestinians and Israel. During the period of Israeli occupation, the Palestinian influence on local, physical, regional and national planning was, to say the least, very limited. According to the Oslo Agreement signed in 1993, the responsibility for planning was conditionally transferred to the Palestinian National Authority (PNA). This would give the Palestinians, for the first time in modern history, the power to initiate, prepare, amend and abrogate their own plans at the national, regional and local levels.

Palestine consists of three major regions: the Gaza Strip and the West Bank, and Jerusalem as an independent city with its own planning system. According to the Palestinian Central Bureau of statistics (PCBS 2000), the area of the Palestinian Territories is

⁴ UNRWA: United Nations for Relief Works Agency

6,020 square kilometers. The Gaza Strip covers 365 square kilometers and the West Bank around 5,655 square kilometers. According to the PCBS (2000), the population of Palestine is 3,560,000, with 2,260,000 in the West Bank and 1,300,000 in the Gaza Strip. According to the United Nations Relief and Work Agency (UNRWA 2002), there are 639,450 registered refugees in the West Bank and the refugee population of the Gaza Strip is 893,150. PCBS (2000) indicates that the population growth in Palestine had reached 4.2% by the end of 2000. The total fertility rate is (5.6).

Figure 2.1: Map of Palestine

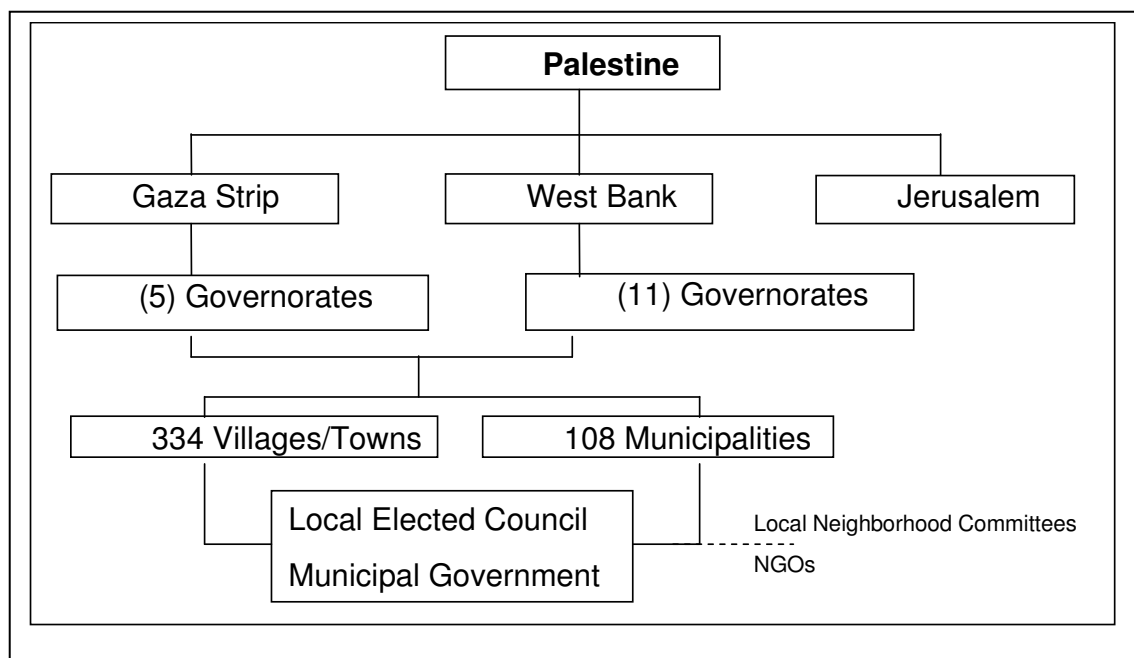


The two major regions (Gaza Strip and West Bank) are divided into lower governmental structures called governorates. The Gaza Strip consists of five governorates and the West Bank consists of eleven. Each governorate itself is divided into municipalities and small town and village councils. In general, every governorate consists of at least one major municipality representing the largest city in that area and several villages and towns. According to Abd Ela'tey (2005:34), there are 444 local councils in Palestine, and 108 of them are municipal councils and 334 are village councils.

The local government units in Palestine are composed of two interrelated institutions: local councils (appointed or elected), and municipal government. The local units work with local neighborhood committees (to represent communities in their jurisdictions) and partially with NGOs in covering some aspects of their governments' operations. In

principle, our research will focus on investigating these areas of interaction between these government units on one hand and NGOs and local committees on the other.

Figure 2.2: Government structure in Palestine



Currently in Palestine, there are three planning levels: national, regional and local. It is important to emphasize that the regional level is not a government unit in itself in the sense that it has a regional governor or administrative structure. At the same time it might be the strongest level of planning. How does this conflict arise? It can be explained by the prevailing critical political circumstances where the national government institutions such as ministries and other national agencies are always divided into two regional divisions and parts. Some work to serve the West Bank and the others serve the Gaza Strip since there is no continuous geographic connection between the two parts (Israel in between). As a result, the two divided national institutions work as regional institutions with weak co-operation between them. The only recognized regional government institution is the Central Committee for Building and City Planning (CCBCP). Even so, this committee works under the supervision of the Ministry of Local Government (MOLG).

Concerning planning itself in Palestine, Palestinian institutions – as in other countries – differentiate between physical and socio-economic planning. However, the relationship between them is recognized to be weak⁵. The integration of these planning functions remains a great challenge facing the planning institutions at the national, regional and local levels. Meanwhile and in actual fact, there are no specific national plans formulated at the national level. The literary collection between regional physical plans for West Bank and Gaza Strip is recognized as national plans. That indicates why the physical planning period for the regional plans is relatively long period (20years) since it is also the same period for national plans. While planning periods for local plans in general are three to ten years.

In 2003, the Ministry of Planning began the process of formulating a national strategic plan that is supposed to guide future regional and local plans for the first time. On

⁵ According to researcher personal experience who himself works for seven years as a regional planner.

the other hand and as far as social plans are concerned, the Ministry of Planning formulated socio-economic plans with a three year planning period in the form of Palestinian Development Plans (PDPs). One of the major challenges that these plans face is the lack of clarity regarding an approval process. The Ministry of Planning (MOP) used to consult other governmental institutions and agencies at various levels in order to get their feedback through the process of formulating these plans. These plans are always approved at least one year later, and they are according to the researcher's view powerless and incapable of guiding seriously other socio-economic plans that are formulated by other government institutions.

In general, planning issues are too many; each has its specialist institution within a sectoral approach that has been adopted in Palestine. The Ministry of Planning (MOP) and the newly established High Planning Council (HPC) are responsible for national and strategic planning. According to a presidential order signed in 2000, HPC will be responsible for formulating national policies and approve national plans prepared by MOP. The Ministry of Local Government (MOLG) is responsible for regional planning. The institution that is in charge of initiating and regulating regional plans is the Central Commission for Building and City Planning (CCBCP). CCBCP is composed of representatives of several ministries (health, education, housing, etc) and representatives of local governments, and works under supervision of MOLG.

As for local planning and due to the lack of local government technical capacity, MOLG and CCBCP used to support some incapable LGUs technically in formulating their local plans⁶. The local government units represented by the municipalities and village councils, with the co-operation of the MOLG, are responsible for preparing the local physical and comprehensive plans. The governorates (as government units) that exist in between regional and local levels do not legally have the power to formulate plans. Instead they supervise the municipalities and village councils' functions and operations and in many cases work independently in raising funds and implement additional projects. According to the researcher's view, it is very hard to draw clear lines among the many government institutions' roles or to define clearly who might be responsible for what. It might be the government's policy to create several administrative structures or committees to widen participation, but in a practical sense, it is hard to make them work in harmony.

With regard to community participation, planning laws put more emphasis on participation of land owners in planning. According to the law, the property owner has the legal right to reject the plans if they are injured. Land is a critical issue and a very sensitive area of intervention and can cause many serious problems due its scarcity. Property owners are informed about the plans when they are approved by the Central Committee for Building and City Planning (CCBCP) and after being presented in the local news. When land owners have comments or wish to reject the plans, the CCBCP (and not the LGU) has to study their objections. The CCBCP has the power either to accept or reject these objections. The CCBCP can take up to 25% of the property without compensation (to provide public services including transportation). If the cut of the property exceeds 25%, the owners have the right to be compensated. In the next section we will explore the context of NGOs-government relationship particularly in field of development planning.

⁶ According to the interview with the legal consultant for the Ministry of Local Government, 2005

2.3 Evolution of Palestinian NGOs and the context of NGOs-government relationships; derivation of the agenda for research

“If by ‘civil society’ one means societal organization of varied types existing in relative independence from the state, then such organization has had a long history in Palestine.” (George Giacaman, 2000 as cited in Al-shouli 2006:16)

Palestinian non-governmental organizations (NGOs) have always played a vital role in Palestinian society. Since its inception, the NGO sector has been an integral part of the Palestinian national movement and its aspiration for a free and sovereign Palestine. Its vitality and dynamism are at the root of the evolution of Palestinian civil society, with all its aspects of plurality and diversity. According to Guicaman (2000), civil society organizations (CSOs) have been functioning since Ottoman times in the form of pre-modern associations that were ethnic, tribal, or kinship-based. Modern forms of association based on voluntary membership increased in the twentieth century and continue until the present time (Giacaman, 2000 as cited in Alshouli 2006:17). The NGO movement in Palestine is deeply rooted within Palestinian society. According to Jarrar (2005)⁷, “charities started their activities at the turn of the 20th century and operated within the legal framework applicable to NGOs as stipulated in *Ottoman* law. Many of these early organizations are still functioning and actively involved in civil work up to this day. They are currently estimated to constitute around 10 percent of the total number of NGOs in Palestine.” In the 1920s CSOs functioned as charitable organizations during the British mandate, and continued to function during the 1940s and 1950s in relief and professional unions (Jarrar 2005).

Hammami, Hilal and Tamari (2001) also agree that the first ‘modern’ civic organizations in Palestine arose in the 1920s during the British Mandate. At that time, the majority of CSOs were limited to narrow membership and representation. They were elite-family based, charities, sports clubs, etc except for the trade union movement that reached not only the elite but also other classes of the society (Hammami, Hilal and Tamari 2001). The Palestinians continued to establish CSOs but they became more professional and relief-oriented especially after the disposition in 1948. The relief organizations were created to respond to the needs of refugees in terms of health, education and so on. Professional CSOs included agricultural unions, chambers of commerce, and professional unions. Both types of CSOs still exist (Hammami, Hilal and Tamari 2001).

The 1960s and 1970s witnessed a substantial proliferation of NGOs, most of which were charitable organizations operating regionally. The legal framework applicable to these organizations was based on Jordanian law, which was more or less an extension of Ottoman law (Jarrar 2005). With the Israeli occupation in 1967 of the West Bank and Gaza Strip, the demand by the Palestinian population for the provision of services increased; charities assumed the very important role of providing these services in social, educational and medical fields. They did so independently of the existing Israeli service-provision system. However, the Israeli military authorities placed many restrictions on the establishment and registration of new organizations by imposing additional requirements to the already existing legal codes. These military orders impacted negatively on the process of registration as well as the functioning of NGOs, which in turn led to severe disruption in their activities.

⁷ Allam Jarrar “The Palestinian NGOs; development perspective” in Palestine Israeli Journal, Vol.12 No.1 2005 / Civil Society. See online: <http://www.pij.org/details.php?id=324>. Retrieved in October 26th , 2005

According to Jarrar (2005), during the late 1970s and early 1980s, a new phenomenon took place on the NGO scene - the emergence of voluntary grass-roots organizations. The new movement started to function in different fields on the ground, without obtaining the permission of the Israeli civil administration. This fact placed them, according to Israeli legal terms, outside the law. According to Alshouli (2006:18), the rise of the Palestinian Liberation Organizations (PLO) and national organizations in the diaspora marked a qualitative change in the Palestinian CSOs that led to mass mobilization in the 1970s and early 80s.

Followed by the first *Intifada*⁸ in the late 1980s, Palestinian civil society witnessed an expansion of mass organization-type CSOs that were voluntary and locally-based, and which were called themselves “popular committees”. These committees were also known as neighborhood committees and organized food distribution and garbage collection under curfew, and provided education to compensate for the closed schools and universities under Israeli occupation (Hammami, Hilal and Tamari, 2001).

Between 1967 and 1993, Palestinian NGO's played a vital role in serving the Palestinian society at the time when the occupation was providing limited services (if any). This role was well recognized by the local society and international community. According to Jarrar (2005), Palestinian NGOs have managed to fill the role of a national government. They have been providing the Palestinian population with social, industrial, agricultural, medical, housing and public services, making the NGOs an integral part of the society. According to Jarrar (2005), NGOs in Palestine provided nearly 60% of the primary health services, 30% of the hospital care services, 100% of daycare, 100% of disability services, nearly 100% of all agricultural training and services and 30% of educational services before Oslo (1993). Even though the majority of these NGOs are local, most of them are entirely dependent on foreign aid. We should also mention here that most NGOs were part of or belonged to political parties.

The Palestinians had been able to manage very well since 1967 in the absence of a representative government and throughout the Israeli military occupation, in what Jarrar (2005) called a ‘political vacuum’. NGOs have been filling the gap in Palestinian Society caused by the occupation, and even now, 13 years after signing of the Oslo Accords and establishing the Palestinian Authority (PA) in 1994, the NGO sector services are still needed in addition to their role in the overall development process of Palestinian civil society. According to Jarrar, “...substantial changes occurred in the political and socioeconomic context in which the Palestinian NGOs had been operating, leading them to revise their strategies and redefine their role after the establishment of the PNA” (Jarrar 2005:4). Since 1994, the relationship between the NGO community and the PNA has been unstable and consequently led the NGOs to operate within an ambiguous legal framework which left them vulnerable to political pressure (Jarrar, 2005). However, the PNA has worked on drafting the “Law of Charitable Associations, Social Societies and Private Institutions” that is a legal framework that regulates the activities of NGOs and their relationship with the PNA, and is known as the ‘NGOs Law.’

According to Izzat Abdel Hadi (2004), the NGO community does not consider itself to be merely a service provider, but also an effective body in the national and political process of struggle against the occupation. The NGOs have a duty to express the community’s views on the most critical developments in Palestine such as the right to self determination. According to Abdel Hadi (2004), in order to promote the concepts of empowerment and popular participation, NGOs have formulated a number of strategies: advocacy strategy which includes lobbying for change in laws and legislation, regula-

⁸ Palestinian popular uprising against the Israeli military occupation

tions, and procedures; gaining the support of regional and international public opinion for Palestinian national rights; and influencing the process of the reform of the PNA institutions that is currently being carried out (Abdel Hadi 2004). The other strategies include: awareness building strategy; service provision strategy; institutional, organizational and human resource development strategy; and finally networking, coordination, consultation and cooperation strategy (Abdel Hadi, 2004). If this is indeed the case, then this research attempts to examine the effectiveness of these strategies at the local government level, assessing the degree to which NGOs have been able to influence local planning and decision-making for improving the responsiveness and accountability of local governments to their citizens' needs.

Other scholars such as Shawa (2000 in Alshouli 2006:20) argue that some Palestinian NGOs are attempting to build some sense of a 'civil society role' in addition to providing services. Other NGOs are attempting to advance agendas for social change (such as gender issues and a concern about poverty reduction) backed by the foreign donor community (Shawa, 2000 Alshouli 2006:22). However, Shawa further argues that "the rhetoric used by donors and some activists inside and outside the NGOs that NGOs are 'building civil society' has been somewhat overstated." She explains that the reality is that Palestinian NGOs which have "gradually shifted from being organizations which served the community in multiple ways under Israeli Occupation are currently shifting towards a narrower NGO focus on service provision as a result of institutional and environmental pressures which have grown under the PNA and the peace process" (Shawa, 2000 cited in Alshouli 2006: 22). As Shawa (2000) argues:

"Palestinian NGOs were active before the arrival of the national authority. Their previous discourse focused on their roles as part of the resistance movement to the Israeli occupation. With the fading away of the *Intifada*, and the beginning of the peace process they shifted their attention towards 'development' issues, which included promotion of social change. With the arrival of the PNA to the Palestinian territories, these NGOs were confused on how this arrival will affect them. Some of them anticipated the arrival and started the process of self-limitation prior to the actual takeover of the PNA. Preparations included, detachment from political factions, finding income generating projects and confining their effort to development" (Shawa, 2000 in Alshouli 2006: 23).

According to Jarrar (2005), due to Palestine's NGO history and the transitional and uncertain nature of the political context, the relationship between NGOs and the Palestine government has gone through different phases:

- The first phase took place directly after the creation of the PNA in 1993. It was mainly characterized by uncertainty about the role of NGOs in the emerging political context and the creation of governmental organs. The government was of two minds in this respect: on the one hand, it recognized the need for the services provided by NGOs to fill the gap which it was unable to do. On the other hand, NGOs were regarded as competitors to the service-delivery system of the government.
- The second phase was defined by mutual acceptance. It marked the initiation of dialogue between the NGOs and the government. As a matter of principle, the NGOs started to formulate their own political discourse on civil society, democracy and the rule of law. In this phase, the NGO movement witnessed a big shift in funding priorities from service delivery to a program approach with its main emphasis on gender, democracy and human rights. This led to a change in the activities and strategies of some of the NGOs.
- The third phase was characterized by the emerging collaboration between the PLC and the NGO sector related to the drafting and endorsement of the Palestinian NGO law. A professional cooperation between the NGOs and the relevant ministries also took place.

This research begins from the last phase as described by Jarar (2005). It has been shown that co-operation might have taken place between NGOs and central ministries in various aspects. However, and regardless the nature and efficiency of this co-operation, literature has kept silent when talking about co-operation between NGOs and governments institutions at the local level. Is this because the co-operation in principle does not exist? Or because the NGOs could not widen their co-operation with government to reach local level? Hence, another important question can be raised: are the Palestinian NGOs *willing* and *able* to participate in local planning and policy making? This last question is an essential issue to be investigated by this research as mentioned in chapter one.

According to the researcher's view, most of the scholars interested in the issue of Palestinian NGOs-government relationship have taken a one sided view. In other words, they have tackled this issue by looking at what NGOs can offer and the interactions from the government to regulate or control NGOs works. Regardless of the form of this interaction or relation (whether it was co-operation, complementary, co-optation or confrontation), none of them has stressed the question of advocacy of NGOs at the local government level, which is a critical issue in studying NGOs-government interaction. Hence, this research would rather tackle this issue from the other side, starting with what the government offers in local planning or what has been historically perceived as role of government as policy formulating and implementing agency, then exploring how NGOs can influence these policies, so as to hold local governments more accountable and responsive to citizens' needs. Therefore there is a need to explore how policies and plans are made at the local level, what kind of spaces are available for NGOs to practice their influence, how these spaces have emerged, and what kind of constraints surround them.

The historical context in which the Palestinian NGOs emerged explains a lot about them. The times in which they arose and the political contexts played a significant role in determining their characteristics, evolution, size and scope, types, areas of operation, and the roles they have played (and continue to play) within Palestinian society. Furthermore, sources explain that Palestinian NGOs historically drew strength and legitimacy from the lack of a national government. However, after the establishment of the PNA, NGOs have faced external pressures to 'let go' of their previous multiple functions, particularly their political roles, and to embrace development roles. Palestinian NGOs (PNGOs) have been leading the efforts to promote economic and social development in local communities, while attempting to fill the void first created by the occupation and then by the inability of the PA effectively to devote limited resources to a plethora of problem areas - education, housing, health care, day care, agriculture. However, they were pushed at times, directly and indirectly, by the government and the international donor community to assume development and empowerment roles in the civil society. Recently, some voices have been raised recognizing that wide gaps exist at the co-operation level between NGOs and local government. These voices would also include donors who have recognized the importance of adopting participatory approaches that could bring civil society organizations and government units together at the local level, for formulating and implementing local policies.

In development terms, the last decade or so has been influenced by fragmented efforts to promote citizen participation in development planning. This would involve a fundamental shift, both in attitudes and in methodology, and break decades of the top-down, non-participatory policy making practiced during the British mandate, Egyptian and Jordanian administrations and the Israeli occupation. Major donor development agencies have recently put their weight behind and committed resources to promoting

participatory development, recognizing the problems caused by non-participatory development. This was the case in Rafah Municipality, which will be part of the study area of this research. These opportunities (which we are calling spaces for NGOs involvement) led by donors will be under deep analysis. This research, as one of its objectives, is to investigate these opportunities and explore the extent to which they provide effective and sustainable involvement for NGOs to exercise their influence. To what extent do local governments from one side and organized groups of civil society from another have the capacity, skills and resources to go through these participatory approaches led by donors? Why are these newly learned approaches not sustainable in the long run, leading to local government planners returning to their traditional way of planning directly after the withdrawal of donors?

Civil society organizations have generally also become important channels for delivery of social services and implementation of other development programs. This is especially true in situations where government presence is weak or where civil society experience and expertise complements government action. Palestine is a good example of this. During the years of Israeli occupation, CSOs, including NGOs, provided almost one third of education services, more than half of primary health care services and hospital care and nearly 100% of all agricultural extensions (Sullivan 1996: as cited in Al-Shouli 2006:11). However, the role the Palestinian NGOs assumed created a debate after the establishment of the Palestinian Authority in 1993. The debate was whether NGOs are considered civil society agents or are replacing the government by providing services to the population. We have to admit that the Palestinian NGO role is still ambiguous particularly when it comes to their relationship with the government.

It should be clear that this research seeks to focus the discourses of NGOs-government relationship on interactions at the local level in policy making and planning processes. At the local level, the local government system includes local councils, local neighborhood committees and NGOs of various types. According to the Palestinian Human Development Report (2002:74), “a consensus appears to exist on the philosophical basis and the desirable organizational structure for local government and its relationship with these organized groups of civil society”. Local government units in Palestine consist mainly of two interrelated entities: local council (elected or appointed) and the municipal government. The local council is supposed to formulate policies and approve local plans for referral to upper levels. The municipal government headed by the mayor represents the implementation arm for the council. This research is intended to investigate to what extent NGOs can influence policy making and planning. This implies the need to investigate the relationship between NGOs and LGUs, including both local councils and municipal governments.

Apart from the fragmented efforts of donors to create new spaces for civil society to participate, the organized groups of Palestinian civil society used to have limited access to local government decision making (Rocrad 2000, Palestinian Human Development Report 2002). This research questions: why having this limited access although the Palestinian NGOs has proven on many occasions their relatively high capacity to participate in development.

The only formal opportunity to participate takes place after the formulation of the plans when copies of detailed schemes are opened for inspection by any person. This process takes the form of public hearing where some local NGOs are invited by the local councils to participate and give their views, comments or rejections. These comments will be gathered by the local councils and forwarded to the CCBCP. The CCBCP will study the comments and has the power either to accept or reject them. Another space created for civil society to participate in policy making is through local neighbor-

hood committees. These committees, which are supposed to represent local communities within a local council's jurisdiction, should be consulted early in the planning process. These consultations concentrate on physical issues in relations to building roads and the need to confiscate land. This research questions the relevancy of these spaces as a means for civil society involvement in policy making and plan formulation, and as a result questions how policy and planning is managed at the local level. Is there a potential for a better spaces to be created at the local level? How could participation of organized groups of Palestinian civil society be institutionalized?

The planning law lacks clarification of a comprehensive view of methods of community participation in the whole planning process. According to PHDR (2002:123), "institutionalization and organization of community participation and local government is challenged by the weak institutional performance". The enhancement of citizens' participation in local development planning is still in its initial stages. The absence of a legal and political framework alongside the weak organizational capacity at the grass-roots level continues negatively to affect the citizen participation process in local planning and decision making. This research questions how and why legal frameworks negatively affect the creation of participatory spaces? What are the limitations and disabling factors? And how may they be improved in order to foster and promote new relevant spaces for participation?

Hence, specifically, this research is intended to explore the following areas:

- *Legal frameworks*: Investigate the extent to which legal frameworks provide legitimacy for organized groups of civil society to participate in local planning and policy making. Question whether the spaces created for participation are integrated into the political structure. Examine how to make legal frameworks more responsive to foster new spaces for organized groups to participate effectively in local planning and policy making.
- *Policy making and planning*: How are policies made at the Palestinian local level? Who are the key actors involved? How do they react with each other? Where is the power of making decisions located? How does the locus of decision making power affect involvement of NGOs in policy making? What are the factors that determine the extent to which each actor can influence policy making and planning process at the local level?
- *Knowledge and capacity of organized groups of civil society to participate in policy making*: To what extent are NGOs and local neighborhood committees able and capable of participating in policy making? Are Palestinian NGOs willing to participate in local planning and policy making?
- *Types of participatory spaces*: What are the existing spaces created for organized groups of civil society to participate directly in policy making and planning processes? Do they provide relevant means or efficient forums to involve NGOs? Are these spaces inclusive or exclusive? What knowledge counts within these spaces?
- *Institutionalizing participation*: How could direct participation of organized groups of civil society be institutionalized and promoted? How can this to be reflected in the political and institutional structure? Who should participate, how and when? Who should initiate and lead participation?

3 Research issues in the context of theoretical context; derive a conceptual framework

This research is about the participation of NGOs as organized groups of civil society in local government planning and policy making processes. Although there is a huge amount of literature that discusses theories and approaches of participation, there is a little literature on how these theories may systematically be adopted in the real world. The purpose of this chapter is not to review all of the literature, but rather to focus on some specific conceptual issues that are seen to be of great importance for the research context. These conceptual issues include: participation and policy making, assessment and evaluation of participation, and frameworks for NGOs-government relationships in areas of development planning.

In order to draw up a conceptual framework upon which to build the empirical work, the methodology of literature reviews follows a specific order. First, since our research is about institutionalized participatory spaces in local planning and policy making, the research begins by deriving a conceptual understanding and clarification of what is meant by the policy making and planning process. Here we will explore the dynamics of planning and policy making processes. How are policies made at the local level? How may participatory spaces (where NGOs and local governments are brought together) be created or shaped within the planning and policy processes? In other words, what are the factors that are likely lead to the formation or shaping of spaces?

The second concern of this chapter is the evaluation of NGO participation. Can the successful participation of NGOs in local planning be measured or assessed? And how can success – with relation to institutionalized spaces – be defined?

The last issue concerns the exploration of the context for healthy and non-healthy NGOs-government relationships. What are the more likely contextual factors that effect the creation of appropriate spaces for NGOs to have influence on local planning and policy making?

It is important to mention here that within this research context, policy making and planning processes effectively mean the same thing. And wherever this research uses the term ‘institutional participation’ it is tightly connected to ‘institutional spaces’ and both mean the same thing unless distinguished from each other. In addition, the term ‘spaces’ as a basic term is used in this research to refer to all opportunities and forums which are created for organized groups of civil society (particularly NGOs) to have an influence on policy making and planning. They may be any or a combination of the following: physical spaces in the environment, contextual spaces, formally mandated bodies like councils or committees, informally constituted bodies like task forces and special teams, or even a moment in time. These spaces may be either ‘invited’ or ‘autonomous’. ‘Invited’ refers to the spaces created by governments to involve non-governmental institutions in its decision making structures, while ‘autonomous’ spaces are the attempts created by the non-governmental institutions to influence governmental decisions in the policy making process. These attempts might take various forms such as forming special advocacy groups or networks, among others. This understanding of spaces is sufficient for the time being, though it will be extended later in this chapter.

One other issue which should also be clarified is how to distinguish among the terms ‘input’, ‘output’ and ‘outcome’ factors which are used regularly in this chapter. It might be useful to clarify what is meant by each term to avoid any confusion for readers who might be familiar with these terms but in other contexts. The term ‘input’ is used to

refer to set of variables where the interplay among them would lead to forming or shaping spaces. The term ‘output’ refers to a set of dimensions that define institutionalized spaces which is our research aim. ‘Outcome’ refers to the expected result of having spaces institutionalized, specifically the ability of NGOs to hold local governments more responsive and accountable to citizens needs.

3.1 Participation and policy making; Interplay of power, knowledge, actors and spaces

Current approaches to participatory planning emphasize the institutional process and the involvement of a broad range of actors. This implies the need for a better understanding of the political, legal, bureaucratic, cultural and social processes by which planning becomes – or fails to become – favorable to targeted communities. The researcher utilized the models designed by Brock, Cornwall and Gaventa (2001), Brock and McGee, (2001, 2003) and Brock, McGee, Gaventa (2004) in designing tools for analyzing participation in the context of policy process. These scholars argue that making sense of participation in planning process requires an analysis of the ways in which ‘power’ and ‘knowledge’ define ‘spaces’ for engagement. Since there is a definite overlap between policy and planning processes, therefore, it would also be useful to frame the discussions on participatory planning using similar concepts.

Emerging of new planning approaches; top-down versus bottom-up

Planning from above mostly takes place more in technocratically dominated planning practices. The development concept, supported by the planning from above approach “is based on external demand and innovations as the generator of development...” (Meshack 1992:21). According to Cheema (1983:10 in Meshack, 1992:21), “Planning from above was introduced in most developing countries in the 1950s as a means of providing rational and coherent policies for using scarce resources effectively to promote rapid growth”. Arguments in favor of central planning were mostly for national integration and for rapid transformation and development as Meshack (1992:22) argued, “planning as controlled by central authorities was considered an effective mechanism for rapid transformation”.

However, citizens’ participation in development activities has become increasingly widespread in development programs over the last three decades of the 20th century. The increasing concern for participation in development planning is a result of the failure of previous development approaches which dominated development thinking in the 50s and 60s. Osteria and Okamura (1986) explain that by the end of 60s, it was quite evident that the prevailing development paradigms had not brought the result they claimed they would. At the outset of 70s, development planning had turned to address the aspects of appropriate technology, self reliance and community participation, equitable growth and income distribution. Osteria and Okamura (1986) argue that the growing interest in participatory approaches is the result of dissatisfaction with conventional top down blue print approaches. David Kortnen (1980) noted that top down approaches are relevant for big infrastructure projects where the environment is stable and objectives are identified. But with rural development, objectives are multiple, ill defined and subject to negotiation, with unclear task requirements, unstable environment and unpredictable time and cost. According to Akmal (1994), there are two other paradigms to be considered alongside the top-down delivery paradigm. The first paradigm sees devel-

opment as a set of projects, which deliver a basket of goods or services efficiently to the poor. The second sees participatory development as a process, which involves the participation of the poor to build and design for their own needs

Basically speaking, planning from below (bottom-up planning) is based on the philosophy of developing institutions to enable them to address felt needs in order to improve the situation at local level. Planning from below helps local institutions to be capable of mobilizing natural, human and institutional resources so as to satisfy the pressing needs of the people. When local institutions plan at local level, they generally address the most pressing needs and they have a tendency to mobilize local resources as much as possible instead of depending on regional or central level. Planning from below is one of the ways which can help the poor to have a share in the utilization of national resources for their own development.

But changing paradigms of planning from top-down to bottom-up approaches would require changes in the traditional models of planning and policy making processes. How is this to happen? And how can understanding of planning and policy making processes be changed? How are policy decisions made? Discussion of these issues will be the purpose of the next section.

Policy making as a dynamic process; implications on research context

Understanding how policy decisions are made requires an understanding of the policy process itself. According to McGee and Brock (2001:3), the linear model of policy making which has been prevalent since 1950s is variously described as decision-oriented, top-down, relying on rational actions in decision-making and implantation, and resting on the assumption that an optimal policy is possible. Traditional models of policy making, as well as favoring particular kinds of knowledge over others, also tend to obscure the extent to which policy is shaped through interactions between various actors at multiple levels of the policy process (ibid : 5). Policy making is often seen as a consisting of a series of steps that flow in a logical sequence: from identification to formulation to implementation to evaluation. According to Brock, Cornwall and Gaventa (2001: 2), it has become evident, however, that this linear model fails to capture the more complex and contested realities of policy making in practice. A significant feature of the linear model is a focus on agenda setting and on policies as statements that are based on determining decisions taken by policy makers. Yet, as Barker (1996:7 as cited in Brock et al 2001: 2) points out, “policy is never made once and for all”. A policy may change in the process of implantation. Shifting the focus away from ‘policy makers’ to a much broader constellation of actors who engage in various ways with the process of making and shaping policy brings these dynamics into clearer view. Brock et al (2001:iii) argue that “policy process involves a complex configuration of interests (knowledge) between a range of differently positioned actors, whose interactions are shaped by power relations”. Planning now is more a political process rather than an isolated technical exercise, which means planning has to deal with politics that is embedded in power. Inferentially, decisions related to planning are political decisions which, in turn, means planning, politics and power are closely interlinked and interact with each other.

Healey (1997:211) relates politics with planning in two major aspects. While the first aspect refers to “relations of power, wherever exercised,” the second refers to “deliberate efforts to gain influence and exercise of power in the public realm, the arenas for the public management of collective affairs”. Forester (1993) explains how policy analysis, planning, and public administration are interlinked and are thoroughly political communicative practices that selectively organize public attention. Specifically, he advocates

planning from more practical and communicative perspectives as ‘communicative action.’ He explains ‘communicative action’ as a move from technical/instrumental to more socio-political, practically sensitive and process oriented planning. “Communicative approach in planning theory captured the notion of planning strategies, policies and their implementation as active processes of social construction, that is, the human invention” (Healey 1997: xii). The table below summarizes the changing planning features that show a shift away from the instrumental (technical model) to the more practical and communicative (collaborative model) (Forester 1993:28):

Table 3.1: Shift in planning practices

Instrumental		Practical-communicative
Processing information to	⇒	Shaping attention
Problem solving	⇒	Problem reformulating
Seeking detachment to future objectivity	⇒	Seeking criticism to check bias and misrepresentation
Gathering facts	⇒	Addressing significance: gathering facts that matter and interacting
Treating participation as a source of obstruction	⇒	Treating participation as an opportunity to improve analysis
Information decisions	⇒	Organizing attention to formulate and clarify possibilities
Supply a single product, a document with ‘answers’	⇒	Developing a process of questioning possibilities, shaping responses and engagement
Reinforcing political dependency of affected persons	⇒	Fostering meaningful political participation and autonomy
Passing on ‘solutions’	⇒	Fostering policy and design criticism, argument, and political discourse
Abstracting from social relations	⇒	Reproducing social and political relations

Source: Forester 1993:28

The integrative planning approach is recognized to be the means to implement the collaborative (communicative) model, while the conventional planning approach is the means to implement the technical model. According to Lang (1986: 35), “An integrated approach to resource planning must provide for interaction with the stakeholders in the search for relevant information, shared values, consensus, and ultimately, proposed action that is both feasible and acceptable”. Lang suggests that conventional planning tends to be dominated by a technical/analytic style where the planner is a detached value-neutral expert advising decision makers about the best way to accomplish their goals and serve the public interest. The emphasis is on data collection and analysis as the means for finding the best solutions to problems and developing a technically sound plan. The implicit assumption is that better information leads to better decisions. Success in conventional planning is measured by the extent to which the objectives of the plan are achieved. While interactive planning, according to Lang (1986), is based on the assumption that open, participative processes lead to better decisions. The planner engages directly with stakeholders to gain support, build consensus, identify acceptable solutions, and secure implementation. Success in interactive planning is measured by the extent to which balance can be achieved among competing interests and consensus is reached on appropriate actions. The table below provides a comparison of interactive versus conventional planning (Lang 1986: 39):

Table 3.2: Interactive planning versus conventional planning

Interactive Planning		Conventional Planning
Includes information/feedback, consultation and negotiation	⇒	Limited information/feedback;
Includes information/feedback, consultation and negotiation	⇒	maybe some consultation
Interaction occurs early on and throughout the planning process, with full range of stakeholders	⇒	Early interaction with implementers; affected interests not involved until late in process
Assumes that open participation leads to better decisions	⇒	Assumes that better information leads to better decisions
Planner as value-committed advocate	⇒	Planner as value-neutral expert
Focuses on mobilization of support	⇒	Focuses on manipulation of data
Plan = what we agree to do	⇒	Plan = what we should do
Success measured by achievement of agreement on action		Success measured by achievement of plan's objectives

Source: Lang, 1986: 39

Lang suggests that much of planning practice is dominated by a perspective that is sometimes called ‘technical rationality’. However, three other perspectives, in addition to the technical, are central to resource planning. These are organizational, political, and personal (Lang 1986: 41). Lang notes that “multiple perspectives comprise an essential feature of integrated resource planning”.

What is important for this research context, is that both Forester’s (1993) and Lang’s (1986) similar views of collaborative or communicative planning would imply the need to include sharing and coordinating the values and inputs of a broad range of agencies, publics, and other interests when conceiving, designing and implementing resource policies, programs or projects. Planning and policy making processes are hence understood in this research as a series of dynamic processes rather than as a linear progression from formulation to implementation. How does this understanding of policy as a dynamic relate to our research context? First and foremost, policy arenas can be conceptualized as ‘spaces’. This understanding – which is the starting point of our conceptual framework – would clearly mean that decisions in the policy making and planning process are made up of a series of distinct but linked spaces, in which a wide range of actors (governmental and non-governmental) interact and engage in order to influence and shape policy. According to Brock, Cornwall and Gaventa (2001), Brock and McGee, (2001, 2003) and Brock, McGee, Gaventa (2004), making sense of participation in local development planning and policy making processes requires that we identify and explore “policy spaces” in which various kinds of knowledge may be expressed by a variety of voices and the dynamics of inclusion and exclusion that surround them. By examining how different actors interact in such spaces – as well as how they may be excluded from them – we can better understand the ways in which power and knowledge frame the planning and policy process. The next step will be to understand these dynamics and how this interplay can frame spaces.

Role of Knowledge in the process of making participatory planning

Conceptual shifts in the way that planning and policies are understood can be related to broader changes in the mainstream development paradigm which has increasingly come to embrace a wider range of actors, and their activities in the sphere of policy making

(Brock and Gaventa 2001:4). McGee and Brock (2001:1) argue that, closely linked both to the planning process and to the operationalization of mainstream development policies, the evolution of participatory methods is framed by these broader discourses. The nature of this frame means that certain methodologies and types of knowledge are privileged, while others are excluded. McGee and Brock (2001: 1) suggest that knowledge is made up of multiple spaces in which a wide range of actors shape policy through the construction and application of different kinds of knowledge. It would help to determine the way that legitimate knowledge is framed in the planning process and how the frame changes if process is understood differently, as a more chaotic course of action with multiple actors involved. The other essence of knowledge's definition is related to the ways that knowledge about planning process has come to be articulated within development discourse. Knowledge is seen "as a resource, to be mobilized to influence policy debates about prescription and implementation – what ought to be done and how to do it?" (Wuyts, Mackintosh et al 1992, Gaventa and Cornwall 2000 as cited in McGee and Brock 2001:3).

Hence, we take as our starting point the methodological dynamics which surround the production of information for planning. More precisely, and for the purposes of this research, we take a broad definition of knowledge ranging from formal to informal types of knowledge that are brought into a participatory planning process. Formal knowledge has three perspectives:

- From one side, it is directly related to the information that is used to generate the substance of the plans, for example statistics, reports, academic studies and other technical data,
- Know-how of planning languages and procedures,
- Know-how of participatory approaches which indicates their skills and capacity to participate in local planning and policy making in any current or future created spaces. Related to this issue is also the NGOs' perception of participation either by looking forward to their involvement in local government planning or looking back to the involvement of communities they serve in their social activities. In the same while, perception of LGUs regards participation is another dimension of formal knowledge.

In contrast to this, 'informal knowledge' would encompass the priority felt-needs of communities as well as their experiences of development planning and marginalization. This 'informal knowledge' includes knowing how to organize and influence within the communities.

These distinctions are useful in order to emphasize that there can no longer be one form of 'expert knowledge'. And that as with actors, there are power relations concerning the knowledge that is brought into the participatory planning process. 'Whose knowledge counts?' then becomes an important consideration. In the same way, the methods used may have more consideration because these can help facilitate bringing informal knowledge into the formal process, or keep them blocked out altogether. Power relationships between and among actors invariably bear upon the dynamic of the participatory planning process itself, as well as on what results are derived. As a next step, a clear understanding of power will be conceptualized to match this research context.

Conceptual clarification of Power

The term 'power' as a concept appears on many occasions in this research. The purpose of this section is not to repeat what has already been discussed. It is rather intended to

derive a specific interpretation and delineate what is meant by ‘power’ in this research context. How may ‘power’ as a concept be identified? How can it be related to collaborative planning and decision making policy?

Power is an elusive concept. It is a complex issue and could mean many things according to the context in which it is applied. According to Gaventa (2004: 276), “power is a highly contested concept, understood in policy analysis, political science, and social theory in many different and often conflicting ways”. Detailing these ways would broaden our focus, whereas our main concern is issues of power in the institutional dynamics of participation in the planning process and policy making. Power and politics are important components in shaping the process of making policies. Gidens (1984 as cited in Brooher and Innes 2001: 13) classifies power into three types: power of action; power of ideas, modes and methods; and the power of deep structure. Politics evolve around power and location of power is an important element of politics and democracy. However, Flyvbjerg (1998:5 as cited in Adhikari 2006 – unpublished research) explains that it is not easy to locate power centers while regulation is equally complex. Most importantly, the manner in which power is exercised determines who wields the power, as Flyvbjerg (1998:5) describes: “it is not simply localized in ‘centres’ nor is it something one can effectively ‘possess’ and regulated by law. The central question, in addition to who has power and why they have it, is how power is exercised?”

Power as described in general theory refers also to the ‘potential ability’ to influence behavior, events and resistance which is enabled by having access to resources due to position, whereas politics refers to the deployment of influence as a process or behavior through which potential power is realized (Burnes 1969 and Pfeffer 1992 in Leermakers 2003:37-38 as cited in Adhikari 2006/ unpublished research). Foucault (1977:92 as cited in Gaventa (2004:277) argue that “power is at the center of all social relations” and is “dispersed through a network of discourses of possibility that govern people’s thought and action”. This view places less emphasis on power as held and exercised through actors in the policy process, and more on how power shapes and bounds social relations.

According to McGee and Brock 2001:5), many alternative visions of the policy and planning processes emphasize the importance of power. These range from theories which focus on the political power relationship between different interests in a policy and planning process to those which suggest that the relationship between power and knowledge is an integral part of planning process, and that it is critical to understand the mechanisms through which certain versions of ‘reality’ are filtered. Others suggest that the key issue is how to challenge dominant power relations in order to make the planning process more responsive to complex local realities (McGee and Brock 2001:5). This has led to a focus on issues of governance and policy.

Recently the issue of power has moved more to the fore in planning thought, in part because of the growth of collaborative planning and consensus building. These sets of practices involve a variety of stakeholders in long-term, face-to-face discussions to produce plans and policies on controversial public issues (Brooher and Innes 2001: 5-6). According to Gaventa (2004: 278), “as power can be viewed with more multi-dimensions, then, inclusive participation is not only the right to participate effectively in a given policy space, but the right to define and to shape that space in the first place. We must go beyond the important questions of which actors act on particular policy issues, to ask which actors do not engage in potentially relevant policy processes, and indeed why certain potentially important policies are defined as out of bounds in certain aspects as well”. Indeed, the Gaventa view of power is of great importance for this research. It implies that power as it shapes actors’ interactions within policy spaces, can at the same

time constrain the creation of spaces from the outset, which might well be the case in many developing countries including Palestine, where location of power in the center has forced other civil society actors to keep their distance from the state.

In relation to our research context and given that power in real life is unequally distributed and some actors have fewer resources and less influence, power is understood simply as a strong attribute that shapes actors behavior and actions and this implies that actors struggle to gain power and hence influence over policies and planning. What also matters in this research, and is revealed by previous schools of thought, is the locus of decision making power and its effect in constraining or enabling access for all actors to have influence. Power as a term then becomes simply the ability of a certain actor to influence decisions to be taken at the local level concerning making and implementation of policies and planning actions. Locus of decision making power, the degree of power accessed, possessed or shared will all be determined by positions taken by a certain actor within broader frameworks of power relations, as well as the ability to network power (diversity, interdependence and dialogues) and access resources (who owns can decide). Hence, the questions to be tackled by this research in relation to power are: Where are power decisions located or made at the Palestinian local government level? How will actors that are characterized by different power relations be excluded or included in making policies? How would these power relations together with locus of decision making power lead to creating or not creating exclusive or inclusive 'spaces' for communication among actors in areas of formulating and implementing policies? The next section tries to uncover how the dynamics of power relations among actors implicate policy shaping.

Actors; dynamics of power relationship

We have shown that knowledge and power are defining forces in determining and shaping planning and policy processes. Then the roles of different actors and their perspectives on knowledge become more important to understanding the planning process. Long and Long (1992 as cited in McGee and Brock 2001:6) emphasize “the importance of agency and action in creating knowledge, and noted that expressions of agency result in both intended and unintended outcomes”. Although actors in some processes may be very complex, however, the planning and policy processes may be responsive to multiple ways of knowing and knowledge creation. Further, “certain kinds of actor who are often excluded can have influence in terms of new forms of insight and action” (Lipsky 1990, Verschoor 1992 as cited in McGee and Brock 2001:7). The analysis of planning as a process leads us to focus on the different actors involved. Simultaneously, efforts to implement participatory approaches have frequently encountered difficulties due to the residual power of rules and norms concerning what constitutes legitimate knowledge (McGee and Brock 2001:7). As Brock et al (2001:22) argue, different kinds of actors have different opportunities for influencing and shaping policy (planning) process as they position themselves, and are positioned by others, in the different sites in which policy (planning) takes shape. According to McGee (2004:9), “actors hold opinions and interests; they are embedded in institutional and political cultures; they exercise agency. Each is power-holder”. McGee (2004:10) argues that there are several characteristics which actors contribute to the definition of their agency and their power. One is how long they have been engaged with policy processes, which has an effect on their credibility and validity, while the second is the networks to which actors belong. As Hayward (1998:2 cited in McGee 2004:24) states, power impacts on actors' actions, “a network of social boundaries that constrain and enable action for all actors”. What one can

learn from Hayward's definition is that the very nature of spaces, and of action within them, is fundamentally determined by power. It is not exerted by one individual or group over another, but it is part of social relations. That implies the need to re-shape power to re-define what is possible and hence, enable action for all actors in these spaces.

In the Palestinian context, there are many actors involved in participatory planning processes. These include central government, local government, civil society organizations, private sector/business organizations, experts (academics) and donors, to name but a few. Each of these actors comes into a participatory planning process with their own distinct organizational cultures and backgrounds to planning. Each would participate in a planning process for a variety of reasons that may not be shared with the other actors they deal with. Actors that participate in a planning process are not neutral. Each can be expected to defend and promote their interests. The power relationships between and among these actors will invariably bear upon the dynamic of the participatory planning process itself, as well as what results are derived.

This research is not intended to cover this very wide range of actors involved in planning process. It will rather focus on the two key actors at the local level: NGOs and Local Neighborhood Committees (LNCs) as organized groups of Palestinian civil society, and LGUs (municipal councils and municipal governments). However, these two actors are not working alone in this arena nor are they in total charge of decision making. So this research will shed more light on the dynamics of power relations between NGOs and LGUs on one hand and central state and donors on the other, as a way to explore the implications on defining spaces at the local level.

Spaces; venues and mechanisms for interactions

We have introduced briefly some clarification of what is meant by spaces in the introduction part of this chapter. We have learnt that making sense of participation in planning process requires a closer exploration of the planning spaces and the dynamics of inclusion and exclusion that surround them. Conceptualizing policy (planning) arenas as 'spaces' focuses attention on arenas as sites where different actors interact. It also highlights the ways in which these spaces are permeated with power relations and bounded by forms of discourse used within and about them, raising questions about who participates, how and to what effect?

Grindle and Thomas (1991) as cited in Brock et al (2001:22) define 'spaces' as "moments in which interventions or events throw up new opportunities, reconfiguring relationships between actors within these spaces or bringing in new actors, and opening up the possibilities of a shift in direction". What we share with Grindle and Thomas' definition is the sense that each policy process, and each governance system, is not itself one space but throws up many spaces. Hence while one whole policy process might be referred to as an opportunity or an area, we do not refer to it as one space, but view it as harboring many different moments, opportunities, sites and events – spaces – all of which are interrelated parts of the process. An examination of spaces enables us to understand more closely the dynamics of power, actors and knowledge in shaping the planning process.

According to McGee (2004:16), "the concept of spaces provides a useful lens through which to view the policies and practices of actors who are engaged in the policy process, and to examine how their power to act is enabled and constrained. It makes it possible to break down the policy and planning process into observable elements, able to be influenced. It also raises questions about their actions, and what potentials arise as

a result of these actions”. In general, we will have to analyze the planning process as multiple spaces of contest involving complex configurations of actors, discourse and knowledge. By looking at how differing discourses and actors interact in such spaces, we can better understand the ways in which power mediates policy and planning process. According to Brock et al (2001:35), “the relationship of knowledge and method, power and action are intertwined, so they may vary across types of policy (planning) spaces”. Our research will not only need to analyze power, knowledge and action in discrete spaces, but how each in turn serves to widen and limit the boundaries of other spaces as well. In this sense, we will need to understand not only the horizontal construction of policy and planning space, which organize certain views and voices in while excluding others, but also their vertical construction, examining power relations that are re-enforced or created through interactions at different levels of the process.

For the purpose of this research, as mentioned earlier in the introductory part of this chapter, space will refer to all opportunities to influence the planning process and may be any or a combination of the following: physical spaces in the environment, actions in the environment, contextual spaces, formally mandated bodies like councils or committees, informally constituted bodies like task forces and special teams, policy processes, or even a moment in time. These spaces for participation may either be ‘invited’ or ‘autonomous or claimed’. ‘Invited’ refers to the spaces created by government to include non-governmental institutions while ‘autonomous’ spaces are the attempts created by the non-governmental institutions to have additional spaces in which to influence governmental decisions in the policy making process. These attempts might take various forms such as forming special advocacy groups or networks, mobilizing communities in specific forms, social movements among others. Each of these spaces may have different rules of engagement, and participation in one or the other or both will come with advantages and disadvantages, strengths and weaknesses.

The interplay of power, knowledge and actors to shape spaces does not happen in a vacuum, rather it is being affected by a range of factors that are related to the context of political and legal structures. In the next section we will discuss how legal frameworks may enable or disable the creation of institutional settings for participatory spaces in the context of local planning.

3.2 Legal frameworks: Enabling and constraining characteristics

Our basic understanding of legal frameworks is that they encompass within their legislations the contextual factors where actors interact and policy spaces are shaped. The importance of legal frameworks in our context results from the belief that they constitute a major driving force to guide and institutionalize the participation process, particularly when they are accompanied by supporting codes and operational standards.

According to McGee et al (2003:46), it is useful to understand ‘legal framework’ as a ‘bundle’ which embraces the constitution, national laws and policies relating specifically to participation, the supportive guidelines accompanying policies and laws, and the other local or national laws, which can impinge on citizen participation in a positive or negative sense. The concept of the ‘bundle’ has some important implications. Within the bundle there will be differences between the way the component laws and policies address participation. Some will do so by making explicit provision for it, legislating for the establishment of specific kinds of space or process which involve citizens. Others will do so by giving implicit permission, leaving open spaces which citizens or organized groups of civil society can claim into which they can insinuate themselves, either alongside government actors or alone as civil society actors but working to impinge on

government processes. In case of the latter, it is clear that the outcomes will be very heavily determined by the degree of dynamism, capacity and maximization of opportunities on the part of civil society actors (McGee et al 2003:46).

McGee et.al. (2003:45-46) suggests that where decentralization acts transfer significant legislative powers to local government, national law may also set a national 'minimum standard' in terms of participation, and what might be of real interest is the scope for local governments to introduce laws that actively promote, or at least do not inhibit, citizens' participation. Being local in origin and application, these laws might constitute the most crucial elements of the legal framework for participation in local planning where they exist. It became clear that in some cases, the operational provisions regulating how laws and policies get enacted, and the supportive guidance issued by governments to accompany them and enhance the chances of successful implementation, are as important as the laws and policies themselves. The balance between the promulgation of laws and the production of supportive operational guidelines seems to be partly a product of legislative and policy tradition in a given country or region.

We can identify four sets of issues that are essentially the purview of legal frameworks for citizen participation: Who is involved in local planning and governance? What do local governments do in terms of fostering or allowing citizen involvement in planning process and program implementation? Which enabling structures need to be put in place and maintained so that these things can be done? And what resources are needed?

Enabling and constraining characteristics of legal frameworks

The table below sets out the dimensions in which frameworks differ from each other, arranging these to show which appear to be more enabling and which more constraining for effective citizen participation (McGee et al 2003:63):

Table 3.3: Enabling and constraining characteristics of legal frameworks

Enabling characteristics of legal framework	↔	Constraining characteristics of legal framework
Promulgated in response to demand from below and with citizen inputs.	↔	Imposed from above without groundswell of popular demand, and overly inspired by prevalent international discourses and tendencies to the neglect of home-grown discourses and in-country or regional aspirations and sources of inspiration.
Seeks to strengthen and improve institutions of representative democracy by better representation of those with least voice, better quality of representation and performance, and by complementing with mechanisms of participatory democracy.	↔	Seeks only to make the institutions of representative democracy work better, not to challenge these or extend governance relationships beyond them.
Recognizes people and civil society organizations as citizens with rights, including the right to participate in governance and auxiliary rights.	↔	Treats people and civil society organizations as relatively passive subjects, to be engaged with only in non-binding consultations at a relatively late stage of decision-making.
Builds in accountability measures that ensure representatives can be recalled and government actors held to account for poor performance.	↔	No accountability measures, or measures that are impracticable in real life situations.
Provides for or contemplates in future a significant degree of fiscal decentralization and citizen participation in fiscal processes, as both an incentive to citizens to participate in local governance and assurance that local government can allocate resources to participatory processes	↔	Centralized power retained over fiscal matters—revenue-raising and allocation—or no participation envisaged in them, contradicting spirit of decentralization and citizen participation and reducing incentives for citizen involvement in local governance.
Law(s) accompanied by set of operational guidelines, policies or capacity-strengthening measures to ensure that the relevant actors are enabled to apply them.	↔	Excessive reliance on laws and on a legalistic approach to the neglect of operational guidelines or the provision of practical support and capacity building for implementation.

Adopted from McGee et.al 2003:63

What else is needed as well as a legal framework? Beyond the nature of the legal framework itself, additional factors that are identified by McGee et al (2003) as constraining or enabling citizen participation relate to the historic and cultural setting, the nature and background of the actors involved and the availability (through legislation or other channels) of ‘auxiliaries’ to facilitate the operationalization of laws and promote citizen participation. Again, these dimensions of context can be represented as continua, as shown below:

Table 3.4: Enabling and constraining features of context

Enabling features of context	↔	Constraining features of context
As well as disposition and commitment from above to participation, a strong demand from citizens and civil society actors below, which implies a relatively mature and strong—or strengthening—civil society.	↔	Weak, immature or inexperienced civil society and government with weak commitment to participation in local governance.
Advanced process of political, administrative and fiscal decentralization.	↔	Limited or early-days decentralization of all kinds, or tightly restricted fiscal decentralization.
Relatively open, trusting relationship between citizens and state.	↔	State–civil society relations marked by mutual mistrust and lack of familiarity, as in immediate wake of authoritarian regime.
Discourses of participation, governance, decentralization and democracy locally derived, or if from elsewhere, strongly appropriated and adapted to national setting.	↔	Discourses of participation, governance, decentralization and democracy borrowed wholesale with no attempt to translate and adapt for the national context.
Existence of progressive political parties with their roots in democratization movements and/or social movements and strong commitment to internal representativeness and transparency, and to participatory democracy.	↔	No political parties (as in ‘no-party’ states) or limited freedom for political opposition parties, which tends to favor conservatism and preclude pressure on government for change of a progressive sort.
A culture of ‘bureaucratic hygiene’, openness and transparency, including information disclosure policy and measures of active disclosure.	↔	A culture of corruption and/or lack of transparency, which generate resistance to opening up governance processes to scrutiny or interference.
Other laws and policies that are supportive of, or at least consistent with, participation legislation.	↔	Contradictions between participation legislation and other laws and policies, or incomplete legislation leading to ambiguities and stalemates in implementation.
Ongoing momentum for and commitment to movement along the spectrum from elite towards participatory democracy.	↔	Political transition (e.g. from authoritarian regime to elite democracy) seen by government and/or civil society as finite process, now concluded; conformity with status quo.
Opportunities for experimentation, adaptation and innovation within and outside the spaces provided by legal framework, by state and non-state actors	↔	No spaces for experimentation or innovation, through excessively tight and restrictive framework.

Adopted from McGee et al 2003:64

Challenges of enabling legal frameworks

While legal frameworks are important entry points for citizens and organized groups of civil society to mobilize and engage with their local authority, they are not sufficient. As Blackburn (2000), argues, laws developed to promote citizen participation in local governance and planning do not necessarily lead to democratic social change. It is necessary to create new spaces and mechanisms for direct democracy that complement

broader legislation. Such mechanisms are more likely to succeed if they are the product of collaboration or convergence of citizens' initiatives and demands with state responsiveness. If a mechanism for participation and downwards accountability is devised and implemented by elites, it is unlikely that the barriers to participation faced by marginalized groups will be addressed. Hence, it might be clear that the existence of legal frameworks is an insufficient condition for citizen participation to happen. McGee et al. (2003:47) argues that "one reason for this insufficiency is that laws are not always applied due to the fact that 'legal frameworks' embraces not one but a bundle of related laws, policies and guidelines implies not one but several potential 'implementation gaps' at several levels in any one country. What about the content and potential of legal frameworks? This supposedly includes measures, processes and spaces established by the laws and policies".

While legislative innovations have also succeeded in strengthening local governance and planning and creating new spaces for citizen participation in the legal realm, they have not always been translated into new practices of governance with the same success. Heller (2001) and Osmani (2000) argue that the main difficulties encountered are the unwillingness of central governments to relinquish power, and the weakness of newly-established institutions of local governance. Central governments, and those who control them, have little interest in distributing power and resources. Some authors argue that such resistance is reflected in the vagueness of the legislature regarding their procedures and powers. Others point to the financial legislation, which denies local institutions complete control over their natural and physical resources and allocates them only a small – and often tied – share of state and central government total revenues. Another obstacle with relation to implementation of legal frameworks, is that even when there is political will on the part of government, the institutional change required is great (Heller 2001:135). The highly centralized and top-down formal modes of governance and planning are difficult to overcome because "...though top-down planning has lost much of its luster in the past decade, it remains a powerful organizational reflex" (ibid.:135). These previously discussed challenges together those discussed under the power section regarding problems revealed in the difficulties around relinquishing power, are taken as a basis to formulate one of our research assumptions concerning power. The assumption is clear, that participation processes and involvement of organized groups in government planning will certainly involve confronting the power structure. And since power and privilege are hardly ever renounced voluntarily, the concept of a truly participative society will necessitate the struggle for power to create conditions for people to become effectively involved in shaping their own history, collectively and individually. Empowerment is a multi-dimensional cultural, economic and political participation. Without political participation there is no empowerment, and without participation in governance there is no genuine participation.

Edralin (1996) argues that appropriate training and capacity-building are needed in order to foster a shift from the traditional style of management, which emphasizes control, to one that stresses local accountability, participation of stakeholders and cooperative leadership. The transfer of power and resources to local governments and building their capacity are crucial for promoting meaningful citizen participation in local governance, but there are still more obstacles for the attainment of the latter. Blackburn's (2000) points to the political context dominated by patrimonial and clientelistic features. In such political culture, it is argued, the introduction of participatory forms of local public planning largely fail to empower poor citizens or to make local governments more accountable to them. While the role of the central government in promoting meaningful citizen participation in local governance cannot be overstated,

local government willingness to engage citizens in civil society institutions in governance, and their ability to intelligently exploit newly created legal spaces, are also crucial. The ability of local governments to exploit new legal spaces is reflected in their capacity to establish innovative and enduring mechanisms for participation in local governance and planning, which allow decision-making to reflect citizens' needs and priorities.

Another important factor which influences the potential of citizens to participate in local planning is the motivation of the authorities to encourage new, participatory forms of governance. According to Bur et al. (1999:22), citizens' initiatives to increase their participation in local governance may be co-opted, or else manipulated, if the motivation of local officials is to keep control. In their view, "effective participation only occurs when the motivation behind it is fuelled by a belief that all people have a right to a greater degree of control over the decisions that affect them" (ibid: 22). All of the previous mentioned issues revealed in the literature are important challenges to implementation of new creative legislations and legal frameworks that target promotion of direct participation in civil society institutions in local governance.

So far, we have identified how the interplay of power, knowledge and actors shape the institutional dynamics of the spaces that are created for the various actors to influence policy and planning process. And how these spaces could be tackled (enabled or disabled) within legal frameworks and pointing out major challenges in this regards. But how can we judge or assess weather these spaces - as output of this interplay - are institutionalized or not? Can success be measured? What are the more likely institutional dimensions that could shape these spaces? These to be explored in the next section.

3.3 Analyzing participation; evaluation, measurements and modeling

In this section we highlight how difficult – as it appears in theory – it is to measure successful participation. How can success be defined? The second issue to be tackled in this section is to provide a cursory review of the most important models of participatory approach that have been created in order to understand the dynamics of the participation process and leveling of civil society involvement. This section ends by presenting various dimensions that could work as determinants for institutional participation of organized groups in local planning.

Oakley et al. (1991:241) outline the differences between the evaluation of participation and participatory evaluation. The first involves the evaluation of a specific objective or outcome of a development project, whereas the second is a technique used in evaluation across sectors (The technique must not be confused with the evaluation of the process itself). It is often used in association with participatory action research, which can serve as a catalyst to promote group cohesion through group discussions. The key emphasis here is that people must be accepted as subjects, rather than treated as mere objects, and given a greater role in development projects.

Among the efforts that are created to help understand how to analyze participation where the ones of Paul (1987), Rifkin et al. (1988), Bichmann et al. (1989), Rifkin (1990) and Taal (1993). Paul (1987) introduced a framework for measuring and testing the effect of citizen participation in two areas, resource mobilization and the efficiency of resource use, in an attempt to incorporate citizen participation into the project planning and implementation process. This approach was adapted and expanded by Schubert (1990). Paul and Schubert identify three variables: functional participation, the intensity of participation and the extent of participation (see table below). The numeri-

cal ranking in this approach is achieved through a weighting and a mathematical formula. This is used to compare participation levels across projects.

Table 3.5: The level of participation = Functional * Extent

Functional Participation	Intensity of Participation	Extent of Participation
6. Overall Management	4. Initiating Action	4. All Households
5. Planning	3. Decision making	3. All Interest groups
4. Implementation	2. Consultation	2. Women's groups
3. Maintenance	1. Information	1. Leaders only
2. Distribution		
1. Utilization		

Source: Schubert 1990:16

This approach is innovative, though it seems not to reflect entirely the full range of processes and choices in each category, especially the category headed 'extent of participation'. On the other hand, the index is limited to the project; it does not include wider aspects of citizen participation, such as links with the local state in strengthening local organizations nor the efficiency of spaces created to involve various actors. Despite such drawbacks, the approach does add to our conceptualization of the immense problems in measuring citizen participation.

Rifkin et al. (1988) and Bichmann et al. (1989) introduced a framework for the analysis of citizen participation. The framework has been amplified by Shrimpton (1989) and Rifkin (1990). Rifkin (1990) identifies 'descriptive' and 'action' in her analysis (see table below). The descriptive factors are those variables describing the local and national context in which programs and plans are developed. They may reflect cultural, economic, social, political or historical aspects. Some related issues are the degree to which national policy responds to local aspirations and needs, the degree to which the civil service has been decentralized, the degree of organization at the local level and the degree to which there is communication between the centre and the periphery at both the local and national levels. Factors such as 'historical' or 'cultural' could be taken as givens, while others, such as 'decentralization' or 'core/periphery communication', would inevitably influence any programme directly. Hence the need for integration through the set of 'action factors', which influence the success of developmental or social programs. Some attributes of these action factors involve the ways community needs are assessed, community organizations developed, programs managed, and financial and human resources mobilized, as well as the ways the problems of the poor, especially the very poor, are treated.

Table 3.6: Factors in program formation

Descriptive Factors	Action factors
Cultural	Assessment of needs
Economic, Social and Political	Community organization
Historical	Programme management
Governmental Policy	Resource mobilization
Decentralization	Leadership development
Local Level Organization	Attention to the needs of the poor
Core/Periphery Communication	

Source: Rifkin 1990:17

Taal (1993) has added two other variables (decentralization of decision making and institutional support) to improve the analytical framework for citizen participation created by Shrimpton (1989) in order to expand it to be applicable for other aspects of social service provision and local development, including an analysis of local government institutions.

The previously discussed schools of thoughts highlight functional and descriptive factors or variables that contribute to shaping participatory process. Closely related to this context, other literature and case studies have tentatively identified a host of factors seemingly associated with success (by virtue of their presence) or failure (by their absence). Many have intuitive appeal. However, there is still a lot to learn about the requisite nature of these factors: their independence and interdependence, their importance in different situations/contexts and at different stages of the decision making process; and their relative contribution to successful participatory efforts. In general, even if success can be defined and measured, there is both a practical need and an academic interest in identifying factors associated with success and failure. Peelle et al. (1996) have summarized the long list of factors commonly identified in the literature and case studies as associated with successful public participation. These include factors such as: early involvement, inclusiveness, two-way communication, adequate information and resources, particular types of mechanisms, degree of citizen control, incentives and/or compensation, prior community experience; agreement on goals; etc. Peelle et al. (1996) highlight the following factors as essential in most cases: ⁹

- Agency clarity on goals and stakeholder roles in public participation;
- Top management commitment to the public participation process;
- Manager/leader goes beyond legal minimum;
- Agency responsiveness to stakeholders;
- Two-way communication and education;
- Interactive and iterative public participation;
- Adequate resources;
- Development of provisional trust between agency and public;
- Giving priority to trust building actions; and
- Openness of the agency

In addition to the previous issues, literature reveals additional factors among others with relation to evaluation of participation such as:

- The extent actors involved are capable of participating, in terms of knowledge, skills and access to information;
- Agreement and clarity of goals;
- Structured and clear roles and delineate clear responsibilities;
- Legal mandate and historical, socio-cultural and political context;
- Accountability and transparency;
- Understanding group dynamics;
- Aware of power sharing and mechanisms;

⁹ See Nicholas A. Ashford, "Public Participation in Contaminated Communities". MIT's Technology and Law Program. Online: <http://web.mit.edu/ctpid/www/tl/TL-pub-PPCC.html>. Retrieved on Jan 5th, 2005

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- Consensus on representation, diversity and inclusiveness of formed interested groups;
 - Interactive and iterative process;
 - Diversity of views represented and integration of various concerns;
 - Promotion of equal power to influence process;
 - Early involvement in decision making;
 - Flexibility, adaptability and durability;
 - Facilitation skills;
 - Opportunity for learning and understanding; and
 - Conflict resolution mechanisms.

It is evident from the previous discussions that most of the studies on successful participation have concentrated on identifying what factors of the participation process are important for success and what outcomes the participation process should achieve. However, very little research exists to show which process factors influence a certain outcome – for instance, researches to show which process variables are associated with the outcome goal of building trust in agencies, which process factors influence the outcome of improved quality of decisions, whether greater external communication within the process has any influence on the goal of educating public, and so on. However, theories here provide a set of group factors that lead to a desired outcome and provide a comprehensive view over a set of inter-related factors and criteria that can lead to successful and effective citizen participation process. Webler (2003) suggests that success is perceived by seeing fair and just process and achieving the desired outcome. In his ‘fairness and competence theory’ he introduces two central components, namely fairness and competence. ‘Fairness’ refers to what people are permitted to do, such as: attend the discourse, initiate discourse, participate in discourse, and participate in decision making. ‘Competence’ refers to the construction of the best possible understandings and agreements. It is conceptualized as two basic necessities: access to information and its interpretations and use the best available procedures for knowledge and selection. The strength of this theory is that it conceptualizes a comprehensive framework of what would make “good” participation process. What can we else learn from this theory in particular?

The four necessary opportunities identified are relevant to each of the three basic activities that constitute a citizen participation discourse: agenda and rule making, moderation and rule enforcement, and substantive discussion of the issue. It makes certain that people have the opportunity to get in touch with their own authentic desires and concerns (expressive or subjective claims). More importantly, is that effective participation process must be fair and competent in order to result in just output. This issue in particular has been taken as a basis to formulate our assumptions for deciding our research focus. This assumption is based on the idea that fair processes are more likely to result in just output. ‘Fair’ in this research context refers to the extent to which ‘spaces’ created to involve organized groups of civil society in policy making provide wider and equal opportunities for them to have influence. This entails, in relation to fair process, that spaces are institutionalized in a way to provide substantial and sustainable influence for NGOs on local planning and policy making. ‘Just’ outcome refers to the extent to which NGOs will be able to hold local governments (as a result of their institutional and fair involvement) accountable and responsive to citizens’ needs. Hence, the plans and

policies formulated will also be responsive to the real problems, needs, and priorities of local communities.


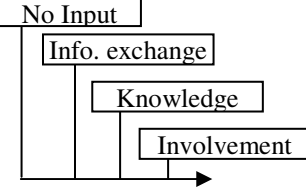
This assumption is also justified by procedural justice theory which is concerned with making and implementing decisions according to fair processes. According to this theory, what makes procedures fair are: consistency, impartiality and neutrality, representativeness, suppression of bias and transparency. A fair procedure is a matter of setting down rules. Fair rules of collaboration are central to successful mediation or negotiation processes. This theory stresses process and procedures rather than outcome. Some believe reaching fair outcomes is far more important than implementing fair processes while others believe that fair procedures are the best guarantee of fair outcomes.

To conclude, fair procedures are likely to ‘translate’ into fair outcomes. A competent process is one that pursues mutual understandings before agreement, and explicitly decides how disputes will be resolved. To produce competent understandings and judgments, a process must ensure that the best rules and procedures are used to gather, evaluate, and select knowledge. People feel affirmed if the procedures that are adopted treat them with respect and dignity, making it easier to accept even outcomes they do not like.

Modeling, classification and leveling of participatory approaches

In the last few decades, there have been a number of conceptual or theoretical approaches to understanding citizen participation. We provide a cursory review of some well-known theories, approaches and models. For each approach, a brief description, and its weaknesses, strengths and relevance to the context of the research are indicated in the table below:

Table 3.7: Models' classification, strengths, weaknesses and relevance to research

Theory	Definition & Descriptions	Weaknesses	Strengths	Relevance to Research Context
1. Participation models Arnstein (1969) Ladder 	<ul style="list-style-type: none"> - Presents ranges & degrees of citizen participation in a form of ladder - Consists of three degrees begin with non-participation (manipulation- therapy), then degrees of tokenisms (information- consultation- placation) and at the top, degrees of citizen power (partnership- delegation power- citizen control) - The higher up the ladder you are, the more effective the involvement is. 	<ul style="list-style-type: none"> - Appropriate type of involvement can only be achieved on climbing to the top of ladder which is not appropriate for all of projects - To some degree and in practice, it might be difficult to distinguish degree of involvement and identify exact delineation - Does not provide clear ideas about factors behind the degree type. It only provides characteristics for each type 	<ul style="list-style-type: none"> - Helps understand what citizen involvement means in practice - Provides a descriptive tool for a framework and degree of citizen involvement based on some characteristics - Highlights the existence of various types of citizen participation - It defines better participation as more citizens' power and control to influence decision making. 	<p>“Need to increase citizen power, resources & control”</p> <p>The application of this framework might not be appropriate to all projects. On the other hand, it emphasizes the concept of the existence of various degrees of citizen involvement based of the extent they influence project formulation, implementation and evaluation in a way that the higher up the ladder you are, the more effective involvement is. It highlights the need to delegate more power, control and resources to citizens in order to strengthen their participation</p>
Force & Mclaughlin (1982) Continuum 	<ul style="list-style-type: none"> - Describes a continuum for social learning. - The framework includes four levels of participation: =No formal public input, =Information exchange, =Knowledge gain by both sides; citizens & government, =Total involvement. 	<ul style="list-style-type: none"> - Doesn't provide a clear idea about methods & mechanisms to accommodate this social learning process - Disregards other factors apart from knowledge and information as a motivation for the process 	<ul style="list-style-type: none"> - It highlights the importance of information exchanges and equal knowledge as reasons to move up this process - It is a rational process which means existence at a level will necessarily lead to the next one. The main axis of this process is citizens' experience and awareness 	<p>“More access to information and equal knowledge leads to more opportunities for citizens to participate”</p> <p>Previous mentioned point would present a major precondition factor for genuine participation</p>

Theory	Definition & Descriptions	Weaknesses	Strengths	Relevance to Research Context							
<p>Pimbert & Pretty (1994) Levels</p> <table border="1" data-bbox="14 337 338 654"> <tr><td>Passive Participation</td></tr> <tr><td>Information Giving</td></tr> <tr><td>Consultation</td></tr> <tr><td>Material Incentives</td></tr> <tr><td>Functional Participation</td></tr> <tr><td>Interactive Participation</td></tr> <tr><td>Self Mobilization</td></tr> </table>	Passive Participation	Information Giving	Consultation	Material Incentives	Functional Participation	Interactive Participation	Self Mobilization	<ul style="list-style-type: none"> - It is a typology ranging from “passive participation” in which people are told what is going to happen or has already happened, through gathering information from participants, followed by increasing levels of participation. - At the higher levels, joint analysis leads to action plans and groups taking control over local decisions. The final stage is self-mobilization, in which people participate by taking initiatives independent of the agency. 	<ul style="list-style-type: none"> - Almost all of responsibility to increase participation is taken by the other party not from citizens. - It disregards the role of citizens in the beginning of this process to initiate participation. It recognizes self mobilization as an expected best output & result of a process initiated by the external party (government or agency). - Concentrates on a description of characteristics of each level and disregards what kind of factors might lead to these characteristics. 	<ul style="list-style-type: none"> - It presents a descriptive tool for each level’s characteristics. - It provides some useful methods and techniques for the translation of each level into practice. 	<p>“The process of participation should be interactive and citizens have to take initiatives and mobilize themselves”</p> <p>This framework shows that local communities should possess the organizational skills and technical knowledge to participate effectively in planning and project implementation. There is a need for the other party apart from the agency and communities to initiate participation and provide training where and when it is needed. Communities must take initiatives and should acquire skills and be able to mobilize themselves.</p>
Passive Participation											
Information Giving											
Consultation											
Material Incentives											
Functional Participation											
Interactive Participation											
Self Mobilization											
<p>Davidson (1998) Wheel</p>	<ul style="list-style-type: none"> - This method considers which parts of the exercise are appropriate for different purposes - It divides the participation process into four major influential factors: Information , Consultation- Partnership and Empowerment - For each factor, each one would range from low, moderate and high use and implementation - The extent to which these factors are effectively implemented will determine the strength of citizen involvement. -There is no sequence in arranging these factors (package implement.). 	<ul style="list-style-type: none"> - This model is a descriptive framework concerned with characteristics of the process without input regarding factors and reasons leading to these characteristics. 	<ul style="list-style-type: none"> - The most important feature of this model compared to that of Arnstein, is that an appropriate level of community involvement is reached without the desire to climb to the top of the ladder. - It provides a comprehensive view of participation which considers many features at the same time. - More realistic model and conceptualization of what really happens in practice 	<p>“appropriate level of citizen participation is reached without the desire to climb to the top of the ladder”</p> <p>This model considers four important features of participation such as information, consultation, partnership and empowerment. It analyzes these features together and at the same time when implemented which makes it more close to what really happens in practice.</p>							

Theory	Definition & Descriptions	Weaknesses	Strengths	Relevance to Research Context								
<p>UNDP (1998) Levels</p> <table border="1" data-bbox="12 342 302 699"> <tr><td>Manipulation</td></tr> <tr><td>Information</td></tr> <tr><td>Consultation</td></tr> <tr><td>Consensus building</td></tr> <tr><td>Decision making</td></tr> <tr><td>Risk sharing</td></tr> <tr><td>Partnership</td></tr> <tr><td>Self management</td></tr> </table>	Manipulation	Information	Consultation	Consensus building	Decision making	Risk sharing	Partnership	Self management	<p>- The process of citizen participation can be understood along a continuum and can range from participation essentially as an act of manipulation, to a degree of participation in which stakeholders become partners in the development initiative and begin to assume full responsibility for its management</p> <p>- Almost the same levels as Pimbert (1994) model:</p> <p>Manipulation- Information- Consultation- Consensus building- Decision making- Risk sharing- Partnership- and Self management</p>	<p>- It gives little attention to reasons and factors that could result in each level</p>	<p>- Well described operational framework for each level's characteristics with some focus on technical issues.</p>	<p>“Citizens are essential partners in the development initiatives”</p> <p>This framework recognizes citizen participation as end (objective) and as a means in the same time. It highlights the need for structural and institutional arrangements and changes from one side and the need for creative methods and techniques to accommodate genuine participation.</p> <p>Two way communication, information exchange, mutual goals, citizens understanding and interactions in the learning process are considered as major driving issues for genuine participation.</p>
Manipulation												
Information												
Consultation												
Consensus building												
Decision making												
Risk sharing												
Partnership												
Self management												
2. Managerial Theories												
Thomas (1995) Model	<p>- It is based on observations of how managers make effective decisions and could choose among a variety of participatory strategies through the application of the Vroom-Yetton (1973) model. It is concerned with three questions: 1) Who to involve?, 2) What specific forms or techniques to use?, and 3) When and how often to involve citizens?</p> <p>- It is decision tree structure. The model “inputs” are the manager's answers to questions about the characteristics of the issue in hand. The “outcome” of the model is five different decision making approaches.</p>	<p>- When the need for managerial efficiency and technical competence is great, less public involvement is recommended, using the Thomas model.</p> <p>- Development of this process is totally in the hands of the planner and manager who dominates the motivation, initiatives, nature and direction of participation.</p>	<p>- Provides a clear understanding of the place of citizen involvement in the management and planning process.</p> <p>-It has practical value for public managers and planners.</p>	<p>“Match methods with purposes”</p> <p>It attempts to combine “ a balanced perspective on what can realistically be expected from citizen involvement and a contingent perspective on how those expectations should vary according to the situation”</p> <p>This framework finds that the greater the need for public legitimacy of the decision, the more involvement is needed</p>								

Theory	Definition & Descriptions	Weaknesses	Strengths	Relevance to Research Context
<p>Lawrence (1996) Model</p>	<ul style="list-style-type: none"> - The previous model was subsequently modified slightly to allow for citizen participation in general and in natural resource decision-making in specific - It is a binomial decision tree structure. The model “inputs” are the manager’s answers to six questions about the characteristics of the issue in hand. The “outcome” of the model is five different decision making approaches. - It is based on observations of how managers make effective decisions and could choose among a variety of participatory strategies. 	<ul style="list-style-type: none"> -When the need for managerial efficiency and technical competence is great, less public involvement is recommended. - Development of this process is totally in the hands of the planner and manager who dominates the motivation, initiatives, nature and direction of participation. 	<ul style="list-style-type: none"> - Same as previous model where it provides a clear understanding of the place of citizens' involvement. - It widens the range of choices for managers and planners to choose among Varsity of participatory strategies. 	<p>“Match methods with purposes”</p> <p>It attempts to combine “ a balanced perspective on what can realistically be expected from citizen involvement and a contingent perspective on how those expectations should vary according to the situation”</p> <p>This framework finds that the greater the need for public legitimacy of the decision, the more involvement is needed</p>
<p>Collaborative Learning (CL) Theory</p> <p>First stages emphasize common understanding. Activities include information exchange, imagining best and worst possible futures, and visual representations of the situation.</p> <p>In middle stages, participants focus on concerns and interests, and how those concerns relate to each other, then identify possible changes that could be made; “situation improvements.”</p> <p>In latter stages, the participants debate these improvements, addressing whether or not they represent desirable and feasible changes in the present situation.</p>	<ul style="list-style-type: none"> -It is developed by Daniels & Walker (1996) based on Vroom-Yetton model and designed specifically for policy conflict - It is an approach appropriate for natural resource, environmental, and community decision-making situations with the following features: multiple parties, deeply held values, cultural differences, multiple issues, scientific and technical uncertainty, and legal and jurisdictional constraints. It emphasizes activities that encourage systems thinking, joint learning, open communication, constructive conflict management, and a focus on appropriate change. It incorporates communication methods to promote negotiation 	<ul style="list-style-type: none"> -CL stresses process more than outcome; it re-defines the task away from solving a problem to one of improving a situation. -It seeks to make incremental improvements to mutual understanding, rather than seeking final resolution of a conflict (in some cases this issue might not be considered as a weakness) 	<ul style="list-style-type: none"> - CL views the situation as a set of interrelated systems. CL respects value differences and provides an opportunity for transforming value disputes into interest disputes - CL promotes integrative negotiation , stresses communication competence and emphasizes common understanding, learning dialogue & systems thinking - Integrates scientific & traditional knowledge. It increases respect & trust & produces tangible improvements. CL operates on three levels: a philosophy, a framework & as techniques. 	<p>“Talking with rather than talking at”</p> <p>Any public policy-making necessarily involves learning. Learning-centered processes need to be flexible enough to accommodate various learning styles. CL presumes that situations are dynamic, systemic, and changing. It emphasizes activities that encourage systems thinking, joint learning, open communication, and focuses on appropriate change. It seeks to enhance parties' competence.</p> <p>CL also emphasizes the goal of improving the situation over problem solving. This sets a more realistic standard for successful participation, given the complex and ongoing nature of resource management issues.</p>

Theory	Definition & Descriptions	Weaknesses	Strengths	Relevance to Research Context
3. Decision Analysis Concepts	<p>- It is based on a systematic value-structuring approach developed by Keeney (1992), Winterfeldt and Edwards (1986), Dienel and Renn (1995). It consists of four concepts:</p> <p>1) Value-Focused Thinking :deciding what is important and how to achieve it</p> <p>2) .Adaptive Management: monitoring the consequences, learning from the results, and avoiding costly failures</p> <p>3) A Structured Decision Process: providing a responsible, informative and complete structure for a decision process</p> <p>4) An ‘‘Informative’’ Decision Rule: recommending risk management alternatives and approval voting</p>	<p>-Typically, the number of participants and the groups they represent might not be rigorously structured as a legislative body with a representative structure</p>	<p>- It emphasizes the pre-eminent role of values in all decision-making. It involves value-structuring approaches</p> <p>- It creates more attractive alternatives that stand a better chance of wide support</p> <p>- It copes with profound uncertainties in managing complex issues</p> <p>-It provides a responsible, informative and complete structure for a decision process</p>	<p>‘‘Decision making is considered as an iterative process rather than a one-time exercise’’</p> <p>These concepts emphasize the role of learning from successive management choices. It is an informal impetus to seek opportunities for learning over time in any iterative decision context.</p> <p>The values of participants are considered as an important input when initiate citizen participation.</p>

Participation and institutionalization; core dimensions and elements

This section has one basic objective, which is to understand how the end output (in the form of institutionalized participatory spaces) should theoretically look. The literature review has provided interesting insights into citizen participation, as seen by a number of researchers, academicians and practitioners. To find an ideal definition is difficult, as each is historically linked to different ideologies, thus acquiring different meanings. While some view citizen participation as a result of a bottom up empowering process, others see it more in a project context. In this section, basic elements of the definition and interpretation with relation to institutionalization will be examined.

Brinkhoff and Goldsmith (2001:4) define participation as “a process through which stakeholders shape and share control over development initiatives”. Important elements of this definition include:

- the process character as opposed to one-off participatory events,
- the term stakeholder including all societal actors, and
- the understanding of a form of joint policy-making.

Institutionalized participation is: sustainable, structurally integrated, thematically embedded, politically relevant, broad-based and inclusive, decentralized, qualified, representative, conflict-aware, and safeguarded by the rule of law. Institutionalized participation thus as understood leads to open, learning societies that develop their own potentials (Eberlei 2001:2 as cited in GTZ 2001:14). Brinkerhoff and Goldsmith (2001: 9) stated that “Create administrative structures, procedures, and mechanisms will facilitate the institutionalization of policy participation”.

According to Brinkerhoff and Goldsmith (2001: 4) institutionalized participation can be defined as “a right-based, structurally integrated and legitimized process through which capable stakeholders shape and share control over development initiatives”. This emphasizes that institutionalized participation:

- has to be rights-based;
- has to be integrated in the political structures of the country;
- needs legitimacy; and
- is inconceivable without capable stakeholders who have the capacity to be deeply involved in the process

This research clearly adopts this definition as a general framework where the four elements mentioned above constitute necessary attributes of institutionalized participation as an output of institutionalizing process (spaces). Participation without these four elements runs the risk of being no more than ad hoc, one-off participatory events, staying tentative and fragile. What else can be learnt from the definition of Brinkerhoff and Goldsmith (2001)?

Participation must be ensured by institutional measures in order to be effective in the long term. Institutionalized processes would allow civil society to exert influence on a continuous and long-term basis and to become more qualified by learning from experience. In other words, institutionalization of participation increases its effectiveness. Institutionalization of political participation allows the outcome of participatory processes to be preserved for future political decisions. According to Elberli (2002:10), “in the past, new structures for participatory processes were established –

often under time pressure exerted by the creditors – on a temporary basis, but they were not embedded in institutions”. Thus, formerly developed participatory structures were weakened and the long-term effectiveness of participation was limited. Institutionalized participation must be equipped with instruments and/or forums for continuous dialogue.

The capacity question is also addressed. A strong participation of societal stakeholders requires well-developed human, technical and organizational resources. Participation must be ensured by institutional measures in order to be effective in the long term. Institutionalized processes would allow civil society to exert influence on a continuous and long-term basis and to become more qualified by learning from experience.

Participation can develop its full effectiveness, only if the participants in political processes are able to represent their interests adequately. This requires the knowledge of the rules, resources for the definition and articulation of political positions and experiences with political negotiation processes. According to McGee and Norton (2000: 65 as cited in Elberli 2002:11), “representatives of civil society rarely had experience in planning processes and [were] not familiar with processes, procedures and issues”. Qualified participation presupposes adequate material and personnel support as well as an adequate time schedule.

Furthermore, it must be considered that political capacity is developed to varying degrees within the civil society of a country. For example, it is usually more difficult for women to bring in their valid positions in participatory processes. Also the inequality of urban and rural areas within a civil society has a negative effect on opportunities for participation. At worst, unequal development of political capabilities may have the consequence that existing imbalances of power are even perpetuated by participation. According to Elberli (2002:11), politically capable participants require:

- Comprehensive and timely access to relevant information;
- Sufficient resources for accessing and analyzing information and for lobbying and campaigning activities;
- Time and space for processing this information, critically reflecting political concepts and developing independent positions; and
- Physical and legal access to public debates.

Institutionalized participation needs basic political rights as well as specific rights of participation within the concrete planning process context. Citizens as well as an organized civil society have to have a rule-based and clear picture as to which role they can play in their society. According to Elberli (2002), legally ensured access to the political arenas of a country is a major prerequisite for politically capable action, for example the right to participation. Effective participation requires legally guaranteed access to the political arenas. This also means that the ‘powerful’ actors should express their willingness to share power and to ensure participation even in respect to central political issues, such as the following (Elberli 2002:12):

- On principle, effective participation is inconceivable, as long as fundamental political rights are not guaranteed. Furthermore, fundamental principles of separation of powers are unrenounceable prerequisites for effective participation. An independent jurisdiction which is in the position to enforce these fundamental rights, if necessary, is an essential prerequisite for sustained and effective participation;
- Guaranteed access to information and transparent action of the government;

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- Rights of participation are critical. Representatives of civil society must be guaranteed a right to participation in political processes. Participation cannot and must not be a matter of the government's discretion; and
 - Prohibitions must not hang over the participating groups of civil society.

Another element of institutionalized participation, as in Brinkhoff and Goldsmith definition, is the legitimacy of decisions. This has several dimensions. Parliaments, which in many countries in the third world are institutionally weak but usually possess at least a formally legitimate mandate, have to be involved. Regarding civil society organizations, it has to be said that they do not possess the formal democratic legitimating to determine political decisions that are binding upon a government. However, civil society actors can increase their legitimacy making sure that they are organized in a representative and inclusive manner, that they are independent from government and other major players, and that they are internally organized in a democratic way. In the long run, there will be no meaningful and legitimized participation in a country without structures of bottom-up-planning and decision-making procedures and sharing of power. Democratic legitimization in a narrower sense means that representatives are elected by the people. Usually, this does not apply to representatives of civil society. From the point of view of Jürgen Habermas (2001 in Elberli 2002:14), political systems must be legitimated by decision of the majority to be allowed to take action. In his opinion, civil society derives legitimization from a sensory function by absorbing problem situations within the society and forming public opinion. This public opinion cannot rule itself, but can direct administrative power towards certain objectives (Habermas 2001: 356). This reason for legitimating should be based on a multifaceted foundation (Elberli 2002:14):

- Public and transparent participation as well as accountable actors;
- Representative participation; and
- Internal democratization.

In addition, institutionalized participation has clearly defined political structures for dialogue between all stakeholders at national as well as at regional and local levels. To conduct just one or two national workshops with a handful of civil society representatives is not a structured dialogue but an ad hoc event. Necessary structures have to be shaped on a continuing basis. Their competences and rights have to be clearly described, their membership outlined transparently. One necessary part of these structures is an open information policy of the government which allows a comprehensive insight into the implementation of the plans and strategies. And another structural aspect is that the implementation of plans cannot be conducted in a centralized way. The requirements and institutional dimensions for institutional participation as adapted from Elberli (2002:16) follow:

Table 3.8: Requirements for institutionalized participation

	Elementary requirements for participation	Extended requirements for participation
Institutionalization	<ul style="list-style-type: none"> • Parliament must be involved (discussion/decision) • Planning based on previous processes and existing structures • Clear agreements with civil society on participatory procedures 	<ul style="list-style-type: none"> • Parliament must assume “watch function” in co-operation with civil society • Clear structures for co-operation between government and civil society as to the control of processes • Civil society has the right to participate in implementation (e.g. budget hearing) and review process • Independent civil society networking
Political capability	<ul style="list-style-type: none"> • Access to essential information; • Sufficient time for participation • Basic equipment for analyzing and lobbying work 	<ul style="list-style-type: none"> • Comprehensive and timely access to information; essential documents must be available in native languages • Regular consultations. • Networks are adequately equipped for analyzing and lobbying work
Political rights	<ul style="list-style-type: none"> • Inclusive approach: representatives of civil society cannot be rejected by governments • Freedom of opinion • Freedom of press 	<ul style="list-style-type: none"> • Legally ensured right to participation • Unlimited freedom of peaceful assembly, association and networking • Freedom of Information Act • politically independent NGOs
Legitimization	<ul style="list-style-type: none"> • Parliament must be involved • Sufficiently large number of civil society representatives, some of which should represent local or rural groups; clearly defined criteria for participation • Transparent, public debates and negotiations • Representativeness must be ensured 	<ul style="list-style-type: none"> • Democratic legitimating ensured by parliamentary decisions • Participating civil society networks must have internal democratic structures • National, decentralized participation must be fully implemented • Protection of minorities • Positions of civil society must be disclosed in official documents

Adapted from Eberlei 2002: 16

To sum up, institutionalized participation creates a room for societies to debate their development status, goals and priorities, and to take democratically legitimate decisions on those issues. Societies which create this space for themselves institutionalize not only participation rights, but also the exchange of expertise and ideas on solving their problems. They therefore institutionalize learning processes, and sustainable spaces where all actors are brought together to discuss, consult and formulate better responsive policies and plans.

So far we have considered the general framework of institutional dimensions and elements of participation. However, the focus of this research is only on participation of organized groups of civil society in local government planning and policy making. The next step will be to examine the context for institutionalizing relationships between NGOs and government and what would constitute a healthy relationship, questioning some paradigms concerning the context where these interactions occur. It is important, when promoting participation within a particular context, to be sure exactly what benefits it would bring, what would be its added-value and, equally, what could be some of the unforeseen consequences of its implementation.

3.4 NGOs and the state; context for healthy and institutional relationship

“The aim should be to empower ordinary people to take charge of their lives, to make communities more responsible for their development, and to make government listen to their people. Fostering a more pluralistic, institutional structure including NGOs is a means to these ends” (World Bank, 1987 in UNDP 2003:7)¹⁰

With regard to the NGO-state relationship, the essential question according to Cross (1997:2)¹¹ has been whether NGOs should be competitors or partners with the state, that is, whether NGOs should maintain their distance from the state so as to retain their autonomy, or whether they should work hand in hand with state projects. At the same time, concern has been raised in some countries about the repression of NGOs by the state and the relative merits of politicization of NGOs, particularly if they are to undertake an advocacy role on behalf of the citizens. Another important issue concerning the NGO-government relationship is the nature of their collaboration itself. Does it mean that NGOs implement state policy or that the state contracts NGOs to implement its programs? Can NGO dependency on or independency from government impact on the autonomy and efficiency of NGOs in their involvement in local policy making? According to Edwards and Hulme (1993: 57-58), “obstacles of such collaboration between NGOs and government must be addressed and made explicit. Collaboration will challenge old institutional identities and autonomy and will introduce new constraints as well as potentials”.

There are other issues concerning the NGO-donor relationship, Cross (1997:2) also emphasizes that the concerns are about dependency itself, and whether over-reliance on donors and particularly foreign donors may affect the way that NGOs operate. The issue goes beyond the simple question of whether NGOs may ‘sell out’ to the donors to consider whether the administrative procedures and requirements of donor funding may in themselves have an adverse effect on the effectiveness of local NGOs in representing citizens, and considers the question of to whom such NGOs are ultimately accountable: the ordinary citizens they service or the donors that fund their service

¹⁰ UNDP, (2003), “State-NGO relationship in transitional democracies”. Online report: <http://www.undp.org/oslocentre/docsjuly03/GiskeC%20Lillehammer.pdf>

¹¹ John C. Cross, (1997), “Development NGOs, the State and Neo-Liberalism: Competition, Partnership or Co-conspiracy”, Department of Sociology, The American University in Cairo, ((Published in Proceedings of the Fourth Annual AUC Research Conference. Office of Graduate Studies and Research, The American University in Cairo. July 1997): online: <http://www.openair.org/cross/NGOS.htm>

activities. Before detailing these issues and their implications in the context of NGO-government relationships, it is useful to first clarify what is meant by the term NGO, both in general and in the Palestinian context in particular.

Conceptual clarification of NGOs

The term 'NGO' encompasses a broad array of different organizations, varying enormously according to their purpose, philosophy, sectoral expertise, and scope of activities. According to the UN (1995)¹², "it is a non-profit group or association that acts outside of institutionalized political structures and pursues matters of interest to its members by lobbying, persuasion, or direct action. The term is generally restricted to social, cultural, legal, and environmental advocacy groups having goals that are primarily non-commercial. NGOs are therefore typically independent of governments". According to Clarke (1996 cited in UNDP 2003:6), NGOs are defined as "private, non-profit professional organizations, with a distinctive legal character, concerned with public welfare goals". In the developing world, NGOs include philanthropic foundations, religious development agencies, academic think-tanks, human rights organizations and other organizations focusing on issues such as gender, health, agricultural development, social welfare, the environment, and indigenous peoples. Indeed, literature is full of definitions of NGOs where they mainly emphasize the concepts of non-profit and independent institution from the state, and having a wide range of developmental focus.

NGOs are usually associated with the concept of civil society. Civil society, as defined in the literature, is the level of organization that exists between households and the state. It is made up of many types of voluntary associations where people combine for their collective interests. UNDP (2003: 6) view civil society as "a third sector, existing alongside and interacting with the state and profit-making firms.... They consist of non-profit organizations and special interest groups, either formal or informal, working to improve the lives of their constituents". According to London School of Economics Centre for Civil Society¹³, its working definition is illustrative: "Civil society refers to the set of institutions, organizations and behaviors situated between the state, the business world, and the family. Specifically, this includes voluntary and non-profit organizations of many different kinds, philanthropic institutions, social and political movements, other forms of social participation and engagement and the values and cultural patterns associated with them". The importance given to civil society is due its potential to serve as the institutional channel that enables citizens to raise their voices and affect government policies as to serve their interests and needs. Devas et al. (2001:19) see "...civil society as the institutional solution to people centered, participatory and inclusive development" (as cited in Grant 2002:11). Taking the view that NGOs might seek wider social and political participation to increase their effectiveness and legitimacy, how does this research perceive NGOs in the Palestinian context?

We mentioned end of the last chapter, that George Giacaman (Palestinian Expert) views civil society and hence NGOs as "societal organizations of various types existing in relative independent from the state" (Giacaman 2000 cited in Alshouli 2006:16). This definition emphasizes two major characteristics of NGOs: first the social focus and secondly independency from the state. However, with regard to inde-

¹² As cited in Wikipedia, online : http://en.wikipedia.org/wiki/Non-governmental_organization

¹³ Wordiq online : http://www.wordiq.com/definition/Civil_society. Retrieved on July 16th, 2004

pendency, it is true that Palestinian NGOs had enjoyed total independence from the government before 1993. This can be construed since the government itself was alien in its nature. But after the establishment of a Palestinian Authority and in a practical sense, this issue is not clear and can raise additional questions of what meant by independency? Ideally, we have seen that a major strength of NGOs is that they work independently from the government; however, in the Palestinian context many NGOs in some sense are not even dependent but also affiliated with political parties including the ruling one. If adopting independency is a criterion in its practical sense, this means excluding the major part of existing NGOs. It is also obvious that there is no scientific way to distinguish among independent and dependent Palestinian NGOs. It is important to highlight this issue, since our definition – as was shall later – will include independency as a criteria but in its ideal sense. It will be a concern of this research to question the practical implications on the context of our study.

The Palestinian Law of 2001 (Art. 2) defines NGOs as “any charitable association or community organization with an independent judicial personality, established upon an agreement concluded among no less than seven persons to achieve legitimate objectives of public concern, without aiming at attaining financial profits to be shared among the members or achieving any personal benefits”. This definition did not emphasize clearly the essential role played by NGOs in development planning. Therefore, the Palestinian NGOs network (2005)¹⁴ widened this definition to define NGO “as a non-profit institution of a civil nature, which is active in development work of a scientific, charitable, educational, legal or religious kind and operates without any discrimination with regard to ethnicity, religion or sex”. We might add registration as other criteria, as some Palestinian NGOs have failed for various reasons to get accredited, and hence registered in the Palestinian Ministry of Interior, according to the law. Thus these organizations continue to work as NGOs beyond the law. Regardless of their substantive contribution to development, these organizations will not be covered in our definition since it will be impossible to get access to these NGOs which are known sometimes only by their members or target groups if any. Observers would see, if one were to count these NGOs, that the number of existing NGOs in Palestine might even double.

Therefore, NGOs in the context of this research refer to the non-profit organizations that work as organized groups of civil society to mediate between citizens and the state. These organizations are not part of the legal and political structure of the government, hence they enjoy some sense of independency in deciding their own activities. These organizations are engaged in a wide range of developmental sectors, such as social and relief, charity organizations, rehabilitation, research, health, agriculture, human rights, training, unions, democracy, friendship associations, youths, women, art and culture, education, childhood, heritage, environment, co-operatives and loaning organizations, housing associations, religious organizations and unions. These organizations must be legitimized by the state and accredited by the Ministry of Interior according to the law of 2001.

Context for healthy and institutional NGOs-government relationship: ideals and realities

In NGO relations with the state, Clarke (1991 cited in UNDP 2003:7) presents the liberalist view that NGOs can fulfill three roles: complementing, reforming, and/or

¹⁴ Palestinian NGOs Network. Online: http://www.pngo.net/pngo_ara/arabic.htm

opposing the state. The idea of the complementing NGOs is one of NGOs as service providers and implementers of development activities. In this case, NGOs fill in the gaps left by public services. By the 1990s, the prevalent ideology among donors was to see the state as an 'enabler' rather than a 'provider'. The reforming role of NGOs is related to NGOs as agents of advocacy and contributors to policy dialogue. NGOs can represent the interest of the people they work with and, hence, ensure that policies are adapted to 'real life'. In this way, policies are legitimized. NGOs can also contribute to generating informed public judgment which can be referred to as 'mediation'. Finally, NGOs can oppose the state, by acting as watchdogs and holding it accountable. This can either be done directly through lobbying, or indirectly by supporting groups that are adversely affected by government policy (Clarke 1991).

Lewis (2001 cited in Al-Shouli 2006:7), on the same tack, suggests that in the development field, NGO roles can be broadly summarized in three sets of activities: implementer, catalyst, and partner.

According to Lewis, the implementer role is about mobilizing resources to provide goods and services such as healthcare, education, or emergency relief. This service could be part of the NGO's own program or a government or donor agency's program. A donor can contract a local NGO to provide a service within its program structure as in the case of the United States Agency for International Development (USAID) or WB projects. Lewis identifies some problems associated with this role, mainly that the relationship with the government is not well defined; "...are those NGOs complementing, replacing or undermining the role of the government in providing the services themselves?" (Lewis, 2001 cited in Al-Shouli 2006:8). However, there is another side to the coin: some argue that when there is a gap, it should be filled regardless of the problems associated with doing so. It is more important to judge the development impact when there is a need than to judge the relationship, especially when there are limited sources of public service provision (Lewis, 2001 as cited in Al-Shouli 2006: 8).

The catalyst role of NGOs is about empowering the beneficiaries of the NGO starting at the community level. According to Lewis (2001), the word 'empowerment' has many different meanings. However, in the context of development, it means making people aware of the power dynamics in their lives, developing capacities and skills for further control without infringing others, and supporting empowerment of others in the community. Lewis adds that empowerment has become a central idea in development. Empowerment is brought about either by an outside professional facilitator or by the NGOs themselves. In addition to empowerment, Lewis identifies another key role of the catalyst NGO: advocacy. To Lewis, advocacy is crucial in building sustainable development and influencing policy change, and it is usually an activity undertaken by Northern NGOs (Lewis, 2001 cited in Al-Shouli 2006: 8-9). It is the advocacy roles played by Palestine NGOs which is of central concern in this research, particularly the extent to which they are able practice this role and spaces in which they may be active.

Hadenius and Ugglå (1996) see civil society, hence NGOs, as having two functions: the pluralist and the educational. The former refers essentially to the external and mutual relations of organizations while the latter looks at their internal life. The pluralist function concerns the distribution of power in society and political life. The idea is that by organizing themselves, people obtain power resources. The outcome of a multiplicity of well developed associations with access to channels for popular influence, is a balance between power centers, interests and opinion. This ensures the best possible coherence between individual preferences and collective choices. The

pluralist function is closely related to Clarke's second and third role. The basic idea behind the educational function is that the "spiritual support for democracy's fundamental principles" (Hadenius and Ugla 1996:1622 in UNDP 2003:8-9).

NGOs have become important actors in development assistance for at least three reasons according to Clark (1993:5-7)¹⁵: first, because of their scale; second, because of their style of work and third, because of their representation of poorer or otherwise disadvantaged people.. Many NGOs have demonstrated an ability to reach poor people, work in inaccessible areas, innovate, or in other ways achieve things which are difficult for official agencies; many NGOs have close links with poor or disadvantaged communities. Some are membership organizations of poor or vulnerable people. Others are skilled at participatory approaches.

The NGO sector does however often suffer from several weaknesses. Some of these are internal to NGOs while others are linked to their relations with external agents, including the government. Internally, according to UNDP (2003:9-10), NGOs are to varying degrees suffering from weak sectoral, financial and organizational capacities. NGOs often lack financial resources. Consequently, they are dependent on external funding. Finally, organizational capacity refers to an NGO's ability to perform certain functions, such as knowledge management or service delivery. It is related to the concept of internal governance, an issue that has received substantial attention in recent years. NGOs have been accused of lacking transparency and democratic internal procedures, and some even for having hidden agendas. Consequently, some governments and populations have become suspicious of NGOs. This issue is also related to the question of accountability and democratic mandate, as members of NGOs are not selected through elections. Clayton et al. (2000:19 cited in UNDP 2003:10) note that "accountability downwards – from service providing NGOs to the beneficiaries...is generally weak", as is their accountability towards the state. In practice, Thomas (1992: 138 cited in UNDP 2003:10) further argues that "there is a risk that community organizations represent the interest of better-off and more powerful individuals and groups better than they represent the interest of the poorest members of the community".

In theory, NGOs can help develop civil society, advocate on behalf of and increase the organizational capacity of the poor, provide services more efficiently, flexibly and innovatively than the public sector, remain accountable to their client base, and so on. But in practice, as Cross (1997) argues, the larger NGOs grow, the less accountable they are to their clients and the more accountable they are to the donors who allow them to grow. The more dependent they become on outside funding – and particularly official or international aid – the less able are they to take on an advocacy role or a role that might be seen as critical to the national government. The more 'professional' they become, the more they depend on outside funding and the less likely they are to be innovative and flexible in dealing with local problems.

Fisher (1994 in Cross 1997:4-5) assumed that, while NGOs may in some cases be dominated by elite groups, or tied to state interests, on the whole they provide the possibility for an alternative route of popular expression that helps to balance the state, which is assumed to be dominated by elite interests. This may be especially apparent where NGOs seem to have come into direct conflict with the state. Indeed, this perspective reduces the issue of NGO-state relations to the question of relative

¹⁵ John Clark, (1993), "The Relationship between the State and the Voluntary Sector", the Global Development Research Centre. See online: <http://www.globalpolicy.org/ngos/state/relationship.htm>. Retrieved on July 15th, 2005

autonomy of NGOs from the latter, which is where most of the debate in the field lies. Given that NGOs are generally regulated and to some extent supervised by the state, a lot of debate revolves around the question of whether this is good (in terms of preventing corruption in NGOs or improving coordination between the state and NGOs) or bad (in terms of implying state control and limits on NGO activities) and how it may be optimized.

'Advocacy' work, often combined with the goal of 'empowerment' of the poor, thus, according to Edwards and Hulme (1996:965 in Cross 1997:5) creates an "unresolved dilemma for grassroots organizations and NGOs in most societies as to how to engage in the political process in order to achieve fundamental changes in the distribution of power and resources without becoming embroiled in partisan politics...". The popularity of NGOs has been based on the argument that they provide a number of benefits on economic, political and social levels. According to Cross (1997:6-7), the idea that NGOs represent 'civil society' while states represent 'elites' is predicated on the argument that NGOs are potentially more 'participatory' than the state and market structures, and therefore potentially more 'accountable' to the needs of subaltern groups in society. This provides them with greater 'legitimacy' in representing the needs of society, or at least of the 'masses'. John Clark (1995:593 in Cross 1997:9) notes, "Many argue that NGOs may be best placed for the tasks of fostering popular participation which include articulating the needs of the weak, working in remote areas, changing attitudes and practices of local officials, and nurturing the productive capacity of the most vulnerable such as the disabled or the landless". Meanwhile, there are occasional warnings about 'bogus' NGOs, set up by local elite groups or even set up by governments (GONGOs). Cross (1997) also noted that, as NGOs become larger and more dependent on aid from official donors, or other large donors, they also tend to become less innovative and flexible as they become more bureaucratized and have to meet donor standards and stipulations.

As the NGO sector has grown, and funding has increased, a number of authors have pointed to the danger that this may actually decrease the legitimacy and accountability of NGOs to the communities they are supposed to be serving. Furthermore, there is an even deeper question mark here. As Edwards and Hulme (Edwards and Hulme 1996 cited in Cross 1997:7-8) point out: "There are a deeper set of concerns about the possible 'rewriting of the social contract' between government and its citizens as a result of NGO substitution for the state in key aspects of the development process... The accountability of a non-elected NGO when providing services to 'clients' is very different from the formal relationships established between governments and citizens".

Clark (1993) described three kinds of NGO-government relationships. The first form of relationship is where NGOs are in a dependent-client position from the government; in which NGOs implement state-prepared programs and/or receive funding through the state (a dependency of money, ideas and resources). The second type of relationship is adversarial in which there are no common starting points and no wish from either side to search out areas of agreement. The third and most constructive relationship emerging in certain liberal democracies is a collaborationist one; a genuine partnership to tackle mutually agreed problems, coupled with energetic but constructive debate on areas of disagreement. A healthy relationship is only conceivable when both parties share common objectives. However, such relations are rare, even when the conditions are met. The mutual distrust and jealousy appears to be deep-rooted. Governments fear that NGOs erode their political power or even threaten national security (Fowler 1992 in Clark 1993:7). And NGOs mistrust the motivation of

the government and its officials. Though controversial and risky, many of the more strategic NGOs are overcoming their inhibitions and are seeking closer collaboration with governments. In this way, NGOs believe they will be better able to achieve desirable impact, and they will be able to expose the government to a grass-roots perspective which might otherwise be neglected. However, with closer collaboration comes increased risk of corruption, reduced independence, and financial dependency.

World Bank experience indicates a strong correlation between project success and the participation of grassroots organizations. However, even with a largely adversarial relationship, consultation can be a surprisingly productive process and reduce tensions. Conversely, dialogue with NGOs may not be very productive when the State-NGO relationship is too cozy. In such situations NGOs tend to accept uncritically both the government's information and the government's role in coordinating all development activities, including those of NGOs. The NGOs are largely content to fill in gaps as directed by the authorities and rely on such commissions. They do not question state activities, and therefore fail to inject the grassroots perspective. A degree of financial autonomy of the NGO sector is necessary to ensure their independence. NGOs can play an important role in helping certain population groups, or filling in the gaps in state services, or in pressing for a change in the national development strategy, but they do not offer realistic alternative pathways. Their innovations may test out new approaches, but these only become sustainable or of significant scale if they influence national development. When both parties see that their solutions are not competing alternatives but are complementary contributions, the possibility for a genuine collaboration is opened. (Clark 1993:11-18).

Hadenius and Ugglå (1996) define a continuum of five stages from a situation in which the state is hostile to civil society to one of benevolence. The first stage characterizes totalitarian regimes where all organizational activity is banned. In the last stage, the government actively promotes civil society. These stages are summarized in the table below:

Table 3.9: State treatment of civil society

Stage	State treatment	Type of State
1	The State does not tolerate independent civil activity Threshold: de facto right to form autonomous organizations	Hostile
2	The State accepts autonomous organization, but does not provide a space for it. Threshold: state withdrawal opening up a space for independent activity.	
3	A space for independent activity exists, but the practice of governance does not promote autonomous organization. Threshold: favorable institutional structures.	Benevolent State
4	The State provides favorable structures, but no active support. Threshold: active state programs in support of civil society.	
5	The State actively promotes autonomous organizations	

Source: Hadenius and Ugglå 1996 in UNDP 2003:11

As seen in the table above, the different stages are separated by four thresholds. Each of them corresponds to one of the following situations in which the state:

- Permits the formation of autonomous organizations;
- Leaves space for civil society: The state withdraws, either intentionally or otherwise, from various social spheres;

-
- Provides beneficial institutional structures: In this case, the state can install a facilitative legal-administrative framework (registration/legal status, tax exemption, etc.), mechanisms for solving conflicts and arenas for interactions; and
 - Actively promotes civil society.

Indeed, there are many examples from the literature that can provide additional frameworks for NGO-state relationships. In his discussion of these frameworks, (Najm 2005)¹⁶ concludes that their relationships vary between co-operation, complementarity, co-optation, and confrontation. The kind of relationship depends on the similarity and dissimilarity of means and goals for both, where the best relationship will occur when both NGOs and government have similar goals and means. This framework, an addition to others that are discussed before, provides us with more knowledge about the nature of NGO-government relations. However, though these frameworks treat in depth the characteristics of each relationship, they put less emphasis on core causes that could shape such relations. In addition, and more importantly, the interaction between them does not happen in a vacuum. It occurs within spaces where most of frameworks fall short in describing and analyzing these spaces.

What additional lessons can be learned from the previous discussions regards discourse of NGO-state relationships in relation to the institutionalization of NGOs' involvement in local planning and policy making? Obstacles to such collaboration between NGOs and government must be addressed and made explicit. Collaboration will challenge old institutional identities and autonomy and will introduce new constraints as well as potentials. In collaboration with larger institutions (e.g. government and donors), NGOs can easily be pushed into a position in which they implement other institutions' programs. According to Edwards and Hulme (1993: 59), NGOs are seen – in many cases – by government and donor institutions as “simple vehicles for program implementation”. It should be emphasized that institutional collaboration in policy making and planning processes means working together in a mutually interdependent fashion. This implies, according to Edwards and Hulme (1993:51), “more than simply linkage or interaction”.

Some might think that is the only governments which are responsible for institutionalizing NGO participation in local planning, by legitimizing civil society participation as right-based and integrating the process into its political structure. In some sense this is true, but as we understood from literature, power is not easy to relinquish and the state by itself might be reluctant to share its power with other actors in particular situations. The state might even suspect political roles could be being played by some NGOs, as in Palestine. On the other hand, the state might create a dependent relationship with these NGOs, decreasing their autonomous or independent actions. So, it is becoming clearer now that the state is responsible for creating enabling structures, policies and legitimization. But this issue to happen, it has to be accompanied by additional efforts exerted by NGOs to facilitate the creation of these new innovations. It is important for NGO initiatives to meet state responsiveness. The NGOs have to prove their capacity to participate and their accountability to the communities they advocate.

¹⁶ Adil Najam, (2005), The four Cs Government-Third Sector Relationships; Cooperation, Confrontation, Complementarity, Co-option. Boston University, journal *Non-profit Management and Leadership*, Vol 10, No.4: Online: <http://www.bu.edu/cees/research/workingp/pdfs/0100.pdf>. Retrieved on July 14th, 2006

The four elements of institutionalized participation as described by Brinkhoff and Goldsmith (2001): legitimacy, rights based, integration of political structure and capable stakeholder, would occur only as a result of mutual efforts to be exerted by both government and NGOs. ‘Structure’ is to examine the existence of structural dialogues, information flow, and an enabling or disabling framework. While ‘capacity’ questions the professionalism of the NGO contribution, their human and technical resources, and the knowledge of NGOs of central issues concerning government planning and access to information. The last issue, ‘legitimacy’, questions who is legitimized by whom, and whether organized groups of civil society are included and well represented in the process of making policies and planning. Do the NGOs themselves represent local communities or factional interests? Do the civil society organizations have either the willingness or the technical capacity to articulate pro-local community’s policy issues? And are they well located to represent the interests of these communities? What are the capacity building issues – both for the government as well as for the civil society groups? Does participation of NGOs in local policy formulation and implementation really contribute to pro-poor policies; if so, how may this contribution be assessed?

It is becoming clearer that there is a need for addressing power imbalance and building capacity which emphasizes the need to find new mechanisms that allow power to be exercised as closely as possible to citizens and local communities. In this way, by addressing power imbalances and designing mechanisms and methods for participation that are informed by citizens’ own demands, local government can begin to enable citizens to play an active role in integral local development. There is ‘reciprocal causality’ between good local government and strong civil society, through empowerment, accountability and capacity building. For this reciprocity to come about, existing power imbalances must be taken into account. Different actors involved in the same process may have very different understandings about what outcomes to expect, and different capacity to pursue their interests, especially in scenarios where central and local government, international donors, NGOs and social movements are vying for influence over the process. Underlying these and other questions is the central issue of where citizens are positioned, and how we envisage their engagement in processes of participation in local governance. Is their role peripheral, instrumental, or central to the process? Have the obstacles to their participation been properly addressed?

3.5 Drawing a conceptual framework

It was evident from the theoretical context reviewed that changing paradigms of planning approaches from top-down to bottom-up has affected our understanding of how policy decisions are to be made (section 3.1). Policy making and planning process is seen as series of dynamics and political processes, rather than as linear progression from formulation to implementation. That means decisions are made up of a series of linked spaces, in which a wide range of actors (government and non-government) engage to influence and shape policy making. Section (3.2), emphasized that interaction between NGOs and the state does not happen in a vacuum. There may be many disabling and enabling factors within legal frameworks among other contextual factors which are socio-cultural and historical.

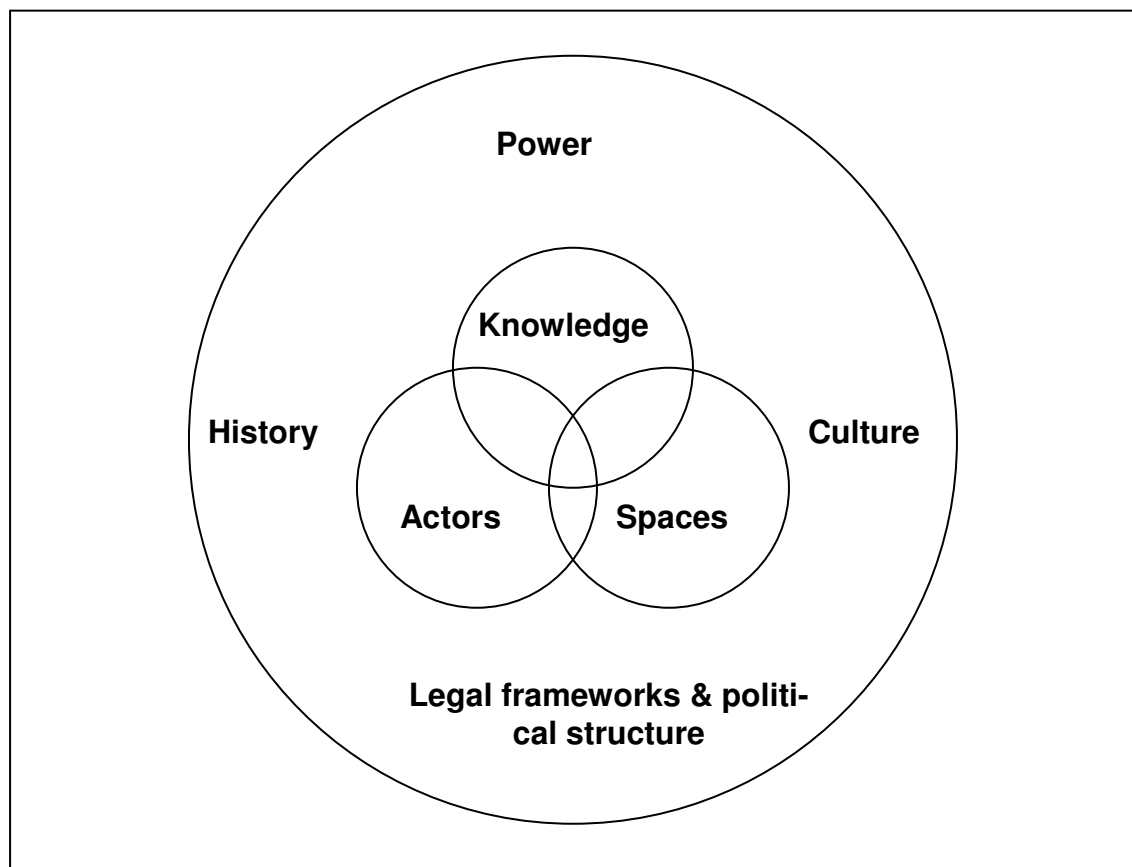
In section (3.3), we have seen how difficult it is not only to measure success in relation to civil society involvement in planning, but also in defining success. The more fair and competent the process is, the more likely it will yield a just output. Just output

in this research context means appropriate and fair access of NGOs to have influence within institutional spaces over local policy and planning formulation and implementation, in order to result in the desired outcome, so that NGOs will be able to hold local governments more accountable and responsive to citizens' needs.

The frameworks that assure institutionalization of the process would mean a guarantee of legitimacy, rights based, with integration in the political structures and existence of capable stakeholders (section 3.3). In the NGO-government context, institutionalizing collaborative relationship does not simply mean linkages and interactions, it rather means working together in a mutually interdependent fashion where both government and NGOs have to collaborate to establish such relations (section 3.4). The combination of the issues discussed in each section is seen as complementary elements, where in combination form a clear pictures of spaces, showing how are they formed or shaped, and how can they be assessed (section 3.1); how their contextual frameworks disable or enable fostering of these spaces (section 3.2); how we may assess the efficiency and success of these spaces (section 3.3); and finally, what are the more likely patterns of relationships which happen between NGOs and government and what are their characteristics and challenges? (section 3.4).

Keeping in minds that our focus is on how spaces are created and shaped in local planning and policy making, the following diagram constitutes our analytical framework:

Figure 3.1: Conceptual framework



Source: adapted from McGee, 2004: 23

Our understanding of policy suggests that it is a complex, dynamic process, rather than a linear progression from formulation to implementation. This process comprises

a multiplicity of distinct but linked spaces, in which a wide range of actors, governmental and non-governmental, engage in order to influence and shape policy. Each actor brings into a policy space their own knowledge about planning. Our framework, therefore, is divided into three conceptual categories, actors, knowledge and space. This categorization does not presuppose a fine separation between the categories, but they are used as analytical signifiers to help us make sense of the processes of policy making and planning as played out in the Palestinian arena. Participation and interplay of actors, knowledge and spaces does not take place in a vacuum, but its development and progress will be influenced by a variety of factors inherent in the context. Actors are characterized by a power relationship which defines their actions. Hence, it is critical that efforts to promote NGO participation in development planning understand and examine the locus of decision making power, and the political and socio-cultural context in which participation is to occur, in addition to the influence of historical evolution for both LGUs and NGOs in a particular context. More precisely, literature has revealed clearly that the critical issue to bear in mind is concerned with two things:

- Structural relationships and the importance of developing people’s capacities and skills to negotiate, communicate and to seek the resources and changes which they require in order to improve their lives; and
- The methods and techniques whereby local people can be brought to play a part and to develop a stake in development programs and projects.

Both purposes are of equal importance; the former seeks to secure a more long-term and sustainable development, and latter is crucial in providing immediate access to the benefits of development. Participatory processes do not necessarily follow structural, predetermined and linear directions. Participation must not be seen merely as input into the planning process, but as an essential operational principle which should underpin all activities. The structure of the social system is a very important element in understanding its operation. It details the overall social relationship among personnel and provides the appropriate framework by which inputs are transformed into outputs. In principle, we will examine how the contextual environment may be affected by the evolution of both local government systems and organized groups of civil society (NGOs), and how their interactions have emerged.

‘Power’ as a variable itself is understood to include three indicators. First, concerns with the locus of decision making power and its implications on institutional structures. Second, concerns with ability to network power. Third, concerns about the willingness of government to include or exclude organized groups of civil society in planning process and decision making, and their willingness to relinquish power and introduce communication mechanisms and legal frameworks. These together imply a need to question the ability of organized groups of civil society to form strong networks to influence decision makers from one side, and their ability to claim or initiate new spaces for them to participate in policy making. This issue in particular is affected by various factors like diversity NGOs, interdependence, dialogues, focus, nature and other characteristics of NGOs. Finally, we need to question whether these mechanisms are systematically organized and integrated in the political structures.

‘Knowledge’ as another variable is concerned with the capacity of each actor to participate in planning and policy making in terms of skills and resources. Whether involved actors have access to information concerns planning in general and the ‘know how’ of planning rules and languages (formal knowledge) and whether they know how to organize and influence within communities (Informal knowledge).

The concept of 'spaces' provides us with a useful lens through which to view the policies and practices of actors who are engaged in the policy process, and to examine how their power to act is enabled and constrained. It makes it possible to break down the policy and planning process into observable elements. It also raises questions about their actions, and what potentials arise as a result of these spaces. It is intended to examine invited forums of participation created from above and the autonomous spaces created from below through more independent forms of social action. These spaces can be judged in terms of their structural efficiency, use of adaptable and flexible procedures, and time of involvement in planning, facilitation skills, inclusiveness and gender participation and relations. The invited spaces are concerned with the receptiveness of the government and whether these spaces provide for transparent and accountable government actions. The autonomous spaces are concerned with the initiatives of civil society institutions to demand and create new civil and influential channels for themselves to have an influence on local policy making and implementation, so as to hold local governments more accountable and responsive to citizens' needs.

4 Methodological Frameworks

The research uses triangulation methods in order to pursue its objectives. This study is conclusive, qualitative and inductive in nature. It makes use of three research methods, namely: descriptive, causal and historical. The descriptive research involves the gathering of information about existing conditions; historical research involves a systematic and critical inquiry of past events while causal research is concerned with determination of which variable might be causing a particular behavior. The use of multiple methods or triangulation reflects an attempt to secure an in-depth understanding of the phenomenon in question.

This research was conducted in the context of local governance in Palestine. The empirical work focused on two municipal areas in the Gaza Strip: Gaza and Rafah Municipalities. It covered, in addition to these two LGUs, 15 NGOs as representing organized groups of the Palestinian civil society. The matter which was subjected to deep investigation was the spaces created for NGOs to have influence over local government planning and policy making so as to hold local government more responsive and accountable to citizens' needs. The questions to be investigated as mentioned before in chapter two were:

- How are policy and plans made at the Palestinian local level?
- What kinds of spaces exist at the Palestinian local level?
- Have do these spaces provide sufficient access for NGOs to have influence, and hence make local government more accountable and responsive to citizens' needs?
- How do the institutional dynamics of power relations between the range of different actors at the local level (specifically LGUs and NGOs) make and shape local planning and policy spaces in which the various kinds of knowledge are expressed?
- In principle, are the Palestinian NGOs *willing* and *able* to participate in local planning and policy making?

4.1 General goal and operational objectives

The research aims to find out what could be the best strategies and policies to promote the establishment of institutionalized spaces for organized groups of civil society (focusing on NGOs) to participate effectively in local planning and policy making processes. In order to meet this goal, following operational objectives are identified:

- a) *To investigate the status and level of NGO participation in policy making and local planning through either invited or autonomous spaces.*
 - Identify key development actors in local planning processes concerning organized groups of civil society and local governments,
 - Profile and classify the actors,
 - Present the context, legal framework and action environment where interactions among various actors occur,
 - Identify kinds and nature of planning spaces exist at he Palestinian local level,

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- Explore dynamics of actors interaction within them; their roles and responsibilities,
 - Identify basis and contents of participation,
 - Explore how interplay of actors, power and knowledge shape spaces, and
 - Investigate degree of actors' influence within these created spaces.
- b) To determine the facilitating and restraining factors.*
- Explore core dimensions of institutionalized participatory spaces in policy making and planning process,
 - Identify potentials and limitations for the establishment of institutionalized spaces, and
 - Identify issues and challenges.
- c) To recommend improvements and suggestions*
- Identify areas of improvements at both policy and capacity levels, and
 - Highlight important considerations when institutionalizing participatory planning and policy spaces.

4.2 Hypotheses of the research

Observations in the field in addition to a review of literature were the basis for formulating our research hypotheses. The research is based on the following assumptions:

- That Palestinian NGOs are *willing* and *able* to advocate citizens' needs at the local policy and planning "spaces". (This assumption in particular will be tackled as a question at the same time)
- NGOs are assumed to be a *social virtue*, have an *identity* with *clear boundaries* and *separate entity* from the state.
- The participation process will certainly involve *confronting the power structure*. And since power and privilege are hardly ever renounced voluntarily, the concept of truly participative society will necessitate the struggle for power to create conditions for people to become effectively involved in shaping their lives.
- *Fair process* is more likely to lead to *just output*. In this context, fair process means proper spaces for involvement that guarantee fair and competent access for NGOs in local planning and policy making. A likely outcome as a result of fair process would be the greater ability of NGOs to hold local government more accountable and responsive to citizens' and communities' needs.

4.3 Rationales of the research

The importance given to the aspects mentioned above will enable the municipal governments (local government units), together with actors of the other part of the equation (such as civil society organizations and NGOs), to promote participation in local development planning. Municipal governments are expected to be more effective and efficient in the discharge of their powers and responsibilities, and to be judicious in the utilization of their resources, if they allow organized groups of civil society to be actively involved in development planning. And, as a result, NGOs will be in a better position to hold local governments more accountable and responsive to citizens needs.

It is believed that this research will be able to give concrete recommendations for improvements that will pave the way for promoting and institutionalizing participation in the local development planning process, policy making and program implementation in a sustainable manner. The outputs of the study are also expected to be of significant value to the following:

- Regional and national planning institutions such as the Ministry of Planning (MOP) and the Ministry of Local Government (MLG), High Planning Council (HPC) and the Central Committee for Building and City Planning (CCBCP), so that they will be able to assess the practice and progress of local governance pertaining to the participation of organized groups of civil society in local development planning. The evidence and suggestions of this research are expected to be utilized by these institutions in their future interventions and legislative innovations.
- Local government units (LGUs) represented by municipal governments and village councils, in addition to interested NGOs and POs working at the grassroots level, so that they can utilize the results and outputs for the creation of better forums and spaces for their future interaction, consultation and collaboration.

Strengthening the participation of civil society in local development planning will contribute to:

- Optimum utilization of the communities' resources, knowledge and skills,
- More responsive development decisions to the needs and priorities of local communities,
- Better designs and suitable development plans,
- Community participation that can ensure sustainability, and can help build local capacities,
- Decreasing the gap between planning at national and local level, and
- Strengthening the decentralization and democratization processes in Palestine.

4.4 Inductive versus deductive research

This research is qualitative in nature and makes use of inductive and deductive methods. Inductive research is characterized by a reasoning process of generalizing from facts, instances, or examples. While deductive research is characterized by a reasoning process of logical reasoning from stated propositions. Qualitative research is phrased as research statements or questions; it implies inductive reasoning to understand a particular situation or historical period. It uses terms like how, what and why.¹⁷

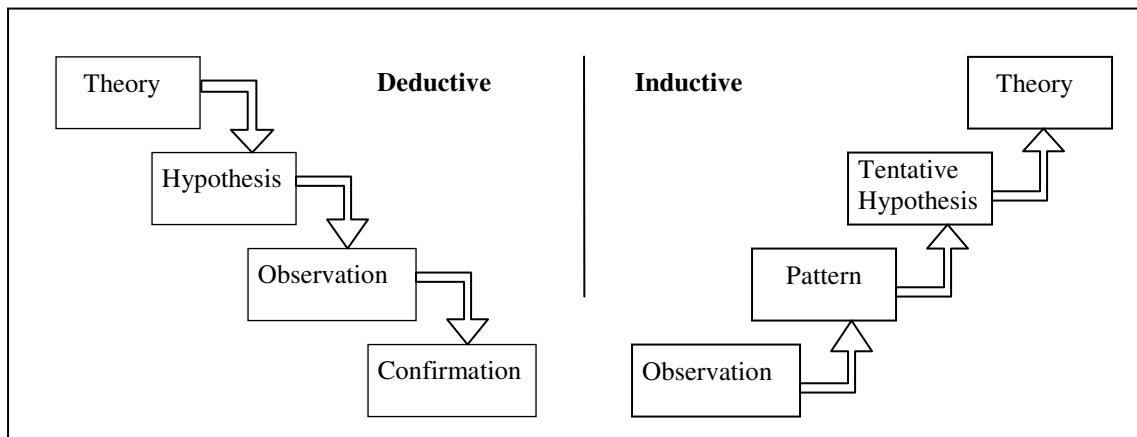
Glaser and Strauss (1967: 103-105) emphasize that analytic induction involves generating theory as well as testing theory in a provisional manner. While analytic induction is a generative approach, it can be combined with enumerative strategies. The analytic induction is particularly useful in the initial phases of research and is not limited to a specific variety of analytic unit. Bogdan and Biklen (1982: 65-68) emphasize that the initial hypotheses in analytic induction are derived from data, particularly from initial observation and interviews. Katz (1983:132) emphasizes that several hy-

¹⁷ Economic about.com newsletter. Online: <http://economics.about.com/cs/economicsglossary/> . Retrieved on Feb.15th , 2005

potheses are held at the beginning of a study and “a mass of hostile evidence” is confronted very early in the analysis.

In deductive research theorizing comes before research. Research then functions to produce empirical evidence to test or refute theories. Inductive is when research comes before theory and we seek to generate theoretical propositions on social life from our data (May 1999:30)

Figure 4.1: Deductive versus inductive research



Source: William M.K. *The web for social research method*, online: <http://www.socialresearchmethods.net/>. Retrieved on Feb 15th, 2005

In other words, deductive reasoning works from the more general to the more specific. Sometimes this is informally called a ‘top-down’ approach. We begin with thinking up a theory about our topic of interest. We then narrow that down into more specific hypotheses that we can test. We narrow down even further when we collect observations to address the hypotheses. This ultimately leads us to be able to test the hypotheses with specific data – a confirmation (or not) of our original theories. On the other hand, inductive reasoning – which is the very nature of this research – works the other way, moving from specific observations to broader generalizations and theories. Informally, we sometimes call this a ‘bottom up’ approach. In inductive reasoning, according to (William 2005), we begin with “specific observations and measures, begin to detect patterns and regularities, formulate some tentative hypotheses that we can explore, and finally end up developing some general conclusions or theories” (William 2005).

This research makes use of both deductive and inductive reasoning mechanisms (but is more inductive in nature). It is partially deductive, since we used theories related to policy making, institutionalizing and evaluation of participation to form a theoretical base and conceptual framework upon which to build our fieldwork. It is also deductive, since knowledge gained from theories has been used partially to formulate our hypotheses. Our observations were the other basis used in formulating hypotheses, which is a major characteristic of inductive research. Hence, these hypotheses – as an inductive reasoning – are going to be explored in view of our practical findings and not to be tested. Another aspect of inductivity in this research is that it commences with the basic observation regarding the poor access of Palestinian NGOs to decision making. From there this observation was extended to a broader generalization.

This research also made use of two research methods in this regard: descriptive and causal which constitute what is called conclusive research. Conclusive research, ac-

According to (Joppe 2004)¹⁸ seeks to provide information that is useful in reaching conclusions or decision-making. It relies on both secondary data, particularly existing databases that are re-analyzed to shed light on a different problem from the original one for which they were constituted. The purpose of conclusive research is to provide a reliable or representative picture. According to (Joppe 2004), conclusive research can be sub-divided into two major categories: descriptive or statistical research, and causal research. Descriptive research can only describe the ‘who, what, when, where and how’ of a situation, not what caused it. Therefore, descriptive research is used when the objective is to provide a systematic description that is as factual and accurate as possible. It involves gathering information of an existing situation and critical inquiry of past events. It provides the number of times something occurs, or frequency, lends itself to statistical calculations such as determining the average number of occurrences or central tendencies (Joppe 2004). One of its major limitations is that it cannot help determine what causes a specific behavior, motivation or occurrence. In other words, it cannot establish a causal research relationship between variables which is a major concern of this research. That is why we also make use of causal research which involves the creation of a systematic indicator system to determine which variable might be causing a certain behavior and cause / effect relationship. In order to determine causality, it is important to hold the variable that is assumed to cause the other variables to change constant, and then assess the changes in the other variables. The best example for this utilizing this causality is our conceptual model which was derived at the end of previous chapter.

4.5 Data Collection and analysis; contents and tools

Collection of data includes both secondary and primary data. The secondary data judged of great importance in this research covered the following:

- Evolution of local governments and NGOs in Palestine;
- Legal, organizational, administrative, institutional, and socio-culture structures;
- Characteristics of the Palestinian local development planning system and process;
- Planning laws and regulations;
- Type and number of civil society organizations (classification and profiling);
- History and nature of the existing citizen participation process and spaces for NGOs involvement in local development planning;
- Areas of co-operation, roles and functions of each actor; and
- Existing tools, mechanisms, methods and techniques that are used for participation.

The researcher made use of documentation shared by interview respondents, as well as reports, books, and data available in municipal libraries, central and local government institutions, in addition to newspapers, magazines, universities’ libraries and the internet.

There have been also a number of primary data sources which had to be collected directly from interviewees in the field. These include the following:

- Range of actors who play significant role in making local policies and plans;

¹⁸ Ryerson University; Dr. Mario Joppe. Online: www.ryerson.ca. Retrieved on January 26th, 2004

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- Current status of NGO involvement in local policies and plan formulation and implementation;
 - Nature of NGO-local governments relationships; major features, roles, functions and activities;
 - Perceptions of NGOs and government organizations about working with each other in local development planning , policy making and program implementation;
 - Willingness and capacity of NGOs to participate in local development planning and policies process together with their efforts to create new spaces for ordinary citizens to participate directly or indirectly in decision making
 - Type and efficiency of spaces created to involve NGOs in development planning;
 - Institutional, procedural and organizational contexts of local development planning systems and process;
 - Receptiveness of LGUs towards involvement of NGOs in local planning process and program implementation;
 - Political will and commitment of government to create enabling environments and favorable policies for effective NGOs involvement;
 - Locus of decision making power and willingness to share decision making and resources;
 - Whose knowledge counts in making policies;
 - Gender relations in policy spaces;
 - Access of NGOs to government information and operation systems (tax, revenue, expenditure and budget);
 - Problems, difficulties and challenges in NGO involvement in policy making as perceived by each actor; and
 - Suggestions and recommendations for effective participation as seen by NGOs and LGUs.

The primary data will be collected through three means: key informant (open ended) semi-structured interviews, observations and a workshop for focus group discussion:

- Key informant interviews: A detailed and carefully structured questionnaires was developed to be used as a guideline to questions. Since the interview was open, the intention was not to follow a strict sequence but rather to ensure that all of required information was elicited. The nature of interviewees covers a wide range of actors involved in local development planning as follows:
 - NGOs: selected based on specific criteria detailed later in this section. The interviews were conducted with director managers of 15 NGOs and CBOs in addition to three local neighborhood committees (LNCs) distributed throughout Gaza and Rafah municipalities. Where the director manager was not available, the second in charge was interviewed.
 - LGUs: a guiding list of questions was developed to cover two LGUs in Gaza Strip, one being Rafah municipality in the south and the other Gaza municipality in the north. The target interviewees were planning officers and local council members in each LGU. Gaza municipality was selected since it represents one of the biggest municipalities not only in the Gaza Strip but in Palestine itself. In addition it enjoys the existence of the most developed and biggest

NGOs in the area in terms of size and number. Around 60% of total NGOs in Gaza Strip are located in Gaza municipality. On the other hand, Rafah municipality is relatively medium LGU located in the extreme south of the Gaza Strip, with a limited number of NGOs working in comparison. Only around 6.7 % of total NGOs in the Gaza Strip are located in Rafah municipality.

- Central government: the researcher interviewed three target institutions in this regard: the Ministry of Planning, Ministry of Local Government and Ministry of Internal Affairs. The target interviewees were planning officers and people in charge.
- Experts and scholars: Five experts in NGOs and planning who work in variety of organizations were interviewed.
- Workshop for focus group discussion: One workshop was conducted in Deir El Balah municipality which is located in the middle of the Gaza Strip. The attendees at this workshop included representatives of the central state (Ministry of Health and Water Authority), various department representatives of the Deir El Balah Municipality (health, sanitation and water), the mayor and local council members, 22 NGO representatives and a number of ordinary citizens. The main purpose for conducting this workshop was to examine attendees' perspectives, visions, behavior and attitudes, and to explore ideas and complaints.
- Observation: a primary method of collecting data. Observation techniques are part of qualitative research as well as quantitative research techniques. For the purpose of this research, behaviors, attitudes, facilities, and dynamics among people were studied.

As a first step, the researcher began with an inventory, profiling and classification of the various NGOs, particularly the more prominent ones existing in the geographical areas of study. The typology or classification of the NGOs was based on their principal concerns, such as welfare, socio-civic and professional, development (rural and urban), issue oriented, people and grassroots organizations (women, youth, children, farmers, etc) and networks. The Ministry of Interior classifies NGOs according to their sector of specialization as follows: charity organizations, rehabilitation, research centers, agriculture, human rights, training centers, health, democracy, handicaps, friendship associations, youths, art and culture, education, childhood, heritage, society development, environment, loaning organizations, woman, housing, religious organizations, press, and economic development. This research has adopted this classification in principle. After classification, a number of NGOs were selected according to the following criteria:

- Since many of the NGOs working in Palestine are affiliated with political parties, and for the purpose of inclusion, the interviewees were determined to include NGOs from various political parties for and against the government, together with independent NGOs;
- Organizational purpose of NGOs should have a social and developmental focus;
- More prominent and active NGOs of different size: small, medium and large;
- Covering a wide variety of specializations;
- Preferably had taken part in partnership or had at some time established some kind of co-operation relationship with government in the field of local development;
- Preferably participated in formulation of local plans and programs (if existing);

- Track record of good performance; and
- Geographical distribution of NGOs (south and north, urban and rural)

For the purpose of achieving the analysis objectives, and in addition to the systematic presentation of data sorting and analyses, several tools were used to process collected and sorted data:

- Stakeholders and interest groups analysis;
- Power distribution matrix; and
- SWOT analysis

These tools will be used because of their simplicity. The participation process will be analyzed so as to have a clear idea about facilitating and constraining factors affecting NGO involvement in local planning and policy making processes.

4.6 Challenges and limitations of the fieldwork

As the first step in the fieldwork, a range of policy actors and institutions are selected to be interviewed. From this range of actors, the researcher was able to conduct 29 interviews to include NGOs, LGUs, key central institutions and experts. The research used a semi-structured dialogue as the key research tool, as well as reviewing documentations shared by the respondents. The checklists and guiding questions were respondent specific, based on the profile of a specific interview. At the same time, they were open-ended to ensure opportunities for respondents to make their own analysis. However, not all of the purposes of the interviews were met. In addition to limited of time and lack of financial resources, the researcher has encountered several challenges and difficulties in conducting some of fieldwork activities. These challenges range from the severe socio-political upheaval which negatively affected access of the researcher to various geographic areas and hence interviewees in the Gaza Strip, to the unwillingness of some interviewees to be open and critical in their views, because of concerns about where the information would end up.

Data collection in the field occurred between mid May and early August 2005. At that time the Gaza Strip was continuing under the Israeli occupation and suffering a number of severe restrictions on movement. Clashes between the Palestinians and the Israelis made transport and movement between various parts of Gaza Strip extremely very difficult. On many occasions the Gaza Strip was divided into three or even five parts by the Israelis with movement or connection between these parts. Sometimes these military closures lasted for several days which affected the access of the researchers to some areas and hence lead to the cancellation of some planned interviews. For the same reasons two workshops planned to be conducted in Rafah and Gaza Municipalities were cancelled. However, the researcher managed to conduct – with the assistance of the Palestinian Centre for Human Rights – only one workshop in Deir El-balah Governorate in the middle of Gaza Strip.

Regardless of the very difficult ever-changing political environment, the researcher managed to interview 15 NGOs, five experts, several key staff from local and central governments. Not all of the interviewees were open or able to be critical. Some were very cautious about expressing their views freely while others refused even to record their interviews. One of the government members interviewed for example even insisted the discussion not be documented. Due to lack of time of some interviewees, some meetings lasted only around 30 minutes, while they were intended to last at least

one hour. This happened with four NGOs, which forced the researcher to raise only the most important points out of the prepared guideline questions.

Some other interviewees were found very open, knowledgeable and willing to talk. These included the Palestinian Progressive Youth Union, TADAMON for Social and Charity Works, Union of Health Works Committees, TAMER Institute for Community Education and the Women's Affairs Technical Committee. Hence, these organizations are taken as key informant interviewees from among the NGOs, and will be quoted regularly in the analysis part of this research. In addition, one of the experts interviewed (Salah Abd Ela'tey) has shown a great knowledge of NGOs works. He is member of four non-governmental organizations and provided the researcher with many useful points and insights. He – as an NGO expert – will also be quoted regularly in this research.

One other important issue that also had an effect on fieldwork methodology was that the researcher intended to interview two municipalities intensely as examples of LGUs. However, the researcher's difficulties with free access in the field forced him to focus more on Rafah municipality where he was able to stay two working days observing and interviewing staff. This sustained opportunity to get access to interviewees and data was not available in Gaza municipality.

Although the checklist questions were intended to be comprehensive, in use they were found to be long and required more time to be fully investigated. In addition, some of the questions have lead to similar answers. This has forced the researcher to minimize and revise questions regularly transferring the experience learnt from each interview to the next.

In addition to the previously mentioned practical difficulties and challenges, these are some other issues which were experienced in the field:

- In interviewing some NGOs, the researcher found difficulty to separate between general talking about NGOs and specific information provided by the interviewee regarding his/her own NGO. It was observed that some of interviewees tended to talk in general, particularly regarding problems and shortages, shifting the lens away from their own organizations. Tendency to talk in general may hide some problems of that particular NGO.
- It was clear to the researcher that some analysis and critical views provided by some NGO respondents were based on their political stands. While this revealed situations to exist, it raises the question of the extent to which their political views affected their analysis.
- It was very difficult to collect exact data regarding financial issues, either from NGOs or governments. This issue – as observed in the field – was treated as a secret which should not to be revealed outside the organization. This might show a lack of transparency in these organizations. However, it was possible for the researcher to depend on other sources of data to get this information, such as independent research centers and the internet.
- Some interviews might have gained the impression that there could be opportunities to raise additional fund by highlighting their lack of resources during the interviews. In order to lower their expectation in this regards, the researcher emphasized that the data are only to be used for academic interests.

5 Background to the study areas; socio-economic situations and profiling of Local NGOs

This research is based on primary research among civil society groups in two geographical zones of the Gaza Strip. Civil society groups in Palestine, in this research context, refer to a combination of NGOs and local neighborhood committees as identified at the beginning of this research. The researcher interviewed 15 NGOs and 3 neighborhood committees distributed between two municipal councils: Rafah municipality in the south of the Gaza Strip and Gaza municipality in the north.

5.1 Gaza Strip; Basic facts

The Gaza Strip is a small area (360 square kilometers) located on the south-western edge of the Palestinian territory. The total population is around 1,370,000, distributed in five governorates: Gaza, Northern, Dayr Alabalah, Khan Yunis and Rafah Governorates. According to the Palestinian Central Bureau of Statistics (1997)¹⁹, the total fertility rate is (5.7) in Palestine and population growth is (4.2).

Figure 5.1: Gaza strip map



¹⁹ Palestinian Central Bureau of Statistics . Online: pcbs.gov.ps. Retrieved on January 15th, 2005

Gaza Municipality

Gaza is the largest Palestinian city and the temporary administrative capital residence of the Palestinian National Authority in the Gaza Strip. The first local council was established in 1893 during the Ottoman period. According to the Palestinian Participatory Poverty Assessment Report (2002:3), the area of the city is 45 square kilometers while the area of the whole governorate is square kilometers. The number of inhabitants is about 400,000 people. There are three universities with a total of 28,500 students. According to the Municipality website²⁰, the gross domestic product per capita was 1,763US\$ in the year 1997. Gaza city together with *El-Shate'* camp and Gaza Valley constitute Gaza governorate. The population of Gaza City alone constitutes 81% of the governorate population (Palestinian Participatory Poverty Assessment Project 2002:3). Gaza city is divided into eleven neighborhoods: *El-Shaja'ea*, *El-Daraj*, *El-Tofah*, *El-Zaytoon*, *El-Rimal*, *El-Shyck E'jleen*, *El-Naser*, *El-Sabra*, *El Shyck Radwan*, *El-u'da*, and *Tal Elhawa*.

Gaza city is considered the administrative, cultural and economic centre of the Gaza Strip. It enjoys relatively good infrastructure in terms of sanitation, water and electricity and telephone installation. All of main streets are paved while many secondary roads are not. According to the Palestinian Participatory poverty assessment project (2002:3), Gaza is characterized by random settlements and uncontrolled urban expansion which threatens the agricultural area.

According to the Palestinian Central Bureau of Statistics (1997), the number of employed in Gaza was 70,000 in 1997, and women composed only 7%, half of them working in the education sector. Around 38% of the total working force is working in service sector, 19% in construction, 19% in mining and industry, 6% in trade, 4% in agriculture and fishing, while 12% work as laborers in Israel. Although there are several cultural centers, libraries and sports centers, the Municipality is seriously lacking sufficient to serve the high number of residents ((Palestinian Participatory Poverty Assessment Project 2002:4).

With regard to NGOs operating in Gaza Municipality, there are 414 NGOs with 126 organizations working in the social and charity sectors, as registered in the Ministry of Interior (2005). This number of NGOs operating in Gaza city constitutes more than 60% of the total number of NGOs operating in Gaza Strip.

Rafah Municipality

Rafah governorate is located in the far south of Gaza Strip with an area of 58.5 square kilometers (Atlas of Gaza Strip 1997:26). The agricultural land of this governorate constitutes 30% of the total area (Palestinian Participatory Poverty Assessment Report 2002:3). The governorate consists of Rafah City in addition to Rafah Camp and two villages; *El-Shokah* and *El-Naser*. The current total population of Rafah according to the planning department of the city is 151,000. Rafah city is divided into twelve neighborhood areas.

The quality of infrastructure is relatively lower than that in Gaza city. The water network supplies 84.8% of the city's households, electricity supplies 89%, while the sanitation network supplies only 42% of the total households (according to the Palestinian Central Bureau of Statistics 1997). Some 16,500 are employed, of which 8.7% are women, half of whom work in the education sector. Around 37% of the total work force is in private business, 33% in government, 3% in international organiza-

²⁰ Municipality of Gaza. Online: <http://www.mogaza.org>. Retrieved on July 5th, 2005

tions, 5.5% with UNRWA, and 0.4% with NGOs. As regards distribution of the work force to economic activities: 41% work in service industries, 18% in agriculture and fishing, 14% in construction, 11% in trade, 7% in industry, and 6% other monetary and economic activities (Palestinian Participatory Poverty Assessment Report 2002:3-4).. The city is furnished with three government and two UNRWA clinics and two government hospitals.

With regard to NGOs operating in Rafah, there are 47 NGOs; around 60% of them are specialized in social and relief works. These organizations constitute 6.7% of the total NGOs operating in Gaza Strip. While 60 % of the total NGOs are working in Gaza city alone.

5.2 Mapping and classification of the Palestinian NGOs sector in the Gaza Strip

Palestinian non-governmental organizations (NGOs) have always played a vital role in Palestinian society. Since its inception, the NGO sector has been an integral part of the Palestinian national movement and its aspiration for a free and sovereign Palestine. Its vitality and dynamism are at the root of the evolution of Palestinian civil society, with all its aspects of plurality and diversity. Nevertheless, NGOs have been performing a much-needed job filling the gaps left by the government's service delivery system. According to (Jarar 2005:3), it is believed that the share of the NGO sector in service provision covers over 60 % of all health-care services, 80% of all rehabilitation services, and almost 100 % of all preschool education. The same is true of other sectors, such as agriculture and water. It is worth noting that the NGO sector employs more than 20,000 people working in the different areas, whereas around 150,000 people are employed by the government (Jarrar, 2005:3). The crucial role of the NGOs has become particularly evident in recent times – since the second Intifada in September of 2000 – especially with regard to the emergency and relief work they have been carrying out. NGOs have proven their ability to function in very difficult circumstances, with flexibility and a high level of performance. NGOs have been invaluable in assuring the provision of essential services to the Palestinian population living under the strict sieges, closures and curfews imposed by the Israeli occupation forces.

According to the Palestinian Economic Policies Centre²¹ (MAS 2000 as cited in Abdelhady 2002)²², the number of Palestinian NGOs in mid 2000 was 926, distributed as follows: 76.6 % in the West Bank and 23.4% in the Gaza Strip. Most (60.2%) of the NGOs were located in urban centers²³, followed by 29.3% in rural centers and

21 Palestinian Economic Policies Centre; MAS (Ma'had Abhath El Seyasat El eqtesadeya el fasteeneya- MAS)

22 As cited in Abdelhady, Ezzat, (2002), "The role of the Palestinians NGOs in the current stage, Comprehensive view for Reform Process", Markaz Beisan lelbohooth wal Inma', Ramallah (Arabic Doc). Online <http://www.cfip.org/arabic/new/fnf/civilsocpaper.htm>. Retrieved on April 5th, 2005

23 According to (MAS 2004), definition and percentage of urban and rural centres as follow: **Urban centres (53.1 %)**: any centre with a population of 10,000 people or more. The definition includes all governmental centres, regardless of their size, all centres of 4,000 to 9,999 people, on the condition that at least four of the following services are available: a public electricity network, a public water network, a post office, a health centre with a full time physician available all days of the week and a secondary school. **Rural centres (31%)** : any centre with less than 4,000 people, and any centre with a population of 4,000 to 9,999 but not having available at least four of the above mentioned services. **Refugee camps (15.9 %)**: All centres that are called camps and are run by UNRWA. Number of refugees population : 41.4 %

10.6% in the refugee camps. According to MAS (2000), 37.6% of these NGOs were established after 1994, which was the point at which the Palestinian Authority (PA) was established. The charity NGOs formed the highest number among all of NGOs (40.4%), followed by Youths and sports clubs with 30.4%. The remaining percentages (29.2%) were distributed as follows: cultural NGOs (10.2%); aid organizations (4.8 %); development organizations (4.9%); researching organizations (3.5 %); human rights and democracy (2.6%); with 0.5% unclassified.

According to MAS (2000), the NGOs sector in Palestine in the year 2000 accommodated 10,375 paid employees distributed across 573 organizations. The remaining organizations were running with unpaid volunteers. The percent of women workers in these organizations is higher than men (54.1 % women and 45.9 % men). The MAS (2000) study also points out that there are 64,936 volunteers working with 62.3 % of these NGOs.

According to 2005 figures released by the Ministry of Interior²⁴ (the government body responsible of accrediting NGOs), the number of Palestinian NGOs increased rapidly between 2000 and 2005, to reach more than 2000 throughout Palestine (West Bank and Gaza Strip). There are currently 692 NGOs working in the Gaza Strip which constitute around 35% of the total NGOs in Palestine. According to a senior official in the Ministry of Interior, almost one third of these NGOs in Gaza are not active.

The Ministry classifies the NGOs in Gaza according to their sectors of specialization as follows: social services and charity organizations (36.0.0%), culture and arts (9.5%), youth and sports (8.4 %), motherhood and childhood (7.3%) , unions, associations and syndicates (6.0%), medical and health organizations (5.6 %), handicaps and rehabilitation (5.1%), agriculture organizations (3.7%), family and tribal organizations (3.6%), foreign organizations (3.5%), brotherhood and friendship (3.2%), Islamic organizations²⁵ (2.6%), environment (1.5%), graduate organizations (1.3%), higher education (1.0%), education (0.7%), archaeological and tourism (0.7%) and finally housing (0.3%) (see table 5.1)

²⁴ Figures are collected directly during the fieldwork from the department of NGOs in the Ministry of Interior, 2005

²⁵ They are mainly charity and social organizations. They are considered a main provider for basic services and relief activities in the Palestinian society.

Table 5.1: Distribution of NGOs in the Gaza Strip according to their sector of specialization

Sector	Governorate	Gaza Governorate	Middle Governorate	Khan Younis Governorate	North Governorate	Rafah Governorate	Total (number)	Total %
Social Services & Charity Organizations		126	34	39	26	24	249	36.0%
Culture and Arts		38	12	4	7	5	66	9.5 %
Youth & Sports		34	7	9	6	2	58	8.4 %
Motherhood & Childhood		23	10	9	5	4	51	7.3 %
Unions, Associations & Syndicates		39	1	1	--	--	41	6.0%
Medical & Health Organizations		31	1	2	4	1	39	5.6%
Handicaps and Rehabilitation		17	2	3	7	6	35	5.1%
Agriculture Organizations		9	3	6	7	1	26	3.7 %
Family and Tribal Organizations		14	4	1	3	3	25	3.6%
Foreign Organizations		22	2	--	--	--	24	3.5 %
Brotherhood & Friendship		22	--	--	--	--	22	3.2 %
Islamic Organizations		12	3	2	1	--	18	2.6 %
Environment		5	2	2	--	1	10	1.5 %
Graduate Organizations		7	--	1	1	--	9	1.3 %
Higher Education		5	--	2	--	--	7	1.0%
Education		4	--	1	--	--	5	0.7%
Archaeological & Tourism		4	1	--	--	--	5	0.7%
Housing		2	--	--	--	--	2	0.3%
Total		414	82	82	67	47	692	100%
		60.0 %	11.8%	11.8%	9.7%	6.7%	100%	

Source: Ministry of Interior; fieldwork 2005

One major point revealed by the previous table is that charity organizations with a main focus on social and relief activities form the highest proportion of Palestinian NGOs (36.0%). If we add the Islamic organizations with the same focus, the percentage increases to 38.5%. Around 60% of NGOs operating in the Gaza Strip are located in Gaza city while only 6.7% are located in Rafah governorate in the far south (See Table 5.1: Distribution of NGOs in the Gaza Strip according to their sector of specialization)

It might be useful to compare figures available in MAS (2000) together with those collected in the field by the Ministry of Interior in 2005, although these two organizations have used different classifications and definitions which make direct comparison difficult. However, assuming that same definition of social organizations have been used in classifying NGOs by both MAS and the Ministry of Interior, we can conclude that this sector in particular continues to occupy paramount importance. Both sets of figures indicate that around 40% of the total NGOs were engaged in this sector in the years 2000 and 2005.

In the Palestinian context, the category of NGOs includes all non-profit organizations with a social or developmental focus and working independently from the government (as discussed in chapter three). It is also important to emphasize that this research dealt only with registered NGOs. In Palestine an NGO has to be accredited and get a license for its establishment through the Ministry of Interior as mentioned before. Fifteen NGOs among the ones which are accredited were interviewed in the field, eight located in Gaza municipality and seven in Rafah municipality. The following tables indicate name, kind and size of these organizations:

Table 5.2: Interviewed NGOs in Gaza municipality

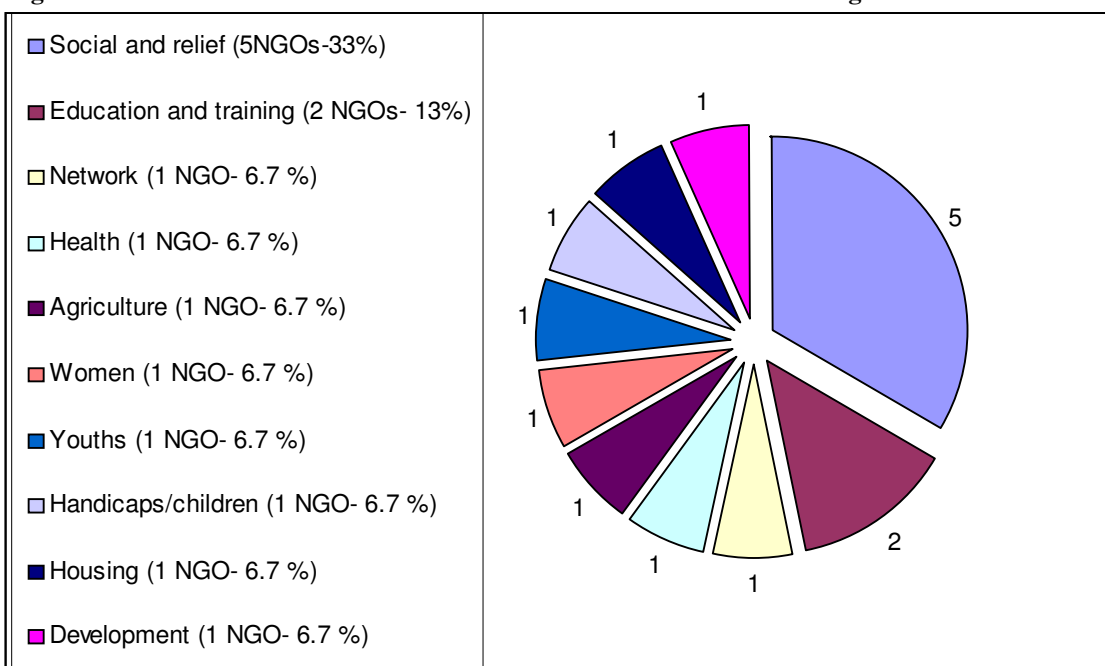
Name of interviewed NGO		Sector	Size ²⁶
Palestinian NGOs Network	(PNGON)	Network	Big
Women's Affairs Technical Committee	(WATC)	Women	Medium
TAMER Institute for Community Education		Education	Medium
Union of Agricultural Work Committee	(UAWC)	Agriculture	Big
The Palestinian Progressive Youth Union		Youth	Small
Palestinian Housing council	(PHC)	Housing	Big
Union of Health Work Committee	(UHWC)	Health	Big
The Islamic Society		Social and relief	Big

²⁶ The size of the organization has been judged by the researcher based on qualitative assessment of the wealth of the organization, resources, number of working staff, its coverage and degree of its involvement in social and development works.

Table 5.3: Interviewed NGOs in Rafah municipality

Name of interviewed NGO	Sector	Size
TADAMON for Social and Charity Works	Social and relief	Small
YABOUS for Social and Charity Works	Education	Medium
Islamic Association	Social and relief	Big
General Service Association for Canada Camp	Socio-cultural	Small
El-Amal Association for Handicaps Rehabilitation	Handicaps	Medium
The Friends of Martyrs Society	Social and relief	Small
World Vision - Area Development Program	Development	Big

The selected NGOs cover a wide range as possible of the spectrum of specializations, including five social and relief, two education and training, and one NGO for each of woman, agriculture, children, youth, health and housing (see 2.2). They also have a variety of sizes: small (four NGOs), medium (four NGOs) and large (seven NGOs). In the selection process, attempts were made to select those NGOs that had good reputation and covered a variety of political standpoints together with some independent ones (selection criteria are illustrated in section 4.5).

Figure 5.2: Classification of the interviewed 15 NGOs in the field according to sectors

6 Actors, knowledge and space: exploration and analysis

As discussed in our analytical framework, our understanding of policy planning suggests that it is a complex, dynamic process, rather than a linear progression from formulation to implementation. This process comprises a multiplicity of distinct but linked spaces, in which wide range of actors, both governmental and non-governmental, engage in order to influence and shape policy. Each actor brings into a policy space their own knowledge about planning. Our analysis is based on an approach of understanding the interplay of the interplay among three conceptual categories (themes) within the policy process: actors, knowledge and space. This categorization does not presuppose a fine separation between the categories, but they are used as analytical signifiers to help us make sense of the processes of policy making as it plays out at the Palestinian local level. Before turning to our discussion of these themes, it is important to point out the contextual environment where the interplay of these elements occurs. These factors will include legal frameworks and major characteristics of each actor that shape their reactions.

Hence, this research starts by drawing attention to the institutional and legal frameworks where the interaction between Palestinian NGOs and local governments occurs (6.1). In this section we indicate major potentials and limitations that would enable or disable the creation of better spaces for the Palestinian NGOs to participate in local planning and policy making processes. By utilizing our conceptual framework, we then examine what kind of limitations have deterred the establishment of institutional spaces for NGO involvement, taking into account characteristics of Palestinian NGOs (section 6.2), knowledge of PNGOs (section 6.3), characteristics and practice of local government (section 6.4), actors relations, locus of decision making power and receptiveness of local governments to NGOs' involvement (section 6.5). The spaces that are created as a result of the interplay of actors, power and knowledge will be pointed out in (section 6.6). Finally, key institutional dimensions that are captured through the analysis of policy spaces are concluded in (section 6.7). While the purpose of next chapter will be to examine major challenges as captured through analysis, together with lessons learnt from the Palestinian experience.

6.1 Legal policy frameworks for local governments and NGOs; enabling and disabling characteristics

To start discussion of Palestinian legal frameworks, it is important to point out two issues which are also considered as direct observations in this regard:

- First, the direct legal framework that would be expected to organize relationship between NGOs and local governments in field of local development planning (which is our focus) does not exist in such a direct form or regulations. The laws rather regulate – or may even control as we will discuss later – the work of NGOs by the central government. This important distinction is made after in-depth investigations of all laws concerning both local governments and NGOs since 1993.
- Second, concerning laws that target local governments (local councils laws of 1996 and 1997), they are more intended to regulate operations of LGUs with respect to central government, disregarding regulations that could organize relations with civil society organizations.

However, we should not forget that Palestine is a new emerging state. The debate concerning the NGO-state relationship is new and continuous discussion among concerned actors is still in progress. A series of conflicts have beset the NGO-government relationship post-Oslo (1993). According to Rema Hamari (2000:18)²⁷, the following issues characterize these conflicts:

- Political legitimacy: some highly vocal NGOs are acting as the political alternative to the PNA. In addition many NGOs are questioning the authority and legitimacy of the new government sector to regulate their activities.
- Government/NGO overlap and competition: a number of local NGOs (usually in service and development) had evolved in ways specifically to meet the absence of state services in specific sectors. As such, some health and agricultural extension NGOs have huge capacity and are seen as undermining the formation and growth of the relevant ministries.
- Conflicts of representation and autonomy: sectors of the Palestinian National Authority (PNA) find the existence of an independent NGO infrastructure alarming - especially as the latter has begun to mobilize to protect their rights. This has resulted in raising additional conflicts, particularly where these NGOs continue to perform functions like development of refugee camps, human rights, democracy, etc, where – as thought by government sectors – that would undermine their emerging role.

Having said that, and under these circumstances, this section will analyze separately the frameworks that target local governments (particularly the local council elections law of 1996 and local body law of 1997) and the laws that target NGOs (1995 and 2000 NGOs laws). These laws will be analyzed to find out how they could negatively or positively affect the potential to create spaces to involve NGOs in local planning and policy making. To this extent, we will point out major characteristics of the newly established local government system after the arrival of PNA. We will explore the effect of new legislations and practices, particularly in the work of local councils and NGOs. We will analyze the newly enacted laws in regard to local elections and local bodies, and show how they could influence participation of organized groups of civil society in local planning.

In 1993 the Israelis and the Palestinians signed a peace agreement as a way of establishing a new independent Palestinian State. Palestinians began for the first time in history to plan for themselves and rule their own affairs. As was discussed in chapter two, Palestinians inherited non-effective operating systems from the previous periods. The legal frameworks of local governments in the West Bank and Gaza Strip consisted of a combination of Ottoman, British, Jordanian and Egyptian legislations, in addition to the military decrees of the Israeli occupation. The formulation of a new local election code by the PNA in 1996 and 1997 provided an opportunity to break out of the traditional centrally dominated structure and unify the legal system in Palestine.

The local government system in Palestine is responsible for supplying the main utilities (water and electricity supply, waste collection, road surfacing, and so on). When Palestinian Authority took control of the West Bank and Gaza Strip in 1994, it had to deal with pre-existing local government institutions dominated by socially prominent families. Revision of this situation and promotion of the prerequisites for an effective and widely representative system of local government were among its first priorities.

²⁷ Reema Hamari, Civil society and governance in Palestine. See online:
<http://nt1.ids.ac.uk/ids/civsoc/docs/Palestine.doc> Retrieved in July 9th, 2006

Among these prerequisites were legal structures and therefore the PA was asked to reconstitute the laws and regulations which had historically governed the local government system. However, the PA, out of concern to avoid a possible legal vacuum did not make any immediate fundamental changes in the legal status quo. On 20 May 1994, accordingly, the then President Arafat issued his presidential decree number one, in which he declared all the laws and regulations of the pre-Israeli occupation period would continue to be in force and enacted (*Al Waqaea'*, 1994: No.1). The decision implied keeping working to the 1934 municipal law as far as the Gaza Strip municipalities was concerned, and the 1955 municipal law for the West Bank municipalities. As we have mentioned before in chapter two, these two laws confer sweeping powers in the hand of the rulers, including the appointment of mayors and councilors. Having taken the benefit of this power, President Arafat made the first appointment for a municipal council in the post-Oslo era, specifically on 26 July 1994 for the Gaza city municipal council. On 24 September 1994, he vested his authority over the local government institutions in the newly emerging Ministry of Local Government (MOLG), coinciding with ratification of the Law no. 1 for the year 1994. The new law brought all the issues related to local government institutions under the ministry's control and responsibility. Therefore, the MOLG became the official body responsible for any issue related to local government institutions, including the initiation of regulations and laws governing these institutions. Nevertheless, the ministry – in accordance with this presidential decree which reverted to pre-Israeli laws – lacked the legal right to advance any legislation with relation to local government institutions other than the 1934 municipal law for the Gaza Strip, and the 1955 municipal law for the West Bank.

In 1991, towards the end of the Israeli period and three years before the establishment of the PA, the number of local councils in the Palestinian territories was 30, with four of them located in Gaza Strip. According to Abd Ela'tey (2005:30), the number of local councils increased rapidly to reach 108 municipal councils and 334 rural councils by end of 2002. Following the establishment of the PNA in 1994, the "Law of Elections of Local Government Units" was enacted²⁸ on December 16, 1996. The aim of this law was to determine the organization and rules of local elections in the Palestinian local government units. It was prepared in co-ordination with local Palestinian and international experts in the field of elections. This law was followed by another law in 1997 concerning local bodies and council functions and responsibilities. Major features and aspects covered by these two laws are discussed below.

Local councils election law of (1996): strengthening representative governance; potentials and limitations

In 1996, the Palestinian Legislation Council (PLC) approved the local election law. The law set up the voting and nomination system for local council elections. Article (3) of the law empowered the minister of local government with rights to call for free and direct elections for the mayors and councilors. The mayors and councilors were to be elected for a period not exceeding four years (Article 51, 53). Article (4) enabled the minister of local government to postpone the local elections for a period not exceeding two weeks if this was to serve the public interest and electoral transparency. Article (8) expanded the electoral base of these councils by enabling every Palestinian aged 18 or over (male and female) and living in the municipality's functional jurisdiction to vote in

28 The full text of the law cited in *Al Waqaea'*. The formal gazette of PA, No. 16, 4th year, 30/1/1997.

the municipal elections even if he/she did not enjoy tax-paying qualifications, as previously required.

As far as those who wished to run for elections were concerned, article (24) enabled every Palestinian aged 30 or over and with tax-paying qualifications to run for the mayoralty, and every Palestinian aged 25 or over with tax-paying qualification to run for the council's membership. The law also laid down the procedure to be followed when there was a vacancy in the local council. Article (55) provides for new elections for the mayoralty in case of the mayor's departure or resignation. The election was to be public and direct, and held within one month of the date of the mayor's departure or resignation. During this month, the deputy would take over the mayoralty. In case of a councilor departure or resignation, the one who won the highest number of votes among those who won the council seats would occupy the vacancy. But when more than half of council posts were vacant, a direct and public election would be held for the all council seats (Article 56).

We can see that this law concerns regulation of direct representation of local communities in local councils. It is intended to strengthen representative governance within the local government system, while recognizing the weaknesses and disadvantages of the appointment of local councils. Although this law was approved in 1996, it took another ten years for the first local elections to be held in Palestine, at the end of 2004. What kind of potential and limitation does this particular law have with regard to strengthening general participation and involvement of NGOs in local planning?

Potentials of the election law (1996)

- The Law clarified a general organizational and procedural framework for local council elections. It arranged and ensured a direct, open and democratic process of nomination and election. It clarified the election procedures, specifically for elections and nominations, election campaigns, ballots and counting, vacancies and contested results.
- It opened the door for widening political participation for different parties.
- It widens the electoral base to include every male and female of 18 years old or above.
- It ensured a quota for women in the council (two members at least must be included), which will ensure good representation for women in the local councils. Women may participate as nominees for councils' membership or heads for the first time.
- The council chairman cannot be elected for two successive periods.
- In general, the law in itself would break the previously centralized systems and appointment policies for councils' members and mayors.

Limitations of the election law (1996)

- There is still an ambiguous relationship between LGUs and the central authority. The law, it should be admitted, is considered as a significant step forward as far the electoral base of these councils are concerned. Nevertheless, the law lacks any clarification concerning the functional jurisdictions and relations of these councils with

the central authority (i.e. the MOLG). To remedy this deficit, President Arafat ratified the law of local government institutions on 12 October 1997.²⁹

- The election law of (1996) did not clarify the relationship of LGUs with civil society in general and NGOs in particular. It was supposedly to give central government institutions (like the Ministry of Planning and Ministry of Local Government) a role in issuing supporting codes and standards, in order to support and clarify the law regarding involvement of NGOs in planning processes and local governance. Unfortunately this has not happened, which has created major legal ambiguity in this regard. The law concentrates more on the procedural issues of local elections, and has left many other areas ambiguous, including the policy making domain, and relationships with central government and civil society.
- The law did not specify any exact date for conducting elections and left such decisions to the president or minister of local government. Proposed dates were postponed till end of 2004, usually justified by the need to wait for clarification of the broader political context.
- The monitoring of local council tasks was left to the ministry of local government without any involvement of civil society factions to practice their envisioned roles as watch dogs for local council operations and performance. There is also an absence of clarification that could specify the access of local communities to local decision makers and how they could monitor or approach local councils.
- The Palestinian Election Law of 1996 stated that the mayor would be elected directly by the people (Article 51). However, in the year 2000, the central authority sought to amend the law and to determine that the mayor would be elected from among elected local council members, thus moving from a proposed system of directly elected mayors to a system of council-elected mayors. The justification of the central authority for this proposed change has been to avoid the waiving of qualifications from attending the municipal council. In other words, if 15 persons nominate themselves for the position of mayor, only one would be elected and the other 14 would be waived, while in the proposed amended law all the fifteen would be elected and would choose the mayor from among themselves. Another motivation perhaps, is that council-elected mayors tend to be weaker than directly elected mayors, and thus present a reduced risk of forming an effective opposition to the central government authority.

Palestinian local bodies law of (1997); transferring more powers to LGUs

The Local Government Law of 1997 provides the basic legal framework for the development of municipal and village councils. It describes how local government is to be managed under elected councils, the functions and responsibilities of local councils, relative responsibilities of central and local government, and auditing and regulatory details. This law would be operable only after the holding of elections for these councils. This law was approved by the Legislative Council in 1997. The term local body in this law refers to local government unit or councils. The main features of this law are as follows:

²⁹ The full text of the law is cited in *Al Waqaea'*. The formal gazette of PA, No. 20, 4th year, 29/11/1997. This law will be discussed in detail in the following sub-section

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- *The MOLG relation with local bodies:* According to provisions of this law, the ministry shall perform: public policy for Palestinian local bodies and councils and supervise functions and duties of such bodies, plan public projects, balance sheet activities, financial, administrative and legal supervision and procedures for forming councils, technical and administrative activities pertaining to regional planning in Palestine, and systems and regulations necessary to implement duties stipulated in the preceding articles or according to provisions of law (Article 2).
 - *Council sessions:* The council shall convene an ordinary meeting at least once a week. The council may allow any one to attend meetings and discuss a topic upon approval of two-thirds of members present, but decisions shall be taken in presence of members only. Decisions and proceedings of the council shall be set down in writing in a special fixed paper journal that shall be signed by the chairman and present members. Decisions of the council shall be taken unanimously or on a majority of votes. The council may form committees of its members for a certain purpose to handle any presented matter; recommendations of such committees shall not be in force unless approved by the council (Article (8)). Article (9) states that the council term of office shall be four years, which starts as soon as the council takes over duties.
 - *Duties and powers of the council:* As described in article (15), a council may issue executive systems and legislation necessary to plan activities and ensure interests and needs such as: town and streets planning, building and construction licenses, water, electricity, sewage, markets, cleanliness, public health, public stores, parks, cultural and athletic institutions, land, and managing funds and properties of the local body.
 - *Financial Affairs*³⁰ are classified according to:
 - Loans: A local body council may not borrow funds from any authority except after the MOLG approval (Article 21).
 - Revenues: According to article (22), revenues of a local body shall be from: taxes, fees, imposed funds or by provisions of this law or any system issued according to this law or any system that stipulates collection of taxes, fees or violations fines for local bodies, donations (contributions and subsidies approved by the council) and any proportion allocated by the executive authority to a local body.
 - Buildings and lands tax: This tax shall be collected according to provisions of buildings and lands law within the local body's borders, such as: assessment, review, collection, exemptions and fines according to the laws and systems in force. (Article 22).
 - Auction Fees: A local body shall obtain a fee ratio of three percent of the sale value from movable property buyers, sold at an auction within the vicinity of a local body. (Article 24).
 - Transportation fees and charges: Local bodies shall be allocated fifty percent of transportation fees and charges according to transportation law within the vicinity of a local body; they shall be from vehicles licenses, tickets and others. (Article 25).

³⁰ Discussion of local government financing and budgeting in this part concerns only legal provisions. However, the implementation gaps are discussed in local governance practice in sections (6.4).

- Revenues distribution: according to article 26, revenues of local bodies collected by the executive authority shall be distributed as follows: First, revenues collected by the executive authority shall be entered on behalf of local bodies as a deposit at the Ministry of Finance. Second, outcome of such revenue shall be distributed with a ratio not less than 50% to local bodies where the revenues were collected; the remaining part shall be distributed according to the proportions the cabinet shall state, according to a recommendation by the minister, in the light of the following considerations for allocation per local body: (a) number of inhabitants, (b) its contribution in revenues, (c) if it has a significant status, (d) if it undertakes non-local responsibilities, (e) basic needs according to certified developmental plans by the ministry and (f) the cabinet may allocate, according to a recommendation by the minister, a portion of the revenues as financial assistance to councils and common services councils to enable them execute significant projects.
- Fund: The local body fund shall consist of total monies collected on its behalf or devolved according to provisions of this law or any other legislation. Expenses and expenditures stated by the council shall be paid from the fund. (Article 30).
- Budget: A local body shall set an annual balance sheet that shall take effect upon approval by the council and the minister; annexes may be attached, in the same manner. Annual balance sheet shall have to be submitted during the last four months, two months prior the new fiscal year. Expenses shall not exceed allocations of the precedent balance till the new budget is signed (Article 31)
- Closing account: The chairman shall submit a closing account, two months prior ending of the fiscal year and deliver to the MOLG for certification, after being approved by the council (Article 32).
- Supervision: Checking of the local body's accounts, examination of all its financial, administrative and legal formalities and inventory of assets by specialist auditors assigned by the MOLG or administrative and financial supervision department (Article 35)
- Annual report: The chairman shall have an annual report of local body activities; a copy shall be delivered to the MOLG, in addition to the council's remarks (Article 36).

Potentials of the local bodies law (1997)

- The law of 1997 provides the basic legal framework for the development of municipal and village councils. It describes how local government is to be managed under elected councils, the functions and responsibilities of local councils, relative responsibilities of central and local, and auditing and regulatory details.
- The law has tried to fill the gap – though they are very primitive efforts – in the ambiguous relationship between local and central government particularly with relation to the ministry of local government.
- It has arranged the procedural framework for conducting of the councils' tasks.
- It envisages more delegation of administrative power to the councils.
- It increases the resource base for local councils and delegates more financial power to them in terms of central allocations of revenues and would enable them to take part (although partially) in collection of fees and taxes.

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- The law sets up some of the accountability and transparency measures but only when it comes to the monitoring and supervision of the MOLG of the LGU expenses and budgeting, and not in the core functions, performance and tasks of the councils. Needless to say that civil society has been deprived any legal power to make LGUs accountable to citizens' needs.

Limitations of the local bodies law (1997)

- One can first notice that the name of the law is Local Bodies Law and not Local Government Law. Indeed, the central government officials used to consider local units as an extension administration and as subordinate units for the central government and not as autonomous government units.
- The law was mainly formulated by experts and central government officials with no input or feedback from local units. This indicates the central way of thinking and the limited access of local officials to central decision making.
- There is no clear delineation between the tasks of the councils as a body responsible for policy set up and the mayor as a president of the executive branch of the council.
- The law limits the power of LGUs to generate more financial resources from outside, which contradicts the statements made by senior government officials about the intention to create a more decentralized system and to create more space for LGUs to generate additional funds.
- It is also clear that more power is conferred to the MOLG. A careful study of the law shows that it confers sweeping powers on the MOLG, whilst simultaneously limiting the functional jurisdiction of the local councils to delivery of certain services. Article 2, for example, empowers the ministry with the right to lay down the overall policy of these councils. It also empowers it with total control of regional planning and the setting of regulations. Article 4 goes further and enables the ministry to recommend the jurisdictions, formation, and structure of these councils to the Cabinet's approval/disapproval. The same article enables the MOLG to approve/disapprove the abolishment, annexation, separation, and the expansion of the functional jurisdiction of any council. The powers of the ministry over these councils extends further to include the approval of these councils' annual budgets (Art. 31); the approval of the by-laws, taxes (including property tax), fees, and discounts (Art. 15, B); the approval of the loans of these councils (Art. 21); the approval of any cancellation, reduction or alteration in the fees and taxes imposed by these councils (Art. 28); the approval of any council's deviation from the prescribed annual budget (Art. 31); and the approval of the selling, yielding, or mortgaging of immovable property for a period exceeding three years (Art. 20). Furthermore, the ministry enjoys powers to approve/disapprove the council's decision of dismissing any of the council members (Art. 13). The powers of the ministry cover the council's staffing, including its right to set up procedures for recruiting, promoting, punishing, and dismissing the council's employees (Art. 19). While the law enables the ministry to practice sweeping powers and authorities over these councils, it is limiting the functional jurisdictions of these councils to very few civil domains such as: town and road planning, regulation the construction of buildings and some other spatial domains (Art. 15, A). Though the law enables local councils to perform these functions, it denies them any right to perform functions in other important civil domains like, for example, regional planning. This function is performed by the MOLG itself (Article 2) in coordination with other ministries concerned such as the Ministry of Planning and other sectoral ministries. Additionally, health and educa-

tion are almost all controlled by the central government represented by ministries of health and education.

- The central government delegates the collection of fees and taxes to the LGUs although 50% has to go to the central government (Art.26). In addition, the LGU will obtain only 3% of the auction fees sold within the vicinity of the local body (Art.24), and determining the fees and tax rate still needs approval from the MOLG (Art 28). The law does not specify any relation to be established between budgeting plans and developmental plans and only asks for a need to formulate a one year budget sheet (Art31). Articles (33, 34, 35) go even further and gave the MOLG total supervision over the financial system of the LGUs. Hence, the LGUs have limited space to be more creative and active in generating additional financial resources to support their activities.
- More importantly, the law does not specify any kind of institutive relationship between local councils and NGOs perpetuating legal ambiguity in this area.

Indeed, one can not discuss these legal frameworks in isolation from the previous old legal frameworks (see chapter two). The Palestinian planning system was characterized by a centralized pattern of planning throughout, and especially during the British mandate, Jordanian and Egyptian administrations and subsequent Israeli occupation. In all periods, decision making powers were held in the hands of the central authorities. In discussion of previous legal frameworks in chapter two, it was shown that all of the regimes that ruled Palestine tended to tighten their control over local government operations. Most of planning system arrangements were imposed from above without any groundswell of popular demand, and moreover were overly inspired by prevalent international discourses and tendencies to the neglect of home-grown discourses.

Hence, having discussed legal frameworks that regulate local governments, their major characteristics, limitations and potentials, one major observation is that these frameworks either deliberately or accidentally omitted to provide legal definition for the relationship between LGUs and NGOs in local planning and policy making. The next section will explore regulations that specifically target the NGOs in the Palestinian context, and how they indirectly impact on NGO performance and interactions with local governments at the local level.

Towards legal definition of NGO-state relations; dispute and confrontation

The responsibility of the Palestinian NGO sector in the provision of services as well as in the overall development process has been steadily growing since the first *Intifada* (popular uprising) in 1987. With the establishment of the Palestinian National Authority (PNA) in 1994, substantial changes occurred in the political and socioeconomic context in which the Palestinian NGOs had been operating, leading them to revise their strategies and redefine their role (Jarrar, 2005:3). Since then, the relationship between the NGO sector and the government has been volatile and unstable, and NGOs have had to operate within an ambiguous legal framework which has left them vulnerable to political pressure or changes.

According to Hammami (2000) and Brown (2003) as cited in Al Shouli (2006:31), the first confrontation between the Palestinian NGOs and the PNA was in 1995 as they disputed over the legal framework governing the work of NGOs. The PNA required that all existing NGOs, regardless of whether they had been already registered with Israel, Jordan, or Egypt, renew their registrations with the PNA. Failure to register would result in cancellation of the registration. The most prominent NGOs refused to register

leading the PNA to assert more direct control by establishing a 'Draft NGO Law' in 1995. The battle ended years later with the two parties reaching a compromise, yet the relationship has remained guarded (Al Shouli 2006:31).

As mentioned above, the confrontation began as the PNA started drafting the NGO law in 1995. The first Draft was created by the Ministry of Social Affairs with some co-operation from the Ministry of Justice without consulting the NGO community and moreover, ignoring a working paper prepared by the Palestinian NGOs Network that outlined a proposal for regulating the NGOs and creating legislation (Sullivan, 1996 as cited in Al Shouli 2006:32). The draft of the 1995 law not only required NGOs to register with the Ministry of Social Affairs, but also to obtain a license from the Ministry of Interior and official permission to receive foreign funds. These two issues in particular - according to my view- were the core axes of disputes. As revealed by the representative of Palestinian NGOs Network in the field:

“the government tries to impose more control over the NGOs’ works. The government doesn’t have a clear understanding of the importance of the NGOs’ role in development. Instead of working to have a complementary relationship as we used to advocate through our network, the government has added additional restrictions. Getting licenses from the Ministry of Interior is not acceptable. We are working to change this to the Ministry of Justice only”

Sources: Interview with director of PNGOs Network in Gaza, 2005

As it is well known in Palestine, the Ministry of Interior has a military and intelligence nature. Empowering it to provide licenses would seem to indicate the suspicious and mistrustful attitude of the state towards NGOs, and its impulse strictly to monitor and regulate NGO work.

The Palestinian NGOs were also disturbed with the constraining regulations that the law of 1995 imposed on them, and for it being drafted without any input or representation from them. Another problem as seen by the Palestinian NGOs network was the intention of the law to restrict the flow of donors’ funds to the NGOs, whereas the role of donors has been totally appreciated by many NGOs that are interviewed in the field:

“Donors play a positive role in strengthening NGOs. They provide sufficient funds for NGOs on one hand and can help in applying additional pressure over the state for more democratic actions. Their assistance to NGOs should not be restricted ”

Sources: Interview with director of PNGOs Network in Gaza, 2005

The Palestinian NGOs, according to Brown (2003 as cited in Al Shouli 2006:32), feared that the 1995 law would “alienate donors and inhibit badly needed NGOs” (Brown, 2003:155). Led by the Palestinian NGOs network, NGOs started lobbying against the law of 1995 both domestically and internationally. The PNA claimed that the drafted law was created to help the NGOs and regulate their work. However, the Palestinian NGOs network complained that:

“..the law was drafted by only three men within the PNA and without consulting the NGOs”

Sources: Interview with director of PNGOs Network in Gaza, 2005

The lobbying campaigns led by the Palestinian NGOs Network together with the Charity NGOs Union, created domestic and international pressure on the PNA to amend the law³¹. Under this pressure, the PNA promised a second draft which would work on some of the issues of conflict such as registration and flow of donor funds.

Concurrently, according to the Palestinian NGOs Network, the NGOs Network decided to work on its own draft, based on the same outline as the PNA draft of 1995. The Palestinian NGOs Network's draft was more coherent and suggested the following:

- NGOs would register rather than apply for a license,
- NGOs would register with the Ministry of Justice rather than the Ministry of Interior, and
- They would be required to report funding rather than ask permission to receive foreign funds.

Both drafts – once slightly modified by the PNA – were presented to the Palestinian Legislative Council (PLC) which was elected in 1996. The issue that remained debatable in the law was that of registration. The Palestinian NGOs insisted to register with the Ministry of Justice and started heavily lobbying deputies in the PLC, whereas the PNA insisted they register with the Ministry of Interior. The battle over the law continued until 1999 when the Palestinian NGOs found it they had no other choice but to accept the law since it was largely drafted by them. However, it still required they register with the Ministry of Interior. The NGO law was endorsed by President Arafat in 1999 and then adopted by the PLC in 2000. The law became the sole legal reference for Palestinian civil society organizations and was called “The Law of Charitable Associations and Community Organizations”.

In spite of theoretically adopting this law, the facts on the ground were more complicated. As for NGOs gains in the law of 2000, Palestine's NGO law places virtually no limitations on the rights of an NGO. NGOs are free to raise funds from foreign and domestic sources. The law also encourages the formation of NGOs by providing several economic incentives, including an exemption from tax and customs duties (Art 14). Finally, any actions taken against an association by the Ministry of Interior can be appealed in court (Art 38).

In many ways, law of 2000 is an ideal NGO law. But as Nathan Brown puts it, “Palestine is, in short, a model democracy. Its most significant flaw is that it does not exist.”³² (Brown 2005:3). The tragedy of Palestine is that on paper it has many of the institutions and procedures of a democratic sovereign state, but in reality it remains caught between the *Intifada*, crippling unemployment and insecurity, and Israeli occupation. Palestine is almost a photographic negative of its Arab neighbors: whereas most Arab states have overwhelmingly dominant state institutions but no democracy, Palestinians are well-versed in the methods and procedures of democracy, but their institutions have not been able to take root “in the midst of one of the world's most intractable conflicts.” (Brown 2005:103), Thus, as with many Palestinian laws, the civil society statute is on paper very close to a model of good governance; but the practical realities of life in the highly unstable, occupied country make it difficult to ascertain just how relevant the law actually is.

³¹ see website of Palestinian NGOs Network: www.pngo.org Retrieved on October 16th, 2005

³² Nathan Brown, *Evaluating Palestinian Reform*, Carnegie Endowment for International Peace Democracy and Rule of Law Project, Number 59, June 2005, p. 3
Online:<http://www.carnegieendowment.org/files/CP59.brown.FINAL.pdf>. Retrieved on July 8th, 2006

According to a study of ‘The legal and administrative procedures of registration of charitable organizations’ conducted by TAMKEEN (NGO), there were several practical problems with the registration process (as cited in Al Shouli 2006:33). First, overlap of administrative authority between various ministries, since NGOs were not only required to register with the ministry of interior, but also with the ministry of competence³³. For example, health NGOs are also required to register with the ministry of health. This caused problems since there is a 60 day time frame specified by the law in which NGOs must complete their registration. In many cases, the competent ministry would not respond in time to the ministry of interior with regards to approving a certain NGO, which would result in not granting a registration certificate for that NGO. Also, the competent ministries often rejected certain NGOs which led to the decline of registration application. (Qatamish, 2003 as cited in Al Shouli 2006:33).

Another problem with registration was requests for unwarranted documents. These were usually made at the end of the 60 day period leading to setting the clock again for another deadline for the application. According to the TAMKEEN report, this resulted in having some NGOs wait for approval for registration for over a year and a half. Other problems according to the TAMKEEN report (2003 as cited in Al Shouli 2006:34), include political background checks on founders and board members especially in Gaza, lack of awareness of legal procedures, and lack of professionalism on the PNA’s side which resulted in giving negative or positive responses based on personal feelings of PNA officials towards an NGO or its leaders. More problems included delayed adjustment of status which meant the NGOs must dissolve themselves and start all over while awaiting the PNA’s approval. This forced many well established NGOs to work outside the law for years while waiting for the PNA to register them. The researcher himself was able to count more than 70 NGOs working in Rafah municipality while only 47 were found registered with the Ministry of Interior. On the other hand, according to a senior official in the Ministry of Interior:

“monitoring of NGO work and registration by the ministry of interior would contribute to better performance of these NGOs and to minimizing their misuse of funds. In the last three years, 183 NGOs were dissolved because they were found not active. Some of them were headed by military persons, which violates the law”

Source: Interview with director general of NGOs department in ministry of interior, 2005

In the case of rejection of the application for NGO registration, the Ministry of Interior has to explain why (in writing), and the NGOs can appeal in the court (Art 4 in the 2000 law). According to the director general of the NGO department in the Ministry of Interior:

“rejection of a license application must be made in writing and must specify the reasons. Our reasons are mainly related to whether papers requested with the application are complete or not”

Source: Interview with general director of NGOs department in ministry of interior, 2005

However, according to the researcher’s observation, the statute does not stipulate the grounds on which an application can be rejected, which is a shortcoming. An applicant has the right to contest a rejection in a court, but it is unclear upon what grounds a court would reverse rejection by the Ministry of Interior.

³³ According to TAMKEEN report, the competence ministry is one that has to do with the activities of a particular organization such as health, education, environment..etc.

Indeed, the department in charge of registration in the Ministry of Interior in Gaza consists only of four personnel. It is overloaded by work and cannot, by its limitations of structure, to do all of the work referred to it. This problem is recognized by the director of this department himself who stated:

“We don’t have enough staff in our department. Hiring of additional skilled staff is complex due to limited state resources?”

Source: Interview with general director of NGOs department in Ministry of Interior, 2005

In general, according to the researcher’s view, these problems confirm that the PNA is not serious in its attempts to regulate the work of the NGOs, but rather in governing NGOs and their entire activities by law. Also, these problems have shown that there is not a clear authority responsible for following up on the applications; also, there are no clear criteria for requesting additional information. Most of these problems seem intended to hinder the work of NGOs, exerting pressure and obstructing their operations.

More importantly, one can easily observe the discourse and debates between the Palestinian NGOs and the state are focusing on registration (which ministry to register with) and licensing of donors’ funds (whether the NGOs has to get permission from the government to receive donors funds). The debate is still far from establishing a complementary relationship between these two important actors in the field of development planning. Meanwhile it is just like a battle; with the state trying to impose more control while the NGOs struggle for their independence. As will be shown later in this research, competency over resources might be the leading factor emerging in this dispute. So to conclude, the direct laws target NGOs in Palestine, trying to regulate the establishment of NGOs and monitor their expenses. On the other hand, as in the case of the local government law, it lacks again any legal definition of what should be the role of NGOs in local governance or how to regulate both governments and NGO efforts in local planning and policy making.

Having discussed current legal frameworks that tackled both LGUs and NGOs, we turn to explore practices of both actors on the ground at the local level. We will explain how the NGOs characteristics together with their knowledge would affect negatively or positively the potentials to create proper spaces for them where they can have an influence on local development planning and policy making, so as to hold local governments more accountable and responsive to citizens’ needs.

6.2 Major characteristics of NGOs; implications on their motivation to participate in local planning

In order systematically to investigate how NGO knowledge shapes policy spaces (section 6.3), we begin by exploring the most important characteristics of the local Palestinian NGOs that would impact on their knowledge, and hence, affect their motivation to create new spaces and their degree of involvement in policy making.

The Palestinian NGO sector – in general – is often considered to be nearer to local communities than the state. This phenomenon can be easily observed during the years of second *Intifada* (2000-2005), when the NGOs proved their capacity to reach the poor and families affected by the Israeli occupation’s aggressive measures more quickly than the government, supplying them with basic services and relief. The understanding of the characteristics of NGOs in terms of structure, ways of establishment, their focus and the

nature of activities implemented, and the representation of NGOs within local communities, is believed to pave the way for a better understanding of the environment where dialogue between NGOs and LGUs occurs.

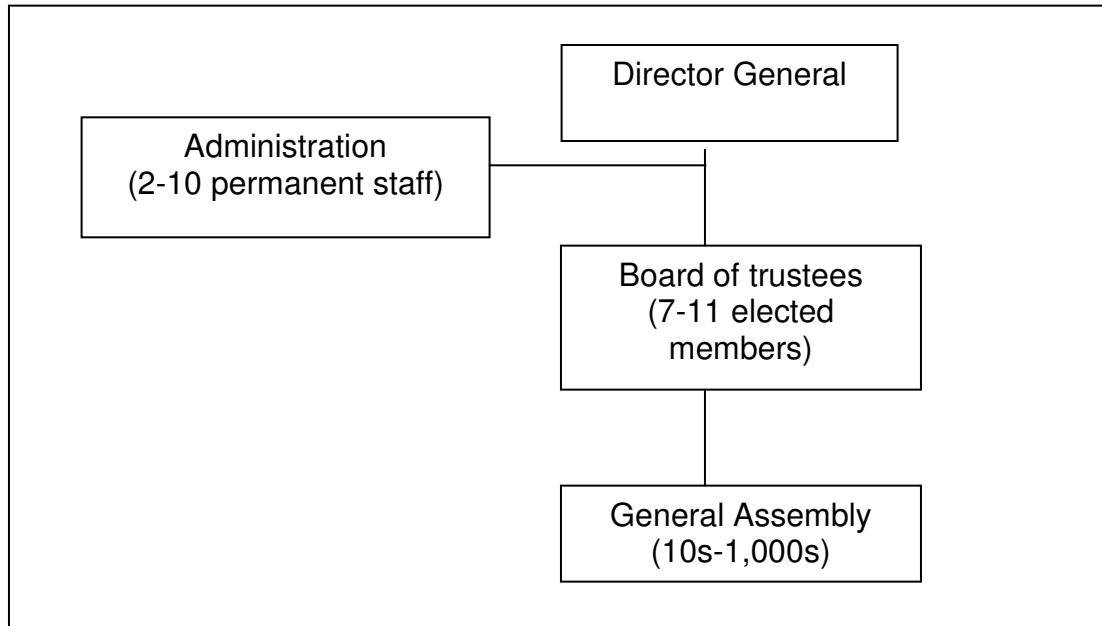
Structure of the Palestinian NGOs

Talking about structure does not mean elaborating each individual NGO's structure, which of course might differ from one NGO to another. It is rather a searching out of common structural features as observed in the field, which could have impact on NGOs potential to participate in policy making and local planning.

In general, and as revealed by the fieldwork interviews with 15 NGOs and the documents shared by them, the general structure of NGO is composed of four structural entities: the general assembly (or ordinary membership), a board of directors (or trustees), a director general (or manager or chair) and administration units. The general assembly has to meet once a year to review and monitor the operation of the NGO, its budgeting and expenditure. Every two years, the general assembly and through democratic elections, will select new board of directors to oversee and operate the NGO. The board of directors will select among themselves a director general. Each NGO has an administration unit, which is responsible for administering the NGO's day-to-day activities.

The size of the administrative team depends on how extensive the NGO's operations are. Small NGOs might not have any permanent staff (for example, TADAMON Organization for Social and Charity Works). The volunteers (mostly members of the general assembly) together with the director general will be responsible for administration and operation of the NGO. According to the fieldwork interviews and documents shared by respondents, small and medium NGOs have administrative teams composed of two to ten employees, while a large NGOs could have a working staff of more than one hundred (for example, the Union of Health Working Committees which had 223 staff working in 2003, though many were working on specific projects. We should note here that many Palestinian NGOs are used to hiring additional staff temporarily on a project basis. In addition, voluntary workers constitute a major facilitating factor in running NGOs activities, contributing skills in a variety of ways.

Figure 6.1: General structure of Palestinian NGOs



As revealed by research fieldwork, all of the NGOs have a board of directors, composed of seven to eleven members, which is elected by a general assembly. It was observed, in some cases, that the board and general assembly have little influence on the NGO activities, policies, fund raising and expenditure, particularly with small and medium organizations – which violates the law. In these cases, most of the work (policy making and implementation) is being performed by the director general.

“..some of the board directors are participating in these voluntary works just seeking social status and prestige and to have a channel to find jobs for their friends and relatives”

Source: Interview with Salah Abd Ela'tey/ expert in the NGOs field, 2005

Another important observation in this regard, is that the general director dominates knowledge and information. That is why the researcher himself tended to interview the director manager of the NGOs as far as was possible.

Larger organizations have well designed organizational structures with clear responsibilities and mandates, as was the case in health and women organizations. Newly established organizations also generally have better structures than traditional ones, due to the adoption of new and modern structures (as was observed in YABUS for Social and Charity Works and the Palestinian Housing Council). Most of the medium and small organizations have well drafted structures but they are not efficient as the team is smaller and may lack certain skills, and internal monitoring systems may be observed to be weak.

According to the NGOs' law of 2000, every NGO has to have a clear structure, objectives and a budget system. The formation and operations of NGOs have to be monitored by the Ministry of Interior as discussed in the previous section. However, due to the weak monitoring system within the ministry combined with weak internal monitoring systems of some NGOs, they do not always work as efficiently as they should. In fact, the Ministry of Interior itself lacks sufficient qualified personnel to follow or monitor the activities and expenditures of NGOs. In some cases, it was observed, where the

head of the NGO belongs to the ruling political party, the ministry will ease its restrictions and monitoring measures.

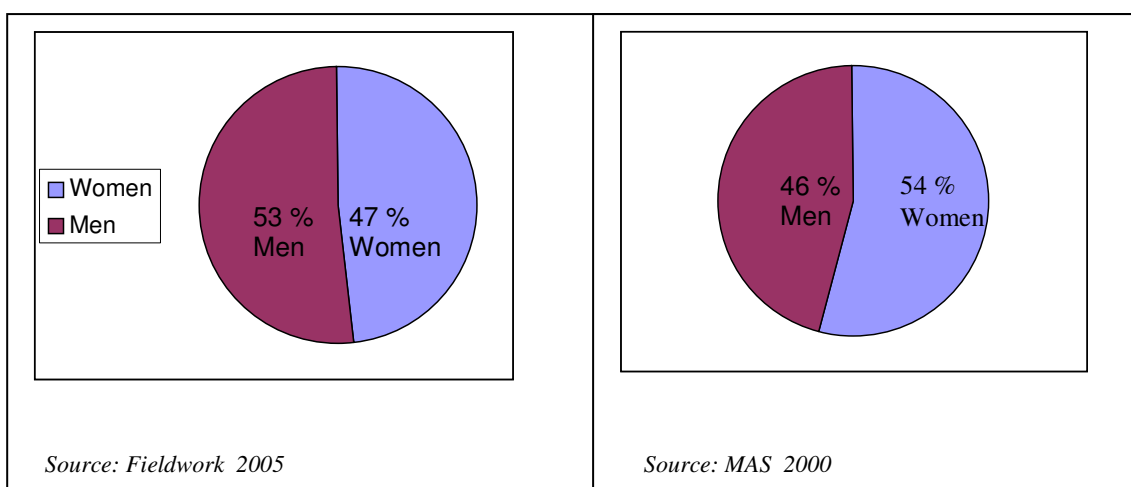
In another area and regarding voluntarism in NGOs' activities, a strong trend was observed towards working in a voluntary capacity, especially among the youth. Twelve of the 15 NGOs interviewed in the field emphasized that volunteers are an essential element in the ability to implementation their activities successfully. According to Mass (2001), volunteers are working for 62.3 % of Palestinian NGOs. According to my observations, volunteers in most cases enjoy being able to use their technical skills to pursue their tasks. The high tendency towards working as a volunteer in the social arena might be interpreted as due to:

- The culture of voluntarism that prevails in the Palestinian society, particularly in the political arena, which encourages the desire to work for general causes without rewards.
- The Islamic environment that encourages working for others without expecting rewards.
- High unemployment rate (60%) particularly among the youth and new graduates who like to engage themselves in such activities either to gain experience or while waiting for a chance to be employed in such an NGO.

Voluntarism is a vital component for successful implementation of NGO activities. It strengthens the culture of participation and the desire to be involved and informed. It helps in raising the capacity of local communities and increases their awareness of their rights, particularly in taking decisions that influence their life.

With regards to permanent staff working for NGOs, and according to the figures available from respondent NGOs, the female: male ratio is almost the same (47% women and 53% men). This figure is close to the MAS (2000)³⁴ figure which stated that the ratio of women was even higher than men in 2000 (54% women and 46% men)

Figure 6.2: Ratio of women and men working in NGOs



According to the researcher's view, the high trend of NGOs to hire women might be interpreted as due to two reasons: first, the donors influence. It was noticed that many donors emphasized providing equal opportunities for both men and women to be em-

³⁴ MAS: Economic Policy Research Institute: see online www.mas.org.ps. Retrieved November 6th, 2005

ployed in the projects they were funding. Second, the high literacy rate among women in Palestine (88% in whole Palestine and 92% in Gaza Strip according to PCBS³⁵ 2004). Women have proven their qualifications; they have received a good education to a high level, and therefore have the required skills to perform their tasks effectively.

On the other hand, if we assume that the respondent NGOs are representative of the wider NGOs sector in Palestine, the apparent slight decline in hiring women in the NGOs sector between 2000 (54%, MAS statistic) and 2005 (47%, at the time interviews conducted) might be due the very difficult work circumstances that resulted during the second *Intifada* (2000-2005) which might have hindered some women from leaving their houses for work.

Initiation for the NGO establishment; influence over NGOs' agenda

The nature of founders whether they are individuals, communities, political parties, government or donors, is an important factor in determining the purpose for which a NGO was established. It will indicate the extent to which the NGO is established for political, development or social reasons and hence, their motivation to establish new spaces with local governments so as to have influence over policy making.

It might be very difficult to determine exactly how each NGO was established. However, the following figures are derived from long discussions with three local experts who have long experience working with NGOs in the Gaza Strip. Palestinian NGOs (as revealed by these experts) tend to be established in five ways:

- Community initiatives: More than 75% were established by individuals or through community initiatives. The heads of most of these organizations are qualified personnel and in most cases belong to one of the political parties. These organizations are usually specialized in social and relief areas. Included among these organizations are those that were initiated by independent activists in the community to work chiefly in the domains of research and democracy.
- Government: Some organizations were established and initiated by the government itself in order to compete with existing NGOs for acquiring resources and donor funds. A very well known example would be the Palestinian Housing Council.
- Occasional: Some of the organizations were established to serve the implementation of a particular project funded by a donor at the local government level. Afterwards, they maintained their existence and continued to work as an NGO in a specialization far away from its real establishment purpose. An example of that would be the committees formed through one of the CHF (Co-operative Housing Foundation) projects in Rafah, which after the project had finished, turned to work as an NGO after gaining accreditation from the Ministry of Interior.
- Transformed: Some of the UNRWA institutions became independent community NGOs in the areas they used to serve, in order administer themselves. It was noticed that the donors did not withdraw from funding these groups although they are no longer under the auspices of the UN, but continue to support and influence these newly established NGOs. An example of that is El'Amal Association for Handicaps Rehabilitation that used to belong to UNRWA.

³⁵ PCBS: Palestinian Center Bureau of Statistics: online: www.pcbs.gov.ps . Retrieved on January 15th , 2005

- International: Some of the organizations are established by foreign or international agencies (as branches in the Palestinian territories). The Palestinian Authority has no control over them, nor do these organizations have to register with the Ministry of Interior. An example of that is TAMKIN which is established and governed by USAID.

The high tendency of Palestinian local communities to form and establish NGOs might be interpreted – according to the researcher’s view – as due to several reasons. People live under severe conditions caused by Israeli occupation which destroyed their lands, houses and infrastructure. Since the government is weak and cannot satisfy alone the community’s needs, communities have turned their attention to NGOs as an alternative institutional means to provide additional services. Communities and individuals have been very active in establishing new organizations as a way to get funds to help in providing them with basic services and for other survival and relief activities. That might explain why the number of NGOs almost tripled during the second *Intifada* (2000-2005), from 256 NGOs to 700 NGOs in the Gaza Strip, by mid 2005.³⁶ On the other hand, Palestine is a fertile area for international organizations’ work and interventions. This has provided the Palestinians with more spaces and additional opportunities to acquire funds. These issues have encouraged local communities to form their own NGOs as an institutionalized way for getting these funds.

As also observed in the field, many NGOs are ruled by personnel that belong to political parties like FATEH (the ruling political party till 2006), HAMAS (Islamic Party), PUBLIC FRONT (Left party) among others. And since the environment in Palestine is very large extent politicized, this issue has two particular implications on NGOs work, according to the researcher’s observation:

- The work of the political parties and their NGOs is thoroughly integrated and complementary, to the point where such NGOs work as civil wings for their attributed political parties. In fact, the mixture between civil and political works might explain why HAMAS as an opposition party won the local council elections in 2005 and the Legislation Council in 2006. According to many observers, no small part of this victory was due to the extensive social work and services provided by these NGOs together with their good reputation as transparent and honest agencies. This appears to have mobilized many supporters of these NGOs and hence, for their attributed political parties.
- On the other hand, most of these organizations were initiated by leadership from within the local communities, with strong local awareness of their potential and strengths, belief in their capacity for local advocacy and cooperation with LGUs, which would provide the NGOs with a strong local support base.

Focus and nature of the programs implemented by the NGOs; efficiency and performance

The nature of the activities and the existence of a clear (or unclear) focus of an NGO are important indicators in judging their capability to serve their communities. They also have implications on the ability of the NGO to networks with other organizations having a similar focus, and to be influential in such fora. At the same time, they indicate the extent to which the NGO shares a similar or dissimilar focus with local government.

³⁶ The huge number of NGOs should not mislead the reader since almost one third of these organizations are not active all according to ministry of interior, 2005.

As discussed in the previous chapter, PNGOs are engaged in a wide range of activities and sectors, with a dominance of social and relief. In general, Palestinian NGOs are engaged in sectors covering: health, rehabilitation, research, agriculture, human rights, training, democracy, handicaps, friendship associations, charity organizations, youth, art and culture, education, childhood, heritage, environment, woman, housing, religious organizations, and economic development. The Palestinian NGOs are also engaged in basic service delivery, building social awareness, institution building and lobbying and networking. According to Abd El Hady (2004 5:14), the PNGOs adopted a variety of programs, such as:

- Programs for social care and protection and developmental services: The Palestinian NGOs have contributed together with the state in the delivery of services in the fields of health, education, social welfare, agriculture, relief and others
- Informal education and community awareness: In this field, the PNGOs are involved in various activities such as general lectures, workshops, booklet publications, general libraries, rehabilitation, counseling, entertainments activities, and awareness programs particularly for women and summer camps for students and children. These programs and activities are aimed at building and empowering the Palestinian community and providing them with necessary skills and information
- Institutional building and human resource development: Many activities could be included under this heading, such as providing training and workshops for vocational education, training the trainers, computer skills, management skills, budgeting and consultancy. These programs are important and considered a step forward to move from relief projects to adopting developmental strategies that would benefit the communities at the long term.
- Lobbying and networking to influence government laws and policies: In this regard, the PNGOs are active particularly at the central level. They have established networks and relations with international organizations to seek for more support.
- Human rights and democracy: This includes the involvement of NGOs in various activities, for example establishing several active organizations concerned with human rights and democracy, support for women, children and handicapped, and social and economic rights for citizens.
- Creation of job opportunities: Many NGOs concentrate their work on this issue by looking for ways to support citizens, alleviate poverty and overcome the high unemployment rate in Palestine. Some NGOs have begun to shift their vision from creating jobs in relief frameworks towards tying them into medium and long term developmental objectives.

As the fieldwork revealed, around 40% of the NGOs operating in the Gaza Strip have a central focus in social, charity and relief work. It was also observed that some operating NGOs had no particular specialization in either the coverage sector or target groups – particularly the small and medium organizations³⁷. Having no specialization or clear focus might be interpreted as due to the total dependency of most Palestinian NGOs on donors and international organizations for finance. Wherever there is any opportunity for getting funds, these NGO will apply regardless their interests in such proposed projects. In many cases the projects are found far from the original focus of such NGOs. According to TADAMON for Social and Charity Works:

³⁷ This would not cover NGOs working in health sector that focus only in health activities.

“we tend to apply for many projects in several fields at the same time. We hope that at least one of our proposals will be accepted by the donors. Any project we get in any field will be considered as a good achievement for our NGO”

Source: Interview with TADAMON for Social and Charity Works, 2005

Some might argue that having wide focus is positive in the sense that such NGO can hire experts in any field in a way to maximize the ability to provide additional services. In the absence of another NGO covering a needed project, they would argue that a non-specialized NGO can be useful in having the contacts to bring in the expertise needed. While that could be true, however, from another angle it would appear that a huge effort is expended in trying to cover a wide range of fields, and this might be contrary to the NGO's ability and capacity. According to the researcher's view, an NGO is able to have a far more positive impact if it concentrates its efforts on one or a limited field, with more efficient performance and structure. More importantly, it is able to increase its potential to form influential networks with other NGOs that share a similar focus, and to become more expert in its chosen field.

Due to the critical political situation prevailing in Palestine and due to the emergency requirements and needs for food and basic services, most of NGOs tend to divert their focus to relief works and activities when necessary, without tying these activities to any long term development strategies or visions. This issue has been observed when checking the lists of projects for several of the NGOs interviewed. In addition to poorly formulated measurable objectives there is a tendency to continue to widen the NGOs general goals without clear plans to achieve them. The active Palestinian NGOs vary in their missions and programs but the common feature is that the majority fail to focus on specific goals, objectives and programs. In other words most of the Palestinian NGOs are not specialized in specific areas but tend to have a wide range of missions and goals.

To conclude, the absence of specialization has weakened the NGOs' ability to perform efficiently in serving their local communities. It also weakened their ability to form strong networks with others in the same sector of specialization and hence, weakened their advocacy roles in influencing government decision making and policies.

Availability of financial resources

The field work findings and observations have clearly revealed that the Palestinian NGO sector lacks financial resources, particularly the smaller ones and the ones working in rural areas and with refugee populations. The fieldwork findings of this research revealed three major sources of funds for NGOs:

- Around 80% of the NGOs interviewed depended mainly on foreign assistance and donor funds;
- Some organizations can raise around 15% of required finance from their internal activities, members' fees and community donations; and
- Government assistance is very limited and can cover only around 5% of the required funds. Such government assistance goes to a very limited selection of organizations (mainly those affiliated with the ruling party).

According to the researcher's view, the almost total consequent dependence on foreign and international funds has four implications:

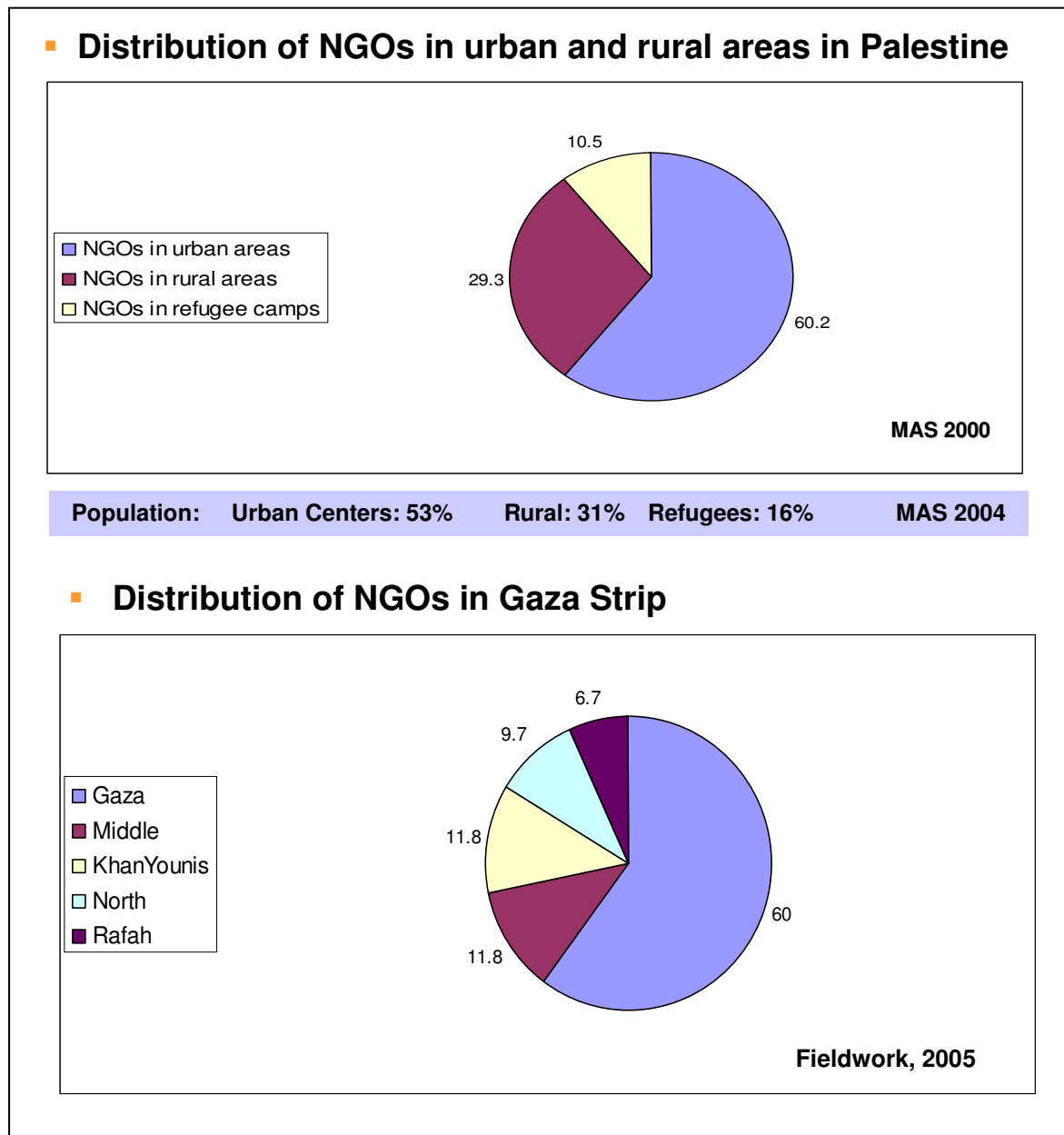
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- Limitation of the influence of the local NGOs over the agenda of donors. The NGOs need the funds and are unable to influence the nature of the projects funded, even if they are not in the line with their priorities.
 - When it comes in particular to the Arab assistance, it goes mainly to relief activities, such as distribution of foods, money and clothes, which lack any sustainable development strategies. The focus on short term needs has led to the emergence of a new culture among the Palestinians that perceive and delineate roles of both internal and external NGOs as relief agencies.
 - Increase in competition between NGOs and the government in acquiring foreign funds, due to poor resource base for both sides. This worsens the relationship between government and non-government organizations because of the absence of cooperation between them on one side, and also among the donors themselves on the other side.
 - On the other hand, it has a positive implication. Many of these externally funded projects require implementation of participatory strategies and approaches. This could contribute to shifting from old fashion planning strategies that consider beneficiaries as recipients of the services, to actors participating in determining their needs. The influence of donors in this regard would help to introduce and build a new participatory culture.

Representativeness of NGOs to local communities

Do existing local NGOs truly represent their communities? Or rather do they represent factional interests? This research is launched in the belief (assumption) that NGOs as organized groups of civil society have a great potential to represent the needs of communities to other groups. In this section, we investigate the extent to which NGOs can represent their communities. In this regard, we focus only on distribution of NGOs in urban, rural, and refugee areas in such a way to find out whether marginalized groups in remote areas are represented by NGOs or not.

According to figures collected by the researcher from the Ministry of Interior in 2005, around 60% of the registered NGOs in the Gaza Strip are located in Gaza city. This indicates the high tendency of NGOs to locate themselves in big urban areas that enjoy better infrastructure, at the expense of more undeveloped areas. This observation is supported by figures for the whole of Palestine from the Palestinian Economic Policies Centre (MAS 2000), which indicate that most of the NGOs are located in urban centers (60.2%) followed by some in rural centers (29.3%) and a few in the refugee camps (10.6%). These figures are relatively close to the number of population for each centre. For example, according to MAS (2004), the population of urban centers is 53.1%, that of rural areas 31%, while the population of refugees camps as 15.9 % of the total population.

Figure 6.3: Distribution of Palestinian NGOs in urban and rural areas in Gaza Strip



These figures from the fieldwork and MAS indicate that the distribution of PNGOs is proportional to the numbers of the target population. The population of Gaza city for example is almost 40% of the total population of Gaza Strip. However, we have to keep in our mind the differences in terms of capacity and size between the NGOs in different areas, which is in favor of those located in urban areas. Our observations in the field confirm that urban communities have more Palestinian NGOs (and therefore more choice) and also enjoy a better caliber of organizations in terms of capacity and efficiency. Palestinian NGOs working in rural communities and refugee camps are fewer in number and are also generally weaker in structure.

Regardless of the biased distribution of NGOs favoring urban areas, our question will continue to be valid. Do NGOs represent communities or rather factional interests? Answering this question while depending on limited fieldwork data, is very difficult. The question can rather become: do local communities trust NGOs or believe that they represent them? To measure exactly this trust is also difficult. However, based on many

informal interviews with ordinary citizens, the research showed that citizens to some extent do suspect the work of some NGOs, accusing some of them of working to serve personal or political interests. According to public poll number 17 of the Development Study Program in Bir Zeit University in 2004, it was found that 47% of Palestinian population trust NGOs and find their work credible in development and serving communities. This figure in particular indicates that NGOs still need more improvement in terms of functioning and performance to increase their receptiveness to communities and hence, improve their reputation among citizens. This would help to widen their support base among citizens, and hence, improve their representation to local communities either in urban or rural areas.

6.3 NGOs Knowledge: implications on their participation in local planning and policy making processes

This research sought as part of its objectives to gather information from NGO respondents about their perception of local government planning processes, and their involvement in policy making and program implementation. This study distinguishes between two types of knowledge: formal and informal. Informal knowledge includes knowing how to organize and influence within communities, while formal knowledge has three perspectives:

- Most obviously, it is directly related to the information that is used to generate the substance of the plans like statistics, reports and other technical data;
- Knowledge of planning languages and procedures; and
- Know how of participatory approaches which indicates their skills and capacity to participate in local planning and policy making in any current or future created spaces. This item includes also the NGOs' perception of participation either by looking forward to their involvement in local government planning or looking back to involvement of communities they serve in their activities.

Knowledge of information used to generate substance of the plan and access to government information

Most of the NGOs interviewed in the field have emphasized their satisfaction at their degree of access to government information. However, this information only includes the technical data and statistics required for their non-governmental work. It might be interesting to notice that this information has nothing to do with the preparation of government plans, but is rather information that is used by NGOs to implement their activities. Further, the NGOs' access to this information depends to a large extent on the personal relationship between the NGO personnel and LGU staff. Half of the NGOs interviewed believed that access to information depends on personal relationship.

Personal relations, according to the researcher's view, is the enemy of institutionalization. However, readers should not consider it as totally negative issue. As it appears to the researcher, policies in the Palestinian institutions – whether government or non-government – are made by persons not by institutions. That is why there is no sustainability in such policies since it is linked to persons who might lose their power and hence, policies formulated by them will be powerless too. In this sense, providing access based on personal relations is being criticized since they don't provide institutional and sustainable access to information. However, the existence of good personal rela-

tionships among the personnel of both LGUs and NGOs is totally appreciated when they are accompanied by institutional measures.

The NGOs interviewed emphasized this issue, particularly when it comes to proposing government reforms. According to the direct manager of the Palestinian NGOs network:

“government has to come up with new initiatives concerning new reforms. The reforms have not to depend on the personality of ministers or mayors. It should be the policy of the state and the municipality to provide easy access to all kinds of information”

Source: Interview with direct manager of Palestinian NGOs Network, 2005

Innovation of new measures that could provide easy access to all kinds of information is critical, particularly where that is related to the substance of creating governmental plans and policies. This issue is believed as positive facilitating factor for the creation for better policy spaces to involve NGOs.

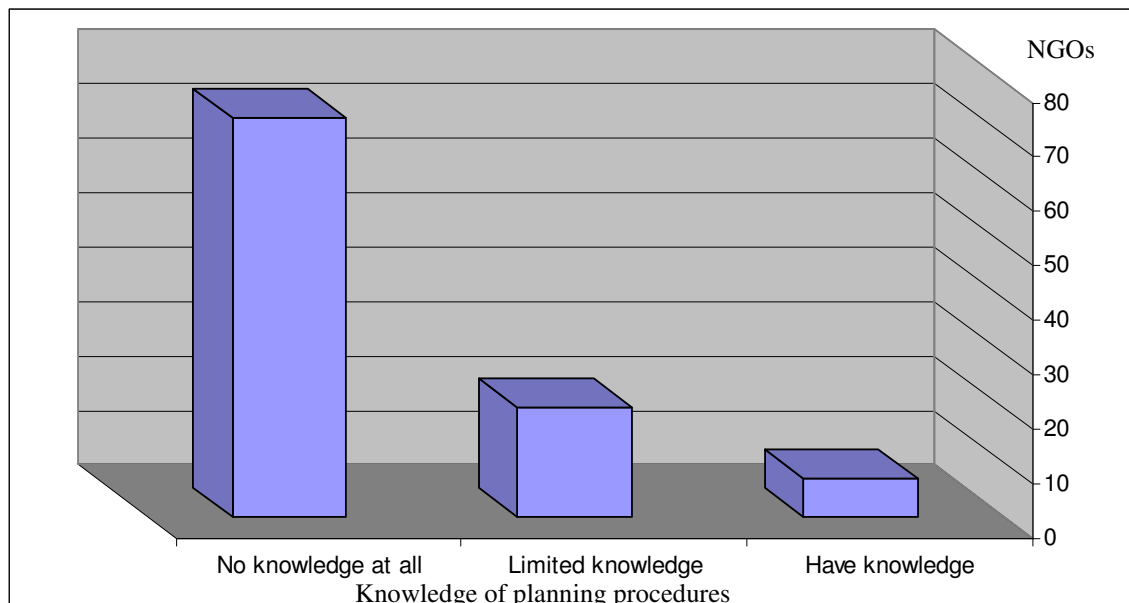
Knowledge of planning language and procedures

Other serious shortcomings, as revealed by the NGOs interviewed, include their very limited access to major LGU operating systems such as budgeting, revenue raising and expenditures. None of the NGOs interviewed showed any knowledge of these processes, considering them as government business.

“the planning languages and procedures used by the government are not clear to me. The LGUs tend to work with big infrastructure projects that are beyond the capacity of our NGO. It requires some degree of professionalism which we can not offer. I think it is their task to plan and implement such kind of projects”

Sources: Interview with direct manger of General Service Association for KANADA camp,2005

When asked about direct knowledge of what kind of plans are prepared by local governments, and if the NGO is aware of the languages and procedures used, majority of the NGOs interviewed (73%) expressed their total ignorance of these issues. The few NGOs which had shown some knowledge in this regard revealed that this knowledge has never been utilized by them.

Figure 6.4: Knowledge of planning languages and procedures

The limited knowledge planning languages and procedures, particularly when it comes to central issues like LGU policy formulation, budgeting and expenditure, might indicate lack of transparency at the local government level. The researcher himself experienced some difficulties in collecting figures in relation to financial issues.

Knowledge of know how; capacity of PNGOs and perception of participation

‘Know how’ of participatory approaches is an issue of great importance in this research. It indicates the extent to which NGOs would be able to participate effectively in planning process. The degree of knowledge which is our concern refers to investigation of areas like training in related participatory approaches and skills. It also includes investigation of NGO civic competence and know how of formulating networks, lobbying and advocacy groups to influence decision and policy making. The more competent, well organized and skilful the NGO is, the greater the potential and opportunity to participate effectively.

This research made use of two methods to assess the extent to which the NGOs interviewed have knowledge and hence, capacity to participate. First, by looking at training received by an NGO, and second, by raising a discussion concerning participatory approaches and observing the extent to which such an NGOs is knowledgeable.

Four NGOs out of the 15 interviewed, responded that at least one or more of their key staff have received training for more than one week in participation or related fields such as community mobilization, project cycles or planning and management. These trainings are either offered by major local NGOs or international organizations. According to the project coordinator of the Rafah WORLD VISION branch:

“Working for the WORLD VISION had provided me with additional opportunities to improve my skills either in planning or participation. I have attended several trainings inside and outside Palestine. The knowledge I gain helps me a great deal in my work on the ground with local communities”

Source: interview with project coordinator of World Vision branch in Rafah, 2005

It might be very difficult to assess how exactly an NGO is knowledgeable considering the limitations of the field work. However, as observed in the field, quite a few NGOs respondents were able to show their competency in this subject. The question that follows is whether and how this knowledge is being used to create new spaces for NGOs in local planning? It was clear for the researcher, that all of the NGOs interviewed in the field did not have any kind of institutional relationship with LGUs in field of local planning and policy making. This indicates that even if the NGO could prove its knowledge, there is little space – in actual sense – to practice it.

Regarding competency of NGO staff, it was observed that small NGOs principally depend on the NGO director to run most of activities, including generating funds. The director is sometimes assisted by an expert working with them in a voluntary or project based capacity. The almost total dependence on one person would make it very difficult for the NGO to participate in all of the activities of the LGU, even in case that there were sufficient spaces for them. While, larger respondent organizations, such as those concerned with health and women, enjoy a wider high qualified staff base.

It is very well known in Palestine that the NGOs sector pays the highest salaries in the Palestinian territories. That might justify why this sector attracts the most qualified personnel. In the smaller and also some of medium sized organizations it was noticed that the director general of the NGO is usually qualified in terms of technical capacity, knowledge and communication skills. However, some of the NGO directors tend not to hire qualified personnel since they want to keep their dominance over the decision making within their organization. According to one of the experts who observed this issue:

“some of Palestinian NGO directors don’t like to hire qualified persons because they will be able to uncover their misuse of money and their corruption”

Source: Interview with Salah Abd ELa'tey/an expert, 2005

Indeed, the corruption in some of the NGOs is considered as a major hindering factor in strengthening the technical capacity of these organizations. Another main observation when raising questions concerning participation of NGOs in local government planning was the low interest of some interviewed NGOs in this regards. Some of the interviewed NGOs respondents used to divert discussion away from this issue to the need to raise additional resources from local governments. They perceived participation in local government as follows:

- Eleven NGOs responded that government should share resources with NGOs.
- Among the eleven, seven NGOs emphasized the importance of participating in LGU project implementation, while only five NGOs highlighted the importance of participating in government policy formulation.
- Four interviewed NGOs could not show a clear idea of how they perceive participation with local government.

Sources: Interviews in the field, 2005

It was observed that the interviewed NGOs perceived local governments as weak institutions and thought it might not be worthwhile for NGOs to co-operate with them. NGOs would rather prefer to work either with donors or central government, perceiving them as more powerful institutions from which they could also get additional resources.

When looking back to the communities they serve, while investigating perceptions of NGOs about involvement of ordinary citizens in their activities, many emphasized the importance of involving target groups and communities in implementing their programs and activities. In spite of the fact that donors of these projects emphasize this aspect as a requirement for getting such projects funded, citizens have no input in shaping the nature of these projects which are already planned by the donors. Some respondent NGOs revealed some additional difficulties encountered by them in promoting citizen participation in their projects. These were principally the lack of NGOs resources and skills, lack of community awareness, and family and tribal restrictions (particularly for gender participation).

As regards ability of NGOs to coordinate among themselves to influence local government policies, the researcher did not observe any substantial strong network or pressure groups formed by local NGOs, either in Rafah or Gaza Municipalities. However, many respondent NGOs emphasized their cooperation among themselves to implement mutual projects serving their local communities, and the Palestinian NGOs network located in Gaza was seen to be very active in lobbying for amendments to the NGO laws of 1995 and 2000 as discussed in section (6.1). The Palestinian NGOs network for example concentrates its efforts at the central level. According to the director general of PNGO network in Gaza:

“We might not have strong coordination with municipal councils, but we do work to influence public policies that target the democratization of Palestinian society and hopefully these reforms will result in improving governance practices at all levels”

Source: Interview with PNGO network, 2005

The PNGOs have been affected by changes in the general environment in which they operate. They are working under conditions of transition towards the formulation of a national authority, via political agreements and a continuation of the Israeli occupation. These conditions are not stable and are vulnerable to further changes in the future.

At the same time, A decline the flow of external financial support to consolidate the ongoing political process coincides with the decline in the role of political parties and social movements. According to a study prepared by MAS (2001:1)³⁸, coordination and cooperation among Palestinian NGOs reveals various patterns and relationships governing coordination in all aspects and at all levels. The degree of coordination is subject to the general environment in which the NGO functions and the various circumstances leading to the establishment and development of a particular NGO. It also varies according to the date of establishment of the NGO, its size, expenses, number of employees and type of work. The various degrees of coordination are reflected in the type, form, scope and essence of the relations among NGOs themselves and also between them and Palestinian Authority and donors. The establishment of the Palestinians National Authority (PNA) weakened the role of the PNGOs as relief providers as the PNA started to taking over some of that role. As a result, a new role emerged for PNGOs in advocacy and lobbying to impact public policies. Meanwhile there is no uniform PNA policy and vision towards PNGOs. The general environment governing the work of the PNGOs in West Bank and Gaza Strip has had the effect of transforming grassroots organizations and political activists into institutional NGO work. This has weakened

³⁸ Palestine Economic Policy Research Institute. See on line:

http://www.mas.org.ps/publications/R_P_Sumaries/2001/Networking_E.pdf Retrieved November 6th, 2005

many traditional organizations, while the new PNGOs have expanded and emerged as professional organizations with political perspectives (MAS 2001).

Within such a framework, PNGOs have pursued efforts to secure financial support from donors and adjust to the newborn PNA. This has created a competitive relationship amongst PNGOs to acquire funds and financial resources, creating a specific pattern of relations with the PNA and the consolidation of organizations to increase their impact. On the other hand, as emphasized by some interviewees from the NGO side, there is also the significant effect of the personal characteristics of such NGO leadership and management on networking with others.

“competition over resources and personal conflicts among NGO leaderships having different political stands, has hindered NGOs in forming effective networks”

Interview with Salah Abd Ela'tey, An expert 2005

According to MAS (2001: 2)³⁹, newly established modern institutional organizations run according to clearly defined objectives, programs and implementation plans, are usually efficient in networking and in employing these networks to serve their goals. There is a decline in a capacity of certain NGOs, particularly the small and peripheral (which are usually located outside urban centers) to access information crucial to their work. There is also a decline in their ability to benefit from available training opportunities to develop the skills of their employees or voluntary workers. This reveals a clear ‘class structure’ with the large and privileged NGOs rooted in the major cities gradually taking the role of ‘intermediary guardian’.

There are various patterns of cooperation among NGOs in Palestine depending on the variety and the scope of the NGO work. These together with the internal structure and vision of each organization, influence the form, substance and degree of cooperation. The substance of the relationship includes identification of goals, formulation of work programs, financing, implementation and training. According to MAS (2001: 2-3), consultation basically means exchange of views, ideas and information on specific issues or aspects of work, but not for joint activities or any institutionalized relationship building. Coordination means an advanced degree of consultation, where NGOs would have a joint framework for the short term, relevant for a specific project but probably not embracing joint financing. Collaboration is a result of consultation and coordination and includes planning and implementation of joint projects and might also include joint financing. A relationship would reach networking when the long term common interests of NGOs are ruled by institutionalized and financed frameworks (MAS 2001: 2-3). Palestinian NGOs in various sectors and geographical areas form associations and networks. The General Union of Charitable Societies and the Palestinian NGO Network play an important role in encouraging NGOs to join associations and networks. Yet, when the membership is examined (according to MAS (2001:3) , it was apparent that most members are inactive, with only a few organizations involved in joint planning, collaboration and financing among themselves. Consultations and coordination are common among PNGOs, with more organizations are involved in consultations than in coordination. The high levels of consultation result from the fact that such relations only require temporary agreements on immediate issues (MAS 2001: 3). According to (Abd Elhady 2004:8), the small number of jointly financed programs

³⁹ Palestine Economic Policy Research Institute. See on line:
http://www.mas.org.ps/publications/R_P_Sumaries/2001/Networking_E.pdf. Retrieved November 6th, 2005

amongst NGOs is indicative of the low level of coordination, especially noting that this joint financing is usually the result of donors' requirements in distributing funds. Joint workshops are common, as well as partnership, for large projects such as a community based rehabilitation program.

In general, the relationship between government and NGOs is characterized by competition and is far from the cooperation necessary for seeking development in the Palestinian community. According to Abd Elhady (2004:9), "cooperation between NGOs and local government is poor at all levels". Nowadays, the PNGOs have realized the importance of cooperation among themselves in order to achieve their developmental and social objectives. The last decade has witnessed the establishment of the PNGO Network (PNGON) in 1994 which is composed of 92 organizations covering several developmental sectors. In addition, the General Union of Charitable Societies is composed of more than 500 organizations throughout Palestine. In order to achieve their objectives, PNGOs with similar specializations and sectors began to coordinate among themselves by establishing mutual committees, in order to consult the relevant ministries or government institutions at central level. As a result, according to an interview with the Palestinian NGO Network in Gaza (2005), several networks were established such as Women Affairs Network, Educational Network, Cultural Network, Health Organizations Network, Agricultural Committee Network, the Palestinian Network for Institutional Building and so on.

To conclude, the existence of effective coordination among NGOs is vital to make strong pressure groups to shape the government's policies and advocate citizens' needs or priorities. Within the political domain, PNGOs have shown a strong tendency to cooperate as a way of defending their general cause and advocating for their needs. When it comes to local level planning activities, disagreements and disputes either over limited resources or due to personal conflicts prevail, which has hindered the NGOs in playing an influential role in this regard. In general, large and medium size modern developmental organizations working at national level are more efficient in networking and in employing these networks to serve their goals, while it is the contrary at local level.

6.4 Local government practice; characteristics of local councils and implications on creation spaces to involve NGOs

This research made use of data and information gathered in the field within Rafah and Gaza municipalities to indicate major characteristics of LGUs in the Gaza Strip. The following sub-sections aim to explore local government structure; LGU sizes, roles and responsibilities; and budgeting systems, in order to indicate implications over creating spaces to involve NGOs in major LGU operating systems and planning.

Structure of LGUs: inadequate structural set up to foster participation

This research differentiates between local council and municipal government, whereas both together constitute the local government unit (LGU). According to the law, the local council – being appointed or elected – is the body responsible for formulating the LGU's policies and approval of local plans, while the municipal government is responsible for running operating systems, planning, budgeting, implementing projects and administering the LGU. The municipal government in some sense works as an executive arm for the local council. Members of the local council, according to the law of

1996, will select among themselves the mayor, who will at the same time be the head of the municipal government.

In practice, local councils as observed in the field were very inactive and non-influential in LGU operations. The mayor with his local administration (municipal government) dominated every activity concerning the LGU.

“local councils approve our formulated plans as a routine. It is their responsibility to forward these plans to upper levels for final approvals”

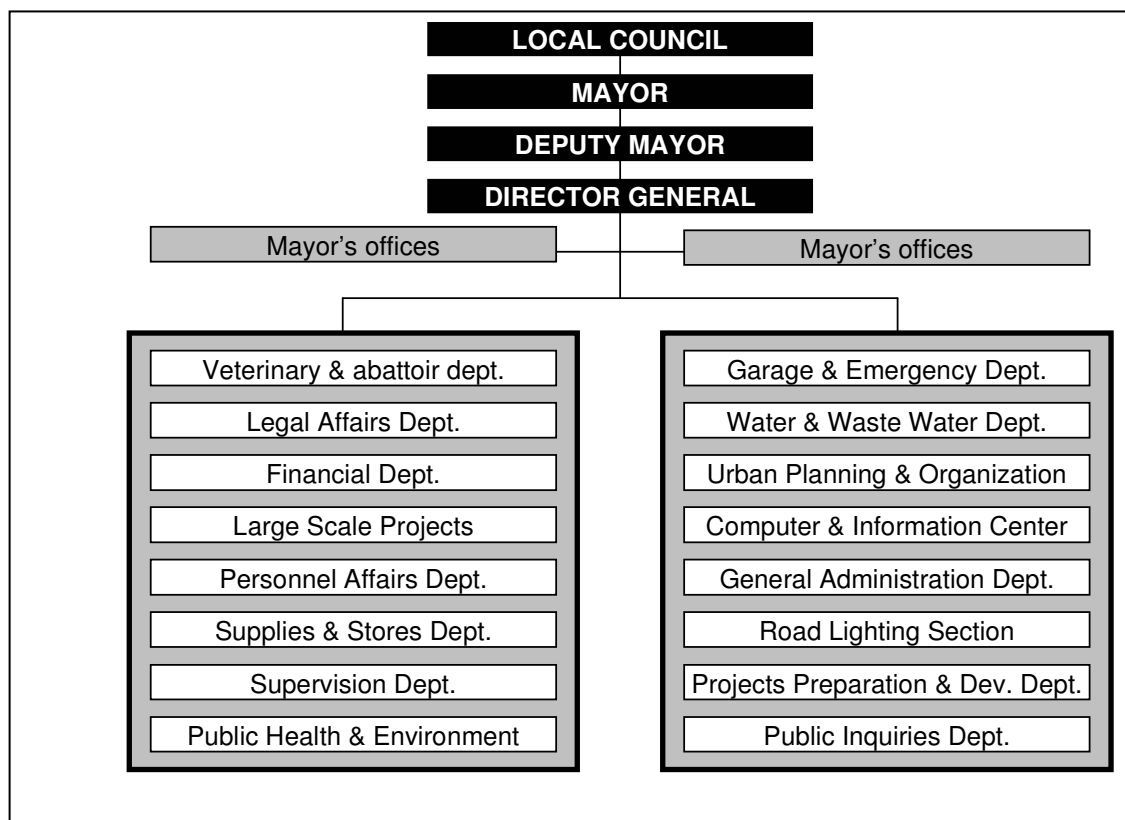
Source: Interview with Rafah planning officer, 2005

Local councils represent the legal and institutional channel for forwarding local plans to upper levels in order to get them approved. The mayor as an individual person is the strongest and most influential person within the LGU. The strength of the LGU depends mainly on the personal characteristics of the mayor in terms of his communication skills, personal relationship, his ability to approach central officials or donors, and his efforts to raise additional funds.

According to Abdela'aty (2005:30), the number of LGUs in Palestine in 2003 reached 442 LGUs. Among them, there are 108 municipalities (for urban areas), and 334 villages councils (for rural areas). The total number of employees of these LGUs was 6400 employees, with 2260 working in the Gaza Strip, which represents more than one third of the total employees in Palestine.

In general and as observed in the field, larger LGUs are well organized with a clear hierarchy and are composed of large departments and sections (such as Gaza Municipality). Such as LGU can coordinate among its different departments due to the well organizational structure, while this is not the case in other LGUs. Indeed, the laws concerning local councils do not specify any internally systemized monitoring arrangements. The following figure shows the composition of Gaza municipality as an example.

Figure 6.5: Gaza municipality structure



Rafah municipality has the same structure as that of Gaza. The difference is in size, and the number of departments and employees. Rafah has nine Departments and 36 sections while Gaza has 16 departments and 52 sections. Most of these departments, whether in Gaza or Rafah, concentrate their operations on fee collection, road construction, water and waste management. As observed in the field, the LGUs lack concentration on the social and economic domains as central concerns. Palestinian laws have left these issues to the central institutions as a characteristic of the centralized planning system that prevailed historically in Palestine.

The number of permanent employees in Rafah municipality reached 330 in 2005, of whom only ten are women. Rafah municipality serves a population of 151,000 citizens. In Gaza municipality, situation differs. It has enjoyed a long history since its establishment in 1893, and is considered the biggest LGU in Palestine in terms of size. It serves a population of almost half a million. It has 1761 employees in 2005, which represents 51% of total LGU employees in Gaza Strip. 221 of these employees have a bachelor degree or above but the number of women employees is still only 4.5% of the total.

Table 6.1: Distribution of employees in Gaza and Rafah municipalities

Item	Gaza Municipality		Rafah Municipality	
Employee	1,761	(0.4% of total population)	330	(0.2 of total population)
Women	79	(4.5 of total employees)	10	(3% of total employees)
Population	500,000		151,000	

Source: Field work, 2005

Previous figures show a very limited trend towards employing women in local government. The proportion in Gaza municipality is 4.5 % and in Rafah municipality 3% of

the total in each. However, these figures are close to the national standards. According to Mekky (2005)⁴⁰, the average proportion of women employees in local governments is 4%. It is even lower when it comes to their membership in local councils (appointed): the percentage of women councilors is only 1.5%, with only one woman mayor, of a small village in the West Bank (Mekkey 2005).

In Palestine, there are no systematic approaches to classification of LGUs and determination of their size and jurisdictions. Some are big and serve hundreds of thousands of population (like Gaza) and some are very small and serve only hundreds of people (such as El Nasr, a small village council near Rafah). Some of the LGUs have a very high number of employees since it is the policy of the state to create job opportunities for people regardless the need for them or their qualifications. That is why some of the LGUs are overstaffed. In some cases, this has made them unable to pay the salaries of their employees, as it was the case in Gaza municipality during the *Intifada* period in 2002.

All of the LGUs staff that were interviewed in the field complained lack of enough resources to implement their activities. As a result, LGUs could not hire required qualified staff in their organizations.

“We are totally aware of our needs for additional skilled and more qualified staff particularly in fields like planning, participation and computerizing. But what can we do? Our budget is very limited and the government cannot pay good salaries. Experts would rather prefer to join private and non-governmental sectors since they can offer them much better payments”

Source: Interview with Planning officer in Rafah municipality, 2005

However, it was observed that some planning experts are being hired on a project basis. These projects are funded by external donors and require knowledge in participatory approaches. As was the case in Rafah municipality, the Canadian government funded a project of preparation of a long term comprehensive plan for the municipality and required using some participatory approaches. It was noticed that, after the withdrawal of donors, and due to the absence of any institutionalized measures, the LGU staff returned back to their previous centralized and traditional planning methods. Thus, these new learnt participatory approaches are adopted randomly, on project basis and not on a sustainable and institutional manner. It was clear that the staff concerned still need more skills and training. Training should be accompanied by new innovations in laws and regulations. This issue highlights the importance that should be given to the legitimization of this process as an important dimension for institutionalizing participation which must be integrated in the political and decision making structure.

Role of LGUs; developmental versus physical focus

It was clearly observed in the field, that the LGUs concentrate more on the spatial and physical aspects of planning at the expense of the social, economical and developmental domains. These fields are left to the central government and sometimes to some locally operating NGOs or donors. In addition, and according to the Law of Local Bodies (1997), the LGUs are responsible for construction arrangements and licenses, water and

⁴⁰ Mekky A. (2005), Women Participation in Local Government in Palestine. Online : <http://www.amin.org/eng/uncat/2005/feb/feb11.html>. Retrieved on February 11th , 2005

electricity supplies and maintenance, fee collection, and construction of some infrastructure projects such as roads, sanitation and sewerage. According to the deputy minister of the Ministry of Local Government (as cited in Abd Ela'tey 2005:34), "according to our experience, we feel that the councils' roles in development are marginalized since they are not responsible for sports, education, cultural and health development. In addition, some of the services that used to be provided by councils are gradually taken to the central government like electricity, water and sewage".

Role of local council members and their influence over planning process is seen as very weak, as mentioned in the previous section. According to the planning officer of Rafah municipality:

"the local council members do not meet regularly and they have limited influence over the LGUs and MOLG policies"

Interview with planning officer of Rafah municipality, 2005

The local councils are supposed to be responsible for setting up policies for LGUs. But in practice, this was left to the mayor. In general, as observed in the field, local councilors are not active and some of them utilize their position for their personal interests.

"some appointed councilors consider their positions as a prestige"

Source: Interview with Salah Abd Ela'tey, 2005

In practical sense, municipal governmental institutions and local councils remain subordinate to a central management system in which decision-making is made at the highest levels. While the law enables the Ministry of Local Government to practice sweeping powers and authority over these councils, it is limiting the functional jurisdictions of these councils to very few civil domains, including town and road planning, regulation the construction of buildings, supplying water and electricity (There is even a government plan to withdraw last two functions to the central government). Though the law enables local councils to perform these functions, it denies them any right to perform functions in other important civil domains like, for example, regional planning. This function is performed by the MOLG itself in coordination with other sectoral ministries (Article 2 in 1997 law). Meanwhile health and education are almost totally controlled by the central government represented by the Ministries of Health and Education respectively.

This limited role of the LGUs is believed to deepen further the separation between the NGOs and LGUs in terms of functions, focus and objectives. The NGOs' focus is on social and relief works, while the LGUs' is physical and spatial. This has left each actor working independently and resulted in characterizing the relationship with mere neutrality, thus, limiting further the potentials to create spaces for collaboration between the two.

Adequacy of LGUs' financial and budgeting systems: weak community control over resources

According to Sha'ban (2003), the total income of the LGUs in Palestine developed from \$5m in 1968, to \$84m in 1990, to \$188m in 1998 (cited in Abd Ela'tey 2005:34). Article 22 of the local council law of 1997 defines three sources for revenue for local council income: taxes and fees determined in Palestinian law, donations and grants, and finally, the budget of the executive authority. However, local councils do not have the

authority to collect taxes and fees nor to determine spending. They are obligated to obtain MOLG approval to do so according to the same law. Articles 8 and 11 of the financial system of local councils issued on 4th of March 1999, provides that the council does not have the authority to amend budget articles without the approval of the Minister.

“..local municipal councils also do not receive their share (90%) of local property taxes and professional licensing fees collected by the Ministry of Finance. Municipalities also suffer budget deficits due to the failure of residents to pay fees and their dues”

Source: Interview with manger of financing department in Rafah municipality, 2005

According to the Palestinian Human Development Report (PHDR 2002:67), before the Intifada of 2000, no more than 70% of the people paid their bills, dipping to 30% during the first two years of the Intifada. As for donations, according to PHDR (2002: 68-71), they come from four sources, the residents, residents living abroad, sisterhoods' projects, and other donors. Residents and residents living abroad offer both monetary donations and non-financial contributions, such as land, schoolrooms, clinics and mosques. As observed in the field, the building of these new projects requires a large amount of money. For example, one of the mosques that was built in Rafah municipality in 2003 consumed about half a million dollars. However, the municipalities can cooperate with the Ministry of *Waqef* (responsible for religious affairs, including administration of land and other resources) in order to regulate mosque building and decrease their high costs of construction, in order to use the savings to build other facilities like schools or health centers. Community participation is a characteristic of the Palestinian local communities, and many of them have proved they are able to cooperate in building schools, donating land, and providing funds, equipment and labor. For example, according to PHDR (2002:72), in 1999-2000, the local community in Hebron donated 483 classrooms, compared to 187 offered by the Ministry of Education. In *Nablus*, the municipality offered only 34 classrooms while the city residents donated \$1m to build a school. As for government grants, they are – when available – considered as another source for income for local councils. The issue is that these grants do not have a professional basis (such as linkage to the size of the town or number of residents) for distribution. It is the prerogative of the President or Minister of Finance to distribute these grants based on political consideration.

However, the research fieldwork revealed three major financial sources for municipalities: donors; government and internal projects; fees and donations. Donors are the major source for financing projects (95%), while government and municipal sources are used for the running expenses and payment of staff salaries. For example, the ratio of implemented projects in Gaza municipality in the year 1994-2000 was:

Table 6.2: Ratio of implemented projects in Gaza municipality during 1994-2000

Org.	USAID	WB	UNDP	EU	PECDAR	UNRWA	Gaza m.	Donation	France	Save the Children
Share	32%	27%	11%	9%	6%	5%	4%	3%	2%	1%

Source: fieldwork, 2005

The government's share, as indicated in the table, is very limited (4%). The proportion of projects financed by government is almost the same as that of donations (3%). According the planning officer of Gaza municipality:

“most of the government’s share goes to pay salaries and running costs. And very little remained for investment in developmental projects”

Source: Interview with planning officer of Gaza municipality, 2005

It is clear that the LGUs seriously lack sufficient budgets in order to implement their programs and plans. Most of the LGUs in Palestine complain shortages in their financial resources. Indeed, the LGUs share many of the same complaints as NGOs. Both lack a strong resource base. Both look toward the international community to provide assistance through donors and international organizations. According to a study done by the Development Study Program in Bir Zeit University in (2002:54), 81% of the NGOs and government officials believe that competition over financial resources and funds is hindering the flourishing of a healthy NGO-government relationship.

In Palestine, as observed in the field, the system for collecting revenues is mixed and somehow confusing, being both centralized and decentralized. For example, it includes:

- Revenues that are defined, enforced, collected and used by the central government (e.g., income tax, VAT, customs taxes);
- Taxes that are centrally enforced and are transferred to municipalities. For example, the property tax where 90 % is supposed to be transferred to the municipalities (but never happens systematically according to interviews with LGUs officials);
- Taxes, such as the fuel tax, that are centrally collected and are supposed to be partially transferred to the municipalities but this also has not happened;
- Central taxes that are centrally enforced and collected and partially transferred to municipalities. In this case, municipalities are supposed to receive a percentage of revenues from car licenses and traffic violations;
- Municipal taxes that are enforced, collected and used by the municipalities, such as the revenues from building work and street permits; and
- Municipal taxes on services such as water, electricity, sewage, garbage, slaughterhouses and markets, which are collected and used by municipalities.

This complex system, in addition to the dominance of central government over revenues, had contributed negatively to the financial capacity of LGUs. Some might argue that, in order to the increase resource base of LGUs, power to collect taxes and revenues must be decided at the local level. However, this would raise questions concerning the efficiency and capacity of Palestinian LGUs to handle these issues.

With regard to community awareness of budgeting, civil society institutions (particularly NGOs) have shown total ignorance of municipal budgeting systems and procedures. It was clear that NGOs have no access to influencing the budgeting or expenditure of LGUs. NGOs even did not attempt to influence them in favor of neglected segments of the community. According to Toqan (2001:35-37), community awareness of the importance of budgets is still weak. The circumstances surrounding the inception of the PNA and its failure to implement human development in the broader sense, in addition to the absence a national policy of local government within a comprehensive political vision, explains the lack of planning, allocation of funds, and delegation of authority.

To conclude, the relationship is characterized mainly by the dependency of LGUs on central government in terms of policies, budgeting and plan formulation. The LGUs depends mainly on donors to raise resources for their investment in development pro-

jects with limited influence on donors' agenda. This continues to weaken local municipal councils' influence over central decisions and limits their ability for autonomous actions that could strengthen the involvement of civil society in local planning.

6.5 Actors relations and power dynamics

The aim here is to explore dynamics for the making and shaping of planning spaces that involve a complex configuration of interests between differently positioned actors whose interactions are shaped by power relations. Hence, this research is concerned with exploring how power in making planning decisions is being exercised and created at the local level. Where is decision making power located? How do the dynamics among actors utilizing their power position affect the locus of decision making, and hence, affect the dynamics of inclusion and exclusion in policy making and planning?

In order systematically to investigate previously mentioned issues, the researcher made use of interest group analysis as a simple tool to explain each actor's roles, responsibilities and interests in a way to reveal conflicts, problems, potentials and implications (the full detailed matrix is attached in Appendix B). Based on interest group analysis, we will explore in detail the dynamics of power relations, particularly between NGOs and LGUs at the local level. We then look at the relations of local councils with line government institutions indicating at the same time the roles played by central government and donors in influences spaces created to involve NGOs in local planning. The last issue to be discussed in this section is the elaboration of locus of decision making as experienced in the field. The research uses the power distribution matrix as an analytical tool .

LGUs and NGOs relations: motivation of NGOs versus LGU receptiveness

One major observation in the field is that the relationship between the NGOs and local councils is limited. The weak cooperation between the NGOs and local council members, particularly in areas of policies formulation, is widening the gap between the LGUs and NGOs. The laws do not specify any kind of institutive relationship between councils and NGOs. According to the Palestinian Human Development Report (2002:85), 67.5% of residents of the Gaza Strip believe that local councils do not involve residents in decision making even on important projects that affect their community. A possible explanation for the levels of dissatisfaction among citizens may be that members and heads of local councils are appointed by the PNA. Appointment is reliant more on tribal and factional interests rather than on the input of citizens or the members' own professional standards. As a result, people tend not to trust the LGUs (neither the local councils nor their municipal governments). Citizens blame them for not performing their functions effectively.

As revealed by the fieldwork interviews, the LGUs officials consider the participation of Local Neighborhood Committees⁴¹ in data collection during the formulation of long term physical plans is participation. Also, according to the planning law, LGUs are committed to conduct a public hearing to reveal citizens' negative responses to their plans. Therefore conducting a public hearing after the formulation of the physical plans to get feedback from public (who are selectively invited) before getting planning approval is a second piece of participation, as understood by LGUs.

⁴¹ Structure and performance of local neighbourhoods committees will be discussed in details in section (6.6)

On the other hand, and due to the recent interventions and huge efforts exerted by donors and international organizations, NGOs and community representatives have begun to be invited to attend workshops and public meetings at the stages of data collection and formulation of local governments' visions. According to the planning officer of Rafah municipality, the experience gained by the government staff during the formulation of the long term comprehensive plan for Rafah (donor project) ⁴² has improved their understanding of participatory approaches.

“during the formulation of the plan, we have divided Rafah municipality into twelve sub-areas. We have conducted at least one workshop in each area where we invited local neighborhood committees together with NGOs working there. During these workshops, participants revealed their visions together with their suggested projects”

Source: Interview with planning officer with Rafah municipality, 2005

However, it was observed that this plan is kept in the drawers of the municipal planning department and has never been used to guide other planning or budgeting documents. Thus, the communities' inputs have not been utilized.

In actual fact, the local government officials do not trust the professionalism of the NGOs' contributions to planning formulation. According to the planning officer of Rafah municipality:

“NGOs cannot participate proficiently in our planning activities. They do not have the technical ability neither the skills. They are very clever in listing huge projects that we cannot offer. In addition, we focus on spatial planning while they tend to engage in relief activities”

source: Interview with planning officer with Rafah Municipality, 2005

This view was also shared by the planning officer of Gaza municipality who perceived NGO involvement in planning as luxury issue, only applicable in developed countries:

“We do not have sufficient time nor resources to invite NGOs to participate in our planning activities. It is luxury issue, time consuming, and we need to concentrate on other urgent and basic issues”

Source: Interview with planning officer with Gaza Municipality, 2005

From the point of view of the NGOs, there is a misunderstanding of what should be the role of LGUs. NGOs, in addition to other sections of civil society, historically perceive LGUs as the only body which has the obligation to deliver services without the paying or even participating of communities. Hence, this perception has contributed to weakening citizens' interests in participating in LGUs operations.

As described in (section 6.2), access of the Palestinian NGOs to the LGUs information base was found high when it concerned statistics, working data and technical reports, but that it did depend very much on the personal relationship between the personnel of the NGOs and LGU, and was not done in an organized or institutionalized manner. Most of the LGUs lack an adequate and institutionalized framework for engaging the civil society organizations in local planning which has resulted in poor NGO access to their operating systems and information. This issue in particular raises a big question regarding the accountability of LGUs. As accountability refers to the level of government response to public interests, it implies responsiveness to the demands of the gov-

⁴² This project is financed by Canadian government and last for two years and has been implemented using some of participatory approaches under foreign consultancies.

erned, exercising widespread access to information. According to many observers, some of the major problems facing Palestine as a new emerging state are corruption, lack of transparency and accountability. It was clearly observed in the field the NGOs (as part of Palestinian civil society) do not have any institutionalized channels to hold local government staff accountable to citizens' needs and demands. The laws might impose some measures to hold LGUs officials accountable to central government but not to the communities they serve. Lack of accountability makes it difficult for NGOs to have an influence over LGUs central operations.

Indeed, the inception of the Palestinian National Authority (PNA) after 1994, introduced a great opportunity for the Palestinian NGOs to strengthen their role in developing the Palestinian community and shift their activities from relief frameworks to sustainable development. NGOs began to work independently from the Israeli occupation interventions for the first time. To what extent did Palestinian NGOs utilize this opportunity? In the field interviews, when asked about their willingness to establish collaborative relationships with local governments, many of the NGOs interviewed expressed their high willingness.

- “establishing new channels for NGOs to participate in local government planning will provide the NGOs with potential to influence government policies ”

Source: Interview with manager of PNGOs Network, 2005

- “participating in governmental planning activities would increase the ability of the NGO to implement additional projects and create additional channels for acquiring more resources ”

Source: Interview with Union of Agricultural Works Committee, 2005

- “the existence of any systemized and strong relationship between both LGUs and NGOs would increase levels of trust, streamline the information exchange, consolidate their mutual works, help in a better determination of needs and priorities”

Source: Interview with manger of the Palestinian Progressive Youth Union, 2005

However this high willingness has never been translated into practical strategies or policies. When asked what deters NGOs from optimally participating in local government planning and policy making, respondents raise quite some important issues. NGOs mostly blame the government for having limited involvement in local government planning. The reasons for poor involvement as revealed by NGOs vary among the following issues:

- “High tendency of central government to dominate local planning”

- “Absence of the participatory policies at the government level”

- “Absence of comprehensive development vision”

Source: Interview with Salah Abd Ela'tey/ NGOs' expert, 2005

- “Weak NGOs networks”

- “Weak communication mechanisms with the government”

Source: Interview with director of The Palestinian Progressive Youth Union, 2005

- “Absence of the law to regulate NGOs-LGUs relationship”
- “The government mistrust NGOs, hence not able to understand their roles”
Source: Interview with director Palestinian NGOs Network
- “There is no defined spaces known by NGOs where they can make an influence”
Source: Interview with project coordinator in El Amal Association for Handicaps Rehabilitations, 2005
- “Weak culture of participation among government staff”
Source: Interview with director of TAMER Institute for Community Education, 2005
- “Both LGUs and NGOs lack resources and qualified staff”
Source: Interview with director of TADAMON for Social and Charity Works, 2005
- “Government in principle prefers to restrict NGOs work instead of promoting it. They fear the NGOs’ political role which might be played against them”
Source: Interview with director of Islamic Association, 2005

It was also observed that NGO respondents used term 'government' when talking about local governments. It was clear to the researcher, that NGOs perceive local and central government as one bundle or entity, and accordingly this might partially explain the absence of NGO policies to deal specifically with local governments.

According to a study conducted by Bissan Centre for Research and Development in 2001 about the role of NGOs in building civil society which covered 207 NGOs⁴³, 89.4% of the respondent NGOs mentioned that establishing a strong and positive relationship with the government would be an essential step for building civil and democratic society. When asked about the extent to which it is necessary to establish such relations, 71.3% pointed out that roles complement the other. Around 14.6% said that such relations with the government would provide a good opportunity for the NGOs to influence the government rules, policies and regulations, while 18.9 % mentioned that it would enable the NGOs to acquire financial and material support from the government. It is also useful to mention that 10.6% of the surveyed NGOs did not believe establishing such relations was important or necessary for building civil and democratic society (Bissan 2001).

In another study conducted by MAS (Palestinian Economic Policies Research Centre) in 2003, it was revealed that competition between government and NGOs for getting funds and financial assistance contributed to weakening of the mutual relationship. Another study prepared by the Development Study Program in Bir Zeit University in 2004, revealed that 81% of the NGOs and Government officials believe that competition over financial resources and funds is hindering the flourishing of the NGO-government relationship. Another reason for weakening this relationship indicated by MAS (2001) is the political role played by some Palestinian NGOs, which has lead in some cases to confrontation between them. The third reason, according to MAS (2001), is the absence of a unified vision for the NGOs, particularly regarding attitudes towards

⁴³ BISSAN centre for research and development. See Online: bissan.org. Retrieved on January 18th, 2006

the government. The fourth reason is the tendency of the government to impose a centralized pattern of ruling and planning.

All of previous issues reveal clearly that Palestinian NGOs have the willingness to build a strong coordination relationship with the government from their side. But since they both fight and compete for acquiring financing resources, their cooperation has never reached an optimum level. The fieldwork revealed that there are other two main reasons that dissuade NGOs from sharing their resources with government: first, their limited available resources, and second, the prevailing attitude of some NGOs that the “government has to support them and not to take from them”, as one of the NGOs interviewees expressed it.

More interesting, as mentioned early in this section, is the observation that the strong willingness of NGOs has neither been accompanied by clear policy frameworks to establish such a strong coordination nor have efforts been exerted by NGOs to create new spaces for their involvement. Neither the NGOs nor the LGUs have a clear vision of how to translate this willingness into practical operating strategies in an institutional manner.

However, at the central level, the situation might be different. Although a central government policy to work with NGOs in a complementary basis does not exist, some central institutions like the ministries of health and women's affairs have, to some extent, clear policies and visions to work together with NGOs. They tend to conduct regular consultations, workshops and meetings with related NGOs specialized in these fields, particularly when formulating short and medium government plans.

“We are totally satisfied and appreciate the works of the minister of women affairs. She is open to NGOs and tends to consult us in every activity. Do not forget that she - before being a minister - used to be one of the biggest activists in non-governmental work. She as minister aware of the importance of NGOs”

Source: Interview with director of Women's Affairs Technical Committees, 2005

Both the ministries of health and women's affairs recognize the huge work and activities introduced by the NGOs specialized in these fields. According to the project coordinator in the Union of Health Works Committees:

“the ministry of health also recognized their inability in terms of resources and personnel to meet alone all of the health needs and services. As a result, they are enforced to consider NGOs as supporting agencies for their program implementations. They cannot ignore our huge input and capacity”

Source: Interview with project coordinator in Union of Health Works Committees, 2005

The Ministry of Health tends to involve health-specialized NGOs in the early stages of formulating its policies, plans and strategies, and delineates clear functions and responsibilities among each other. The question is whether involvement of NGOs in such activities is a policy of the government or being done occasionally? According to the head of the public relations department of the Union of Health Works Committees:

“the involvement of the health organizations in government policy formulation depends mainly on the personality of the minister; it is not a sustained policy of the ministry”

Source: Interview with the head of public relations in Union of Health Work Committees, 2005

This issue in particular indicates some of the serious problems that face the general management system in Palestine: the lack of vision, inconsistent policy, and institutionalization. The attitude of senior government officials would be the strong driving force to determine the nature of the relationship with NGOs.

Are NGOs able to monitor implementation of the policies and the plans where they have been consulted? According to the head of the public relations department in the Union of Health Work Committees:

“ the health organizations do not have any access to follow up the implementation of the formulated policies or plans. The ministry starts very active then, as usual, falls asleep”

Source: Interview with the head of public relations in Union of Health Work Committees, 2005

The Ministry of Health tends to consult NGOs in early stages because it cannot ignore the NGOs' high capacity. The health organizations have proved their high capacity and enjoy a good reputation among local communities. It is well-known in Palestine, that NGOs provide better services than the government itself in terms of quality. According to the Ministry of Health (MOH 2004)⁴⁴, there are 99 primary health care centers (PHCs) in the Gaza Strip. Among them, around 49 are administered by the MOH, 33 by NGOs and 17 by UNRWA. There are 32 PHCs in Gaza city alone. With regard to hospitals, there are a total of 19 in the Gaza Strip, 12 under the MOH and seven with NGOs. Ten of the 19 hospitals are located in Gaza city as the dominant city in the area.

Table 6.3: Distribution of health centers and hospitals in Gaza Strip

Item	Government	NGOs	UNRWA	Total
Primary health care centers	49	33	17	99
Hospitals	12	7	--	19

Source: Ministry of Health, 2004. Online: www.moh.gov.ps Retrieved on September 26th, 2005

Lastly, the experience in cooperation of health activities reveals clearly, the more NGOs have resources, skills and capacity, the more opportunity they have to force the governments to coordinate their activities with them. The question is whether these NGOs are being used to implement government programs and policies, rather than establishing a truly collaboration process? It might be difficult to judge this question, since the cooperation itself did not reach an optimum level and did not go beyond consultation in early stages. However, this issue has to be kept in mind as a caution when entering a partnership relationship with government at any level.

Beyond the health and women's affairs sectors, the weak cooperation in general between NGOs and central government can be justified as being due to weak policy and an absence of central commitment to engage NGOs in development planning. According to the director of the NGOs department in the Ministry of Interior (MOI):

⁴⁴ Ministry of Health, Palestine. See online: www.moh.gov.ps. Retrieved on September 26th, 2005

“weak involvement of NGOs in government ministries’ planning and policy making can be easily observed. According to my view, this is due to an absence of clear ministries’ visions and policies from one side and the absence of specialization on the NGOs side”

Source: Interview with director of NGOs department in MOI, 2005

In the field, it was also observed that some central government officials do not trust NGOs and suspect their roles. They fear that this sector would replace their roles and continue to weaken the state's relationship with public. In addition, some strong NGOs are affiliated with strong opposition political parties, which makes cooperation difficult due to political conflict. One interesting suggestion raised by a senior official in the Ministry of Interior to promote NGOs involvement, is to construct a new body (committee) from NGOs and government, to be integrated into the government structure:

“There is a need to establish a mutual committee from the NGOs and government at the higher level. This committee to be responsible for forming clear visions, policies and operating strategies to organize their mutual works”

Source: Interview with director of NGOs department in MOI, 2005

Though this suggestion seems interesting, it might face incredible difficulties in translating it into reality. How to select representatives of the very diverse NGOs in Palestine? And who has legitimacy to decide which NGOs should participate in this committee? Would the decisions of this committee be binding on all actors? How to give it legitimacy and how to integrate it into the government structure? How to ensure its decisions are followed? Would it be a government or non-government body by its nature? Indeed, Palestinian history, both past and present, is full of committees formulated for many reasons. In view of the failure of these committees to achieve their goals, how can this new suggested committee differ from them?

To conclude, it is apparent that relationships between NGOs and government institutions are poor at all levels, apart from a few cases, and the relationships that do exist lack organization and consistency. This does not negate the existence of some successful examples at the central level, in addition to those discussed, such as the Welfare Association Consortium for the Management of the Palestinian NGO project⁴⁵; the National Committee for fighting poverty⁴⁶ and the Palestinian Human Development Re-

⁴⁵ This institution was initiated by the World Bank and was highly supported by the PNGOs. The main aim of this association was to cover the financial shortages of the NGOs due to the tendency of the donors to support the PNA in a way to strengthen the developmental work of the NGOs particularly in alleviating poverty. The Consortium Association is managed by a committee composed of several NGOs networks such as The PNGO Network, the General Union for the Charitable Societies, The National Committee for the PNGOs and a number of civil society representatives. In addition to these civil society representatives, the management committee also included PNA representatives from Ministry of Social Affairs and Ministry of NGO Affairs, representatives from the private sector and also from the World Bank as monitor. The main objectives of this initiative were to provide social and economic services in various developmental sectors; development of the organizational and institutional building for the PNGOs; strengthening of the relationship between the PNGOs and the state

⁴⁶ It is composed of representatives from the NGOs, the government institutions and ministries, private sector, UNRWA, Charity (ZAKAT) committees, and representatives of some donors. This committee is managed and coordinated by the Ministry of Planning. This committee has published the first report about poverty in Palestine with support from the United Nations Development Program. The committee did wide research on poverty in Palestine using (Participatory Poverty Assessment "PAA") .

port⁴⁷. However, the analysis and discussion of these forums would go beyond the research focus, which is limited to the local level.

Relationship between LGUs and line government institutions: degree of local autonomous actions

The official government planning system is composed of development planning institutions, including the Higher Council for Planning, Ministry of Local Government, Ministry of Planning, regional planning committees, and other permanent and temporary bodies entrusted with addressing issues or executing specific tasks. At the community level, the local government system includes local councils and municipal governments. In the following sub-sections we shine more light on the complexities characterizing the local-central relationship and their implications towards creation of policy spaces to involve NGOs in local planning and policy making.

Palestine enjoys a long history of authoritarian regimes since the Ottoman Empire, passing through British mandate, Egyptian and Jordanian administrations and finally with Israeli occupation. Even after the inception of the Palestinian National Authority (PNA), centralized authority continues to hold power. This issue of authoritarian characteristics has weakened the civil domain and restricted effective participation of civil society in general affairs. It has also imposed many restrictions on the vertical relationship within the government line agencies themselves as more power is centralized at the top level of government.

One of the major conditions in establishing effective participation of civil society in general affairs is the commitment of the central and local government to adopt participatory methodologies in their development planning. This commitment has to be translated into political will that results in clear policy frameworks and specific institutional measures. The absence of this commitment weakens the efforts exerted by NGOs and by some governmental officials to promote participation. The absence of these institutional measures that are supposed to streamline the participatory activities and delineate a clear mandate and responsibilities among actors involved, had also resulted in widening the gap between the civil society on one side and the government on the other.

According to many observers, disputes over power are one of the major characteristics of Palestinian society, whether this power is political, social, economical or administrative. The central authorities tend to neglect segments of civil society and the lower government units at the local level. In the Palestinian society – as the Arab world generally – personal relationship is paramount in getting access to power and to determining the extent to which effective action measures may be expressed in laws, policies or institutional structures.

While most of the recent Palestinian laws have emphasized the need for elected local councils to represent local communities and to manage their affairs, local elections were not conducted until ten years after the arrival of the Palestinian Authority. In the past, local elections were conducted occasionally and on a very limited basis. The previous elections were conducted in the Gaza Strip in 1944 and in the West Bank in 1976. The conducting of a local election at the end of 2004 would constitute a crucial step in assur-

⁴⁷ It is composed of representatives of NGOs, PNA, and private sector and supported by United Nations Development Program. It publishes annual reports concerning human development in Palestine. This report is supervised by the Development Studies Program in Bir Zeit University. The preparation and publication of these reports contributes positively to strengthening the relationship among the various actors involved and in determining relevant strategies and formulating priorities for human development and fighting poverty.

ing proper presentation for citizens in local planning through democratic selection instead of appointment. Meanwhile the need for a proper relationship between local councils and civil society organizations is still missed, which continues to weaken the influence of locally-based organizations over decision making processes.

The continuing occupation and the absence of an independent Palestinian state in an actual sense combined with the scarcity of resources, hinders the contribution of local councils to the development process. Through recent decades, the Palestinian people have gained significant experience in development work, social organization, and democratic practices. A consensus appears to exist on the philosophical basis and the desirable organizational structure for local government and its relationship with the central government. Various constitutional provisions lay out a framework for this structure. Article (176) of the temporary Palestinian Constitution⁴⁸ provides for “organizing relations between the administrations of local units on the basis of non-central democracy in managing units of local government”. Article (168) provides that “local councils should enjoy authority, be elected according to the law, and practice their legally established authorities. Local councils shall not be forced to sign commitments or agreements except in their area of specialty and in coordination with the Ministry of Local Government.” Article 95 of the Constitution Draft provides that the law shall establish “the tasks of local councils, their financial resources, and relation with the central government, as well as their role in preparing and executing development plans and supervising various activities. Distribution shall be based, as much as possible, on the number and distribution of residents.” However, what had been promised by the constitution was not properly articulated in the legal frameworks as discussed early in this chapter.

The provisions of the draft Basic Law envisage a democratic, non-centralized, elected local government that should perform an active role in planning, execution, implementation and monitoring. However, in reality, and according to the Palestinian Human Development Report (2000:66), what exists is “..a centralized, and somewhat chaotic system, one that limits community participation in the decision-making process and implements regulations in an inconsistent fashion. In preparation of national plans and budgets, there is weak community participation. Furthermore, the allocation of budgets among local councils has been inconsistent. Local civil society groups are not actively engaged in the work of local councils”.

PNA institutions have made important steps in working with local governments and communities, but according to the Palestinian Human Development Report (2002:51-66), these steps remain modest and fail to achieve Palestinian potential and to be comprehensive and consistent. Although the Israeli occupation and other external factors have compromised the role of the PNA, there are local, self-imposed factors that have limited the ability of the PNA to build a more fertile relationship with the local community and its representatives. While justified to a large extent, the PNA has focused attention on political matters at the expense of addressing economic, social and development concerns, and has not paid enough attention to the necessary connection between short and long term development requirements, and the necessary relationship between achieving national goals and development goals. Public support for the establishment of the first-ever PNA has been unprecedented. However, there was disapproval at what was seen as a dereliction of duty in the delivery of services and in security; a sentiment in evidence at the beginning of the *Intifada*. This has led to calls for greater responsiveness and a more effective central government, especially with the establishment of hun-

48 The Fourth Draft of the Constitution for the Interim Status Stage, a document prepared by the Palestinian Legislative Council and published on 22 January, 1996.

dreds of local councils with no, or limited, experience and ability in service delivery, democratic practices, and development approaches (Palestinian Human Development Report 2002:51-66).

The administrative structure law “obligates the council and strips it of all authority, turning it into an employee of the district” (Yaqoub and Al-araj 2001 as cited in Human Development Report 2002:103). The law diminishes local councils’ authority and prevents them from exercising authority spelled out by the law. The abilities of a local council to play a partnership role in decision making vary according to the council’s reliance on self-funding, and its relative influence within the ranks of executive authority, decision making powers and donors. Some larger municipalities, whose reliance on executive authority ministries, especially the Ministry of Finance, is limited, are able to overcome obstacles that seem insurmountable for smaller municipalities. They are aided in doing so by their great ability to influence decision makers and donors, which enables them to avoid complications. On the flip side, smaller, weaker municipalities (especially newer ones) do not enjoy such influence and resources, increasing the gap between them and their larger counterparts (Palestinian Human Development Report 2000:104).

Also, the overlapping of the roles of ministries and other institutions regarding their relationship with local councils confuses the latter, causes conflict within the authorities of the ministry itself, and also wastes resources because of lack of effective coordination. Cooperation among municipalities is very limited. In addition, the General Union of Local Councils is considered very weak due to the absence of clear vision and lack of resources.

The ministry of local government formulates some local plans for small LGUs when such LGUs lack the technical ability to formulate their own. According to the Legal consultant of the Central Planning Committee at the Ministry of Local Government (MOLG):

“..talking about small local councils, we have encountered some examples as in *El-shouka*, and *Elmasadar* councils where they ask us for technical assistance to formulate their plans”

Interview with Legal Consultant in MOLG, 2005

With regard to participation of LGUs in regional and national planning, the LGUs themselves perceive their influence as limited due to the centralized decision making pattern that characterizes the planning process. According to the planning officer of Rafah Municipality:

“It is true that the central planning committee and some ministries ask us about our views or for information. But it is also true that our input in many occasions is disregarded and not taken into consideration. There are no mechanisms that enable us to monitor formulation of regional and national plans. Making decisions in this regard is centralized and even our representation in such central committees is formal and not actual”

Source: Interview with Planning officer of Rafah Municipality, 2005

The central and local governments co-ordinate the physical planning activities throughout the Central Committee for Building and City Planning (CCBCP) that composed from representatives of all government ministries and municipalities. This committee is under the supervision of ministry of local government. It concentrates its tasks on

physical activities and is considered as a governmental department under hierarchy of MOLG. In order to increase their influence on the central government, the LGUs formulate the UNION of LGUs. As revealed by both planning officers of Gaza, and Rafah municipalities, this union is inactive due to absence of a clear organizational structure, policies and due to the very limited resources available for the Union. According to the planning officer of Rafah municipality:

“the Union of Municipalities started strongly, then its role has been rapidly diminished and weakened”

Source: Interview with Planning officer of Rafah Municipality, 2005

As observed in the field, the LGUs are concentrating on infrastructure projects and they are deprived partially or totally of the ability to practice their developmental roles in education, health, sports, cultural and social development, as mentioned before. Though the new Local Body's laws of 1996 and 1997 are talking about decentralization, the MOLG did not delegate genuine power or resources to local councils.

According to the Palestinian Human Development Report (2002:105), “the role of the PNA in achieving sustainable development is positive, but generally modest and greatly affected by external circumstances. Self-imposed factors influence both the successes and failures of government and civic performance. The PNA has failed to build a relationship based on confidence and mutual respect with the Palestinian community, local councils and NGOs”. According to an opinion poll conducted by the Development Studies Program in Bir Zeit University in 2004, results have shown a low level of trust between citizens and PA institutions, where only 23% trust government performance. According to (Miree 2000:49), one of the PNA's self imposed obstacles was the failure to provide policies of good governance and a balanced framework under which to organize key Palestinian initiatives. The PNA similarly failed to recognize the relationship between development and resistance. The political agenda consumed the lion's share of human resources and available assets. Decision makers did not establish defined and institutionalized tools to arrange the priorities of the community. They did not exhibit ample understanding of the practical aspects of human development and, in general, did not take it seriously.

To conclude, the PNA did not delegate authority or create mechanisms to enable local councils to fulfill their potential role in development and administrative affairs. Central PNA institutions currently find themselves unable to work harmoniously with local councils and other community institutions and appear increasingly bureaucratic in their outlook and function. In addition, few municipalities receive adequate funding to allow them to assume their tasks and most are not delegated sufficient authority to participate in decision making.

In the following section we explore the relationship between the local government units and the Ministry of Local Government as a key central actor with direct influence over the key operations of Palestinian LGUs.

LGUs and the ministry of local government; supportive administration versus local government

The Ministry of Local Government (MOLG) was formed by a decision from the exiled Palestinian leadership in Tunisia on 25th, February 1994. The Ministry was to implement a limited vision of a local government structure and to ensure that “local government consists of local councils in the form of municipalities, town and villages councils, and joint service councils that work for the benefit of the residents. Each local commit-

tee has an area of jurisdiction within the boundaries of the state” (PHDR 2002:62). The ministry adopted a general policy based on the following four basic objectives (PHDR 2002:62-63):

- Advancing the concepts of local government and decentralized management, and to create local government institutions that support the national objective of building Palestinian local communities that embrace democratic elections,
- Raising the quality of services in the Palestinian rural community to bridge the gap between rural and urban areas,
- Developing the abilities of local councils, and
- Reviewing the performance of local councils established before the inception of the PNA in order to arrive at a local government vision concurrent with the Palestinian agenda.

Nevertheless, there is a gap between the stated objectives and what was actually implemented. The recurrence of terms such as centrality, decentralization, and participation in the literature of local government is interesting, in the absence of a clear context for interpretation. The legal system’s references to local government are marked by a high degree of ambiguity. These objectives are far from being achieved; members of local councils are appointed based on familial grounds, rather than professional merits; women are grossly underrepresented; there is a lack of clear planning and resources. There is low community participation in the work of local councils. This might have resulted in disenchantment with their performance. Various public opinion polls have shown a generally negative evaluation of the performance of local councils. According to PHDR (2000:64), “the Ministry of Local Government issued decisions regarding internal policies that conflicted with the authorities delegated to local councils by law. Also the appointment mechanism revived and strengthened the favoritism”. According to Abdel’aty (2005:54) this “orientation towards administrative decentralization is not accompanied by political decisions or commitments which have to be translated into operational policies and institutionalized strategies”. As discussed earlier in this chapter with regard to limitations of the law of Local Bodies of 1997, the law conferred sweeping powers in the hands of the MOLG, whilst simultaneously limiting the functional jurisdiction of the local councils to delivery of certain services.

Local councils and Higher Planning Council; weak involvement in higher decisions

The High Planning Council and its affiliate bodies are considered vital to the work of local councils. The higher council was established by presidential decree which was issued on 21 August 1995, and is headed by the minister of local government. The Council’s membership comprises representatives from the ministries of planning, public works, transport, housing, health, labor, tourism and antiquities, industry, agriculture, trade, culture and environment, in addition to the Attorney General, the Jerusalem Custodian, and the general director of urban planning at the MOLG. According to the Consultation Group for Rural Development (ARD 2000:13), the higher council is noted for “centrality, especially in financial affairs”. Examining the composition and performance of the council, as noted by the Human Development Report (2002:64), “the absence of community participation is evident”. The administrative structures law reinforced centralization and failed to clarify administrative policies. However, the *Intifada* affirmed that decentralization, and local and community participation, are decisive factors in empowering the Palestinian community in view of the failure encountered by central state to respond effectively to urgent needs of the Palestinians.

In fact, “the PNA when issuing several decrees, works without guiding policies or planned frameworks” (Human Development Report, 2002:64). According to the field-work interviews with LGUs, the influence of local councils on the work of the High Planning Council is minimal.

“since its establishment, the higher council has conducted very few meetings. The meeting themselves could not result in concrete actions”

Source: Interview with the planning officer in Rafah municipality, 2005

It was clear that there is a degree of dissatisfaction of local government officials with higher planning institutions. According to them, these institutions, though established to increase LGUs participation in higher decision making, they rarely consider their views nor take them seriously.

Local councils and governorate; conflict of mandates and weak co-operation

As for relationship between local councils and governors, often the authority of the council and that of the governor entangle, and the authority extended to local councils is unclear due to the vagueness of governor authority. More interesting, is how the LGUs themselves perceive the role of governorates. According to the interviews with the planning officers of Gaza and Rafah municipalities:

“the LGUs focus on services delivery while the governorate focuses on relief. The governor used to intervene in emergency situations”

Source: Interview with the planning officer in Rafah Municipality, 2005

According to the researcher’s experience as a regional planner, the governorate is a government unit that lies between the local level and regional level. Their input in preparation of the plans, whether local or regional, is minimal. They tend to work independently in appraising additional projects suggested from outside and by donors, which are to be implemented in their local jurisdiction areas. In general, the relations between LGUs and Governorates are neutral but in some cases, conflicts occur between them over some disputed responsibilities due to the overlapping of functions and mandates.

To conclude, in examining the position of local councils and municipal governments in relation to the state agencies, it became evident that the weak commitment of central government to delegate more power in terms of resources, and administrative and decision making to local levels, has limited the LGUs in improving performance and achieving an effective service delivery system. It was also clear that in order to foster effective citizen participation, both of the actors involved in this equation (LGUs and NGOs) must enjoy enough power, resources and autonomy. According to many observers, the PA did not exert enough efforts to enable proper environment that could provide for citizens’ needs for economic and social security; ensure social justice and protection of human rights; strengthen the devolution of power and resources to local bodies; promote and facilitate the participation of citizens in governance; create and nurture an enabling environment for effective and collective citizen actions nor facilitate active citizenship. More seriously, the locus of decision making power continues to be located at the top level of government.

Beyond local actors; role of the international and creditable organizations in local planning

According to the fieldwork findings, donor countries were found to be the most important source of funding for both Palestinians local governments and NGOs. It was also observed, that in many cases, those who receive the funds (whether government or NGOs) are restricted to the agenda of donors. Donors play a decisive role in how the funds are to be used, sometimes inconsistent with the real needs and priorities of the local community. This situation, according to a World Bank Report (2000), is created by the following:

- Failure of the donors to grant the beneficiaries an active role in sustaining projects,
- Failure of the donors to provide sufficient support to improve the abilities and capacities of local councils,
- Failure of donors to co-ordinate their relief assistance and tie it with sustainable development within a unified strategy,
- The donors emphasized projects with tangible results and effects on the expense of long term development projects except in some cases,
- Difficulties in cooperation between donors and local communities and councils due to different values, culture and work style, and
- Bias in allocating loans and budgets where some of local councils and NGOs do not attract the donors' attention.

As we have mentioned before in this chapter, more than 80% of the activities implemented by NGOs or local governments are financed by donors. The limited resource base available for Palestinian NGOs and government has created a competing environment in order to acquire the donors' funds. Thus, this has created an environment that is based on suspicion and confrontation.

Palestinian NGOs rely in principle on donors to finance their programs and activities. Many donors expressed their commitment to enhancing the ongoing political settlements process. According to (Abd Elhady 2004: 45), "external financial support for Palestinian NGOs is based on a vision of Palestinian needs from the perspective of donors and in correlation with the donors' goals and objectives. It is also obvious that external financial support is not independent of governmental influence. In other words, funding reflects the agenda of the donor country".

Palestinian NGOs exert a minimal influence on the agenda of donors due to the absence of joint understandings and agreements between Palestinian NGOs and the donor community in identifying the Palestinians needs. The relationship is based on the delivery of finance and in accordance with the priorities of donors. One important observation in this regard, is that large modern developmental organizations operating at national level enjoy better access to financial resources than small traditional organizations working at local level.

"advocacy and research organizations are more advantaged as regards raising financing from donors"

Source: Interview with Salah Abd Ela'tey (NGOs expert), 2005

By advocacy organizations, we mean the ones working at the national level to advocate for government reforms, human rights and democracy. The flow of funds to major organizations at the expense of small organizations has resulted in widening the gap and creation of a mistrustful relationship between large and small NGOs. This has led one of the interviewees from small NGOs to call big organizations “monsters” while another interviewee called them “fat cats”.

“Donors’ funding goes to those who don’t deserve. Big organizations got these funds because they have the technical capacity, high proficiency, and better personal relationship with outsiders. When will we get a chance as a small NGO to prove our self? It is really business and these big organizations behave as monsters”

Source: Interview with director of TADAMON for Social and Charity Works, 2005

“There are big fats in the NGOs sector, and we can’t compete with them”

Source: Interview with director of TAMER Institute for Community Education, 2005

“It is the donors who decide nature of implemented projects”

Source: interview with project coordinator in EL Amal Association for Handicaps Rehabilitation, 2005

Donors’ funds go to major NGOs since they are well structured and have better technical capacity, which makes them more able to comply with donors’ requirements. All of the small organizations interviewed in the field complained that they did not have the same opportunities as big organizations to get funding from international organizations or donors. On the other hand, and with regard to donors’ efforts in introducing new participatory approaches, it was observed their positive roles in this regard. The donors tend to put firm pressure on both NGOs and government to use participatory approaches as a crucial activity in their programs and projects. The Palestinian NGOs interviewed in the field have taken various stands as to how they perceive role of donors. Following summarized these split views:

- Donors play a vital role in supporting economically and technically the NGOs. Donors can put pressure on government to promote involvement of NGOs in the planning process.

(Source: Interviews with Palestinian NGOs Network, Women’s Affairs Technical Committees, YABUS for social and charity Works, El Amal Association for Handicaps Rehabilitation, General Service Association for Kanada Camp , 2005)

- Some NGOs suspect the donors’ agenda particularly the ones affiliated with opposition political parties (religious and leftist parties). All of the (leftist) NGOs stated that they will not cooperate any more with USAID and its affiliated organizations.

(Source: Interviews with Palestinian Progressive Youth Union, Tadamon For Social and Charity Works, Tamer Institute for Community Education, Union of agricultural Works Committees, Islamic Association, 2005)

- Some see the projects funded by these organizations as they don’t meet communities’ priorities and needs.

(Source: Interviews with Palestinian Progressive Youth Union, Tadamon For Social and Charity Works, Islamic Association, El Amal Association for Handicaps Rehabilitation, 2005)

- Most of the NGOs appreciate the role played by the UN organizations in development fields calling for more cooperation with the NGOs side.

(Source: Interviews with Union of Health Work Committees, Palestinian Progressive Youth Union, Tadamon For Social and Charity Works, Islamic Association, Palestinian NGOs Network, Women’s Affairs Technical Committees, YABUS for social and charity Works, El Amal Association for Handicaps Rehabilitation, General Service Association for Kanada Camp , 2005)

The politicized nature of some of Palestinian NGOs might have an effect on the nature of their relationship with the international community. Some of the donors, such as Japan, Canada, GTZ, WORLD Bank and the UN organizations, have strong reputations since “their works can be seen on the ground in terms of building new infrastructure and creation of new jobs” - according to interview with Salah Abda’lley (NGOs expert).

In a public poll conducted by the Development Study Program in Bir Zeit University 2004, 49% of respondents believed that international assistance has lessened the human suffering of the Palestinian people. A slightly higher proportion (56%) of Gaza respondents believes this to be the case than in the West Bank (44%). The overwhelming majority (62%) of respondents believe that donor countries and funding agencies have a hidden political agenda when it comes to the granting of international financial aid to the Palestinians.

On a related aspect, and as the NGO sector has grown and funding has increased, there is a concern that this may actually decrease the legitimacy and accountability of some NGOs. In some cases, it was observed that NGOs are more accountable to donors who provide funds than to communities who receive benefits. According to the researcher’s view, this issue might negatively affect the legitimacy of these NGOs in the eyes of community. Another issue which is of great concern is the emphasis placed by donors on service delivery strategies at the expense of advocacy roles that could be played by NGOs. In other words, donors contract Palestinian NGOs to implement their programs. This emphasis, according to the researcher’s view, has undermined the Palestinian NGOs’ envisioned vital role in advocating citizens’ needs at the government level, and shifted their concentration to project implementation and service provisions.

As regards the influence of donors on state policy, the donors have exerted considerable efforts in creating new spaces where LGUs and NGOs can meet and discuss various issues of concern. This was clearly observed in the projects implemented by both Rafah and Gaza municipalities which are funded by donors. The donors put pressure on the government to establish new relationships with NGOs when implementing their programs and plans. The donors put strict conditions on the government in order to get the funds, and ensure that citizen participation is among these conditions.

Although donors’ efforts are helping to break the previously dominantly centralized way of planning, it was also observed that these new approaches have never been accompanied by any institutionalized measures that would ensure sustainability in the adoption of participatory approaches after the withdrawal of donors. It is clear that the donors have to exert more effort to promote the creation of lasting changes in Palestinian policies, regulations and laws and not to concentrate only on short term projects. They also have to emphasize more training and capacity building for government staff. The efforts of donors have to be accompanied by a tremendous internal effort on the part of both the state and civil society in order to institutionalize these approaches – when they are relevant – in a sustainable manner. Both sides have to be innovative and creative and to adapt participatory approaches that would match their culture, environment and resources.

To conclude, the total dependence on donors in terms of finance has increased the dependency of government and non-government institutions on donors, limited the space for more autonomous and innovative actions, increased competition and disputes between NGOs and government over resources, and this might lead to development of a conspiracy relationship and finally weakening of the state.

Having discussed the dynamics of actors’ relationships at the local level, the next step is to examine the input of each actor within the planning and policy making proc-

esses. Due to its simplicity, the researcher used a power distribution matrix to meet this goal, as will be discussed in the next section.

Locus of decision making power at the local level and power distribution matrix; exclusion versus inclusion

By exploring where decision making power is made or located, we will have more understanding of the dynamics of inclusion or exclusion affecting each actor at the local planning and policy making levels. The actors having potential contribution at the local planning level are include: the High Planning Council (HPC), Ministry of Planning (MOP), Ministry of Local Government (MOLG), and Ministry of Finance (MOF) at the central level. At the regional level there is the Central Committee for Building and City Planning (CCBCP), and at the local level, which is our focus, these actors include the local councils (LCs), municipal governments and governorates. From the civil society side, there are the Palestinian local NGOs, local neighbourhood committees (LNCs) and political parties (some may call them political society) and donors.

The locus of decision power covers the following functional components: policy making, planning, implementation, finance and budgeting, monitoring and evaluation. The following power distribution matrix was made by the researcher based on the fieldwork findings, documentations shared by respondents, and observations together with the researcher's experience as a regional government planner.

Table 6.4: Power distribution matrix

Power Distribution Matrix																	
Key Players in local planning	Central				R	Local			CSO								
	HPC	MOP	MOLG	MOF	CCBCP	Govrte.	LCs	LGUs	LNCs	NGOs-CBOs	Donors	P.Parties					
Functional Component																	
Policy Making																	
Setting of local policy	G	D	D	X	C	I	X	I	I	I	G	X					
Guidelines & principles for planning	X	C	D	X	D	I	X	I	X	X	X	X					
Planning																	
Vision building & goals setting	X	D	D	X	D	I	X	C	I	X	G	X					
Data base & collection	X	D	D	X	C	X	X	I	X	I	X	X					
Determine priorities	C	D	D	X	D	X	C	C	I	X	C	X					
Physical planning	X	C	D	X	D	X	I	C	I	X	X	X					
Socio-economic planning	G	D	C	X	X	X	I	I	X	I	C	X					
Implementation																	
Strategies and delivery mechanisms	X	C	C	C	C	C	X	D	X	X	X	X					
Formulations of Action plans	X	G	G	X	C	X	X	D	X	X	C	X					
Financing & Budgeting																	
Determine tax rates, fees, etc	X	X	X	D	X	X	X	X	X	X	X	X					
Revenue collection & expenditure	X	X	X	D	X	X	X	X	X	X	X	X					
Resources share	X	X	X	C	X	X	X	D	X	X	G	X					
Monitoring & Evaluation																	
Identify indicators	X	X	D	X	D	X	X	C	X	X	C	X					
Carry out monitoring	X	X	X	X	C	X	X	D	X	X	X	X					
Supervise & evaluation	X	X	X	X	C	X	X	D	X	X	X	X					
Agency Function:																	
D: Decision Power			C: Consultation			G: Guidance & instructions provide											
I: Information share-informed			X: Not direct involvement in decision making- No input														
CSOs: Civil Society Organizations						LCs: Local Councils											
HPC: High Planning Council						LGUs: Local Government Units											
MOP: Ministry of Planning						LNCs: Local Neighbourhood Committees											
MOLG: Ministry of Local Government						NGOs: Non-governmental organizations											
MOF: Ministry of Finance						CBOs: Community based organizations											
CCBCP: Central Committee for Building & City Planning																	

With focus on inclusion and exclusion of LGUs (local councils and municipal governments combined) and NGOs, the following are important considerations as revealed by the power distribution matrix:

Policy making

- *Setting of local policy:* The decision making power is mainly located in the hands of the ministries of local government and of planning. Local councils have no concrete input in this regard, while municipal governments just provide information to the upper level. NGOs might also provide some information to municipal governments; however their cooperation with local councils (appointed or elected) is totally absent. It is important to emphasize, that according to the law, the local council is the government body which is supposed to formulate local policies – which has never happened on the ground.
- *Guidance and principles for planning:* This operation is totally dominated by both the Ministry of Local Government and the Central Committee for Building and City Planning. There might be some occasions where municipal governments provide some information. Neither local councils nor NGOs have any input or feedback in this regard.

Planning

- *Vision building and goal setting:* the power to take decisions in this regard is shared among the ministries of planning and of local government, and the Central Committee for Building and City Planning, with limited cooperation among them which has confused the LGUs. The LGUs might provide some information, but there is no guarantee that their input will be considered. The NGOs have no input except for some occasions when the projects are funded by donors, in which case consultation with local NGOs becomes obligatory.
- *Data base and collection:* This operation is mainly practiced by the ministries of planning and local government while local NGOs and municipal governments provide information.
- *Determining priorities:* Priorities are mainly determined by the central level institutions for example, the ministries of planning, and local government and other sectoral ministries like health and education. The local councils and municipal governments might be consulted, while, NGOs are totally excluded.
- *Physical planning:* Though municipal governments prepare these plans, the final decision for physical planning is dominated by the Central Committee for Building and City Planning together with the Ministry of Local Government. These central institutions can amend, change, approve or reject the plans. Sometimes these central institutions prepare the physical plans on behalf of some small LGUs. Once again, the NGOs are totally excluded.
- *Socio-economic planning:* Decision power in this sector is mostly located in the hands of the Ministry of Planning. LGUs and NGOs might share or provide some information, but their views are not binding.

Implementation

- *Strategies and delivery mechanisms:* At the local level, although there are consultations with central institutions, the municipal governments are the bodies responsible for implement these mechanisms.
- *Formulation of action plans:* Under the guidance and supervision of central institutions, the municipal councils decide on action plans. In the implementation of the plans or the projects at local level, NGOs have minimal input.

Financing and budgeting

- *Determine tax and revenue collection:* These issues are mainly decided by the central authority represented by the Ministry of Finance. LGUs and NGOs are totally excluded and do not have access to influence these decisions.
- *Resources share:* Central government provides a small share (5%), while donors provide around 90% for development projects. The NGOs' share in implementing government projects is absent.
- The budgeting plans are formulated by the municipal governments under the supervision and guidance of the Ministry of Local Government. As a matter of formality, the local councils have to approve the plans before forwarding them to the Ministry of Local Government which can amend, approve and reject the budgeting plans. The NGOs have no access to local government budgeting and expenditure.

Monitoring and evaluation

- Monitoring and evaluation of the implementation of local plans and projects is being done mainly by central institutions in cooperation with municipal local governments. The NGOs are totally excluded from these operations.

So far we have explored the legal frameworks, interplay of actors, knowledge and power in the planning process in creating and shaping policy spaces. The following section concludes the review of these spaces, looking at whether they exist by invitation of the government or are autonomous attempts made by NGOs.

6.6 Spaces for NGOs involvement in local planning; invited versus autonomous

It was clear from the previous discussions in this chapter, that the interplay between knowledge, the dynamics between actors, and power relationships has resulted in limited spaces in which NGOs become involved in local planning and policy making processes. Policy and planning spaces have been identified as moments in which interventions or events throw up new opportunities, reconfiguring relationships between actors within these spaces or bringing in new actors, and opening up the possibilities of a shift in direction (Grindle and Thomas 1991 as cited in Brock et al. 2000:37). Policy spaces as understood by this research are not just boardrooms or meeting halls but moments of intervention where actors negotiate possibilities, mobilize discourses and play out power dynamics.

In this section we examine some of the spaces that we have encountered during the course of research and think about their construction and their boundaries and the impact these spaces have on the agency of the different actors in the policy process. What

opportunities do different kinds of spaces offer for the elaboration of policy? What constraints exist on the representation of organized groups of civil society?

Invited spaces are the ones that are created by the local government in the shape of forums, venues or committees to meet and consult communities in planning and policy making. These spaces – as found by this researcher during fieldwork – are local neighborhood committees, public hearing workshops and media (usually newsletters). Autonomous spaces are attempts created by organized groups within civil society (focusing on NGOs) to create new potentials to influence government policies and plans at the local level. Here it is important to emphasize two issues:

First, with reference to the invited spaces created by the government, it was observed during fieldwork that these are not targeted at NGOs specifically, but intend to include a wide range of community actors and representatives. Some NGOs might participate in the public hearing if they are invited. Though local neighborhood committees are considered in this context as spaces, and since they differ totally from NGOs in terms of structure and functions, they represent as well some sort of organized institutions for civil society. This will be the angle from which it will be tackled.

Secondly, at the Palestinian local level, the researcher did not encounter any serious attempts of NGOs to open or create new spaces to influence decision making and plan formulation. However, some Palestinian NGOs tend to focus their influence on the central government by lobbying for example to influence health policies or the NGOs law as was explained before (in sections 6.2 and 6.4). However, since the focus concerns only the local level, the absence of autonomous attempts of NGOs to create new spaces to influence local decision making and planning process is an important finding.

The Palestinian civil society perception of planning and policy spaces is that they are the exclusive domains of government. There is marked disconnection between what may be regarded as “government business” and “civil society business”. There is a general impression that government officials have particular mindsets which in a way render them unable to engage effectively with civil society in policy making and planning. Yet the central government, according to many NGOs respondents, makes rhetorical claims of its collaborating with civil society, probably in order to secure funding from donors. Here are the perceptions of some Palestinian NGOs, revealed in the interviews:

- “those in government are not ready to listen to NGOs advice”
TAMER Institute for Community Education
- “usually when planning documents are being prepared, the views of NGO representatives even at the later stages of public hearings, do not get reflected in the final outputs. NGOs don’t have capacity to influence final output”
The Palestinian Progressive Youth Union
- “government makes contacts with NGOs when they are obliged to do so. It is just to amuse and to satisfy donors’ requirements”
TADAMON for social and charity works
- “local governments concentrate on infrastructure projects which is their exclusive business while we as NGOs tend to focus in relief works”
General Service Association for Kanaka Camp

The policy spaces are sometimes nothing more than mere pronouncements by the executive municipal government through the media, and the pronouncements may not be followed up with the appropriate guidelines, yet they may constitute the effective policies. Indeed, the fact of non-inclusion of NGOs in planning spaces is not a new development in the Palestinian context. Historically, throughout the absence of the Palestinian state, NGOs used to run their affairs independently from the various ruling authorities, practicing their important role in providing communities with basic needs, but remaining isolated from government. In other words, NGOs used to fulfill the function of para-state institutions. Currently, neither the NGOs nor the Palestinian government could solve this dilemma by recognizing the need to create new spaces where both can meet, discuss and collaborate seeking to satisfy citizens' needs. As mentioned on several occasions in this chapter, they rather tend to compete over resources and the government seeks to restrict and control NGO works.

As mentioned in chapter two, due to Palestinian NGO history and the transitional and uncertain nature of the political context in Palestine, the relationship between NGOs and the government according to Jarrar (2005)⁴⁹, has gone through different phases:

- The first phase took place directly after the creation of the Palestinian Authority. It was mainly characterized by uncertainty about the role of NGOs in the emerging political context and the creation of governmental organs. The government was of two minds in this respect: on the one hand, it recognized the need for the services provided by NGOs to fill the gap which it was unable to do. On the other hand, NGOs were regarded as competitors to the service-delivery system of the government.
- The second phase was defined by mutual acceptance. It marked the initiation of dialogue between the NGOs and the government. As a matter of principle, the NGOs started to formulate their own political discourse on civil society, democracy and the rule of law. In this phase, the NGO movement witnessed a major shift in funding priorities from service delivery to a program approach with its main emphasis on gender, democracy and human rights. This led to a change in the activities and strategies of some of the NGOs.
- The third phase was characterized by the emerging collaboration between the Palestinian Legislative Council and the NGO sector related to the drafting and endorsement of the Palestinian NGO law. A professional cooperation between the NGOs and the relevant ministries also took place.

According to the researcher's view, the first and second phases, which covered almost the first seven years of establishment of the Palestinian Authority, have made both actors aware of the importance of their cooperation and collaboration. It seems that the Palestinian Authority as a new emerging state is not yet prepared to create efficient invited spaces for NGOs, particularly at the local level, nor can they allow for autonomous attempts by NGOs to have an influence over its policies. The third phase might prove to be the most important for at least clarifying the legal environment where NGO-governments interactions are to occur. Although these initiatives are still primitive (as discussed in 6.1), the dialogue among NGOs and governments is expected to extend to cover all the missing and ambiguous areas, particularly those identifying the NGOs-LGUs relationship at the local level. This hopefully might take the shape of the fourth phase.

⁴⁹ as cited in the Palestinian Israelis Journal (Vol.12 No.1 2005: 39-51)

Local neighborhood committees

The local neighborhood committees exist at local level of the Palestinian local government system. They are created to serve a purpose of representing their local communities in the formulating of local physical plans. However, to what extent are these committees representative? And to what extent do they have the potential to influence local decision making? These issues are what we intend to disclose in this section.

At the time this research was being conducted, there were no meetings between these committees and LGUs to be observed directly by the researcher for more analysis and in-depth investigation. The research rather depended on retrospective data (mainly vocally since meetings are not documented). The researcher made use of the interviews of three local committees that work within Rafah municipality together with municipality planning officers in order to investigate the questions. We will begin by introducing the structure of these committees then investigate their roles and influence.

As revealed by the fieldwork interviews, the neighborhood committees are distributed across an LGU jurisdiction. For example in Rafah municipality which serves a community of 151,000 population, there are twelve formulated local committees. According to the planning officer:

“the number of local committees was even more than twelve. We used to work with 49 local committees. But since it was very difficult to work with all of these committees, we divided our LGU into 12 sub-areas in the year 1999”.

Source: Interview with Rafah municipality planning officer, 2005

It was interesting to observe – as revealed by interviews – how these local committees are formulated. It is not based on election, nor on a community meeting where the group select representatives from among themselves. It is rather a process that is supervised by the mayor who consults heads of families and the prominent community leadership which exists in that area. He asks them collectively to come up with a number of five to nine persons (depending on the size of the area). Sometimes the community leadership can generate a consensus for selecting their representatives at their first meeting together, or with the mayor. Sometimes the community itself can come directly to the mayor suggesting names even if the mayor did not ask for this. These committees, after forwarding their names to the Mayor, will then be legally accredited by the Ministry of Local Government, unlike the NGOs which have to be accredited by the Ministry of Interior.

To what extent do these committees truly represent their local communities? According to Rafah municipality planning officer:

“ we have experienced a lot of problems when working with local communities. When a committee is formulated to represent an area, some other people from the same area will come up with another committee claiming that they are not consulted in the formation of the previous committee”

Source: Interview with Rafah municipality planning officer, 2005

It was clear that the formation of local committees is not systemized nor organized in an institutional manner. Indeed, this problem is created because the local committees are not created on the basis of general consensus or through a general meeting that could result in a committee that truly represents all of the community. As was observed in the

field, these committees do not even have internal regulations (law) nor do they meet regularly to discuss community needs or problems. Regardless of the structural weakness of these committees that are not truly representative, they represent – by their existence at the local planning level – a potential for inclusion of local communities in policy making. The issue is that these committees have to be better organized and could be formatted through elections (for example as it was the case in two local committees exist in Rafah municipality, namely *Kanada* and *Elbarazil* areas). These two local committees brought to light problems and weaknesses caused in the process of their formation. They decided to launch elections to select the members of their committees. By doing elections, these two local committees were considered as NGOs and therefore they had to be accredited by the Ministry of Interior instead of the Ministry of Local Government. Although transforming to being NGO is not enforced by law, it was rather the determination of these committees to enjoy being NGO and neighborhood committee at the same time. According to the head of *Kanada* Camp Local Committee:

“transforming to NGO structure would mean more empowerment for the committee. It would be in a better position to apply for further project proposals independently from local governments. Local government is weak and poorly resourced, and being NGO would provide additional channels for other financial sources”

Source: Interview with head of *kanada* Camp Local Committee

As with regards to the degree to which the committees influence local policies, it was observed to be very minimal. As revealed from the interviews with municipality planning officers and the local committees themselves, their area of cooperation is delineated in providing information for the planning officer regarding their needs and projects. The planning officer then makes a long list of all suggested projects for all communities as revealed by their local committees. It rests solely with the planner officer and his team to decide what to include or exclude from these projects in their long term physical plans. It was observed that most of the projects have to be physical in nature and related mainly to roads, parks and playground areas, water supplies, sanitations and electricity. Although committees can reveal other social needs like health or education activities, these projects will be kept in the municipal planning department and to be revealed to upper levels – if asked for – who control planning for these sectors.

After formulation of government plans, they will be forwarded to the upper levels of government (Central Committee for Planning and City Building) for approval. When they are approved, the LGUs then use other two ‘spaces’ to involve communities. One is public hearing and the other the media (i.e. newsletter).

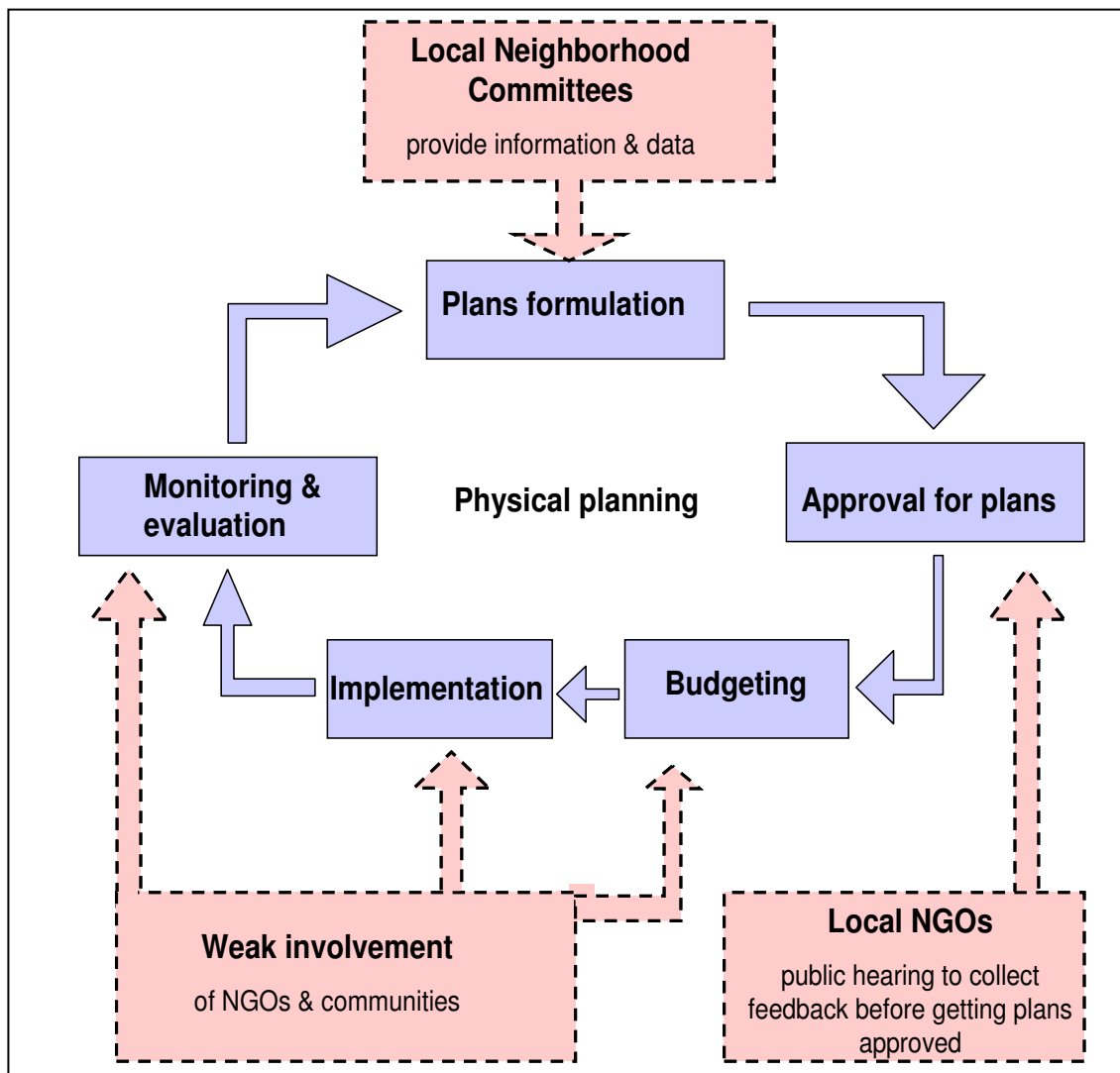
For a public hearing, the LGU invites the relevant local neighborhood committees, some NGOs, tribal chiefs and some prominent community leadership. The plans will be deposited in the LGUs for 60 days to be accessed by anyone for inspection. This deposit of the plans will be announced through local newsletter. According to the researcher’s experience in this field, the public hearing and opening the plans for inspection is just a matter of formality in order to comply with the law. The comments or rejections that could be revealed by the public hearing workshops or by any individual are not listened to nor accepted in most cases. It is not even the LGU who decides about them, the LGU will only receive and collect the comments and it is up to the Central Committee for Building and City Planning to decide.

To conclude, the local neighborhood committees may participate as information providers but even then they will not have access either to formulate, monitor or to implement the plans. However, the local committees by their nature would have a potential

for widening a space for local communities to participate in policy making and the whole planning process if they were better structured and organized in an institutional manner.

The nature of existing spaces for Palestinian local NGOs, either invited or autonomous, cannot provide genuine potential for them to have a substantial influence on the local government planning and policy making process. The following diagram describes these spaces as they are revealed in the field:

Figure 6.6: Spaces for NGOs to have influence in local planning



Gender relations in policy spaces

As is almost always the case in traditional conservative societies, women were in general deprived from participating in decision making in local government affairs. In the traditional view of the Palestinian society, women are perceived as housekeepers who are responsible for bringing up the children and taking care of the household activities. This view has lasted for centuries but there have been a observable changes in women's status in the last two to three decades in Palestine. Changes have happened, according

to the researcher's view, due to the increasing literacy rate of women⁵⁰ which could be expected to make women more aware about their rights and motivate them to participate in general affairs. The second reason could be the magnificent efforts exerted by local and international women organizations and NGOs in general in the field of training and building of women's capacities. For example, according to our fieldwork together with MAS (2000), the percent of women employees in NGOs is almost same as men, if not higher. However, unlike within Palestinian NGOs, women were under represented in both LGUs and local neighborhood committees, both of which are mainly dominated by traditional and tribal leadership.

In actual fact, we cannot discuss gender participation in isolation from the socio-historical context of the Palestinian society. As we have discussed in chapter two, Palestinian women were deprived of their rights to elect or nominate themselves in the Palestinian local elections during the British mandate, Jordanian and Egyptian administrations, and Israeli occupation. During these eras, women were totally excluded from participation either in policy formulation or in the executive work of local councils. The development plans of these councils assumed that "development that targets man would necessarily benefit all the society including women" (Sa'eed 1996:10). The Israeli military order number 627 of the year 1975 has amended section 12 of the Jordanian local council law with regards to participation of women in elections. As a result, women participated in local elections – as voters only not as nominees – for the first time in history in the local council elections of 1976, in West Bank only. The Israeli occupation widened the base of voters not to give women their rights but to counteract the increasing dominance of the PLO (Palestinian Liberation Organization) over Palestinian society (Sa'eed, 1996:16).

In the 1970s, apart from the Israeli occupation and for the first time within the occupied Palestinian territories, there emerged a distinct commitment to articulating women's concerns both separately and in connection with the national movement, and to working towards the establishment of an organized women's movement. Among the major concerns of these new organizations were: working women; women in rural areas; and the need to establish viable productive ventures and self-help opportunities for women (Sayigh, 1989 cited in Mekky 2005)⁵¹. The women who took the initiative to establish these committees were relatively young, educated, and activists in their own right. They believed that by strengthening the role of women in the national struggle they would be able to realize women's full potential in society. Their approach was to address daily concerns in various areas of women's lives, rather than to focus primarily or intentionally on political issues. They paid careful attention to involving local women themselves (for example, in rural areas) in expressing their own needs and priorities, and invited local women to participate in setting up and running branches of these non-governmental committees in their own communities (Sabagh 1993 in Mekkey 2005).

A study prepared by the Women's Affairs Technical Committee in 1996, about the involvement of women in development projects of the local governments from the year 1976 till 1996, has revealed a low tendency to involve women in local planning and project implementation. The study revealed that 59% of these governmental projects are infrastructure projects (water, electricity, roads, etc). Around 44% of these projects were implemented after 1991. Indeed, the narrow vision of development that concentrated on infrastructure projects can be justified due to the prevailing political situation and lack

50 Time being, it reached 85% in whole Palestine and 92% in Gaza Strip according to the Palestinian Central Bureau of Statistics, 2005

51 By: Abdunnasser Makky. Online : <http://www.amin.org/eng/uncat/2005/feb/feb11.html>. Retrieved on February 11th, 2005

of human and financial resources. The absence of awareness on development related issues and the absence of national comprehensive plans that could consider the role of local councils in development continue to strengthen this narrow vision of development. More importantly, the study also revealed that 77% of projects implemented by LGUs did not include women as a direct target. The other remaining projects that targeted women were mainly girls' schools and motherhood centers. Regarding consultation with women, the study indicated that 91% of projects implemented by LGUs did not include consultations or dialogues with women.

How do women themselves perceive local governments? According to another study prepared by the Women' Affairs Technical Committee in 1996, 86% of women believe that LGUs don't have a positive influence on their lives. The majority of women evaluate the works of LGUs as weak. Only 12% perceive the works of LGUs as good. The women justified the weak performance of LGUs as being due to the ignorance of these councils to the real needs, problems and priorities of women.

The involvement of the Palestinian women in political, legislative and local levels is similar to the involvement of women in the Arab world but much lower than in many countries in Asia, Europe and United States of America. The percentage of women in the International Parliaments of the world was 15.2% in the 1990s. The high percentage was in Finland 44%, with 37.7% in Sweden, 31% in the European parliament, 17.6% in the United States of America, 15.4% in Asia, and the lowest percentage of 11.5 % was in Italy. In the Arab world, the percentage reached 5.6% while in the Palestinian legislative council reached 5.7% in the legislative elections of 1996, which is similar to the percentage in the Arab world (Sa'ed 1996:11).

According to the Women' Affairs Technical Committee, two major reasons prevented the Palestinian women from being elected to the PLC:

- The election law in 1995 adopted the multidistrict system and not one district system and depended on the simple majority. In this way, the parties chose men as candidates because many districts got only one or two seats; and
- The power of the family and kinship criteria restricted the participation of the women in the election.

The participation of women in public administration in the year 2002 was 13% from all the employees in the PNA sectors; 3% in the higher level of government (Mekkey 2005). According to this fieldwork and other national statistics, the participation of women in the local government institutions is extremely limited and it has two aspects. Firstly, as employees in the local councils (4%) and secondly, as members in the appointed local councils (1.5%). According to the Women's Affairs Technical Committee (2005), there are 63 women local council members out of 3597 in Palestine. This means that women occupied only 1.5% of the total council members' seats. The locally famous example of the only lady who is the mayor of small village (*Khirbt Qays* in *Salfit* district in the West Bank), is an indicator of how women were far from actively involved in local councils. It should be mentioned in addition, that some local councils refuse female participation, basing their rejection on religious or cultural reasons. Whatever the cause, many councils in Gaza Strip and in several locales in the West Bank do not have female members. The manner in which women were appointed to local councils was inappropriate and frustrating for many women, because tribal and fractional connections superseded merit and the desire to represent neglected segments of society, as there was clear preference to appoint people of certain clans that made up an influential percentage of the local community. Though men were appointed directly, without the need for

consensus and the approval of the Ministry of Local Government, women on the other hand needed the approval of the local council members to become members – and a single objection could result in the rejection of membership. In many instances, women were required to hold elections among themselves to choose a candidate. From a practical standpoint, women were faced with obstacles and impossible conditions deliberately intended to keep them from becoming council members. Some officials played a negative role in appointing women because their interests were connected with those of residents opposed to the idea of involving women. Generally, women participation remains limited due to the absence of a clear and enforceable decision on the part of the concerned PNA institutions. This under-representation of women in local councils lasted till 2004 when local elections were conducted. The percent of women council member jumped to reach around 20%, utilizing the quota provided for them in the law.

To conclude, the previous discussion highlights the very limited spaces created for women to participate in local government in general and to influence local policies in specific. Women represent half of the community and without women's participation, genuine participation will not be accomplished. The challenges for promoting women's participation are common to both NGOs and LGUs: how to cope with an environment which is sometimes hostile to the concept of involving women? How to motivate central state for better policies that could result in better spaces to involve women in local policy making?

6.7 Summarizing key dimensions for institutionalizing participation in Palestine

The discussion of Palestinian legal frameworks, NGOs' and LGUs' characteristics, dynamics of their interactions and the interplay of knowledge, power and actors, all have revealed several factors that have disabled and hindered the establishment of effective spaces for NGOs to collaborate with LGUs, so as to have an influence over policy making and planning processes. This research has also revealed that the domain of government policy making and local planning is far removed from civil society. The NGOs believe that they are nearer to communities and therefore closer to the realities which exist at the local level relative to the government. In spite of this, both sides of the equations (NGOs and government) are to be blamed for limited spaces for collaboration. Palestinian NGOs have not shown sufficient knowledge to the degree that could enable them to have a professional contribution at the local policy level. On the other hand, the government dominates planning operations showing little interest in widening spaces to involve NGOs. Both sides – as revealed by this research – are still lacking capacity in terms of resources and skills in a way that will establish a mature and effective collaboration.

There are critical disconnections at different stages and levels, and between different configurations of actors, knowledge and spaces. There is a disconnection between the diverse knowledge about the experience, causes and impacts of policy formulation and implementation. Although there are some scattered mechanisms which have appeared to be committed to enhancing bottom-up approaches, analysis of these spaces suggests that exclusionary power relations influence the kinds of knowledge that are created within them. Further, the staging of an event for participation to occur is little or no guarantee either that knowledge arising from the event will be used, how it might be used, or by whom. There is a disconnection between the perceptions of idealized roles (what should happen) and practice (what does happen). There is a disconnection between ordinary

citizens and their representatives which is a major obstacle to the development of an accountable policy process.

Several reasons as revealed by this research have contributed to the emergence of these disconnections at the local policy level. They include among others the following:

- Government sees itself as the repository of expertise for planning and policy making. In their minimal random efforts, they were merely condescending to involve NGOs in planning and policy processes.
- NGOs' non-professional contribution, their limited knowledge of central government planning operations, planning languages and procedures, lack of tools of advocacy and organizational deficiencies have contributed to the disconnections between NGOs and local governments.
- NGOs do not see creating of policy spaces as a serious issue, emphasizing service delivery strategies and thereby undermining advocacy strategies.
- Politicizing nature of some of NGOs' work has resulted in creation of confrontation and a suspicious relationship with government. In addition, lack of resources and absence of overall development vision has led to rendering the LGUs-NGOs relationship competitive instead of collaborative. State-civil society relations are marked by mutual mistrust and lack of familiarity

Our analysis of the spaces created to involve NGOs in decision making, suggests that both actors are facing common dilemmas and dimensions around questions of decision making structure, capacity and legalizing process of involvement. Following are the illustrations of these dimensions.

Structure: ad-hoc involvement and lack of continuity

The existing structure of the Palestinian local decision making process could not provide sufficient opportunities for NGOs to have an influence on local planning that could increase receptiveness and accountability of local governments to citizens' needs. The Palestinian planning system is characterized by a central and traditional pattern of planning whereas the locus of decision making power is to a very large extent located in the hands of central government institutions. Centralized power is retained over fiscal matters (revenue-raising and allocation and budgeting) and no participation is envisaged in them, contradicting the spirit of decentralization and citizen participation and reducing incentives for citizens' involvement in local governance. There is an excessive reliance on laws and on a legalistic approach, to the neglect of operational guidelines or the provision of practical support and capacity building for implementation. The overall centralized model of governance has narrowed down the room for local autonomous actions.

Dominance of the individual person instead of development of effective institutions in both government and NGOs has also weakened institutions. In addition, the weak organizational structure has contributed to limit the NGO's potential to effectively participate in the local planning process and decision making. In specific, the weaknesses of decision making structure are reflected in the following issues:

- *No structural dialogues or regular consultations*: the NGOs lack any serious instrumentalized channels that are integrated in the political structure. This has resulted in irregular consultations and dialogues with LGUs. What was actually found in the field is that dialogue has been conducted randomly, temporarily and under the pressure of donors, rather than being embedded in the Palestinian institutions; also,

they were not equipped with instruments or forums for continuous dialogues, thus limiting the long term effectiveness of NGOs participation. The existing structures treat people and civil society as relatively passive subjects, to be engaged with only through non-binding consultations at relatively late stages of decision-making process.

- *Information flow is erratic and unsteady*: In order to have effective participation, information flow has to be accessible by any actor in any time. However, in the Palestinian context, the unsteady of information flow, has narrowed down the access of NGOs to required information and thus, limiting their influence on decision making.

Capacity: lack of appropriate knowledge and resources

Lack of capacity is a strong driving factor which has negatively affected the ability to create effective spaces. This research has revealed clearly that both LGUs and NGOs lack resources and skills of participatory approaches. Both sides failed to tie their service delivery strategies to long term objectives and sustainable development.

- *Limited NGOs knowledge of central issues*: Palestinian NGOs have shown total ignorance of planning process languages and procedures and limited knowledge of central LGUs' operating systems like budgeting, revenue raising and expenditure. The NGOs' contribution in policy domains is not professional. In addition, immature and relatively inexperienced civil society and local governments have negatively affected the potential to establish collaboration between themselves. Both sides have revealed different visions and perceptions of what participation should be and how to achieve it.
- *Lack of financial, human and technical resources*: this research has revealed that both LGUs and NGOs seriously lack financial resources together with technical expertise. Both sides have failed to establish strong effective bonds either among NGOs or LGUs themselves. NGOs tend to have a wide range of missions and goals ignoring their limited abilities and capacities to accomplish these missions. The absence of specialization has weakened the NGO ability in performing efficiently in serving their local communities. This issue has also weakened the ability of NGOs to form strong networks among organizations of the same sector of specialization and thus, weakened their ability to formulate strong pressure groups to influence the decision making process at the local government level.

Legitimacy: who is legitimized by whom?

At the local level, even at the government line institutions themselves, it was confusing to determine who is responsible for what. It was observed clearly that there is overlapping and conflict within government institutions mandates, while the exact legal definitions of NGOs-LGUs relationship are still missing and ambiguous. The regulatory frameworks are imposed from above without a groundswell of popular demand and overly inspired by prevalent international discourses and tendencies. These frameworks seek only to make the institutions of representative democracy work better, not to challenge these or extend governance relationships beyond them. The initiatives of Palestinian NGOs to change and adjust the system from the bottom have been weak. They depend either on the upper level of government or donors to change situation.

- *Civil society is not legitimized nor well represented*: the existing legal frameworks do not guarantee a representative scheme for NGOs in the whole planning process. Planning is seen as a government domain disregarding the need to include civil society organizations and marginalized groups. The frameworks have not provided

clear and defined forums where civil society can hold local government more accountable and responsive to citizens' needs. The monitoring of local council tasks was left to the Ministry of Local Government with almost total absence of civil society organizations to practice their envisioned role as watch dog in this regard. There is an absence of clarification that could specify the access of local communities to local decision making and how they could monitor or approach local councils.

- *Strong external influence: donorship versus ownership:* donors are found by this research, to be the strongest and most influential player in identifying – though temporarily – spaces for NGO involvement in local planning. This would imply raising the question of ownership of the created procedures. These spaces, according to this researcher's view, since they are adopted just to satisfy donors and not are deeply rooted in the mindset and behavior of government officials, have never been integrated into the legal frameworks to guarantee sustainability. The Palestinian local actors have not taken advantage of donors' influence and could not adapt better approaches that could match their knowledge, skills, capacity and resources. On the other hand, failure of the donors to grant the beneficiaries an active role; failure to provide sufficient support to improve the abilities of local councils; lack of donor coordination; and difficulties in cooperation between donors and local communities and councils due to different values, culture and work style have worsened the situation. The donors have emphasized projects with tangible results and effects at the expense of long term development projects, except in some cases. The almost total dependence of the LGUs and NGOs on the foreign and international funds has resulted in limiting their influence on donors' agendas.

Regardless of the existence of many limitations that hinder the establishment of effective spaces for NGOs to have influence over planning and policy making, there could be some potential as well, such as:

- There is a great tendency to establish democratic regime and good governance due to pressures made by internal and international organizations.
- Introduction of the new elections laws 1996, and local bodies' laws 1997, is considered as a great step forward in adjusting legal planning frameworks. The laws have tried to fill the gap – though they are primitive efforts – in the ambiguous relationship between local government and central government represented particularly by the Ministry of Local Government. It has defined the procedural framework for conducting of the councils' tasks.
- The high literacy rate of the Palestinians that exceeds 90% for both males and females. This would create a good potential for a better understanding, more active and aware community. In addition, the existing culture of voluntarism among the Palestinians which emphasizes working for general causes without reward, can contribute to the welfare of the communities.
- The existence of a huge number of working non-governmental organizations active in social and relief activities would enrich the experience of this sector in development domains.
- The introduction of new participatory approaches and concepts by donors would help in breaking out of previous centralized planning methods. Donors can play vital roles in supporting state, LGUs, and NGOs and help in building their capacities.

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- High willingness of NGOs to establish strong relationships with government although this has not been translated into operational policies and strategic measures.
 - Relatively high trust of citizens on NGOs' performance (47%) compared to government (23%)⁵², which would create stronger local support for NGOs particularly when they advocate citizens' needs and address their problems.
 - There are relatively good relations between Palestinian NGOs and the international community and organizations. If it is utilized properly (which is not the case on ground), this would enable Palestinian NGOs to have influence on donors' agenda and generate international support to influence state policies.
 - Many NGOs began to adopt participatory strategies in formulating and implementing their activities and projects. This should be considered as a step forward for deeply rooting these ideas in the mindset of NGOs' staffs.
 - Existence of larger highly qualified working NGOs in terms of skills and capacity (particularly in major urban areas) should help in training LGUs and other small NGOs in participatory approaches. This would also contribute to empowering local communities and raising of their capacity.

In view of these potentials and limitations, the Palestinian civil society and government face particular challenges in strengthening their collaboration in local planning and policy making processes. These challenges are to be discussed in the next chapter.

⁵² According to public poll No.17 which has prepared by the Development Study Program, Bir Zeit University, 2004

7 Foremost challenges and lessons learnt: an account for evolution of participatory practices in Palestine

Palestinian NGOs are working in a constantly changing context, and their relationship with the state has passed through many stages as mentioned before. In all of the stages, there has been no clear identification of each one's roles and responsibilities, particularly at the local government level. Palestinian non-governmental organizations have grown in scope and number in the wake of Palestinian government failure to overcome problems of satisfying citizens with basic needs. These organizations have supported traditionally marginalized communities in their efforts to improve the economic, social, and political conditions under which people live. Yet national policies increasingly undermine their sustainable development efforts and often limit the ability of them to participate effectively in planning and policies. As these non-governmental institutions, which are representing and serving grassroots groups, have gained experience and credibility in development, still many NGOs are not adding formal policy influence to their agendas. In order to utilize the existence of experienced NGOs, spaces that ensure their proper involvement in policy domains have to be created. These spaces have to be integrated in the political and decision making structure, be legitimized, and involve capable and knowledgeable actors. These issues represent the major domains where both NGOs and LGUs are challenged in their efforts for reforms as it will be detailed in the following section.

7.1 Challenges for NGOs to have influence over local planning

One of the foremost challenges facing the Palestinian NGOs is to have clear and unified definition and perception of institutionalizing their involvement in local planning and policy making. In other words, what should be success in terms of policy influence? How this success could be measured? This research has revealed clearly the different perceptions and disconnections both between NGOs and LGUs and among NGOs themselves. Quite a large number of Palestinian NGOs emphasize that their service delivery strategies undermine their advocacy roles, while some other organizations emphasize their involvement in implementing development projects at the expense of genuine influence on policies. Quite a few organizations envisioned their roles as to hold local government accountable and responsive to citizens needs. On the other hand, LGUs perceive NGOs as information givers, and the involvement of NGOs in dividing the 'donors cake'⁵³ is considered another side of LGUs perception. What would successful involvement of NGOs in local planning process and policy making entail? Should NGOs implement government policies and plans? How can local government be held accountable and responsive to citizens' needs? Palestinian NGOs have to unify first a clear vision among themselves about their collaboration with local government. Collaboration does not mean simply linkages or interactions, but rather working together in a mutually interdependent fashion. How to stimulate domestic policy making at the local level towards the emergence of local generated strategies instead of dominated central policies?

⁵³ This term is used by planning officer of Rafah Municipality during the interview, 2005

Another challenge concerns NGOs' accountability. At the NGOs level, it might be difficult to identify to whom NGOs are more accountable? To donors who provide funds or to citizens which are served by NGOs? It might be obvious that NGOs, in order to generate more local support, consider their beneficiaries first and foremost. However, it might be difficult for them, under the pressures made by scarcity of resources, to apply more pressure over donors as to influence their agenda.

Successful collaboration between NGOs and local governments has resulted in more responsive government policies to communities' needs. However, at the local government level, it was difficult for NGOs to hold government officials accountable to citizens due to absence of legal channels and the lack of access to information. In relation to this challenge, is the issue of how NGOs can carry out successful influence while remaining independent and within their charity law? Should networks of Palestinian NGOs remain politically affiliated in view of the fact that their alliances with political parties might create confrontation with government? Should NGOs seek to influence symptoms or causes of their disconnections from LGUs? Should they stress program design or underlying ideology? These debates have to be seriously raised and tackled among the Palestinian NGOs in order to clarify a road map for them.

One of the most serious challenges facing Palestinian NGOs is to work with a disabled state. Palestinian NGOs must work with the constraints of current government systems, poorly resourced, poorly motivated and bureaucratic agencies that are resistant to change. How should Palestinian NGOs cope with these practical difficulties in the government system? More seriously, how do Palestinian NGOs work under the umbrella of an ever changing political context and ambiguous legal frameworks? Particularly in view of this challenge, it might be useful for NGOs, utilizing first their relatively higher capacity, to introduce training, launching awareness programs and advocacy campaigns for reforms and legal changes. Secondly, Palestinian NGOs might utilize their better relations with donors to make collective pressure in order to have changes in the state policy. Indeed, according to the researcher's view, the donors can play a positive supporting role in this regard.

On the other hand, donors themselves might create additional challenges for Palestinian NGOs. Donors might have narrowed down the Palestinian NGOs' roles to focus more on short term objectives and service delivery strategies at the expense of their envisioned advocacy roles. How can Palestinian NGOs occupy a better position to have an influence on donors' agendas? As observed in the field, the NGOs' dependency on donor funds has weakened their ability to have such influence. It might be suggested that more collaboration among NGOs in identifying key issues and strategies to work with donors would help in this regard. On the other hand, it would also be helpful if the donors were to coordinate among themselves so as to unify their efforts and strategies. The Palestinian NGOs show little tendency to collaborate with local government level either due to lack of knowledge or low capacity. How to utilize and relate the long experience of Palestinian NGOs in service delivery to an advocacy role? What kind of knowledge and training is needed and who can provide them? While it might be clear that donors and the larger knowledgeable and capable Palestinian NGOs can play an important role in this regard, this does not negate the need for home grown efforts, either by small NGOs or the government itself.

At the government level, the LGUs themselves have shown their dependency on central governments in terms of policy making and administration. The LGUs are powerless, lacking autonomy and experience in participatory approaches. They work as government administration to implement central policy. The question is how to make them more powerful, given that the central state itself is poorly resourced and powerless

too? It might be obvious that central government has to relinquish some of its dominance over local planning but the question of resources will still be a major challenge facing local governments in Palestine. They have to be more innovative in creating a variety of alternatives to overcome this issue.

7.2 Account of evolution of participatory practices in a changing context: Lessons learned from Palestine experience

It might be useful first to clarify what a changing context for NGOs would refer to. Indeed, 'changing context' in its practical sense carries several dimensions. Firstly, it is linked with the changing general political environment which is unstable and vulnerable to any change (regardless its nature) which might occur in the region. It is very difficult to know exactly whether the peace process with the Israelis is still going on or has ceased. The clashes between the Palestinians and the Israeli occupation that started in 2000 are ongoing, affecting negatively the prevailing of peace and order in the Palestinian territories. The second, and more important, dimension of the changing context is that there is no stability at the state policy level. Government policies are made up by persons and not institutions. The implementability of these policies is tightly connected to these persons. In other words, if these persons lose their power, their policies (regardless of their efficacy) are powerless too. This implies that there are no unified policies for the state, it is always changing which means that the state institutions themselves are weak. Thirdly, the legal environment that regulates the NGO-government relationship is not settled yet and might be changed due to any reason. Hence, working in an ambiguous legal framework is also a characteristic of the changing context. Fourth, the environment in which NGO-government interactions occur depends sometimes on the donors' position on one side, and Palestinian political parties on the other. Since relationship of donors and political parties with government is difficult to be predicted, this adds a further dimension of ambiguity and change. Fifth, the total absence of comprehensive development visions that could guide coordination among all actors (state, donors and NGOs) has contributed negatively to clarity of the environment. All of the previously mentioned issues make it very difficult to present a scenario or even a trend delineating the future relationship between Palestinian NGOs and government based on any constancy. The nature of government itself is changing, right wing (FATEH – secular party) used to hold power till 2006, at which time the Islamic Party (HAMAS) won the elections and formed the government. Such a fundamental change in the government's nature would have certainly imply radical changes in government policies and receptiveness to NGOs' concerns, which will also add another layer of opacity to the future scene.

In such changing context, the argument of this research would be clear. *Since the context is changing rapidly (politically and legally), and vulnerable to many kinds of change, both of the actors working at the local level (NGOs and LGUs) are more likely to work in an isolated and independent manner, maybe to protect themselves from being affected by these changes. NGOs are likely to concentrate more on service delivery strategies with short term objectives, undermining their advocacy roles and ability to influence local governments' policies.* Hence, spaces created for NGOs to have an influence on local policies and planning processes will be very limited. Collaborations between NGOs and LGUs are not likely to flourish unless there are changes in the clarity of political, legal and decision making structures. In such a changing context where NGOs are important and LGUs are weak, the NGOs tend to work in an isolated manner

from LGUs, diverting their efforts to both donors and central state (with more focus on donors). NGOs rather compete with LGUs over resources instead of collaborating. The processes that are existing among both NGOs and LGUs are used to simplify diverse knowledge, to reinforce unequal power relations, and to constrain alternatives. Spaces are only created to satisfy donors' wishes and requirements. They lack the sense of ownership. Hence, they are never properly legitimized nor integrated in an institutional manner in the country's political or decision making structures.

Donors also, in such changing contexts, are being seen as of great effect on the spaces created for NGOs to have influence on government planning. Donors might weaken the state by emphasising their ignorance of the government's role and favouring NGOs, and hence leading to widening gaps between NGOs and government. As encountered in the field⁵⁴, some international organizations formulate medium term comprehensive plans for some communities through their attributed NGOs with total absence of coordination with local governments in those areas. Which raises the question of whether they are willing to disregard the weak governments instead of strengthening them? Hence, this creates a kind of suspicious relationship between Palestinian actors.

According to Fowler (1992), and Bratton (1990) as cited in Clark (1993:3)⁵⁵, "In many countries the voluntary sector concentrates on operating its own projects, improving the situation in micro regions but doing little to bring its experience to bear on the government's service delivery or policy making". According to Clark (1993), traditional NGO activity has concentrated on the 'supply side': delivering services, providing development programs, or assisting official bodies to increase the spread of their own programs. Much of the literature and pioneering work of operational NGOs now concentrates on what could be called the 'demand side': helping communities articulate their concerns and preferences, manoeuvring into a negotiating position with official bodies in order to amplify that 'voice', and mixing technical operational skills with communication, advocacy and networking skills both to give power to and to enhance the existing power of poor people. The literature which describes this evolution talks of NGOs becoming important agents of the civil society. This attention to the development demand side is a micro-level reflection of governance. The pillars of the latter implies greater participation in political decision making, transparency, accountability, freedom of expression, all have their counterparts at the local level in the grassroots mobilization efforts of NGOs. According to Clark (1993), a healthy relationship is only conceivable when both parties share common objectives. According to this researcher's view, if the government's commitment to involve NGOs is weak, NGOs will find dialogue and collaboration frustrating or even counter-productive. Likewise, repressive governments will be wary of NGOs which represent the poor or marginalized. In such situations, NGOs will probably prefer to chart their own course, giving all instruments of the state as wide a berth as possible (Clark 1993). Where the government has a positive social agenda (or even where individual ministries do) and where NGOs are effective, there is the potential for a strong, collaborative relationship.

One other major findings of this research was the tendency of Palestinian NGOs to have a relationship (regardless its nature) with central government, while there are many disconnections with local governments as explained in chapter six. It might be

⁵⁴ In Rafah Municipality, the WORLD VISION formulates medium term socio-economic plans for the areas of *AL Shaboora* and *Al Shokah* with total absence of the government and with no clarity about the commitment regarding who is going to implement these plans.

⁵⁵ Clark, J. (1993), *The Relationship between the State and the Voluntary Sector*. The Global Development Research Centre. See online: <http://www.globalpolicy.org/ngos/state/relationship.htm>. Retrieved on February 25th, 2006

difficult to see this finding in other experiences world wide. It might require another research to find out at what level relations between NGOs and state are stronger – central or local? And why? There might even be no general trend and the issue is country specific. However by reviewing McGee et al (2003) regarding legal frameworks for citizen participation, which is a project conducted in several north and south countries, and the report of the Commonwealth Foundation (1999), regarding challenges to civil society in the new millennium which investigated the situation in 47 countries, one might get the impression that our finding in this regards contradicts the trend in other experiences in the world, where NGOs are used to being more active at local levels than central level. If this is true, then the question will be why we have this unique trend in the Palestinian context? According to this researcher's view, this might be due to four reasons: First, it appears that the countries discussed in the previous two projects, have gone through many democratic reforms (e.g. developing countries like Philippines, India, Uganda, etc), or have well structured decentralized governance systems as in northern countries. Neither is the case in Palestine. Power is still in the hands of central government which might force the NGOs to work with whoever possesses power. Local governments are weak and powerless and it might not be worthwhile for Palestinian NGOs to collaborate with them. Secondly, the Palestinian legal frameworks that define the relationship of NGOs to the state has not been maturely tackled or settled yet. So before turning their eyes to the local level, NGOs tend to collaborate with central government in order first to defend their structures and to organize their establishment. The third reason could be the political nature of the civil works of Palestinian NGOs that have resulted in many disputes and conflicts with the state. Political disputes have to be resolved or tackled at the central level institutions and not at the local level. The local level is just the service provider and policies are made at the central level. The last might be related to the size of the area. Palestine is a very small area with no clear delineation between central and local levels. The Gaza Strip as a whole might constitute one street in a big city like Cairo for example. So the perception of 'central' or 'local' might be relative. In the Palestinian context communities are used to perceiving government as one entity.

Since the inception of Palestinian NGOs, their practices and contributions to development of the Palestinian society have been far from intersecting with those of the ruling authorities. This might have been justified under foreign powers or the Israeli occupation, which might have no interest in developing Palestinian communities. But after 1993, the time Palestinian Authority was established, surprisingly, no tremendous changes have happened. This could be justified due to history of the Palestinian NGOs and the transitional and uncertain nature of the political context in Palestine as we have discussed before. Uncertainties and ambiguity of the picture of the NGO-government collaboration in local development planning is a characteristic of the Palestinian experience.

In other related issues and as we have promised to view our assumptions with relation to our practical findings, it is important to emphasise that this research by its inductive nature is not intended to test these assumptions. However, we will reflect on some of the research findings in order to enrich knowledge and to reveal more lessons that could be learnt from the Palestinian experience. This research was based on the assumption that Palestinian NGOs are *willing* and *able* to advocate citizens' needs within the local policy and planning spaces. Second, NGOs are assumed to be a *social virtue*, to have *an identity with clear boundaries* and *separate entity from the state*. Thirdly, the participation process will certainly involve *confronting of the power structures*. Fourthly *fair process* is more likely to generate *just results*.

Regarding *willingness* of NGOs, the findings of this research have revealed clearly that almost all of the interviewed NGOs have high willingness to participate in local planning and policy making. Whether they are *able* or not depends on the degree they have translated their high willingness into operational policies or practices on the ground. It also depends on how knowledgeable are the NGOs, and how active they are in creating new spaces for them to have influence. More importantly, it depends on the position taken by the state. However, our research also suggests that the manner in which Palestinian NGOs practice is more as service providers rather than advocacy groups. The concentration on service delivery strategies is driven by donors' attitudes that contract NGOs to implement their projects and development agenda. This has affected negatively their interests and ability to practice their envisioned advocacy roles. The weak local government has also frustrated NGOs attempts to have an influence on local government policies. NGOs do not have a good access to information; hence, their knowledge is limited. Many NGOs interviewed in the field emphasised that they 'don't know how' to have an influence on local policies.

It might be true that NGOs are a *social virtue* and have exerted tremendous efforts to provide Palestinians with social services, but it is also true that they also represent factional interests. In many cases, they were found to be affiliated with their attributed political parties. NGOs have been also seen as a channel for livelihood, and hence serving for some personal interests, and not adhering necessarily to common social goals. Even the government might manipulate this sector by forming its own affiliated NGOs to compete with other NGOs to get additional funds, seeing that donors have committed themselves on so many occasions to work only with NGOs. Regarding whether they *have an identity or not*: in addition to diversity of forms and functions, we encountered marked differences in NGOs identities between major urban areas and in the refugee camps or rural areas. In the urban areas NGOs are well structured, organized with a greater influence over central government (as was the case of health and women NGOs existing in Gaza city). They conform quite closely to the image of modern, formally constituted institutions and structures which are capable to some extent of advocacy (as Palestinian NGOs network), service delivery (Union of Health Committees Works) and contribution to public debates (Union of Women Affairs Technical Committee). This is the contrary to the NGOs located at the local level, particularly small ones in remote areas and refugee camps.

With regard to the *separate entity* of NGOs from the state, interviews with civil society actors at the local level suggest that this is far from the case. Examples range from Government leadership, where some have founded NGOs to take advantage of contracts might be arising from service provision activities of government, to government NGOs as mentioned before that are created to absorb donors' funds. Some of the NGOs interviewed declared that the Ministry of Finance pays the salaries and apartment rents of some NGOs who are affiliated with the ruling political party. Many of the functions ascribed to NGOs particularly that of holding government accountable for its actions, rest on the idea that civil society has a separate identity from the state. The act of holding government accountable also relies on there being adequate political freedom for dissent and criticism of government. The declaration of the Ministry of Interior that "they could not control NGOs activities" as the director of NGOs department said, contributes to the assumption that there is not only a separate identity of NGOs, but that there exists adequate civil society autonomy for accountability to be exercised. The government use of its NGO registration statute and monitoring, however, suggest otherwise; as the manager of Islamic Association commented: "whenever there is a contro-

versy, they tell us we are violating our statute. They have frozen our bank accounts several times in the past with no reasons”.

With regard to *confronting power structure*, it was clearly observed in the field that local decision making structure is characterized by centralized planning pattern, and locus of decision power is in the hands of ministerial institutions or in the hands of key persons like ministers, mayors or governors. And since power and privilege are hardly ever renounced voluntarily, the concept of a truly participative society will necessitate *the struggle for power* to create conditions for people to become effectively involved in shaping their own history collectively and individually.

The last issue is whether *fair process* is likely to result in *just outcome*? In view of this research limitation and context, it might be very difficult to judge this statement, since the research could encounter fair process of NGOs involvement in local planning. However we have also encountered unfair, non-institutionalized spaces, and poor access of NGOs to decision makers. Hence, we will not be able to judge how just the outcome is. However, we might change and reverse the question to ask whether unfair process will negatively affect the outcome? The outcome is perceived by this research as the increased ability of NGOs to hold local governments more accountable and responsive to citizens' needs. In this sense, the NGOs interviewed have acknowledged their limitations to have such influence. In addition, another indicator could be the high degree of dissatisfaction expressed by citizens in various national polls, where around 67% of communities believe that local government policies do not respond to their needs (Public poll Nr.17, Bir Zeit University, 2004). However, it is important to emphasize that the high level of citizens' dissatisfaction with local government performance is not only a result of unfair involvement of civil society factions in policy making. There could be many additional reasons, such as lack of financial, technical and human resources of LGUs among others.

To conclude, in such changing contexts, NGOs face great challenges. How can NGOs become learning organizations that can be flexible and respond to changing geopolitical priorities? How can NGOs preserve their independence and freedom to advocate? How can NGOs be both accountable and maintain their priorities? Within these challenges, what kind of lessons can be learnt from the Palestinian experience?

- As a first lesson, the presence in a space does not in itself constitute meaningful participation within it. Rather any space contains certain formal and informal rules which enable certain actors with certain forms of knowledge to participate more effectively and more powerfully than others.
- NGOs must work within the constraints of the government systems, which are poorly resourced, poorly motivated and resistant to change.
- Personal relationships with key government staff are crucial for promoting participation.
- NGOs have to release the government's fear of the political role could be played by them.
- Policy reforms at the central level have to be accompanied by supporting reforms at the local level.
- Extensively pursuing donors' preferences for service delivery is likely to convert NGOs from agencies with mission into public service contractors and might decrease their accountability to the citizens they serve. NGOs might lose their interest to work as actors in policy dialogues.

- When NGOs' knowledge is partial, this limits their influence on local planning and policy making.
- The opportunity for effective NGO involvement is dependent on the state's position and the NGO's attempts to open new spaces for their involvement.
- Absence of development visions and unclear perspectives of participation either among NGOs themselves or in relation to government, would hinder establishment of proper spaces.
- Donors can either affect negatively or positively the creation of better spaces for NGOs. Negatively, if they disregard building capacity, if they continue to weaken the state, if they do not coordinate among themselves, if they disregard advocacy roles of NGOs and if they emphasize short term projects. Positively, by putting pressure on government, building capacity of local actors, emphasizing long term strategies and if they tie their interventions to institutional measures to be adopted by the state.
- Losing sense of ownership when creating spaces for NGOs' involvement in policy making, would mean that these spaces are more likely to die, will not be sustained, institutionalized nor integrated in the country political and decision making structures.
- Actors may not formulate proper spaces, not because they do not want but maybe because they do not know how.

8 Conclusion and recommendations

This research, by the nature of its objectives, gains enhanced value by enriching the current discourse concerning the Palestinian NGO-state relationship at the local level. The processing of data has revealed many disconnections between NGOs and local governments in policy making and planning, and hence, limited spaces for NGOs to have an influence over policies in order to hold LGUs more responsive and accountable to citizens' needs. The limited spaces which are created to involve NGOs are mainly 'donor led' and more importantly, they have never been integrated in government decision making or the political structures. The government 'invited spaces' represented by local neighborhood committees and public hearings cannot provide sufficient channels for NGOs to have a genuine influence over policy making. These spaces face challenges of good representation and inculcation of key civil society actors and are bound to knowledge of local governments. The research also found that the NGOs did not discharge nor utilize their relatively high capacity in service delivery to initiate additional autonomous spaces where they could have influence over local planning. This was because, on one side, NGOs (lead by the donor agenda) have emphasized delivery of service strategies undermining their advocacy roles. On the other, the location of decision making at the central level has forced Palestinian NGOs to concentrate, when working with government, at that central level thus frustrating their efforts and lowering their expectations in the establishment of a prosperous relationship with local governments.

The lessons from this research suggest that the creation of inclusive policy spaces will not occur without addressing the power relations which surround the interstices of policy and planning processes themselves. Addressing power relations in the Palestinian context means strengthening the capacities of less powerful actors (NGOs and LGUs) to engage with more powerful actors (central state). It also implies democratizing knowledge through strengthening the capacity of weaker actors (NGOs), to present their own knowledge, and broadening the rules at the local level concerning what kinds of knowledge count. In other words, it is not only expanding policy spaces from the top, and inviting the weak to participate in the spaces of the powerful, it also finding and supporting the less visible and more autonomous spaces that are attempted by NGOs themselves in order to have influence and advocate for citizens needs.

Much is yet to be learnt about which are the most appropriate entry points for creating proper spaces. Suggesting specific recommendations might be challenged by the same key issue that faces the Palestinian NGOs: namely, whether to target the symptoms or causes of the problem? Some might argue that targeting causes might be more influential and as a result symptoms will be resolved. However, causes might be so many, complex and interrelated and such action might lead to many inconclusive or ineffectual results. It is for sure that whether targeting symptoms or causes, it would require time, resources and much effort by the actors concerned. For this section, targeting symptoms of the problem will be headline, while targeting causes will be clarified under each headline. It is important to emphasise that this is not an attempt to solve the challenges facing the Palestinian NGOs (i.e. whether they should target symptoms or causes of the problem) but rather a device to simplify and classify recommendations.

8.1 Specific recommendations in how to institutionalize participatory spaces; important considerations

The following recommendations – as shaped by interviewees in the field – are intended to target specific issues with the aim of paving the way for better NGO involvement in the local planning and policy making process. These issues would include two levels: policy level and capacity issues. They are categorized according to key actors: central government, local governments, NGOs and donors.

At the central government level

- *Formulate a comprehensive development vision*

This might be the first important step to be addressed. A clear vision would clarify what the role of each actor should be within the decision making structure, and how all efforts could be utilized and unified to achieve a specific development agenda for the country. This issue is important and the intention is to clarify roles and responsibilities. It is important to emphasize that it is not meant that central state alone with its own institutions are to formulate this vision. It is rather, the role of all government and non governmental institutions to come together and to formulate this vision. This recommendation is mentioned here to underline that the central government is the legal level where this vision has to be formulated. As the director of the NGOs department within the ministry of interior (MOI) suggested: “There could be a legal committee, composed of representatives of government ministries and NGOs of various specializations, to sit together and decide policies and visions within each service sector”. However, even if this were implemented, there still remain challenging issues, such as: who would initiate such a committee; whether it would be governmental or non-governmental by its nature; whether its decisions would be binding or whether it would just offer consultations or recommendations; whether it would be integrated in the political structure; how representation of the NGOs would be decided for such committee; and so on.

If such committee were to be established with very clear legal mandates, structure and responsibilities, it would have the potential to contribute to, guide and organize cooperation between government and non-governmental institutions at all level. But what has prevented a comprehensive vision being formulated till now, through 14 years of the establishment of the Palestinian Authority (PA)? Some might argue that the PA was busy with the political development of the country, the peace process and negotiation with Israelis, at the expense of the development agenda. Though, this might be some justification, this does not relieve central government from its responsibility to work in parallel in institution strengthening and state building. Others might argue that central institutions themselves do not have the technical capacity to undertake this task. This is also true, but they can utilize the donors and external experts that could provide expertise and consultancies. According to the researcher's view, neither Palestinian NGOs nor state institutions are totally aware of the importance of formulating a comprehensive vision. It might be all of the causes mentioned above have lead to the absence of formulation of this comprehensive vision.

- *Create enabling legal environment; legitimizing NGOs participation and representation*

This research has revealed many shortcomings in planning laws that have impacted on both local government structures and their relations with NGOs. It might be the role of

the parliament (Palestinian Legislative Council) together with other relevant central institutions such as the ministries of planning and local government to exercise their roles and issue additional supporting laws and codes. The purposes of these laws and codes should lead to widening spaces for NGOs so that they have legal rights to participate in local planning and policy making processes. This issue in particular would require strong advocacy and lobbying on the part of NGOs in order to achieve these legal amendments. Any new law or regulation must be able to be implemented and enforced which means that they have to be supported by additional codes or operational measures. According to the director of Palestinian NGOs Network: "Palestinian legal frameworks must recognize important roles could be played by NGOs in development. Central state, instead of restricting our works, must provide additional incentives and legal spaces for us to participate in its policies at all levels".

In addition, these legal frameworks have to strengthen institutions of representative democracy such as local councils. The local councils have to be guaranteed legal rights to practice all their envisioned roles as policy makers at the local level, which means that central government has to relinquish its dominance over key decisions. Thus, central government, supported by new legal innovations, has to widen LGUs' missions and roles to cover other developmental domains including education, health etc. This would provide LGUs with addition powers and lead to more autonomous local actions. It is believed this would create a better environment for the NGOs to have genuine influence on local decision making, since decisions would be made directly at local level.

What caused the legal framework to be unresponsive? First, the laws of 1996 and 1997 were formulated by central government and external experts without proper feedback from local institutions. Second, the socio-political environment that surrounded the issuing of the NGOs laws of 1995 and 2000: although the views of some NGOs were integrated, not many NGOs were able to be active in lobbying, except the Palestinian NGOs Network and Union of Charity Organizations. The laws concentrated on basic issues which have to be extended in the future to cover a clear identification of NGOs-local government relationship particularly in development planning. The NGOs, as revealed in the field, although expressing high willingness to participate in local planning, did not show a great knowledge of how to translate their willingness into either practice or practical policies. It seems that they did not even recognize it as the serious issue it should be. That means that the mindset of NGOs that emphasises mainly service delivery strategies has to extend, to consider the importance of their parallel advocacy role in order to hold local governments more accountable to local needs. This would take time, change in attitudes and methodology, and require training, awareness and capacity building programs.

- *Integration of NGOs participation in the country political structure.*

Integration of NGO involvement in development planning has to come as a direct reflection of the creation of new responsive legal frameworks. The currently existing political structure disregards NGO involvement in its institutions, and perhaps even considers NGOs as foreign entities. Keeping NGOs outside the political structure will continue to undermine their contribution to development policy. It might be the mission of both NGOs and central government to create and describe a clear structure. However, these structures have to include well structured dialogue on a continuing basis. Competences and rights have to be clearly delineated. One other necessary part of these structures is an open information policy which allows a comprehensive insight into the implementation of plans and strategies. It is important to emphasize that the conducting of

one or two workshops is not structural rearrangement, but merely interim ad hoc involvement.

At the local government level

- *Improve local governance practices:* This issue implies the following:
 - *Improve receptiveness and accountability:* The absence of accountability at the local level is a major characteristic of the Palestinian government system. In order to ensure better accountability, access to all kinds of information (particularly budgeting, revenue and expenditure) has to be available to all civil society institutions. It might be the responsibility of local councils to work closely with civil society, ensuring regular consultations and dialogues. The general attitude of local government staff, which currently undermines NGO involvement and is suspicious of their professional contribution, can be resolved by close and continuous contact. It is important to emphasize that changing mindset would require time and many awareness and training programs.
 - *Strengthen institutions versus one man dominated system*
One man dominated system (being mayor, governor or minister) is also a characteristic of the Palestinian government system. Hence, formulated policies – regardless their efficiency – might become powerless at the point when such persons lose their power. This problem has come about because role of institutions in shaping policy has been undermined. In order to ensure efficiency and sustainability of policies, decisions have to be made collectively within the institution itself, before sharing them with other external institutions.
- *Improve the local decision making structure:* The existing local structure should be improved to provide sufficient spaces for NGOs to have influence. Direct suggestions to improve this situation follow:
 - *Strengthening of civil society representation and inclusiveness in local planning*
The representation of local communities in the decision making process is totally inadequate. At the local neighbourhood committees level, they have to be reformed in a more democratic and representative manner together with strengthening of their institutions. These committees by their nature could provide legal representation to communities even superior to that of the NGOs themselves. Good representation of NGOs in these committees is believed to increase their capacity and performance. Even if NGOs and local committees continue to work as separate entities, this would increase the level of involvement of civil society in local planning, since NGOs enjoy high capacity and local committees can provide more legitimacy to community representation. More importantly, local governments have to ensure proper representation of NGOs to include all interested actors at the appropriate time during planning. It is suggested that local NGOs select a committee among themselves (i.e. a limited number of NGOs representatives) to negotiate with local government about the best method for involving an improved representation of NGOs in the whole planning and policy making process.

- *Innovation of new spaces to involve NGOs in policy making and planning*
It was a critical finding, that the current spaces represented by public hearings and local neighbourhood committees, have never provided NGOs with the potential to have a genuine contribution to decision making structure. Hence, current spaces have proved their inadequacy. New spaces have to emerge at the Palestinian local levels. These spaces might vary between formation of mutual committees, conducting of regular meetings or workshops, or using specific participatory planning tools. Most importantly, these spaces should be in line with local capacity, skills, knowledge and resources.
- *Smooth and institutionalize information flow*
It is critical to ensure that access to all kinds of information is accessible by NGOs at any time. Although having good personal contacts between the two sides is important to facilitate consultation, access to information should not rely only on personal relationships. The access to information which is used to generate the substance of plans, as well as government documents, information about budgeting, taxing and expenditure, has to be organized in an institutional and sustainable manner. It is believed that not only would this lead to strengthening accountability and transparency as mentioned before, but would also increase the knowledge base of Palestinian NGOs.
- *Building capacity of local staff*
In order effectively to launch participatory approaches, local staff must have the skills and knowledge of how properly to implement these approaches. This would require proper training, facilitation, negotiation and communication skills and building capacity programs. These programs can be offered either by donors or the major Palestinian NGOs with appropriate experience.

At the NGOs level

- *Building NGOs capacity and civic competence*
The weak local capacity, in particular in practicing of advocacy roles, is deterring the NGOs from being effectively involved in local decision making. It might be the role the major Palestinian NGOs and donors to provide local NGOs, particularly the smaller ones existing in rural areas and refugee camps, with relevant training that will help building capacities. These programs can vary to include planning, project cycle, participatory approaches, community mobilizations, budgeting and so on. It is important to emphasise that these programs are not intended to let NGOs replace LGUs roles in planning. These programs are rather to strengthen the knowledge base of such NGOs that are working at the local level and to increase their professional contribution to the planning and policy making process.
- *Building strong networks to enhance NGOs advocacy roles*
Formation of strong NGO networks will strengthen the influence of NGOs over local governments. It is the challenge of NGOs to discharge their power and resources effectively, resolve their leadership conflicts, and to overcome their different political stands for the sake of formation of strong pressure groups among themselves and in order to maximize their influence. One additional factor which has to be overcome by Palestinian NGOs is the unclear focus and missions of

some NGOs. When such NGOs match their focus to their capacities and resources, they are more likely to be able to integrate into networks specialized in the same sector, and thus maximize their influence.

- *Lobby for changes in legal frameworks*
Government alone might never recognize the problems caused by the non involvement of NGOs in development planning. It is the role of Palestinian NGOs to facilitate their engagement by exerting pressure for reforms from below. The NGOs can utilize their close relationship with the political parties and donors to raise their voices in order to be heard in the Parliament. The NGOs leadership can also utilize their personal relationship with parliament members and convince them of the needs for change. It is important to emphasise that the NGOs themselves must first be clear about exactly what they are lobbying for, and have clearly drafted suggested plans, so they can be discussed by government decision makers to reach a consensus with NGOs.

At the donor level

- *Influence state policy*
The degree to which donors can play an influential role, not only in development agenda but also in influencing state policies, is clear in the Palestinian context. Donors can co-operate with Palestinian NGOs and put additional pressure on the government for changes and reforms. These reforms can target integration of participatory approaches in government structures. Donors, since they own resources, have more potential to make the government listen to their considerations.
- *Provide NGOs and LGUs with adequate training*
Donors might be seen as the most powerful provider for training and programs for both NGOs and LGUs. Although training here is meant to include learning of participatory approaches and techniques, we are not calling for blue print participatory approaches. It is rather that the trainees learn principles and methods, after which it will be up to them to create and innovate approaches that match their culture, resources and capacity.
- *Provide more spaces for NGOs to have influence over donors' projects agenda*
Many NGOs complain about their lack of influence over the donors' agenda. It is important that donors establish strong channels with NGOs for consultation. Donors have to listen to NGOs' needs instead of contracting them to implement externally formulated projects.

In addition to the previously mentioned issues, there could be some additional considerations which have to be raised when targeting the establishment of institutionalized spaces for NGOs. For example: who should initiate this process and what is needed in order for institutionalized participation to happen?

According to the researcher's view, the initiation of this process might come from any actor, whether government, NGOs or donors. Most important, is to ensure that all of actors are involved together in building a clear vision of their interrelationship and interactions. For example, assuming that government has recognized the importance of getting NGOs involved and wishes to initiate the process without any pressure of any actor, then the NGOs must react intensively to such a government initiative, maximize it and advance it to the level that it can guarantee effective involvement. However, this

scenario has seemed unlikely, since the government has previously shown its low receptiveness in this regard. But since the environment is rapidly changing in Palestine, and we have witnessed – the time of writing this research – a new political party come to power that is very experienced in NGOs work, there could be changes coming from top and some hope that the new government leadership will recognize the importance of non governmental works.

A second possible scenario is that the NGOs initiate this process for change, which according to the researcher's view is more logical. Then, NGOs have to exert much effort, utilizing their good relationship with donors and their political attributes, to put more pressure on the government for creation of new legal spaces in the decision making structure that ensure sustainable and effective involvement.

A third scenario is that the process can be totally led by donors, which this researcher personally does not favour, because the environment of Palestinian society is to a large extent already very politicized. It was revealed in this research that some working NGOs already highly suspect that some donors have a political agenda. If efforts are totally led by external donors, they are more likely to be rejected not only by government but also by some strong NGOs. According to my view, recognizing the issue of the need to involve NGOs in policy making has to emerged first from the local NGOs themselves and also to be led by them. Strong well organized campaigns accompanied by awareness and training programs (by local NGOs supported by donors) are suggested, to facilitate the initiation of institutionalized spaces for NGO involvement in local planning and policy making processes.

8.2 Further research

Through the journey of launching this research, some issues are suggested for more in depth investigation and research.

Politicized nature of PNGOs works: Implications over public policy and development agenda

This research has revealed that there is a tight connection between many working NGOs and political parties. It would be pertinent to find out the extent to which politicization of civil work affects the performance of such NGOs and their contribution to the local development agenda. Are the NGOs being utilized to serve political purposes? Do Palestinian NGOs represent factional interests or social virtues? Why do communities trust NGOs more than government?

Donors the third actor; negative versus positive implications over local agenda and state policy

This area of the world, characterized by a very deep and long lasting conflict, has been the focus of the international community which has intervened in many key issues which are related to the Palestinian political and developmental agenda. We need to find out the extent to which international interference has affected negatively or positively the development agenda and public policy. Do donors weaken the state or influence its policies, and if so, in whose interest? How do they utilize their financial assistance to force NGOs or government to implement their agendas? How do they influence state

policy? How can donors' efforts be organized to serve the Palestinian interest? How does the changing political environment affect donors' policies?

From relief works to sustainability; starting point

How to relate relief works of national and international NGOs to sustainability? How to create a comprehensive framework to accommodate long term strategic objectives?

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