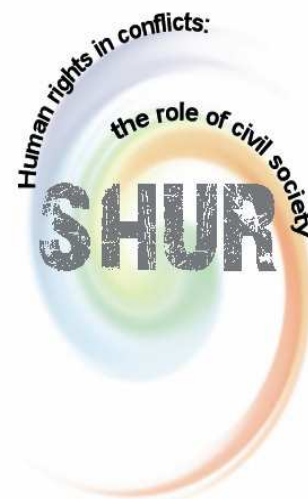


SHUR Working Paper Series



CASE STUDY REPORT – WP5

Israel – Palestine field research report

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**SIXTH FRAMEWORK
PROGRAMME**

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Introduction

Since this report is meant to be included in a comparative study, it is important to emphasize the unique character of the Israeli and Palestinian context, the fundamental asymmetry of the parties involved. Given the voluminous written material devoted to the conflict, it will suffice to briefly mention here the major asymmetries: geopolitically (Palestinians living under Israeli occupation); militarily (Israel as heretofore the only nuclear power in the Middle-East); politically (Palestinians having no State, thus, no sovereignty); economically (glaring gaps in GDP), and in terms of international support (Palestinians conditionally supported financially, Israel unconditionally supported politically by the Western states). These asymmetries and, additionally, the large number of actors with different conflicting interests account for the varying definitions of concepts with which we are concerned. Thus, by way of introduction, we present here a brief overview of the questions raised by core concepts of the SHUR study, on the interrelationship between civil society, democracy, peace and human rights.

a) Civil society

Within the framework of the SHUR program, civil society is characterized by “the deployment of non-institutional/ non-conventional means and tools to achieve political aims”, “non-institutional” being understood here as distinct from the State. This appears to delineate a clear field in Israel, but not in the Occupied Palestinian Territories (OPT), where grass roots organisations and NGOs have filled the role of a non-existent State prior to the Oslo Agreements and, in some cases, continue to provide services not provided by the Palestinian Authority. Here, the limit between institutional and non-institutional seems quite blurred, given that the staff and board members of a significant number of “modern” NGOs are more or less connected to the PA.

While keeping this in mind, it may be argued that there is a vibrant civil society in the OPT: NGOs, social movements, charities, political groups, intellectuals, HR lawyers, media.

Voluntarism has receded since the First Intifada, partly as a consequence of the professionalisation of actors in the public sphere after Oslo, it may be argued that what should be the task of civil society, i.e., civic and voluntary involvement, has disappeared in favour of more interested concerns. Charles Shammass, from the Mattin Group, Ramallah, puts it as follow:

“The root of civil society should be voluntarism: ‘we have a common interest, so let’s work together to achieve it’. But NGOs today are working on instrumental and interested ground which repels passionate persons from getting involved in these structures.”¹

b) The question of Democracy

Notions of democracy differ significantly in Israel and in the OPT due to their radically different political structures. In Israel, the debate is both theoretical and legal: theoretically, it mainly revolves around the definition of the nature of the State. Israel defines itself as a Jewish and democratic state, and this seems an at least apparent contradiction. Legally, this

¹ Interview with Charles Shammass, Mattin Group, Ramallah, March 5th. 2008; the same view was expressed in the interview with Rita Giacaman, Institute for Community and Public Health, Ramallah, March 6th. 2008.

raises issues concerning the status and rights of minorities in Israel, mainly the non-Jewish minorities. The law courts are inundated by cases concerning discrimination of the Palestinian Arab citizens of the state. Legal action in Israel is one of the main means used by human and civil rights NGOs and movements in actions in support of equality and justice.

The question of democracy in the OPT has been posed in terms of on-going processes, in a context in which it may be argued that formal democracy has preceded internalized democracy, socially, culturally and politically. After Oslo, most of the actors of Palestinian civil society believed that, through the establishment of the Palestinian Authority (PA), a process of state building would take place. As a consequence, many invested their efforts in programs related to democratizing the Palestinian institutions and structures. In so doing, grassroots, community oriented projects were neglected, and popular support was weakened.² Civil society actors became aware of this evolution during the second Intifada, which appeared to confirm the failure of the Oslo Agreements. Today, a number of NGOs, e.g. MUWATIN, the RAMALLAH CENTER FOR HUMAN RIGHTS STUDIES, as well as many others are attempting to reorient their programs towards education for democracy. They do so mostly by targeting the youth and lobbying the PA to further implement the dynamics of democratization.

Formal democracy, as understood in the minimalist definition of pluralism and free and fair elections, does undoubtedly exist in the OPT. This has been demonstrated by the municipal elections of 2004-2005 and the legislative elections of January 2006³ which brought Hamas to power. The reaction of the international community to the outcome of these elections has demonstrated the lack of concern with the practice of democracy.

By adopting a 'double standard' strategy and denying legitimacy to the democratically elected Hamas government and assembly, the US and the EU have contributed to the discrediting in the eyes of the population of initiatives taken by NGOs in the name of democracy. Today, the prevailing feeling among human rights actors is that the debate on democracy, however fundamental, will not bear fruit before a basic amelioration of the political situation. The precondition, declared by all of our interlocutors, must be the end of the occupation. In their words, "the occupation and the sieges deny the 'right to live', the right to satisfy one's basic needs". Before addressing the question of the nature of the Palestinian state, they argue, it is necessary to define the prerequisites of a state.

c) Peace

The definition of peace is first and foremost a political issue in any ethno-political conflict. The conflict between Arabs and Jews in Palestine, almost a century of confrontation, has seen countless options and propositions of resolution. These 'solutions' have reflected various stages of the history of the region, each expressing a particular definition of peace. At present, political perspectives are extremely blurred, and there are numerous definitions of 'peaceful resolutions of the conflict': these include one, two or even sometimes three state solutions. Most all of those interviewed categorically dismissed as unrealistic any of these alternatives, although many, Palestinians and Israelis, argued that matters were moving relentlessly towards a single state of apartheid.

² Bisan Abu Ruqti, MIFTAH, Ramallah roundtable, April 5th, 2008.

³ See the important research of Jean-François Legrain on the 1996 and 2004-2006 elections in the OPT.

Differences of perspective are manifest in regard to the sense of urgency to see movement towards a “just and equitable peace”. The majority of Israelis seem fairly satisfied with what they consider the present-day successful ‘conflict management’ process which appears to them to ensure their security and well-being.

d) Human Rights

Human rights are usually understood in reference to the same corpus of references, i.e., the Universal Declaration of Human Rights and the Geneva Conventions. The Universal Declaration and Geneva do serve as a major reference for Palestinians and among anti-occupation and legal activists in Israel. In the Israeli public sphere, within the Israeli-Jewish (Zionist) narrative, the focus is on the Jewish people as historical victim whose rights have been continually violated through persecution. In this context, international definitions of human rights are rarely referred to. As for religious groups, Jewish and Muslim, they tend to include human rights within the framework of religious references, be it the Verse of the Cow in the Quran, or the invocation of the basic humanistic values in scriptural Judaism.

In recent years, the human rights discourse appears to have been weakened in the eyes of many Palestinians consequent to the failure of the Oslo process, the multiplication of "suspect NGOs" working in the sector of human rights with no visible impact,⁴ and, more recently, the boycott by the international community of the elections of 2006.

The principle of human rights, nonetheless, remains a reference for Palestinian activists who generally continue to formulate their struggle in accordance with international declarations. Yet the constant denial in practice of these rights by Israel and by the international community leads to a search for other possibly more effective frameworks of reference, for example in religious beliefs and/or political activism.

e) Preliminary comments on SHUR analytical categories

Before proceeding to the core of the report, we would like to comment on the terminology applied by SHUR to the Israeli-Palestinian context, as well as to the other conflicts under consideration.

We have already commented on the difficulties faced in applying the categories formulated to evaluate the impact of actors on the conflict. However, for heuristic and comparative reasons, we will seek to apply them, while pointing out that most of the interviewees fit into many or even most of the categories.

The second comment concerns the political identities of actors. We classified our interviewees in terms of their favoured solution: one-state or the two-states. Despite the commonplace view of the conflict as being over “one land for two peoples”, the historical record indicates a conflict between two historically and culturally separate societies, the Palestinians, and the Israelis. As a consequence, reference to a “multicultural political identity” seems misplaced. What is the geographical and political frame of reference for a “one state” or “two state solution” perspective? Will a Palestinian NGO be considered “multicultural” if it advocates recognition of separate but equal cultural identities accompanying the creation of a Palestinian State within the borders of 1967? Or within a single common state? Is “multiculturalism” the

⁴ Persons involved in such NGOs are ironically referred to as “powerpoint people”.

best way to designate the coexistence of Christians and Muslims, or of Palestinians and Israelis, or Arabs and Jews? Is it a question of “culture” or of recognizing religious communities? “Multicultural, post-national and assimilationist” identities define principles of coexistence of different communities within a single political entity. Actors who advocate a two-state solution apparently do not fall into any of the provided categories.

f) Presentation of the sample

Over the five weeks of fieldwork, we met around 70 persons from CoSOs and individuals concerned with HR. Although we do not claim representativeness in any statistical sense, the selection represents a broad range of relevant actors from various segments of Palestinian and Israeli civil societies.

Not all of these are of equal importance in terms of visibility, but for the sake of diversifying our sample we have chosen to include small grassroots organisations whose actions have an impact on a localised level, such as Al Finiq Center in Dheisheh Camp, created by the popular committee of the camp as a space for education, culture and social life; or Reut-Sadaka, based in Jaffa, which works on bi-communal activities with some 150 Arab and Jewish children and teenagers.

Our sample includes: lawyers and legal advisers, trade unions and corporations, individual citizens, university professors, research centres, think tanks, political activists, human rights activists, lobby groups, grassroots associations, religious figures and associations, political representatives, and media operators. NGOs, in their diversity, form a major part of our sample for various reasons: in the OPT, they shape the public sphere and are active, however unequal in size and number in all fields. In Israel, NGOs seem to be the most common framework of action for people concerned either with the conflict, or with minority issues.

I) Context

1. Historical landmarks :

In this section, we will not focus on the chronology of the Palestinian-Israeli issue since 1948: such chronological description is easily accessible, whether in books or in in-depths articles, regularly published in quality publications such as *Le Monde Diplomatique*⁵. However, for the sake of precision, a brief chronology of the main stages of the conflict is available at the end of the report (Annex 1). The aim of this section is to give an overview of the different narratives of history presented by the different parties involved: these divergent narratives have had a dramatic influence on past and present practical developments of the conflict. Simply put, we will present first the “new historians” research on the establishment of the State of Israel that is today increasingly acknowledged by the international community as the most valid reference. Then we will consider the major issues that are at the heart of the Israeli and Palestinian narratives.

a) *The “New Historians”*⁶

In 1978, archives were declassified in Israel, thus becoming accessible to academic and public scrutiny. Among the historians who worked on these archives, some of them became known as the “new historians”, offering a revised version of the historical narrative of the, until then, dominant view of Israel’s victory over its enemies. Avi Shlaim in his latest book entitled *The Iron Wall*, briefly presents the official Zionist version of the 1948 war. Shlaim claims that the new born Jewish State engaged in a desperate battle, heroic and finally victorious, against overwhelming forces. In this war, he says, hundreds of thousands of Palestinians sought shelter in neighbouring Arab states, mainly following their leaders’ orders and awaiting a triumphal return. At the end of the war, the Israeli leaders strove for peace but could not find any interlocutor to talk to.⁷

Avi Shlaim and other new historians such as Ilan Pappé, Tom Segev and Benny Morris present quite a different narrative, according to which the expulsion of the Palestinians that took place in 1948–49 was pre-planned by the Zionist leaders and implemented through a series of military offensives against Arab towns and villages in the weeks preceding the establishment of the Jewish state. David Ben Gurion, who proclaimed the State of Israel on May 14th 1948, refused to comply with the borders as defined by the 1947 UN Partition Plan. He sought to expand the territory allocated to the Jewish state and also to secure a minimum 80% Jewish population. This implied a military strategy of driving out about 800 000 Arabs from their towns and cities. On May 15th, war was declared by neighbouring Arab states opposing the Partition Plan. Contrary to the accepted Israeli narrative, the armed forces of the surrounding Arab States were on an equal footing only in the first three weeks of the war; Israeli troops gained superiority quite rapidly. The New Historians’ studies have been highly controversial in Israel, although their individual political positions vary significantly⁸. The

⁵ In-depth issues on <http://www.mondediplo.com> in English, and <http://www.monde-diplomatique.fr> in French. See also : *Histoires d’Israël 1948 2008*, Manières de Voir n.98, Avril-mai 2008.

⁶ See: *Israel faces up to its past*, Eric Rouleau, in *Le Monde Diplomatique* English edition, May 2008

⁷ Shlaim, Avi, *The Iron Wall: Israel and the Arab World*, W. W. Norton and Company, New York and London, 2000.

⁸ In 2004, Benny Morris publicly declared that in his view the 1948-49 expulsion of the Palestinians was a necessary evil and he could not exclude the possibility of Israel resorting to such a strategy again in the future. On the other hand, Ilan Pappé advocates the integral right of return of Palestinian refugees and a democratic bi-

practical impact of their work on Israel public opinion is difficult to evaluate. However, their work can be considered as a major milestone for Israel, insofar as we admit that peace may only come once historical injustices are acknowledged.

A handful of persons in Israel have been working for some years to bring about an Israeli acknowledgement of the Palestinian narrative of the *nakba*, the catastrophe that befell the Palestinians in 1948: ZOCHROT is one of the oldest and most respected one. According to Eitan Bronstein, “we believe that knowing this narrative is essential in order to acknowledge the loss imposed on the Palestinians by Israeli Jews, and this recognition is an essential step for any future reconciliation. Even if we have a peace agreement tomorrow, real reconciliation between the two peoples will not happen until the Israelis recognise the Palestinian loss.”⁹

b) Major issues at the center of both narratives

The major issues of the Palestinian narrative are well known and at the core of Palestinian demands: the refugees, Jerusalem, recognition of the *nakba*, and an end to Israeli settlements in territories occupied since 1967. The Palestinian narrative contradicts the early Zionist motto that Palestine was a "land without a people", and therefore belonged to that "people without a land" who claimed that they had been the original settlers and were returning to the holy land promised to them by God. The *nakba* has become symbolic of the identity of the Palestinian people with the land. Cities like Haifa and Jaffa, centres of Palestinian culture and economy, were emptied of the great majority of their Arab population in a few days.

“The majority of Palestinian refugees and internally displaced persons were displaced during armed conflict and the first Israeli-Arab war in Palestine. More than 750,000 Palestinians were displaced or expelled between late 1947 and the first half of 1949. Of the roughly 150,000 Palestinians who remained in that part of Palestine that became the state of Israel on 15 May 1948 several tens of thousands were internally displaced.

Approximately 400,000 Palestinians were displaced, half for a second time, during the 1967 Israeli-Arab war. A smaller number of Palestinians were internally displaced during the war, including Palestinians expelled from the Old City of Jerusalem. Subsequent displacement and expulsion of refugees has continued since 1967 in occupied Palestine and in various countries of exile. Today it is estimated that three-quarters of the Palestinian people are displaced. More than half are displaced outside the borders of their historic homeland.”¹⁰

The city of Jerusalem is one of the central claims of the Palestinians, not only for religious reasons (Jerusalem being the third holiest city for Muslims), but because Jerusalem has been part of Palestinian history for centuries. The city is an extremely powerful symbol, nationally and religiously. The Palestinian position in the Oslo peace process was to claim sovereignty over East Jerusalem as the capital in the future Palestinian state, while conceding claims to the Western part of the city which Israel conquered in 1948.

Finally, the rallying cry of Palestinians since at least 1967 has been resistance to the occupation, as an internationally recognised right. The means of resistance, violent or peaceful, depend on the choice of actors, the degree of oppression and the circumstances.

national State. See also the article by Uri Avnery regarding the 1948 war on <http://zope.gush-shalom.org/home/en/channels/avnery/1210454063/> OR [if you don't want the specific page] <http://gush-shalom.org/> (10/05/08).

⁹ Interview with Eitan Bronstein, Zochrot, Tel Aviv, March 17th, 2008.

¹⁰ <http://www.badil.org/Refugees/refugees.htm>, last visited May 5th 2008

Hamas, and in the seventies and eighties the Palestinian leftist armed groups, have been considered as "terrorists" by many in the international community. Without justifying their actions, it is important to understand that they regard themselves as participants in the struggle of an oppressed and colonized people fighting for self-determination. As one interviewee put it, "we have a sense of citizenship that is rooted in a land; nationality can express itself anywhere, but not citizenship."¹¹

On the Israeli side the Second World War Holocaust of the Jewish people is central to the national narrative. This has not always been the case: it required the succession of a number of dramatic events for the Holocaust to acquire its central position: the 1959 "Martyrs' and Heroes' Remembrance Day Law"; the impact of the trial of Adolf Eichman which took place in Jerusalem in 1961; and the 1967 and 1973 wars, when Israelis felt threatened for their existence.

The Zionist narrative, on the whole, has its roots at the end of the 19th century. The movement called for a Jewish national home in Palestine, through Jewish colonisation of the land. Nowadays, the definitions of Zionism vary significantly, according to the different actors of Israeli society. The least common denominator of these definitions boils down to assessing the right of Israel to exist as a Jewish state; but this definition remains quite vague as an indicator of political identity.

Both peoples share common symbols to support their claims, though reading into them quite different meanings. Symbols such as Jerusalem, the Land, the fate of being repeatedly historical victims, the right to return from exile are among the most frequently used in the discourses of both sides, and found in both narratives. Most interviewees pointed out that Israel has turned security into an ultimate value to which other values, including human rights, must be sacrificed. Under the guise of security, the Israeli government, Parliament, courts and the army have violated international conventions and laws.

c) "Law of Return" and "Right to Return"

An example of a major issue of contention is Israel's "Law of Return". The Israeli state and some of the non-governmental groups we have studied consider "The Land of Israel" (Eretz Yisrael) (whether its boundaries be 'greater' or 'within the green line') a "Jewish state" and a "national homeland" for the Jewish people who have lived in exile. Israel, like Canada and New Zealand, has no written constitution, but it has a number of "Basic Laws", e.g. "Basic Law: Jerusalem, Capital of Israel" (1980); or "Basic Law: Human Dignity and Liberty" (1992) determines that "Fundamental human rights in Israel [...] shall be upheld in the spirit of the principles set forth in the Declaration of the Establishment of the State of Israel". That Declaration establishes that "The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles" and appeals "to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding".¹² Law of Return (1950) ensures that "every Jew" automatically receives Israeli citizenship. Ideas concerning the historical "rights" of the Jewish People to the Promised Land, to the holy places, lend religious and nationalist dimensions to these claims, as does the ever-present memory of the Holocaust.

For Palestinians, the "right of return" refers to the rights of exiled refugees of the war of 1948 as reconised by "the United Nations General Assembly Resolution 194" (1948): "that

¹¹ Interview with Rita Giacaman.

¹² http://www.knesset.gov.il/docs/eng/megilat_eng.htm

the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible" (article 11).

These asymmetrical claims to the concept of return are arguably fundamental to the conflict of "two people and one land". In the long-run reconciliation and solutions may well depend on some degree of recognition of these very different perceptions and on dialogue and compromises linked to those recognitions.

2. A Fragmented Civil Society and the Nature of the State of Israel

a) Quantitative overview and interpretation

In Israel the ratio between civil society actors and the population is very high. Available data is on the website SHATIL. An offspring of the New Israeli Fund¹³, Shatil defines itself as a capacity-building organisation that has been successfully supporting and empowering the Israeli NGO sector since its establishment in 1982. In 1998, there were a total of 29,047 Third Sector Organisations in Israel, of which 23,528 were civil society organisations, 6,030 of which were considered "active", i.e. transactions had been recorded on their accounts recently. Out of these 6,030 organisations, only 6% were involved in advocacy, and only a portion of these were directly concerned with the conflict. The conclusion drawn is that only a small portion of Israeli organizations are human rights advocacy organizations, and few of these deal specifically with the conflict. However, since we are concerned in this research with conflict and civil society organizations, most of our interviewees fall within this small group: they are either concerned with issues concerning the Palestinian minority within Israel, or with OPT-Israel issues.

The fact that such a small proportion of Israel's civil society focuses on issues related to the conflict, and the relative lack of visibility of the conflict on the domestic level (according to our interviewees) would appear to reflect a general attitude among Israelis: a readiness to ignore the conflict and a desire to separate themselves from the Palestinians. It was interesting to learn that the project of the separation wall, first planned by the Labour Party in the early 1990s, was supported by a grassroots organization called FENCE FOR LIFE, founded in 2001, which was devoted for lobbying the government to build this wall. Israeli public opinion seems to favour the strategy of conflict management by hiding the conflict behind the separation wall.

The multiplicity of actors in Israel reveals the fragmentation lines within society: groups and subgroups, defined by ethnicity, identity, religion, ideology or political conviction, are represented in one or more civil society bodies in order to defend conflicting claims and identities. The fault lines are complex, and oppose, among others, Jews to non-Jews, religious to secular, secular Zionists to religious Zionists to non-Zionists, ethnic minorities to the Jewish majority. These are analysed in depths in *L'Etat d'Israel*¹⁴, edited by Alain Dieckhoff, which includes articles dealing with most aspects of contemporary Israeli society. The book shows the fragmenting impact of changing economic and political factors: the dismantlement

¹³ «The NIF was founded in 1979 by American Jews [...] Thanks to considerable fund raisings, the NIF has become one of the major agents of social change in Israel. Since its establishment, it provided 800 groups with more than \$200 millions on the national or community level". *Les nouveaux mouvements sociaux*, Michael M. Laskier, in Dieckhoff 2008. Translation by L.F. [In its Hebrew site they speak only on \$140 millions since its establishment]

¹⁴ Alain Dieckhoff (dir.), *L'Etat d'Israel*, Fayard, 2008

of the welfare state combined with the failure of the Oslo peace process led to a shift to the right wing of the political spectrum, as also noted by most of our Israeli interviewees¹⁵.

ADALAH (The Legal Center for the Arab Minority in Israel) made it clear that this shift has taken place not only in public opinion, but also at the political, and the legislative levels:

“You see more racist legislation passed by Parliament. The first change is the fact that it’s the government that is bringing racist bills to the Parliament where before it was the extreme right wing. Now the right proposes a bill, it goes to the government which then adopts it and then back to the Parliament which accepts it. What were racist policies have become racist laws proposed by the government, enacted by the Parliament, and accepted by the courts.”¹⁶

The Second Intifada partly accounts for the shift to the right in public opinion and the policies undertaken by the government, along with the spectre of terrorism that haunts Israeli national consciousness. At the same time the Jewish-Israeli anti-occupation Left lost most of its followers.

b) The Jewish State and Democracy

Much has been written on the apparent contradiction in the fact that Israel defines itself both as Jewish and democratic: how can it be both defined by ethnic/religious specificity and claim to be democratic? What does ‘Jewish’ mean in this context? Does it refer to a religion? To a culture? The state of Israel was established on this duality since its beginnings. The 1948 Declaration of Independence bases the State both on the particular (Jewish) and the universal (democratic):

“it [the State of Israel] will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.” [...]

“WE APPEAL to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream - the redemption of Israel.”¹⁷

A debate in Israel since the 1980s regarding the nature of Israeli democracy addresses issues raised by the amalgam of religion and politics, adding a third element: ethnicity. Zionism in Israel is mainly secular, and it would seem that the ‘Jewish’ State refers more to the cultural aspects of “Jewishness” (identities, values) than to “Judaism” (religious faith and practise). However, in the current state of affairs, theologians and rabbis have gained in

¹⁵ See also: Roger I. Zakheim, *Israel in the Human Rights Era, Finding a Moral Justification for the Jewish State*, 36 N.Y.U. J. INT’L L. & POL. 1005 (2004). Zakheims notes the “recent fundamental political shift of the Israeli electorate and Israeli’s political right.”

http://www.law.nyu.edu/ecm_dlv3/groups/public/@nyu_law_website__journals__journal_of_international_law_and_politics/documents/documents/ecm_pro_059605.pdf

¹⁶ Interview with Orna Kohn, Adalah, Shafr Amr, March 20th, 2008.

¹⁷ www.mfa.gov.il: [MFA](#) -> Peace Process -> [Guide](#) -> Declaration of Establishment of State of Israel

importance in the educational system, and, particularly, in regard to personal status issues which, for example, officially prevent inter-faith marriages¹⁸.

On the Israeli intellectual scene, the debate and its implications have been lively:

“The question [of the status of Israel’s Palestinian citizens] has occupied the center stage of the debate over Israeli democracy since the publication of Sammy Smooha’s seminal article, ‘Minority Status in an Ethnic Democracy: The Status of the Arab Minority in Israel’ (Smooha 1990). Smooha [...] argues that what he called ‘ethnic democracy’ still qualified as a democracy, albeit of an inferior kind. The model of ethnic democracy was adopted, with some modifications, by Peled (1992) and by Gavizon (1998), but was criticized, among others, by Yiftachel (1997; forthcoming), who claimed Israel should be called an ‘ethnocracy,’ by Sa’di (2002), and Peleg (2004) who prefers ‘illiberal democracy,’ and by Navot (2002), who argued that Israel is not a democratic state but merely a ‘majoritarian’ one.”¹⁹

Yoav Peled and Doron Navot see the history of the state of Israel as divided into four periods:

1948-1966: the period of the military administration, when the political order could indeed be characterized as ethnocratic [the rule of the Jewish *ethnos* and not of the *demos*; along with “a major drive to « Judaize » the space”]

1966-1992: ethnic democracy [end of military administration.]

1992-2000: liberalization [along with economic liberalization and Oslo Accords; 2000 Qaadan decision by the Supreme Court, determining that “it was illegal for the state to discriminate between its Jewish and Arab citizens in the allocation of land; [...] The ethno-national Zionist interest in “Judaizing” various regions of the country, Barak ruled, could not overcome the liberal principle of equality”.²⁰]

2000- : setback and possible transition to a majoritarian political order: [...]when a majority group acts consistently to deprive the minority of the full and equal enjoyment of its citizenship rights, and when the majority is not only a permanent one, but also makes the maintenance of its own majority status the highest ideal of the state.”²¹

Depriving minority rights is at the very center of the legal actions undertaken by important Israeli civil society organizations, foremost Adalah and ACRI.

At the other end of the political spectrum, settlers such as Israel Harel, who has been the head of the Yesha Council (the representative body of all settlements) for 15 years, and now heads the Institute for Zionist Strategies, consider democracy from quite a different angle. The IZS website’s home page reads as follow:

“The State of Israel is challenged from within as well as from without. While the immediate military and terror threats are very real and the international

¹⁸ See more details in *Un Etat juif et démocratique*, Alain Dieckhoff, in *L’Etat d’Israel*, dir. A. Dieckhoff Fayard, 2008, pp. 25-38.

¹⁹ *Ethnic Democracy Revisited: On the State of Democracy in the Jewish State*, Y. Peled and D. Navot, *Israel Studies Forum*, 20:1, 2005, pp. 3-27

²⁰ *Idem* p. 16

²¹ *Idem* p. 33-34

political pressures are substantial, the most ominous challenge to the security of our future may be the internal attrition of strength and wavering of determination that seems to plague us of late. Successive Israeli governments are leading the country on a path that ignores their responsibility to promote a Jewish future for the State and Nation of Israel. Not only are the government and the other entrenched centres of power (courts, media, academia and top security echelon) failing to strengthen our Jewish identity, many of them undermine it daily.”²²

This statement has two pre-assumptions: first, that security is paramount in times of existential threat; Israel has been living under a state of emergency since its creation, and security should take precedence over all human rights and democratic values, however essential they may be²³. Second, that the reinforcement of Jewish identity is needed in such times.. In this context, the Palestinian minority is considered as an internal threat, and should not be granted rights that would allow them to undermine Jewish identity.

Thus, human rights and democracy are not a factor; When we asked him about Human Rights, Harel spoke about “the point of view of a society which is not accepted by its neighbours and always threatened by terrorism..., always on the suffering side. I’m against human rights when used against the security of the people”²⁴. Harel assumes that his positions are shared by a majority of Israelis. That security stands as a major concern for the population is undeniable. Although the majority of Israelis define themselves as Zionists, we doubt that Harel’s position is representative of that majority.

3. Civil Society in the OPT

Palestinian civil society can be divided into three main segments, according to their political orientation: the first is the liberal, leftist-oriented organisations that dominate the Palestinian Non-Governmental Organisation Network (PNGO). These organisations are respected among many Western donors and foreign solidarity movements. However, as we shall see, they seem to lack deep roots in their domestic and local environment. A second segment is the traditional, national mass-movements affiliated with Fatah, including professional and workers’ unions that have long been affiliated to the PLO. This category has traditionally enjoyed a privileged status through its close relations with, and loyalty to, the Fatah/PLO leadership. The third segment of the Palestinian civil society is represented by the Islamic organisations and charities across the OPT. The latter group seems to be the one with deepest roots in the local society; well respected for the quality of the services offered, conducted by dedicated, to a large extent voluntary, activists. The Islamic organisations offer, furthermore, their services as part of a package which includes a clear religious message and a clear political message. According to a prominent human rights figure in Gaza, psychiatrist Eyad Sarraj, the liberal segment has failed by distancing itself from the people: “We have to be self-critical; the liberal civil society organisations have never grown roots in the society.”²⁵

²² www.izs.org.il -> About us

²³ The question raised by many in Israel, human rights activists, as well as university professors and lawyers, is whether Israel, endowed with the most powerful army in the Middle East, including the only arsenal of nuclear arms in the region, and incondionnaly supported by the most powerful country in the world, is under military threat, or does it not rather represent a threat to its neighbors and, in fact, be the cause of its own insecurity. According to Shlomo Swirski, ADVA, the US gives Israel \$3 milliard a year, which goes to the military.

²⁴ Interview with Israel Harel, Insitute for Zionist Strategies, March 30th, 2008.

²⁵ Interview with Eyad Sarraj, Gaza Community Mental Health Programme, Gaza, March 28th 2008.

a) *The impact of the Israeli occupation on Palestinian civil society*

In the absence of a state, civil society actors in the OPT perform many of the tasks a state would normally carry out.

The PA initially tried to take control over the NGO sector when it was created, but soon realised that it did not have the means to manage without them. Although major internal weaknesses partly account for this inability, the main reason is the Israeli occupation and the fact that it considered itself free from the obligations of an occupying power, and assumed that the PA had to take over the administration of many civil issues in the OPT. It should be added that NGOs also have had an important role in structuring the daily resistance to occupation: "To illustrate the importance of NGOs as a means of resisting occupation, it is enough to state that 47,5% of NGOs active in 2001 were created between 1968 and 1993"²⁶, that is before and during the first Intifada.

The occupation and its direct or indirect effects are the major concerns of Palestinian civil society actors. Two factors are closely related: a military factor (in terms of a legal apparatus and massive presence on the grounds) and the presence of the settlements. According to B'Tselem, the number of settlers has grown from 140,684 in 1996²⁷ to 285,800 in 2008; these figures do not include East Jerusalem settlements, which number 193,700 settlers. "By the end of 2008, the number of settlers in the West Bank stood at 479,500", B'Tselem concludes.²⁸ Israel's excessive settlement expansion during the peace process clearly undermined the Palestinian confidence in Israel's intentions with the negotiations. 100% of the settlements, large or small, are considered illegal under international law and treaties. The presence of settlers in the OPT is considered by the Israeli government as the reason for maintaining a high degree of security in the occupied territories. The settlement issue stands as a, or the, major obstacle to any resolution of the conflict.²⁹

The occupation deprives the Palestinians living in the OPT of freedom of movements through checkpoints and road blocks – more than 622 of which were reported in April 2007³⁰ – and a complex network of roads meant only for settlers. Circulation is impeded both within the West Bank, and out of the OPT. The impact on the economy, on social life and individual psychology is immeasurable. Most of our interviewees considered that the occupation first and foremost denies the Palestinians the "right to live". Economically, "the World Bank and MAS study [...] put the combined cost of work permit restrictions and border closure policies at about \$850 million in 1995. These figures are triple the amount of international aid received by the PA"³¹. These figures apply to a period when Palestinian workers were still largely allowed to enter Israel. However, since the second Intifada, the closure policies have been significantly strengthened, which implies that these costs are now much higher.

Interviewees consider the Israeli occupation a denial of the Palestinian people's most fundamental freedoms and a violation of their basic human rights, because of its impact on every aspect of daily life in the OPT³². Political activists as well as intellectuals have formulated new analytical models to refer to the situation in the OPT. Many refer to the South

²⁶ *The Power to Promote and to Exclude : External Support for Palestinian Civil Society*, Benoît Challand, PhD dissertation, European University Institute, 2005, p. 131.

²⁷ <http://www.btselem.org/English/Settlements/> Settlements population XLS document.

²⁸ <http://www.btselem.org/english/Settlements/Statistics.asp>

²⁹ See *West Bank Access and Closure, April 2008*, map published by the UN Office for the Coordination of Humanitarian Affairs – OPT. www.ochaopt.org -> Map Center -> West Bank Closure Map April 2008.

³⁰ Source: OCHA, April 2007.

³¹ *Problematising Democracy in Palestine*, Jamil Hilal, in *Comparative Studies of South Asia, Africa and the Middle-East*, 23:1&2, 2003. p. 171.

³² This is not to say that all HR violations are committed by the Israel army or settlers: many NGOs are also working on holding the PA accountable for the violations committed by its security forces.

Africa apartheid regime, both in Israel and in the OPT. However, Saleh Abdel Jawad, a professor of political science, criticizes this comparison on the grounds that it hides more than it reveals. The comparison may be instructive in reference to the status of the Palestinian minority within Israel, but Israeli strategies in the OPT are in his view a form of “**sociocide**”, that is not only separation of and discrimination against part of a population, but a systematic undermining of all social, economic, political and cultural structures:

“The perpetrators of genocide use mainly and essentially war, direct and massive violence [...]. Sociocide however is a long-term process in which arsenals of silent infrastructural economic and bureaucratic measures are used. Political and civil rights are simply denied in a systematic manner. Each aspect of life, including mobility [...], are subject to obstacles and humiliation. The essential part of the policy is designed to stagnate or/and paralyze the development of the society, leading to its decomposition as an ultimate goal.”³³

An Israeli political scientist, Baruch Kimmerling, referred to the “**politicide**” of the Palestinians:

“Politicide is a process that covers a wide range of social, political and military activities whose goal is to destroy the political and national viability of a whole community of people, and thus deny it the possibility of genuine self-determination. Murders, localized massacres, the elimination of leadership and elite groups, the physical destruction of public institutions and infrastructure, land colonization, starvation, social and political isolation are the major tools used to achieve this goal.”³⁴

These concepts are complementary: the strategies mutually reinforce each other; without political and national viability, no society can develop normally; constant attacks on social infrastructures serve to destabilise and discredit the Authority that is supposed to protect its population.

b) Quantitative overview

The number of NGOs in Palestine varies from one source to another, and, according to Benoît Challand, whose doctoral work deals with this question, “it is difficult to have official figures from the Commission of NGO Affairs, and therefore virtually impossible to decide which source is more accurate.” He estimates the number of NGOs in the OPT to be between 800 and 1000³⁵, including religious charitable associations. Significantly, the total budget of Palestinian NGOs is far superior to the budget of the PA.³⁶

During the second Intifada, international donors are believed to have subsidised the OPT by \$300 to \$400 million a year.³⁷ Since the 2006 elections and the decision of the international community to boycott the Hamas government, the EU has set up a “Temporary International Mechanism” aims at funding the NGOs sector as well as the PA Presidency without interference by the Hamas-controlled government. The EU gave 455 million euro in this way of a total of 616 million euro.

³³ *Sociocide: the Israeli policy toward the Palestinian people since 1967*, Saleh Abdel Jawad, p.1, (paper).

³⁴ *Politicide, the real legacy of Ariel Sharon*, Baruch Kimmerling, Verso – New Left Books, UK/USA, 2006 (2nd edition), p.3.

³⁵ “There are 888 NGOs, to which should be added about 100 charitable organisations from the northern governorates.” In Challand, B., 2005, p.140

³⁶ See interview with Shlomo Swirski, ADVA, March 19th, 2008: “The total budget of NGOs in Israel is nothing compared to the government budget. It’s the exact opposite in the OPT.”

³⁷ Challand, p.318

c) Historical overview

Following the 1967 war, three main periods may be distinguished: Until the beginning of the 1990s and the end of the first Intifada, the number of NGOs increased to around 2000. These NGOs were mostly related to political parties aimed at reinforcing their grassroots support through the services and activities they offered. Most of our interviewees remember this era with nostalgia. According to them, this was a time when people felt personally involved in organizations on the basis of voluntarism. Rita Giacaman, from the Institute for Community and Public Health, recalls:

“Before 1987, social mobilisation was very important: there were women, youth, health groups... The whole social infrastructure was ready for the Intifada: the United Leadership of the Uprising ran the country well, it benefited from this infrastructure, where all the different parts of the population were represented; everybody had a role and felt he had something to do (contrary to the Second Intifada, which was much more militarized and unless you had a gun, you were considered useless). These dynamics truly democratized us, because it stemmed from us. There were lots of human rights violations, but a lot of hope also! We had this energy, the power of the people.”

After the Oslo Accords, international donors redirected their funds to the new-born PA at the expense of the NGO sector. Tensions between the PA and the NGOs arose quickly. Arafat drafted a law aiming at creating a Ministry of NGO Affairs, to gain control of the activities and funds of this sector. As early as 1993, a group of 100 NGOs joined forces and founded PNGO (Palestinian NGOs) which, in 1996-97 intensively lobbied the PA in order to decrease the prerogatives of the Ministry of NGO Affairs. “The registration procedures offer the possibility to the Ministry of the Interior to refuse the establishment of a new association, thereby negating the freedom of association. [...] The registration has been practically put on hold since early 2002, because the PA prefers to revive non-active but already existing NGOs rather than establishing new NGOs.”³⁸ In 2002, the Ministry was changed into the Commission for Human Rights and NGO Affairs, in order to better react to the emergency situation provoked by the second Intifada and the subsequent re-occupation of Zone A by the Israeli army.

The number of NGOs significantly decreased in that period, to about 1400 in 1994 and around 1000 in 2000. Simultaneously, “a new form of NGO appeared in this period: that of advocacy and research. By advocacy, one should understand NGOs active in the fields of human rights, democracy and peace promotion. Although some organisations were founded before the 1990s (Al-Haq, the pioneer in human rights, was established already in 1979), the majority of these advocacy NGOs is a by-product of the Oslo years. The most recent advocacy NGOs are research centres on democracy, politics and public opinion, with a last strand of organisations dedicated to peace promotion and/or people-to-people programmes.”³⁹

The human rights section of PNGO was seriously weakened as a result of the disagreements over how to deal with the NGO law requiring NGOs to register with the Ministry of Interior. While PNGO accepted the demand, some of the most prominent human rights organisations, including the Palestinian Centre for Human Rights and al-Mizan in Gaza, refused to register with the Ministry of Interior and had thus to leave PNGO.⁴⁰

³⁸ Challand p. 135-136

³⁹ Idem, p.139

⁴⁰ Interview with Amjad Shawa, PNGO coordinator in Gaza, March 29th, 2008.

The **People-to-People (“P2P”)** programs were created during the negotiations of the Oslo accords. Promoted by international donors, they were based on the assumption that a better way to achieve peace was to encourage bi-communal projects; that they should come from the people themselves, rather than only from the upper spheres of decision. Enormous amounts of money have been spent on those programs, but soon major discrepancies arose and led to the failure of the whole enterprise. People from both sides appeared to be more concerned about fulfilling their donors’ agendas rather than focusing on the stakes of those bi-communal activities; structural inequalities, due to the occupation and the economic hardships in the OPT, were not taken into account in the funding and organisation of the events; and most important, Israelis and Palestinians disagreed on the nature of these events: Palestinians tended to use them as political platforms, while Israeli activists were motivated by social and cultural concerns, thus avoiding political questions. In the end, the progressive failure of the Oslo process fuelled growing distrust, especially on the Palestinian side:

“In the end, it became so difficult to recruit participants that some schemes had to pay Palestinians to join certain projects. The pervading feeling among Palestinians was that P2P activities would do little to change the political situation, especially in the light of the fact that Israel had no commitment to implementing most of the Oslo agreement and most official negotiations had collapsed.”⁴¹

The outburst of the second Intifada put a definite end to the P2P programs. Now, it is claimed, many donors, including European countries, refuse projects submitted by Israeli and/or Palestinian NGOs when they look too similar to the P2P programs.

The second Intifada entailed major changes in the activities of many NGOs; indeed, during the 1990s, some secular NGOs gradually abandoned service-providing activities, e.g., in the case of women’s organizations, and some of the health and education NGOs. In the latter cases, even if their message (aiming at enhancing the level of democracy within the OPT) was an important one, the abandonment of some service-delivery activities at the expense of very abstract concepts backfired, as the peace process failed to deliver. “It was as if priority was about strengthening [...] abstract concepts, before having a firm ground. On the other end, the success of Islamist organisations was due to the quality of their services, but also to the popularity of religious messages.”⁴² The Islamic charities are apparently well aware of their advantage in this regard. In the words of a representative of the Islamic Mujamma Association in Gaza: “We, the Islamic associations, deal with the main needs of the people, while the secular organisations focus on cultural programs.”⁴³ Our interviewee from MIFTAH (The Palestinian Initiative for the Promotion of Global Dialogue and Democracy) admits that:

“After Oslo, for 3 or 4 years, NGOs forgot about the occupation, just as the PA did. We thought we were an independent state, that we had to start building our state, so we focused on the top level of PA to lobby decision makers... so a gap between the community and organizations started widening, because we were working on making our political system pluralist, democratic, through dialogue, lobbying, big concepts, slogans... And in the same time, Islamists kept working on relief, in all fields. Then

⁴¹ *Post-Oslo Dialogue: An Evaluation, The achievements and failures of People-to-People viewed from the Palestinian side*, Nadia Nasser-Najjab, Palestine-Israel Journal, vol. 12, n.4 and vol. 13, n.1.

⁴² Challand, p. 320.

⁴³ Interview with Abu Islam in Mujamma Association, Gaza, March 27th, 2008.

during the second Intifada, we remembered we were under occupation, so now we have to work on both fronts [advocacy and providing service].”⁴⁴

As a consequence, some secular NGOs reoriented part of their activities towards emergency relief and service-providing, during the second Intifada.

d) The religious civil society actors

In 2005, according to Challand, “the religious-based organizations [...] represent 400 NGOs (29%). They can be either Christian or Muslim organizations, with a [quite] overtly political agenda. Hamas, through a vast network of mosques, schools and medical clinics, controls the largest chunk of this subtype. Their beneficiaries mostly receive its services free of charge. The Islamic Jihad also controlled dozens of these”⁴⁵.

Here, we will focus on the Islamic organisations. Most of them were born in the 1970s and gained wide support over the 1980s, especially since the first Intifada. Two main blocks opposed the Oslo Accords: the leftist groups, and the Islamic groups. However, being far better organised and financially independent, the Islamic groups soon represented the only credible alternative for those among the Palestinians who did not accept the terms of Oslo. The success of the Islamic block, which led to the electoral victory of Hamas in the municipal and legislative elections of 2005 and 2006, may also be explained by its reputation of probity and honesty and by its organic links with the community.

It is important to distinguish Islamic from Islamist associations: “By Islamic NGO, one should understand an NGO basing its general *Weltanschauung* on Muslim principles, as a Christian organisation would do, with no further claims on the public importance of religion. On the other side, an Islamist NGO is one that serves the purpose or belongs to the galaxy of militant Muslim organisations, which make Islam the central political claim of their activity and openly challenge the current political order”.⁴⁶ It is quite difficult today to clearly identify associations as one or the other, given that the degrees of affiliation to Islamist activist movements vary significantly. What seems safe to assess, nonetheless, is that most of the associations are working apart from militant groups.

Hamas was founded in 1987 by members of the Muslim Brothers who settled in Palestine in the 1940s. Through the 1990s, Islamic associations increasingly filled the vacuum left by the withdrawal of international aid from the NGO sector in favour of the PA, and the orientation of some secular NGOs towards advocacy and human rights activities. Hamas is believed to run on a budget of \$70 millions a year⁴⁷, 90% of which is dedicated to social actions⁴⁸.

Much of the sector of Islamic NGOs is not directly related to Hamas, but to the traditional social and religious structure that has always existed in Palestinian society. They are charitable societies. A good example of this is the existence of the *ZAKAT* committees: *Zakat* means almsgiving and is one of the five pillars of Islam. According to the guidelines, Muslims are obliged to pay 2.5 percent of their wealth a year, when their properties exceed a minimum level, called *nisab*, which today equals approximately \$ 2000. The *zakat* committees, which are monitored by the Ministry of Religious Endowments (*Awqaf*), collect and redistribute the alms to “the poor and needy”, i.e. those not able to fend themselves

⁴⁴ ??, Ramallah Roundtable, April 5th, 2008.

⁴⁵ Challand, p. 141

⁴⁶ Challand, p. 145

⁴⁷ Aude Signoles, *Le Hamas au pouvoir, et après?* Toulouse : Ed Milan, 2006, p.56.

⁴⁸ Challand p. 145

through working, such as widows, orphans and the disabled.⁴⁹ Although the new legal framework concerning NGOs and the absence of leadership have led to a sharp decrease in the number of Zakat committees, from 62 in 1998 to 30 in 2001 (with 16 active in Gaza), they still distribute actively and should be considered as key actors in Palestinian civil society.

The *zakat* committees have been perceived by the PA as affiliated to Hamas and have been among the targets for the crack-down on Islamic charities that followed in the aftermath of Hamas's takeover of Gaza. In a coordinated move in October-September 2007 the PA replaced most of the leaders of the *zakat* committees with Fatah loyalists. Vice president of the *Zakat* Committee in the village of al-Dura outside Hebron, Khaled al-Amayreh, was one of the evicted leaders. He recalls that:

“We received a formal letter from the Ministry of *Awqaf* informing us that the PA would take over and run the *zakat* committee. The decision was met with silent protest locally; people stopped paying their *zakat*, and Hamas found alternative channels for continuing their voluntary charity efforts – like individual doctors working for free for the needy. In this way, some of the activities of the original *zakat* committees continued unofficially, although the number of users has decreased.”⁵⁰

Amayreh, who also works as a journalist, claims that this was clearly an authoritarian and unjustified move by the Ramallah government in that the *zakat* committees and the other more than one hundred Islamic associations that were closed down were registered with the Ministry of Interior and delivered their financial reports as required.

Islamic associations, and particularly those which were believed to have close connections with Hamas and Islamic Jihad, have been regularly repressed by the PA and targeted by the Israeli army: “a real crackdown on their charitable associations took place as Hamas waged revenge suicide attacks in 1994 [following the massacre committed by a settler of 29 Palestinians in the Ibrahimi Mosque of Hebron] and even more in 1996. [...] The PNA simply shut down dozens of Hamas-affiliated NGOs (especially in 1996 and 1997, and again later in 2001)”⁵¹ The Hamas-related persons we met in the West Bank complained bitterly that the boycott of the Hamas government that began in the aftermath of the elections undermined the Islamic NGO sector severely.

What clearly provokes people is the way the PA and the Israeli army work in concert against the Islamic NGOs; some are targeted by the PA, others by the Israelis. One example of the latter was the ISLAMIC CHARITY SOCIETY (ICS), which runs a number of orphanages and schools in the Hebron area. Ghassan Mohammed, working as a clerk in the organisation guided us on a tour of one of the orphanages that had been raided by Israeli soldiers on 26 February, confiscating the computers in the offices. A week later, soldiers came back and raided the inventory department and the bakery of the organisation, which was closed off and sealed. According to Mohammed, “the soldiers came at night, waking up the children who were terrified, then they confiscated everything, including clothes, shoes, and even the refrigerator from the kitchen.” The ICS received a military order to close down each of the buildings, including the orphanage, but this order was – at the time of our visit – pending a petition that the ICS had presented to the Israeli court. Muhammed dismissed any links between the ICS and Hamas, referring to the fact that their organisation was funded in

⁴⁹ Gro Hasselknippe and Marianne Tveit, *Against the Odds. How Palestinians Cope through Fiscal Crisis, Closures and Boycott*, Oslo: Fafo, 2007, p.72.

⁵⁰ Interview with Khaled al-Amayreh, vice president of al-Dura *Zakat* Committee, Dura, April 6th, 2008.

⁵¹ Challand, p. 134-135.

1962 and preceded Hamas by 25 years.⁵² The case of the ICS in Hebron has been well documented in an article by the Israeli journalist Gideon Levy of Ha'aretz.⁵³

The conflict between Hamas and Fatah has had an important impact on Palestinian civil society, both in Gaza and in the West Bank. In the West Bank, the situation is double-faced: Fatah is in power, but a large number of municipalities are Hamas. Thus, in Jenin, the Hamas municipality has significantly cut funds that were dedicated to the secular SHAREK YOUTH CENTER, part of the Sharek youth forum, a network of youth clubs present in many OPT towns and cities. Fatah tends to tighten its control over Islamic associations. Thus, an Imam-Khatib who gives the Friday sermon in mosques of the Ramallah district was imprisoned for one year for being too radical in his sermons. He explained that until then the imams were free to write their own sermons, unlike the case in other Muslim countries. However, voices are now being heard in Palestine for abolishing this freedom.

In Gaza Hamas has absolute power following a military conflict with Fatah forces. It claims to represent all legitimate authority through the continued rule of its elected government. Fatah-affiliated NGOs and activists have been intimidated by the Hamas authority. However, the Islamic organisations did not feel they could operate more freely now than before: In their view, the Hamas government monitors their activities more closely than the previous Fatah governments did.

e) Current perspectives

In the OPT, the situation has steadily deteriorated. After more than 40 years of Israeli occupation, the conflict between Hamas and Fatah has deprived the Palestinian population of hope for a viable political perspective in the foreseeable future. The NGO sector seems more disoriented than ever. The geographical divisions of Palestinian society as a result of the policies and practices of the Israeli occupation has led to fragmentation, at once political, but also social and psychological. This view was widespread among interviewees, and is probably the most dramatic factor among civil society actors, especially since the political split in the OPT in June 2007 (Fatah ruling over the West Bank, Hamas over the Gaza Strip). Haifa based ITTIJAH, a platform of Palestinian NGOs in Israel, has made the matter of fragmentation its priority. Founded in 1995, Ittijah's primary goals are advocacy for the recognition of the special status of the Palestinian minority in Israel, capacity-building and networking, in order to strengthen Palestinian civil society in Israel. However, since the second Intifada, in addition to these projects, Ittijah started working on advocacy for “defragmenting” the Palestinian people; it tries to reach out to all Palestinian communities in the diasporas, in the Arab countries, in the OPT and in Israel, to try and rebuild a sense of Palestinian national unity.⁵⁴

Civil society reflects the fragmentation of Palestinian society. At the same time, secular NGOs, whether local or international enjoy a poor reputation among the population, suspected or accused of being profit oriented and focusing on useless abstract concepts. Islah Jad, a professor of Gender and Development at Bir Zeit University, refers to these issues while presenting a critical overview of the current NGO sector in Palestine through a study of the evolution of feminist movements since the 1980s. She sheds light on several processes that have deeply affected the landscape of civil society in Palestine since the early 90s: the professionalization of NGOs, the introduction of the “project-logic” by Western donors, and a growing dependency on the funds they provide. To her mind, the “project logic” has tended to cut-off NGOs from their bases, since it

⁵² Interview with Ghassan Mohammed, clerk in the Islamic Charitable Society, Hebron, April 6th, 2008.

⁵³ See Levy's article in Annex 2.

⁵⁴ Interview with Ameer Makhoul, Ittijah, Haifa, March 20th, 2008.

“pushes towards upward vertical participation [i.e., bureaucratization] and not to downward horizontal participation: [...] it might lead to further concentration of power in the hands of administrators. **NGOisation** pushes the NGO structure to be more exclusive rather than inclusive [grassroots activists being excluded from NGOs for not having the required skills: speaking proper English and writing a proposal for fundraising]. It leads to the transformation of a cause for social change into a project with a plan, timetable, and a limited budget which is ‘owed’ for reporting and used for the purposes of accountability vis-à-vis the funders”.⁵⁵

She argues that “NGOisation” has led to further fragmentation of a civil society which suffers from harsh competition for funds, lack of coordination and cooperation, and standardized discourses blurring the lines between competent and incompetent civil society actors. In order to get funds, NGO actors have taken up the vocabulary used by donors; this often hides different agendas (on this point everybody present in the field agrees, whether NGOs themselves, researchers or international actors working in the OPT):

“I believe the women’s NGOs and the new discourses they brought to the public sphere in relative isolation from the overall social, economic and political context might have inadvertently acted to dis-empower, de-legitimise and fragment civil society secular actors and their movements. [...] The NGO discourse was used to forge a space in the public arena at the expense of old mass-based organizations.”⁵⁶

“The old feminist discourse produced by the Palestinian Federation of Women’s Action Committees and other groups, did not rely on the application of universal agendas for enforcing women’s rights and empowerment. Rather, the organisation expanded its membership as a result of hard work and daily contact with women whose concerns informed the agenda for women’s empowerment.”⁵⁷

Since the non-recognition of the outcome of the 2006 elections by the international community, advocacy NGOs have seen their reputation even more tarnished; they had built their legitimacy on concepts that the Western world had just denied. Simultaneously, the failure of the Oslo process and the People-to-People programs, the reinforcement of occupation and the continual extension of settlements have led Palestinians to develop a strong sense of **anti-normalization**. The term “normalization” refers to the P2P programs, among others, that assume symmetry between the occupier and the occupied. By treating them as equal, while trying to build structures that ignore the occupation, many believe that it serves to reinforce it.

Most Palestinians are now extremely suspicious of bi-communal activities and projects involving Israelis and/or internationals concerned with issues such as peace-building or conflict-resolution: they have seen too many of them, there have been too many conferences and roundtables; and the situation has never been worse than today. As a consequence, some people are now reluctant to take any interest in or cooperate with projects such as SHUR. This

⁵⁵ *Women at the Cross-Roads: The Palestinian Women’s Movement between Nationalism, Secularism and Islamism*, Islah Jad, Department of Developmental Studies, School of Oriental and African Studies, University of London, Oct 2004. p 197

⁵⁶ *Idem* p. 198.

⁵⁷ *Idem* p. 197.

accounts for the relatively limited participation in the roundtables the SHUR team organised in Jerusalem and Ramallah.

II) Of means and impacts of CoSOs' actions

Given the complexity and diversity of positions on both sides of the conflict and among actors within each community, most actions initiated within civil society have 'securitizing' effects, whether they aim to or not⁵⁸. This makes SHUR's main categories, which seek to determine the securitizing/non-securitizing/de-securitizing impact of CoSOs, quite difficult to use. As a consequence, and for the sake of precision, we will refrain from categorizing our interviewees along those lines, and we shall refer to the means they choose to have an impact on different aspects of the conflict. Moreover, the complexity of the conflict led us to interview far more than the 25 advised by SHUR. However, this section does not present all of them, rather it has selected significant examples.

1. Legal actions

a) *Legal apparatus*

The most impressive discourse heard was that of lawyers and those engaged in legal actions to defend civic and human rights; they were dealing with the legal apparatus used by the Israeli State to justify both the occupation and the status of the Palestinian minority in Israel. Through specific example, they demonstrated that the democratic nature of Israel is questionable: that some legislation is implemented on the basis of racial criteria and prejudice, and that other legislation is prejudicial in respect to groups of Israeli citizens on ethnic grounds.

Examples of prejudice by means of law and practise:

- **Land**

Land is a central concern and symbol in the conflict that opposes Israelis and Palestinians. By means of legislation regarding land ownership Israel discriminates against the Palestinian population within the state. According to a study published by Adalah in July 2007, *Land Controlled by Jewish National Fund for Jews Only*:

"Since 1948, Israeli laws have led to the systematic confiscation and transfer of Palestinian-owned land to the state and Zionist institutions, including the World Zionist Organization and the Jewish National Fund [JNF], for the exclusive use by Jews, be they citizens of Israel or not. Under Israeli law, this land cannot be sold to any individuals; rather, the ILA, a governmental agency, administers leases of JNF lands exclusively to Jews. State land, or "Israel lands", amounts to 93% of all land in Israel, including land controlled by the JNF, and is managed by the ILA.

The JNF currently owns a total of just over 2.5 million dunams of land in Israel, equating to 13% of state land, the majority of which was obtained from Palestinian refugees and internally displaced persons. The JNF claims to have used donations from Jews around the world to purchase 1.25 million dunams of land from the state immediately after its establishment. However, the JNF acquired around 78% of its land from the state in 1949 and 1953, when the latter transferred to it approximately two million dunams of state land. State land,

⁵⁸ "In the discipline of Security Studies, the so-called "Copenhagen School" has suggested the concept of "securitisation" (Wæver, 1995; Buzan, et al. 1998; see Huysmans, 1998). A "securitising move" is a speech act that constructs an Other as an existential threat to a particular group (the "referent object"), calling for urgent measures to combat the threat (Buzan et al, 1998: 21, 24)." See: <http://www.luiss.it/shur/wp-content/uploads/2008/10/shurwp01-07.pdf>

however, cannot be transferred to an entity like the JNF that does not respect the fundamental human rights of citizens and international law.”⁵⁹

- **2002: prohibition for Palestinians to drive on Road 443.**

Road 443 was built during the eighties to reduce traffic on the main highway from Jerusalem to Tel Aviv. Part of it goes through the West Bank on lands confiscated from Palestinians. In the view of Attorney Dan Yakir, Chief Legal Counsel of ACRI, “the official position of the government was that this road is constructed for the well-being of the Palestinians of the West Bank; thus, the Supreme Court accepted it. But in 2002, stones and Molotov cocktails were thrown onto the road, and since then, it has been forbidden for Palestinians to drive on it.”⁶⁰

- **2003: The Nationality and Entry into Israel Law (Temporary Order), known as the “Citizenship and Family Unification Law”**

“On July 31, 2003, the Knesset confirmed the Nationality and Entry into Israel Law (Temporary Order), known as the Citizenship and Family Unification Law for a period of one year, with the right to extend it indefinitely for a maximum of one year at a time. The law denies Israeli citizenship or residency status to the spouses of Israeli citizens who are residents of the West Bank or Gaza. It virtually froze the family reunification procedure for Israeli and Palestinian couples and prohibited new mixed couples from applying for the right of the Palestinian to live with his or her Israeli spouse inside Israel. Later, the law was modified to allow Palestinian men older than 35 and women over 25 to begin the application process and also eased up on other restrictions. However, the law prevents children of mixed marriages older than 14 who were not born in Israel and do not have citizenship from living with their Israeli parent inside Israel.”⁶¹

- **2005: The Civil Wrongs (Liability of the State) Law – 1952 (also known as the “Intifada Law”)**

This Law was voted in the Knesset in July 2005. It denies Palestinians living in the OPT the right to compensation for wrongs committed by the Israeli army, including death, injuries, and property damages.⁶² After a petition submitted by Palestinians and Israeli human rights NGOs, led by Adalah, the Israeli Supreme Court cancelled this law in December 2006.

- **2006: The Policy of visa denial by the government for Palestinians holding foreign passports**

“In March 2006, the Israeli government initiated a policy of visa denial to individuals of Palestinian descent having foreign passports, many of whom Israel has arbitrarily denied residency rights to in the Occupied Palestinian Territory (OPT). Many of these persons have lived in the OPT for years without succeeding to obtain residency rights even though they made Palestine their primary residence and place of employment/business, married local Palestinians, and had children who were born in Palestine. [...] The Ministry of Interior now [Dec 2006] refuses to process visa extensions at all. As a result of this ‘entry-

⁵⁹ Adalah, News Update, July 29th, 2007, Land Controlled by Jewish National Fund for Jews Only.

http://www.adalah.org/eng/pressreleases/pr.php?file=07_07_29

⁶⁰ Interview with Dan Yakir, ACRI, Tel Aviv, March 17th, 2008

⁶¹ *Human Rights of the Israeli-Palestinians*, Raphael Cohen-Almagor, Center for Democratic Studies, University of Haifa, 2006. p. 6-7.

⁶² *Briefing to the Committee on the Elimination of Racial Discrimination*, Amnesty International, Jan 2006.

denied' policy, families are torn apart, schooling for the children is disrupted, and economic disasters follow."⁶³

Numerous policies discriminate against the Palestinian minority in Israel. An example of these policies is the zoning plan of towns and cities. This provides a way for Israeli officials to try to legally prevent the growth of Palestinian population. In East Jerusalem, the zoning plan is not adequate for the natural growth of the Palestinian population which is forbidden to build houses or extensions to their own houses in most areas. The Israeli government orders dozens of house demolitions every month on the basis of claims that they have been illegally built.⁶⁴

Limited successes of the human rights community in Israel-Palestine⁶⁵:

Adalah's board member Hala Khoury-Bisharat pointed out that "from the several hundred petitions that have been submitted to the court pertaining to breaches of IHL by the Israeli military in the OPT, only very few substantial cases have been accepted."⁶⁶

- **1999: "The Torture case":** after years of legitimizing the torture of Palestinian detainees and prisoners by the Israeli military, the Supreme Court ruled that torture is prohibited as a means of interrogation [however, according to many reports, torture is still used by the Israelis];
- **June 2004: The Beit Surik case:** the court decided that the route of the Wall should be changed near Beit Surik because it impinged disproportionately upon the lives of local residents, thus recognizing the humanitarian impact of the Wall on the population of Beit Surik, and highlighting the need to balance security concerns with the rights of local inhabitants [however, a similar decision in the village of Bil'in was never implemented];
- **October 2005: The Human Shields case:** the Supreme Court banned the use of Palestinians as human shields by Israeli military; however, our interviewees from BREAKING THE SILENCE⁶⁷ claimed that such practices still are taking place.

Although the human rights community working in the legal field in Israel is striving to democratize the Israeli legal system, it may be argued that their actions have 'securitizing' consequences. In 2006, Chief Justice Aharon Barak left office – the cancellation of the "Civil Wrongs Law" was one of his last judgments. Few months later Prof. Daniel Friedmann was appointed as the Israeli Minister of Justice. Friedmann was opposed to the cancellation of the law, and made a public call for limiting the powers of the Supreme Court:

⁶³ Press Report from the Israeli Committee for the Right to Residency (ICRR), <http://www.flwi.ugent.be/cie/Palestina/palestina312.htm>. See also, False Dichotomy website: <http://falsedichotomies.com/2006/10/26/launch-of-israeli-committee-for-residency-rights/>

⁶⁴ Dan Yakir, ACRI; see also the Israeli Committee against House Demolition.

⁶⁵ *Israel and the culture of impunity*, Hala Khoury-Bisharat, Adalah Newsletter, Volume 37, June 2007, <http://www.adalah.org/newsletter/eng/jun07/ar1.pdf>

⁶⁶ *Idem*, p. 3.

⁶⁷ "Breaking the Silence is an organization of veteran Israeli soldiers that collects testimonies of soldiers who served in the Occupied Territories during the Second Intifadah. Soldiers who serve in the Territories are witnesses to, and participate in military actions which change them immensely. Cases of abuse towards Palestinians, looting, and destruction of property have been the norm for years, but are still excused as military necessities, or explained as extreme and unique cases. Testimonies portray a grim picture of questionable orders in many areas regarding Palestinian civilians." http://www.breakingthesilence.org.il/about_e.asp

“The Court itself is becoming weaker. It is constrained by tensions with the executive and legislative powers: there are calls in the Parliament and even in the Ministry of Justice for limiting the Court’s power, and to prevent it from dealing with security issues, or cancelling laws”⁶⁸

Adalah's lawyer Orna Kohn claims that of all the State’s institutions the Supreme Court is the only one that still has some commitment to defend the rights of the Palestinian minority in Israel and the Palestinians from the OPT, as long as these do not contravene "security requirements" even if its definitions of ‘security’ are narrower than those of other institutions:

“Israel has the reputation of having a very professional and courageous legal system, and it’s true on some issues, e.g., concerning gender, homosexuality... but as soon as it concerns matters related to the Arab minority, you find the courts more reluctant to act as human rights defenders. Many would argue that security determines these limits, others would call it ethnicity, i.e. racism.”⁶⁹

This is not to argue that the human rights community in Israel is responsible for what Kohn refers to as “mainstream violations that are becoming more and more serious”. On the contrary, they oppose the trend in Israel which accepts discriminatory legislation in the name of security. As Dan Yakir from ACRI puts it, “the Law and the Courts are all we have against violations of human rights”. This accounts for the fundamental importance of the work of association such as Adalah, ACRI and others. Nonetheless, their persistent resort to the courts increases the suspicion of the Israeli establishment towards the courts and threatens to limit the jurisdictions of the courts.

Other legal means:

- **International advocacy:** Palestinian NGOs promoting human rights mostly target international bodies such as the International Court of Justice, the International Criminal Court, The European Court of Justice... but also the UN, the EU and foreign states.
- **Third-party responsibility:** some groups and NGOs working on legal issues strive to engage third party responsibility in the conflict. This consists of lobbying targeted foreign governments to reconsider bilateral agreements they have with Israel which support directly or indirectly the occupation. This is MATTIN’s main activity today: it is not an NGO but a kind of consulting agency based in Ramallah; it encourages qualified NGOs, such as Al HAQ, to challenge foreign states responsibility.
- **Universal Jurisdiction:** this procedure was used after the Second World War to pursue Nazi criminals. Individual officials responsible for crimes can be apprehended, judged and sentenced according to the law of a country best suited to handle the case. The person condemned is arrested and serves his sentence – if he ever enters the country where he has been tried. AL HAQ, one of the most important legal NGOs working in the OPT, regularly resorts to the universal jurisdiction doctrine.

Since 2000, three cases may be cited:

- **2001:** suit in Belgium against Ariel Sharon under the Belgian Act Concerning the Punishment of Grave Breaches of International Humanitarian Law – 1999
- **Sept 2005:** arrest warrant issued in the UK against General Doron Almog, under the Geneva Conventions Act 1957

⁶⁸ Orna Kohn, Adalah.

⁶⁹ Idem

- **Nov 2006:** arrest warrant issued in New Zealand against General Moshe Ya'alon under the Geneva Conventions Act 1958 and International Crimes and International Criminal Court Act 2000⁷⁰

b) Adalah, ACRI, Al HAQ, PCHR

ADALAH, the Legal Center for Arab Minority Rights in Israel, founded in 1996, is dedicated to the defence of the human and civil rights of the Palestinian minority in Israel:

“Adalah tried to create a different kind of human rights discourse, by bringing issues related to the human rights’ situation of Palestinian citizens of Israel to court, not only to the level of their right to integrate, but of their right for equality, right to be given separate services to their community, to keep their identity with the option to choose differently.”⁷¹

Adalah pursues cases that have a legal basis under Israeli law, and sometimes also under international law. These cases, based either on individual or collective requests, always have a collective dimension. It works closely with the Palestinian community and other grassroots civil society organizations.

The issue of the Palestinian minority in Israel has been treated in the past in terms of assimilation and integration. However, Adalah considers this approach to be a denial of the right of the Palestinian community to assert its specific identity and to benefit from equal services and the recognition of its collective rights.

Adalah’s main fields of advocacy:

- Land and planning rights, the major means through which Israel discriminates against the Arab minority;
- civil and political rights;
- education rights;
- economic and social rights;
- religious rights;
- prisoners’ rights;
- situations within the OPT.

Adalah petitions different levels of the judicial system: planning committees; magistrates’ courts; district courts; and the Supreme Court. As of April 2008, Adalah had 37 cases pending, including 25 submitted to the Supreme Court.⁷² Here is an example of activities from an interview with Orna Kohn, an Adalah lawyer:

“Adalah’s first case was the mother-child clinics for unrecognised Bedouins villages. There are such clinics even in the smallest Jewish communities in the area. But not in unrecognised villages: in the past there were only mobile clinics run by the Galilee Society, and the Ministry of Health was giving money for that, but it suddenly stopped. So we petitioned, not to get the mobile clinics back on the road, but to open local clinics. Among Bedouins, the mortality rate among children is almost the same as in African countries. So we went to court on behalf of the 124 petitioners, the Galilee Society and other organizations, but also individual women and children. A dynamic of empowerment was created with them. We won this case: in the end, ten local clinics were created.”

⁷⁰ Hala Khoury-Bisharat, 2007.

⁷¹ Orna Kohn, Adalah.

⁷² See Annex 3, and <http://www.adalah.org/newsletter/eng/apr08/2.pdf>

She concluded as follows:

“The really frightening thing is that now it [the Courts’ ruling and the legislation] goes far beyond what are called security cases: if you’d bring the case of mother-children clinics to court now, the ten clinics wouldn’t have been built.

We are fighting to get drinking water into houses in unrecognised villages; we’re not challenging the wall or those kind of things! So yes, I’m more frightened than ten years ago.”

ACRI, the Association for Civil Rights in Israel, founded in 1972, is the oldest association for human and civil rights in Israel. It deals with infringements upon civil rights within Israel and the Occupied Territories. ACRI has three departments: a Legal Department that deals mostly with “individual cases that can bring change in policy or legislation”⁷³; an Education Department that promotes human rights in schools, among police staff and prison guards etc; and a Public Outreach Department.

ACRI is well respected and heard respectfully in Knesset committees, by the government and the courts. It cooperates on a regular basis with other organisations such as ADALAH and HAMOKED, and exchanges information with organisations in the OPT, such as AL HAQ and the MANDELA INSTITUTE.

AL HAQ is a key actor in Palestinian civil society in legal advocacy. It reports systematically on violations committed in the OPT both by the PA and by the Israeli army. Its priorities for 2008 are:

- the application of the rule of law within the PA
- enhanced advocacy to the EU and the US to turn their declarations into political action
- accountability of individual war criminals before national and/or international courts and of the State of Israel before the UN institutions, referring to the Universal Jurisdiction Doctrine.
-

Al Haq enjoys core funding, in addition to project-based funds. They participate in many campaigns, sometimes joining forces with Israeli organisations, (against, for example, collective punishment, house demolition, torture, in support of family unification...). For them, a precondition for peace is the respect of human rights on both sides.⁷⁴

PALESTINIAN CENTRE FOR HUMAN RIGHTS, established in Gaza in 1985, concentrates on two main issues: Israeli human rights violations on the one hand, and PA violations on the other (regardless of whether Fatah or Hamas is in power). The main human rights concerns regarding Israeli include the prolonged occupation, continued assassinations, destruction of houses and farms, denial of access to medication and to travel, the economic and social suffocation caused by the siege and closure.

On the Palestinian side, PCHR is concerned with the security issue, misuse of weapons, misadministration, illegal decrees, illegal steps taken by the security apparatus – illegal arrests, torture, right of assembly, targeting journalists. A main concern, according to deputy director Jaber Wishah, is the destructive impact of this on democratic life and the internal political conflict that led to the split between the West Bank and the Gaza Strip.

⁷³ Dan Yakir, ACRI.

⁷⁴ Interview with Shawan Jabarin, Al Haq, Ramallah, March 4th, 2008.

PCHR is divided into different units, including: a Legal Unit, the Democratic Development Unit, and a Fieldwork Unit, with several sub-units. The main methods and outcome of PCHR work include monitoring, reporting, documenting, and intervening on behalf of offended individuals. With the current crisis, the focus is directed towards the immediate needs and concerns of a people under siege, such as the problem of Israeli refusal of patients for travel abroad for treatment. The PCHR follows up these cases closely, sometimes to the Israeli high court of justice. "When we manage to save lives with our intervention these are big successes for us," says Wishah.

2. Grassroots organisations

Grassroots organisations work in close contact with the community on a local level. Their main effect is to sustain or create local social dynamics and empower community members. Grassroots organisations vary in size and exist both in Israel and in the OPT. Their actions are central to the life of the community.

Many of these community-building, grassroots organisations may be said to have a peace-building impact since they emphasize non-violence and education. However, they generally use resistance to the occupation as a motto, resistance by strengthening Palestinian identity and culture. This implies educating people regarding the Nakba narrative, the loss of the land, and the heritage and traditions of Palestinian culture, thereby implicitly having a "securitizing" impact. The different activities of one single organisation may, in other words, have contradictory impacts with regard to securitizing vs. peace-building.

In the OPT, we met representatives of three groups: Al Finiq center, in Dheisheh camp (in the neighbourhood of Bethlehem), the Sharek Youth Center, in Jenin and al-Salah Islamic Society in Gaza. We will add to this section a presentation of the GOLAN FOR DEVELOPMENT group, to include the issue of Syrian Arabs in the occupied Golan Heights.

AL FINIQ Center is unusual in the prominence it gives to social activities. The centre was created by the Popular Committee of Dheisheh camp which was created in 1949 for refugees from 46 villages around Jerusalem. Refugee camps are managed by the UNRWA, the UN agency for Palestinian refugees. The PA has avoided taking over the administration of the camps in order to emphasise the international responsibility for the refugees until this issue is solved as part of a comprehensive peace agreement with Israel. People in the camps have organised themselves and formed popular committees to make up for the shortcomings of UNRWA's management, to voice their concerns to UNRWA representatives. Al Finiq centre has greater guarantees of sustainability than other such initiatives. It offers various social and cultural activities: children and youth activities (theatre, drawing classes, summer camps...), sociability space for families and neighbours, two halls for rent for weddings at a price people can afford. Their planned projects include a public library, a guest house and fitness courses for women. Their social work includes help for the poorer families, mediation in conflict among neighbours, and psychological support.

SHAREK YOUTH Center, part of the Sharek Youth Network, has branches in each governorate in the West Bank and in Gaza. The branch located in Jenin, suffers from budget cuts by the Hamas municipality, elected in 2006. Sharek's mandate targets children and youth from kindergarten to age 18. It provides them with safe spaces to play and learn about their rights and duties. It has established four kindergartens in Jenin supported by UNICEF, and works in close cooperation with several remarkable, secular women organisations.

AL-SALAH ISLAMIC SOCIETY, based in Deir el-Balah, is the largest Islamic charity organisation in the Gaza Strip. Its different branches are deeply connected in the local

environment, running schools, kindergartens, medical clinics, youth clubs and women centres. Like many of the other NGOs in Gaza, during the past few years its activities have been centred around the most immediate needs and concerns related to the siege of Gaza. In addition, al-Salah also runs programs for training women and youth about the importance of democratic participation. Project manager Alia Shaheen stresses that an important goal for al-Salah is to secure a decent life for anybody in need. She says she is very frustrated by the policy of Western countries in preventing aid following allegations from the US and Israel about links between al-Salah and terrorist activities. "The EU people used to tell us that they considered al-Salah one of the best organisations in Palestine, and suddenly, after the elections, they stopped supporting us for purely political reasons. The Swiss even broke off a newly signed contract with us without justification. Apparently, the EU wants us to forget that we are Palestinians and to stop fighting for our rights," complained Shaheen.

The GOLAN FOR DEVELOPMENT association (GFD) is impressive. Although not part of historic Palestine, nor inhabited by Palestinians, it is part of the territories occupied by Israel in 1967 and deserves at least passing reference as an example within the territories of civil society at work. The GFD is, says one of its activists, "the government of the occupied Syrians". In 1967, when occupied by Israel, the Golan Heights numbered 139 villages. After the war, only five remained, all in the northern area. Today, these five villages include 18 000 Druze Arabs, which equals the number of Israeli Jewish settlers in the Golan:

"We (Syrians in the occupied Golan) understood very soon that we shouldn't wait for the UN to come and help, so we began to organise within the community.

Our organisation started with the political idea of creating systems to provide services to the people to free them from Israeli pressure. In 1993, we started a clinic open 24 hours a day when the Israelis provided one clinic in one village for 13 000 people, working a couple of hours a day. We registered as a NGO.

"In 1981 some of us, all political activists, established the Golan Academic Association, fixing streets, bringing doctors from inside the West Bank, agriculture projects, kindergartens ... 300 academics and non-academics were mobilised. We got money from the people... very grassroots: we'd say we're going to fix a street on Friday and Saturday, and 1000s of people would come from all over the Golan. An example is the way we did the sewage system: we started it, but the police put people in jail; so we would work at night, and that's how we built the sewage system.

"In the late 1980s we realized that we should prepare ourselves for long term occupation. The Israelis started forcing people to pay taxes to the municipalities, but we don't have elected municipalities: these people are collaborators appointed by the Israeli government, and some of them even came from Israel. The person managing the 5 villages is from Israel: the first one was collaborating with Israel before 1967 and was a prisoner in Syria convicted as a spying agent for the Israelis. This system of governance is totally controlled by Israel. And if you want anything, you have to go through these people.

"Last year, around 10,000 trees were uprooted by Israeli. We don't go to court because it's a lost case. When that happens, the next morning, hundreds of people come back and plant new trees."⁷⁵

The **Health Sector** is particularly active in the OPT. Given the nature of the services provided, all forms of initiatives, be they grassroots associations, NGOs or private or public hospitals, interact directly with the community. They cover all fields of the sector, from hygiene education to psychological support and medical care insofar as equipment and medication are available. Dr. Mohammed Abu Ghali runs **Jenin Hospital**, which continuously lacks basic facilities in one of the most tense areas of the West Bank, where Israeli army raids occur on a quasi-daily basis.

In Ramallah, Rita Giacaman created the **Institute for Community and Public Health**. It offers psycho-social non-medicalised support, especially to the youth, through group activities.

"We help youth coping with high level of distress, through inclusion and participation in activities such as visiting elderly persons, visiting university campuses... Through these activities, the youth begin to help each other, and to rebuild a dynamic of solidarity and collective support while constantly threatened by the Israeli occupation. The main causes of psychological sufferings are social, so the answer has to be social and not medical! A bio-medical model does not fit here"⁷⁶.

Similarly, Dr Eyad Sarraj has founded a clinic for psychological support in Gaza: the **Gaza Community Mental Health Programme (GCMHP)**. This clinic has branches in six localities of the Gaza Strip and offers services in an area where most of the population, and especially children suffer from traumatism related to the constant violence. Sarraj and his institution have been doing pioneering work with regard to mental health services in a society that traditionally has treated mental illness and psychological problems as a taboo that should be hidden from the public because it is shameful for the family of the patient. GCMHP has also in its programs contributed to increased awareness on the psychological long-term impact of war-related traumas for victims of violence, torture, and physical insecurity, including the impact on domestic violence.

3. Political activism and advocating for peace

Political activism does not have the same form, targets or impact in Israel and in the OPT. In Israel self-proclaimed anti-occupation political activists are few, and have more visibility abroad than within the country. Although Israeli activists promoting peace, reconciliation or human rights are presumably having a peace-building effect, their marginalised position in Israeli politics renders their influence largely invisible. Their impact on the conflict is localised (action and not advocacy oriented movements) and international, mainly through their links with international solidarity networks.

Palestinian activist groups have a common framework of action: conflict resolution respectful of the internationally recognised rights of both peoples, resistance to the occupation, the right of refugees to return, and the struggle for self-determination. Their actions aim at building peace by restoring justice in reference to international laws. However,

⁷⁵ Interview with Tayseer Maray, Golan for Development, Majd el-Shams, March 24th, 2008.

⁷⁶ Interview with Rita Giacaman, ICPH.

their impact may also fuel the conflict by provoking counteraction and mobilisation among those in Israel who support the policies of the Israeli government in the OPT, and in regard to Israeli Palestinians.

The Israeli Committee Against House Demolition (ICAHD), headed by Dr. Jeff Halper, defines itself as a political organisation belonging to the human rights community and the peace camp in Israel. Founded in 1997, its aim was to have practical consequences on the ground, the strategy being to rebuild Palestinian houses demolished by the Israeli army, mostly in the area of Jerusalem. Halper is well aware that their actions are on a symbolic political level: “Palestinians let us build their houses because these are political acts of resistance”, and not humanitarian action. Since 1967, more than 18,000 houses have been demolished by the Israeli army; Halper is critical concerning many human rights associations in Israel because in his view they dissociate human rights from politics. For him, this is “self-serving”:

“Most human rights people here are Zionists who want to get rid of the OPT in a favourable way for the Jewish State. Violations of human rights for them only concern the occupation; and occupation has to stop because it compromises the Jewish state. They use human rights in the service of Zionism. All issues that threaten Zionism are considered political, not human rights.

[...] We don't have a particular solution because we think the Palestinians should have the prerogative. They have the right to define where they're going. So we say there is no one solution: any solution has to conform to a human rights model namely:

- national expression for both peoples, as nations and not ethnic groups.
- Economic viability
- Conformity with HR international law
- Refugees: right of return not dependent on Israel
- Regional approach
- Issues of security”⁷⁷

The ICAHD is considered a radical leftist peace organisation in Israel. Its impact is mostly international, through international advocacy and tours in the area of Jerusalem, including the major settlements of East Jerusalem. It aims to demonstrate “the matrix of control that Israel has laid down throughout the OPT in order to make the occupation permanent”.⁷⁸ These tours, done in many languages, are mostly demanded by international activists, and seldom by Israelis: of 250 tours a year, only 30 are done in Hebrew. The ICAHD can be considered as both peace-building, and fuelling the conflict: peace-building because it represents an Israeli vision of coexistence; fuelling because its actions which contravene the major political trends in Israel encourage the right and extreme-right in their positions.

Anarchists against the Wall, as implied by the name, are neither an organisation nor an association. Its followers define themselves as anti-Zionists on specific issues and anti-capitalist. They are action-oriented: e.g., their participation in weekly demonstrations against the Wall in Bil'in, and various recurrent civil disobedience actions. Our interviewee analysed the political discourse relating to the conflict: for him, most expressions are shallow, used as if everybody agreed on their actual content when, in fact, no one agrees on any definition:

⁷⁷ Interview with Jeff Halper, ICAHD, Jerusalem, March 26th, 2008

⁷⁸ See Jeff Halper's article “Matrix of control”, <http://www.icahd.org/eng/articles.asp?menu=6&submenu=3>

“‘End the occupation’: that claim doesn’t indicate a clear path. ‘One man one vote’ would be more goal inclusive. What is a two state solution? What’s the content?”⁷⁹

Ittijah is a platform of Palestinian NGOs in Israel. It is the only Palestinian organisation to our knowledge which extends its activities into practical political activism aimed at all Palestinians in order to oppose fragmentation and reformulate a common Palestinian national identity. Its impact is limited today, but it has organised a conference in Cyprus in 2000 with representatives from the OPT, the Palestinian Diaspora in Lebanon and Palestinians from Israel.

The One State Solution Initiative is a gathering of Palestinian and Israeli intellectuals advocating a one state solution. Omar Barghouti is one of the prominent Palestinian figures of the movement, and has supported this claim for 20 years. For him, the establishment of a democratic state would be the moral solution, because it would redress the main injustices committed by Zionism upon the Palestinians. It would avoid the transfer of population and territorial disputes due to the presence of settlements in the OPT, and transfer of the Palestinian minority in Israel. Given the current territorial, political, economic and social fragmentation of the OPT, a two state solution would be unethical and, anyway, impossible, because a so-called Palestinian state cannot in any way be viable.⁸⁰

Two studies conducted in 2007, one by Bir Zeit University, and another by Near-East Consulting, reached the same conclusions: two thirds of the Palestinian population in the OPT would support the idea of a bi-national state, though most of the interviewees felt it is unrealistic. In 2007, conferences were organised in Madrid and in London; they issued “The One-State Declaration” (cf., Annex 4) after months of consultation among Israelis, Palestinians, Americans, British and other Europeans. In this declaration, that speaks about the need of “justice and peace for the Palestinian and Israeli Jewish peoples”, it is stated that the land “belongs to all who live in it”.

The numerous discussions we have had with civil society actors and individuals showed that both solutions (one state or two states) seem equally unrealistic given the political impasse. However, if the one state solution has some echoes in the OPT, such an alternative remains unthinkable for the massive majority of Israelis, whose main fear is the demographic growth of the Arabs, and the renouncement of a Jewish definition of the state of Israel.

The idea of a one-state solution addresses the root causes of the conflict by challenging the nationalist program of both the Israeli and Palestinian mainstream camps and offers an alternative vision based on equality for the inhabitants of the disputed territory of Israel/Palestine. The One Solution Initiative constitutes therefore one of the very few actors having a conflict transformation impact.

4. Domestic advocacy

This section includes persons and organisations trying to change their own society, whether in Israel or in the OPT, in regard to issues that are not always related to the conflict. Some of these initiatives, such as Zochrot in Israel, are conflict transformation oriented, but they are – like the One State Solution Initiative – an exception. Most, especially in the OPT,

⁷⁹ Interview with Jonathan Pollak, Anarchists against the Wall, Jaffa, March 17th, 2008

⁸⁰ Interview with Omar Barghouti, Ramallah, March 8th, 2008.

develop analysis aimed at resolving the conflict, but their daily work seeks to transform society and the political system thereby preparing for times to come after the resolution.

a) In Israel

ZOCHROT's main concerns consist in promoting the recognition of the *nakba* within Israeli national consciousness as the only possible path towards peace; and the recognition of the right of the Palestinian refugees from 1948 and 1967 to return, and the concrete implementation of that right. Advocacy for the recognition of the *nakba* is developed through different research and publication programs, but also through on-the-ground campaigns like the geographical recognition of the villages that have been destroyed in 1948. Six years ago, Zochrot started a campaign targeting Canada Park, an Israeli park, planted with Canadian dollars on the location of two Palestinian villages that were destroyed in 1967. In this park, signs were posted to explain the historical background of different places, with reference to the times of the Bible, the Roman Empire or the Byzantine Empire, but not a word appeared about the destroyed villages. After a long struggle which also led through the courts, signs will now mention the existence of these villages. Zochrot is working on extending this project to other parks in Israel.

Zochrot's advocacy for the recognition of the Palestinian refugees' right to return is based on research, publication and communication programs; it includes a unique investigation of the practical conditions in which refugees could indeed return to their lands. The research shows that practically speaking, there would be enough space in Israel for all refugees to return.

“We’re not dealing only with the “right” to return, but also how to deal with it. So we’ll launch a call for a paper for a conference on the right to return we are organising in June. We call for people to make suggestions on how to implement it. One of the problems we have on both sides is that there is almost no concrete thinking about it, no concrete definition of this right to return. We try to see possibilities on the ground: some villages can be reconstructed on the site itself, others near it. They will not necessarily return to their original place.”⁸¹

Of course, such a proposal raises major questions as to the nature of the state of Israel, but interestingly proves that the claim that the practical return of refugees would be impossible to implement is ideological and, as such, should be questioned. Zochrot's efforts to alter the mentalities of Israelis about the conflict aim at conflict transformation, while indirectly, they may cause securitizing moves by other Israeli actors.

Adva Center: Information on Equality and Social Justice in Israel is an independent research institute focusing on Israeli social and economic structure, and monitoring social inequalities. Its main aim is to have an impact on policies and policy-making processes. According to its academic director, Shlomo Swirski, “the guidelines (equality and social justice) we use are much more demanding than those that you normally find in human rights organisations. He defines Adva’s mission as follows:

“We’re advocacy-, not action-, oriented, which includes research and the preparation of position papers and studies, and disseminating them to decision makers, NGOs and media, and in some cases, doing active advocacy, meeting

⁸¹ Interview with Eitan Bronstein, Zochrot.

with people in the government and various ministries and member of Parliaments.”⁸²

Adva encompasses Israeli society as a whole: Oriental Jews, Palestinian citizens of Israel, Philipinos, Thais, Ethiopians, Sudanese...

“We provide people with tools to fight for their interests. We would like to hope that we can bring people of all these origins and diverging interests together. For instance, we provide information on the right to education and the discrimination endured by Arabs or Ethiopians in Israel. It is important for them to identify these problems, but let them be aware that they’re sharing them with other segments of the society.

Given our size and our resources, our impact is much greater than you would expect. On the whole, we are considered as a respectable source of information and analysis, people know our positions on the most basic issues, and are willing to listen, even if they disagree. That goes for a great variety of people in this country: government officials, legislators, academics in universities, NGOs, political parties... They’re our audience and the users of our information.”

Adva has recently been particularly active in the issue of national budget, willing to provide legislators and citizens with independent analysis:

“ The Defence budget is totally secret. No one knows, not even the Knesset. We know the overall share of the defence budget in the total, but that’s all.

We proceed to an overall analysis of the economy as a whole. For instance, in 2005, we put out a report on the connection between economy and the occupation, entitled *The Cost of occupation*.”

At the other end of the political spectrum, is **the NGO Monitor**. Its mandate consists in monitoring what they term “so-called” human rights NGOs both Israeli and Palestinian. It issues in-depth reports, e.g., in April 2008, *Europe’s Hidden Hand, EU funding for Political NGOs in the Arab-Israeli Conflict: Analyzing Processes and Impact*: under the guise of providing critical analysis of this sector, NGO Monitor vehemently denounces all organisations pursuing so-called “anti-Israeli” goals. Here, “anti-Israeli” means opposed to the policies of the Israeli government concerning the occupation or the Palestinian minority in Israel. Organisations such as Adalah, ICAHD, HaMoked, Machsom Watch, the Arab Association for Human Rights, Mossawa, Miftah, and many others, appear as dangerous anti-Israeli ideological organisations which should not be granted funds by the EU, given that they have a political agenda. By portraying human rights promotion and criticism of occupation as constituting a threat to Israel, the NGO Monitor has clearly a "securitizing impact".

b) In the OPT

In the OPT, domestic advocacy organisations are countless, whether they deal with human rights, or democratisation of the PA power mechanisms, or education for democracy. Most people in the OPT still believe in democracy as the appropriate regime for the future state. Democratizing institutions and mentalities is a long-term process: Ali Sartawi, professor of Law at Al-Najah University, and ex-Minister of Justice in the unity government, expresses his view of the state of democracy in Palestine:

⁸² Interview, with Shlomo Swirski, ADVA, Tel Aviv, March 19th, 2008.

“We have very serious internal problems which are not a result of the occupation, and for which civil society has an important role to play. Democracy should be in the mind, not only in the act of elections. People have no comprehension of what is democracy here which only comes through education, starting in schools and on the family level.”⁸³

We have already mentioned the debate on democracy in the OPT at the beginning of this report. Here, we will directly mention two interesting NGOs working on democratisation and citizenship in the OPT: Muwatin, and the Ramallah Center for Human Rights Studies.

MUWATIN (*Citizens*), the **Palestinian Institute for the Study of Democracy**, was founded in 1992 by a group of scholars and academics. Muwatin works to contribute to the process of democratic transformation in the Palestinian territories; it seeks to achieve its aims through networking and activism, research and publication, preparation of educational material and its dissemination to schools and the general public, training workshops, symposia, seminars, and conferences. Muwatin is both a think-tank and a lobbying organization proposing reforms to the PA as well as an educational and research center targeting youth, and especially university students.

Founded in 1998, the **Ramallah Center for Human Rights Studies** is a research centre whose aim is to have a concrete impact on mentalities in the OPT:

“We work on bringing Palestinian culture closer to human rights concepts and democracy, through three main topics:

- Tolerance and religion: the right to be and think differently and how political Islam deals with democracy and human rights issues;
- The right to education and, especially, to academic freedom;
- Democratisation

We try to make reports on the situation of freedoms in Palestine. We mainly work with youth, students at the university, and sometimes schools and youth clubs, especially in villages.”⁸⁴

The interaction of religion and politics, and issues such as secularism, has been one of their main focuses for some years: they started with the issue of religious education, and the place of religion in the university, before expanding their field of research and action to the mosques, studying religious discourse in the public sphere. They published a book on human rights in Friday sermons. They are now working more specifically on religion and politics in the OPT:

“There is a difference between the politicians of the Hamas and the religious scholars (*ulema*). Politicians of Hamas are more pragmatic, to some extent, than Fatah politicians. You can find some liberalism in their ethics and thoughts. On the contrary, the scholars, the Ulema, are more fundamentalist, preaching the Quran as a unique reference. Sheikh Yassin (who was an English professor) was the only one who was both scholar and politician: when the Israelis killed him,

⁸³ Interview with Ali Sartawi, Nablus, March 9th, 2008.

⁸⁴ Interview with Iyad Barghouti, Ramallah Center for Human Rights Studies, Ramallah, March 11th, 2008.

the loss was great, because he was the only one who could make links with Fatah."⁸⁵

The RCHRS's work is unique, insofar as it is the only one to focus comprehensively on religion.

The Ulema have not only an ideological and political role, but also play an important social role, by solving conflicts between families and promoting conciliation between perpetrators and victims of violence or other crimes. When the court system in Gaza was paralysed due to the strife between the Gaza government and the Ramallah government, the Ulema took on a major role in entering into cases that normally would have gone to court.

The head of the Ulema in Gaza, Marwan Abu Ras explained that the Ulema work at two levels to solve conflicts and problems among people. First, they establish a reconciliation – *sulha* – committee with representatives from both sides in a conflict and try to reach agreement for a solution, which could include a statement of apology and/or compensation paid by the perpetrator's family to the victim. If there is no agreement, the case will be taken to a council of sheikhs in order to propose a solution.

Although the Ulema are formally independent of any political party, Abu Ras is a prominent Hamas parliamentarian, leading the Human Rights Committee in the PLC. He is critical of the role of the human rights establishment in Palestine:

“I am in contact with the human rights associations. Unfortunately, they are not serving the people. They are funded by foreign sources and have a hidden agenda, collecting statistical data for the national camp [Fatah]. The difference between them and us is that we are not monitoring rights, as they do; we are providing rights for the people – we give back the right to the person who owns it.”⁸⁶

The Ulema have traditionally adopted a hard-line position on the issue of peace negotiations. In the early 1990s, the Ulema issued a number of fatwas forbidding “truce with the Jews” or “normalisation with the enemy”⁸⁷ – clearly playing a securitizing role in the early stage of peace negotiations. However, the Ulema seem to have softened their position on the matter in line with Hamas's signs of moderation until the boycott of their government in 2006. Abu Ras emphasised that it is not a problem of dialogue with Israel from the religious point of view. The problem lies in the political context: “Do you think Ahmed Qureia or Mahmoud Abbas is in a position to represent the Palestinians in a dialogue with Israel? I am not against negotiations, but the present Palestinian team is very weak, so they cannot defend our rights,” argued Abu Ras, stressing that the issue of negotiations must not be linked to the question of recognising Israel. Such statements from an authoritative religious scholar are of crucial importance in the Palestinian political discourse, because they may, when the time is ripe, help in securing necessary support for renewed negotiations from the Palestinian Islamist camp.

⁸⁵ Idem

⁸⁶ Interview with Marwan Abu Ras, Gaza, March 30th, 2008.

⁸⁷ *Hamas. Political Thought and Practice*, Hroub, Khaled, Washington DC: Institute for Palestine Studies, 2000, p.186.

5. Bi-communal activities

We have previously mentioned that bi-communal activities have dramatically decreased since the failure of the P2P programs and the second Intifada; today their programs and activities have a bad reputation both in the eyes of Palestinians and Israelis. Whereas in other SHUR case studies bi-communal initiatives play a major role in resolving conflict, the asymmetries existing between both parties have been too important to allow direct forms of dialogue to bear political fruit. Most of our interlocutors believe that a resolution can be achieved only by courageous political decisions. Georges Giacaman presents his position regarding dialogue with Israelis as follows:

“Muwatin abides by the generally accepted but often infringed understanding of two aspects:

- supports cooperation with Israeli institutions who have clear positions towards the occupation and the rights of the Palestinians.
- opposes normalisation with Israeli institutions which do not have a clear position on the occupation.

The core issue will not dissolve with dialogue between Israeli and Palestinian NGOs, it's not a matter of psychotherapy. No conflict was ever solved by counselling.”⁸⁸

He explains the strong feeling of anti-normalization that prevails today in the OPT:

“Dialogue is seen as a synonym of normalisation, while normalisation should come at the end of the peace process, not at the beginning.”

Nonetheless, some initiatives for dialogue still exist, though their impact is quite limited. The two we met, **Neve Shalom/Wahat as-Salam** and **Reut-Sadaka**, work within the 67 borders, among Palestinian citizens of Israel and Israeli Jews.

Neve Shalom/Wahat as-Salam (*Oasis of Peace*) is a cooperative village where Palestinian citizens of Israel and Israeli Jews live together. It was founded in 1970 on land rented from the Latroun Monastery, equally distant from Jerusalem, Ramallah and Tel Aviv. The first families settled in the village in 1970. Today, the village counts 150 inhabitants, including 40 families with 70 children. Such initiatives may bring hope, demonstrating that daily cohabitation is possible. However, their present impact on Israeli public opinion is almost null, and they are hardly known on the Palestinian side.

Reut-Sadaka (*Friendship*) is a more classical cultural and educational initiative. Its mandate consists of providing Jewish and Arab children and youth with an open space where they can meet and learn to know each other through diverse activities. Given the high degree of segregation in the educational system (with schools for Arabs and others for Jews), children have rare occasions to meet. Reut-Sadaka has existed since 1983, but since 2002 the association has undergone major changes and boosted its activities. Coordinators and facilitators animate ten groups a year, a total of approximately 150 youths, mostly under 18. They are recruited in local public schools and meet weekly for at least a year. It is interesting to note, that for every 100 Arab children willing to take part in these groups, only five Jewish children show interest. Thus, the association mainly focuses its advocacy on Jewish schools. In the first year, the main activities consist in exposing children to the different historical

⁸⁸ Interview with Georges Giacaman, Muwatin, Ramallah, March 8th, 2008.

narratives and issues specific to each community. The association's aim is to "build an alternative bi-national movement", thus "turning young people into active agents of change." The second stage consists in getting them involved in activism:

"Last summer, we participated in a big campaign against house demolition in Jaffa, where 500 demolition orders are pending today. One of the actions we organised was distributing fake eviction orders to rich (now Jewish) neighbourhoods of Jaffa.

Human rights are general values, but they need to be translated into realities here.

We have started working with schools on narratives, and now we have much more demand than we can handle. We have to build our presentation in a non-threatening way: talking about the *nakba* in Jewish schools is a taboo. So we come and we build 5 to 6 workshops a year for each class. We start the program talking about multicultural societies and Arab-Jewish relationships, the different perception of coexistence, etc. Then we start talking about collective memory, through a theatre play in which the children play the Palestinians and the Jews, with a third group playing a witness group. It works very well!"

Reut-Sadaka's impact can be measured by the pressure that has recently been imposed upon them:

"The municipality granted us this building for the centre, because we are working for the community. But since the campaign against house demolition, they have tried to take it back. We went to Court and finally won, thankfully!"⁸⁹

We may consider that Reut-Sadaka definitely works in a conflict transformation philosophy; it does not have an official position as to which political solution would be best; where the borders should be, or whether there should be any borders at all. It is working at a deeper level, trying to create suitable conditions in the communities for a solution to arise.

6. Business

According to political economist Sara Roy, the Palestinian economy under Israeli occupation is characterised not only by underdevelopment but also by what she labels "de-development", resulting from the Israeli policy of expropriation and dispossession⁹⁰.

The Palestinian economy was transformed through Israeli regulations applied from the beginning of the occupation. Israel restricted Palestinian export of agricultural produce overseas and imposed export taxes on Palestinian produce to the Israeli market, while there were no tariffs on Israeli export to the Palestinian territories⁹¹. In this way, Palestinian trade was redirected to Israel while the Palestinian territories were turned into open markets for Israeli products. Employment of Palestinian workers in Israel contributed to economic growth in the West Bank and Gaza but was yet another factor cementing the Palestinian economic dependency on Israel.

⁸⁹ Interview with Fadi Shbeita, Reut Sadaka, Jaffa, March 18th, 2008.

⁹⁰ *The Gaza Strip. The Political Economy of De-development*, Sara Roy, Washington, DC: Institute for Palestine Studies, 1995, p.117.

⁹¹ "Economic Aspects of the Palestinian-Israeli Conflict: The Collapse of the Oslo Accord", Fadle M. Naqib, *Journal of International Development*, vol. 15 (2003), . 505.

Contrary to the expectations of most Palestinians, the peace process that followed the 1993 Oslo Agreement failed to improve the economic life in the OPT. In spite of the unprecedented level of international aid that was disbursed – \$195 per person per year throughout the years of the peace process (Roy 2007:252) – the per capita GDP decreased during most of the peace years due to Israel’s application of two new forms of control: closure and territorial fragmentation (by land confiscations, settlement expansion, bypass roads and erection of military checkpoints).

Following the outbreak of the second intifada in 2000, Israel tightened the closure policy further both externally (border crossings) and internally (between Palestinian cities and villages). The Palestinian territories were turned into isolated islands surrounded by the army, dislocating the local economy seriously. Most of the estimated 120 000 Palestinians who previously used to work in Israel were denied entry permits, causing the Palestinian economy to plummet. The closures also limited the movement of goods and thus badly affected trade and commerce activities. The per capita GDP fell 40% from 1999 to 2006 according to the World Bank, which reported that the already-fragile economy was altered “from one driven by investment and private sector productivity, to one sustained by government and private consumption, and donor aid.”⁹²

The deterioration continued further, first by the international boycott of the Hamas government that was established following the 2006 elections. The endpoint of this row of economic descent seems to have been reached by the near-full embargo which Israel applied on the Gaza Strip after Hamas’s military takeover in June 2007. No raw material and goods except the most basic food items and medicines are allowed to pass through the Israeli border crossings.

The managing director of the **CHAMBER OF COMMERCE** in Gaza, Bassam S. Mortaja, claimed that the Palestinian economy during four decades of occupation never experienced such a catastrophic state of affairs as today. Lack of raw material has, according to Mortaja, paralysed the whole industrial sector in Gaza; the lack of cement alone has caused the loss of 30 types of jobs. Of the 3900 registered factories, 3700 have been obliged to close down due to lack of materials and resources, while the rest run on reduced capacity. In total, 75,000 workers in Gaza’s private sector have lost their jobs due to the blockade. “Our 12,000 members used to be the providers of employment for other people. Today, the embargo has turned previously wealthy businessmen into humiliated aid receivers, dependent on food packages from UNRWA or private charities because their businesses are bankrupt,” Mortaja complained.

Mortaja is personally affected by the embargo as his family-run company had building material stuck in the seaport of Ashdod in June 2007. After having been refused to import the goods to Gaza he managed to redirect it to the West Bank, only to learn that the heat and delay had damaged silicon valued at \$30,000.⁹³

The Gaza Chamber of Commerce has taken legal steps to address the issue by filing a petition in the Israeli court on behalf of one hundred Gaza merchants who have their goods stuck at the Ashdod seaport. Israel withheld 1500 containers of foreign imports to Gaza at a value of \$ 50 million between June 2007 and March 2008, according to Mortaja, who emphasised that “Our demand is not compensation. What we want is that Israel complies with

⁹² World Bank, “Investing in Palestinian Economic Reform and Development”, Report for the Pledging Conference, Paris, December 17th, 2007. Available online at: <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/294264-1166525851073/ParisconferencepaperDec17.pdf>

⁹³ According to the figures of the Chamber of Commerce, SHUR interview with Bassam Mortaja, Gaza March 31st, 2008.

the existing agreements on economy and trade which Israel has signed. We demand that all goods which don't represent a security concern for Israel must be released."⁹⁴

Palestinian merchants have traditionally been a pragmatic oriented group, accustomed to cooperate with various rulers in Palestine. They have experienced how badly the economy is affected by political tension and violent conflict. According to the liberal peace theory⁹⁵ – which postulate that the “spirit of commerce” creates incentives for actors in conflict to promote peace – Palestinian merchants should be a peace-building force. Mortaja confirmed that he and other businessmen want and need peace. But he also stated that the Oslo process was a bad experience that made many businessmen lose illusions about the fruits of peace.

“We used to dream that Gaza would be like Singapore – with its own seaport and airport. Instead, the Oslo Agreement was followed by restrictions on our relationship with the Israelis. And now we live in a big prison. When I compare the situation today with the situation before the first intifada, I must admit the situation was very nice. We used to live like neighbours. We went to their homes and they [the Israelis] visited me in my home.”

Illustrating the general level of frustration directed at all main actors in the conflict, Mortaja blamed both “Israeli aggression” and “some extremists in Gaza,” as well as “the people from Tunis who came with corruption” for today's catastrophic state of affairs.

A final point of concern for the Chamber of Commerce is the economic impact of emergency aid. Mortaja claimed it is problematic that all development oriented projects are suspended, while emergency aid has taken over. Furthermore, previously, donors used to buy as much as possible of food parcels locally in order to support local production. But due to the closure of raw materials, there are hardly any local products that the EU or other donors can buy in Gaza, which makes the aid dependency even more damaging for economic life.

7. Gender

There are numerous women organisations both in Israel and in the OPT. We asked most of our interviewees whether the conflict affected gender relations and the status of women. When talking about gender issues related to the conflict, the discussion mainly applied to the Palestinian context. However, few important Israeli women organisations focus on the occupation, here are two examples:

a) Israeli organisations

Women in Black is not an organisation but a grassroots movement. Their main activity consists in demonstrating every Friday in the center of the main Israeli cities for the end of the occupation in the OPT. In the beginning, in 1988, these demonstrations gathered impressive crowds; however, since the mid 1990s and especially since the second Intifada, they attract less notice.

Machsom Watch was founded in 2001 and has developed two main activities: they are the most well-known for their regular presence at checkpoints and road-blocks in the West

⁹⁴ Interview with Bassam Mortaja, One key economic agreement that Mortaja referred to is the Paris Protocol that Israel and the PLO signed in 1994.

⁹⁵ On liberal peace theory, see: “Three Pillars of the Liberal Peace”, Michael W. Doyle, *American Political Science Review*, Vol. 99, No. 3 August 2005.

Bank, trying to pressure Israeli soldiers to behave properly. This activity, however, has been criticized by some Palestinians who see it as a way for Israelis to “win their paradise”; they argue that what has to be won is not a “nice occupation”, but the end of the occupation. Besides the check point watches, the organisation has developed since 2006 a legal branch aiming at monitoring military courts. Attorney Smadar Ben Natan, one of their legal advisers, explains the fate of Palestinian prisoners and the mechanism of military courts:

“We see military courts as part of the occupation. The military courts are officially open to the public, but no one ever attends them. Today, most Palestinians arrested in the West Bank are tried in one of the two military courts there: Salem and Ofer, where Palestinian lawyers can attend trials. However, decisions on detention time extensions are made in military courts within Israel to which Palestinian lawyers have no access. The cases are held in Hebrew; the accused have a translator, usually a soldier, someone who knows at best the basic vocabulary. There is a story about someone who was acquitted, and the soldiers who were translating for him didn’t know the Arabic word for ‘acquitted’! There was a military court in Erez, but it was cancelled after the disengagement. Now, all those who are arrested in Gaza are tried in Israeli courts. Southern courts are overloaded with cases: each time the army enters Gaza, they arrest 30-40 people, i.e. 30 or 40 new files, and the lawyers cannot handle them.”

The legal branch of MACHSOM WATCH is currently starting a new program in cooperation with NADI Al ASSIR, a Ramallah-based NGO devoted to the defence of prisoners’ rights. This program aims at providing Palestinian lawyers with training sessions on Israeli criminal and military law, as well as international Law. According to Ben Natan:

Many Palestinian lawyers “don’t even know that they have the right to ask for the security services’ evidence on which an accusation is based. There are more lawyers than we can train within our budget.

We give out source books of Israeli military and criminal law, as well as international law, in Hebrew and Arabic. Part of the project is to create a corpus of legal texts in Arabic, accessible to the public. We’re going to start working with Al Haq on that (The legal texts exist in Arabic, but most of them are hardly accessible). The lecturers are Israeli citizens, Arabs and Jews. We are very careful not to make it look like it’s Jews teaching Arabs.”

b) Palestinian Minority organisations

Within the Palestinian minority in Israel, civil society seems mobilized largely around the issue of women. Three organizations have drawn our attention: two of them secular (Al Tufula and Women Against Violence) are headed by well-known Palestinian figures, Nabila Espanioly and Aida Touma-Sliman; and one with liberal Islamic orientation (Nissa wa-Afaq). These associations are less concerned about the conflict than with issues concerning women within the Palestinian minority in Israel.

Al Tufula is headed by a staunch feminist activist. Located in Nazareth, a tall, well-equipped building welcomes every year 56 children into the nursery, and organizes numerous educational and care activities for children and women:

“Al Tufula started in 1994 as a women’s organisation which realized that the State discriminated against Arab working mothers by not providing them with child care services, as it does for Jewish working mothers.

Palestinian women are discriminated against in three ways, as members of:

- the Palestinian minority
- women inside Israel
- a conservative society in our own society

The conflict impacts directly on discrimination against Palestinian women: for instance the Citizenship and Family Unification Law has had dramatic consequences on family and women’s lives since a citizen of Israel cannot marry someone from Gaza or the West Bank.”⁹⁶

In addition to local activities, their actions have multiple effects:

“For five years, we’ve been working with woman from unrecognised or recently recognised villages, trying to get women to organise themselves for their rights. At first, they would bring the men to tell the story of the village. But soon they went and collected oral histories... and at the end, they would tell the stories in their own words. After three years, the women decided to create clubs and centres for children. And we helped them. So we ended up changing the status of the women, introducing them into the public sphere. The women have opened centres in the villages, and run them on a volunteer basis for two years now. They control the issue now.”

Nissa wa Afaq (“Women and Horizon”) was created in 2002 and slowly developed its activities. The women leading this association are highly educated and combine in-depths knowledge of both historical and contemporary international feminist theories and Islamic texts and traditions. The founder of Nissa wa Afaq, Saidah Mohsen-Byadsi, is currently completing her PhD at Bar Ilan University. They provide Palestinian women with alternative liberal interpretations of Islamic texts, proving that Islam is compatible with human rights and the emancipation of women. Remaining in the framework of Islam allows them to reach out to a far greater number of women.

“We’re not working on family planning issues, for instance. Here the notion of liberal Islam is very new, so we’re raising awareness; it’s a long way to go before we bring these ideas. We’d love to talk about the hijab and polygamy, but it’s a long way to go before that.

Last year, we organised a conference on inheritance rights, the rights for Muslim women to inherit: in the classical interpretation, women get half of what men receive, but in practice women receive nothing.

We have been giving lectures and courses around the country, since 2003. We collaborate with other organisations, from the Negev to the Golan. Our audiences range from five to 300 persons, mostly women.

We intend to propose a draft for a new personal status law to be applied in Sharia courts; the present law dates back to 1917. It was revolutionary at the time, but not anymore.”⁹⁷

⁹⁶ Interview with Nabila Espanioly, Al Tufula, Nazareth, March 22d, 2008.

⁹⁷ Interview with Saidah Mohsen-Byadsi, Nissa wa Afaq, Baqa el Gharbiya, March 23d, 2008.

Such initiatives are similar to the actions of feminist groups in Iran which have developed a liberal feminist discourse within the framework of Islam in an effective manner. Its impact on the political conflict can only be indirect, and it is too early to evaluate it.

c) Women organisations in the OPT

We met only one representative of a women's organisation in the OPT, Wafa Afif Zakarneh, who represents the **General Union of Palestinian Women** in Jenin. The Union has branches all over the OPT and its executive committee is composed of 13 members from different geographical origins and political affiliations, except Hamas. It is active on a grassroots level, providing political education to women, help and support to political prisoners and their families, and various activities to the community.

Women's associations gathered thousands of members in the 1970s and 1980s, at a time when women shared the public sphere in the national struggle. The combination of feminism and nationalism appeared to be a powerful means of emancipation for them. However, as has been the case with most of the grassroots movements, the turnout of members has sharply decreased since the Oslo Agreement.⁹⁸

Thus, the conflict has a direct impact on the landscape of feminist mobilisation in the OPT. As to its impact on gender issues, according to Shawan Jabarin, Al Haq's director,

“the conflict severely affects the status of women, indirectly: because of the insecure situation (checkpoints...), some people are scared to send their daughters to school or to university. Moreover, families are split apart, the curfews and the economic hardships have undeniable consequences on families and couples' lives. We have noticed that the number of divorces has risen in the last years. People are more conservative today than in the 1970s and 80s.”

Some of our interviewees analyzed the decline of the female sector as a partial consequence of donor funding policies. Rita Giacaman, the director of the Institute for Community and Public Health says men are the first ones to suffer from daily oppression from the Israeli soldiers, to be imprisoned, to be unemployed, etc.

“It seems that men's unemployment and exposure to severe violations translates into violence within the family, towards women and children. There is serious abandonment of men by programs because they are potential terrorists, whereas women are only victims within their homes. Such abandonment causes great concern, because we only tackle the consequences, and not the roots, of the problems.

“Thus, gender should be taken in its first and strict definition, which is about relations between sexes. The short sightedness of donors when they refer to gender in granting funds has contributed to the reshaping of the frameworks of actions of women's organisations, along with the ongoing process of NGOisation; this has weakened their message and turned men away from these issues instead of involving them. Dealing with human relationships, especially on the level of a society, takes time. This implies that a project-based strategy,

⁹⁸ See Islah Jad, 2004.

which has been widely adopted by all donors and ranges from a few months to an average of three years, is inadequate”⁹⁹

8. Violence - resistance

After Hamas was elected in January 2006, some international donors such as USAID required their grantees to sign an “Anti-Terrorism Certification”, which states that “the Recipient has not provided, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts.”¹⁰⁰ This requirement was seen by most Palestinian civil society actors as patronizing and humiliating, and as proof of the lack of insight and understanding of the local and regional situation. As a consequence, very few agreed to sign this declaration, and many lost their subsidies. This epitomizes the problematic interaction of two concepts: violence and resistance. In a way, this interaction has become problematic because of the continuous pressure of the international community to stop violence in this part of the world. Its financial leverage enabled it to have an impact in the OPT whereas violence committed by Israel has only been verbally condemned, without effecting realities on the ground.

Rita Giacaman emphasised that “Our [the Palestinians] whole history is about non-violent resistance: 99% of our actions aim at building institutions.” And, as a matter of fact, the quasi-totality of the Palestinian civil society lives in a spirit of non-violence. Yet, the issue becomes more complicated when it comes to declaring whether one supports armed resistance. Some of our interviewees answered the question by asking whether French resistant fighters were to be condemned for their armed struggle or not? The comparison deserves serious reflection. As Al Haq’s director puts it, “civil society is against violence but we understand it as another way to resist. Resistance is both a right and a duty: Article 51 of the UN Charter stipulates the right to legitimate self defence.”

Though far from being representative of mainstream Israeli opinion, Jonathan Pollak’s analysis (**Anarchists against the Wall**) is similar:

“ For me to be a pacifist would be immoral towards Palestinians. My government is using violence against them, who am I to tell them not to use violence!
I don’t think a Gandhian position would be effective today, but that’s arguable.
Speaking of non-violence in the Palestinian context is somewhat racist. The Israelis cause massive property damage; is this not violence? There is much hypocrisy. We deal with ourselves with different standards than those we apply to our opponents. Israeli violence is legitimate and very effective. I think the Palestinian violence of the first Intifada was partly effective. The question is not violence vs non violence, but which and whose violence it is, how it is perceived and presented, and against whom it is practiced.”

On both sides, violence is seen as a reaction to the other’s violence. However, given the asymmetry of force in all domains, it seems unbalanced and out-of-place to require from the occupied to stop using violence, and to remain silent about the violence of ones occupier.

⁹⁹ Interview with Rita Giacaman, IHCS.

¹⁰⁰ Certification Regarding Terrorist Financing Implementing, article 1.
http://www.usaid.gov/wbg/misc/2004.Certification_Regarding_Terrorist_Financing.pdf.

9. Culture

Cultural identity is a specific field of action in the conflict, mainly among the Palestinians in Israel and in the OPT.

Among Palestinians, culture is understood both as tradition and identity, and as taking form in contemporary artistic productions. Sossie Andezian puts it as follows:

“The failure of the Oslo process, characterised by a territorial and social fragmentation, has led the Palestinian society to over-invest the cultural field, not only to resist an ever more threatened national unity, but also to define a new link to the political sphere.”¹⁰¹

At the end of the 1990s, cultural centres appeared everywhere in the OPT, especially in the refugee camps where they were the most needed. Three kinds of initiatives are to be distinguished: grassroots local activities targeting the community, and especially the youth; initiatives aiming at promoting and protecting cultural heritage and traditions; and structures aiming at supporting and promoting contemporary cultural and artistic productions. These three branches nurture the cultural and social dynamics of Palestinian society. Groups like Al Rowwad Center and Laji Center in Aida camp, Ibda Center in Dheisheh camp, and the Diwan in Qarawa, a village north of Ramallah, are further examples to those mentioned earlier. All these centres have the same basic belief: that developing Palestinian cultural identity and the artistic talent of the youth is the best non-violent means of resistance to the occupation available today, because it has both historical depth and a sustainable impact on the future. Non-violent resistance through culture is their motto.

THE FACTORY in Acre and RIWAQ in Ramallah illustrate the second initiative:

The FACTORY, “Arab Centre for Arts and Culture, promoting cultural development among Palestinians in Israel,” was established, in 2007 by a group of Palestinians citizens of Israel who are artists, journalists, writers, musicians, actors and civil society activists, in order to enhance the national cultural development of the Palestinians in Israel and protect the Palestinian cultural heritage. Ala Hlehel, a founding member of the Factory:

“Culture here is a discrimination issue. We found that we could never be part of Israeli culture, because of the language, but also because they don’t want us to be part of it. They don’t feel part of the Arab world, they don’t speak Arabic and are not in touch with Arab culture. Israel has created a mosaic of ghettos: Arab and Russian ghettos... where Hebrew is never used; and Hebrew-Jewish ghetto.”¹⁰²

Some of the Factory’s planned projects:

- the collection of a “Palestinian Cultural Archive and Research Center”, for the promotion of the Palestinian historical narrative within Israel, and to counter the Zionist discourse which claims that “there was nothing here except desert and Arabs on camels”¹⁰³ before 1948. They aim at revisiting the landscape of the Palestinian culture that existed before 1948, showing how Palestinian culture was vibrant, especially in cities such as Jaffa and Haifa.

¹⁰¹ Seminar, EHESS, Paris. «L’échec du processus d’Oslo, caractérisé notamment par l’éclatement territorial et la fragmentation du corps social, a conduit la société palestinienne à surinvestir le champ culturel, non seulement pour créer une unité nationale de plus en plus menacée, mais pour définir un nouveau rapport au politique”

¹⁰² Interview with Ala Hlehel, Acre, March, 22d, 2008.

¹⁰³ Idem

- a publishing house in Arabic for contemporary literature and research, as well as journals, magazines, reports... It will be the first one in Israel.
- Developing cultural and educational facilities in Arab communities in Israel. The Factory has already established one music school in Haifa.

In Ramallah, the **RIWAQ** Centre for Architectural Conservation, established in 1991, is dedicated to the protection and development of the Palestinian architectural heritage:

“Riwaq's activities include the National Registry of Historic Buildings: an inventory of fifty one thousand buildings; the implementation of some fifty conservation projects in major towns and villages; a number of Protection Plans for Historic Centers; the publication of ten books on cultural heritage; and a beautiful Photo Archive.

[...] The project successfully created 80,000 work days through restoring thirty-six historic buildings and transforming them from dump areas into fully functioning cultural and community centres. The project is implemented in cooperation with the communities and their representatives (civil society and local government).”¹⁰⁴

Riwaq's efforts have been matched by a surprisingly high number of small folklore and heritage museums in many West Bank cities and some villages.

The third category of cultural institutions concerns contemporary cultural activities in Israel. Palestinians within Israel hardly benefit from any cultural infrastructure. Although they have access to Israeli funding agencies, such as the Israeli Film Fund, discriminations takes place early on by means of limited possibilities for young Palestinians to develop their artistic talents at school, or in extra-curriculum activities.

In terms of cultural infrastructure, we may mention the existence of the successful **ARAB-HEBREW THEATRE** located in Jaffa. Founded in 1998, it hosts two theatre companies, one Arab (“Al Saraya”) and one Hebrew (“The Local Theatre”) and produces plays jointly or separately. When Adeb Jahshan, the founder and director of Al Saraya, went to the municipality to ask whether he might transform an abandoned Ottoman building in Jaffa into a theatre, he was told that he would be granted the place only if shared with a Jewish group. He chose the Local Theatre because of their common convictions. He has never understood why the municipality imposed that condition. The two troupes share running expenses, but he says that the Local Theatre gets more subsidies than Al Saraya from the Ministry of Culture and the Municipality, which is considered yet another way for Israeli public institutions to discriminate against Arabs citizens. Their daily practice focuses on their art and public: Jahshan and his team have been working hard to reach out to the Palestinian population of Jaffa, which is mainly poor, little educated and lacking access to cultural activities. “We have built this theatre, and we also had to build our audience. This is the only place in Tel Aviv that really belongs to the Arab people, where they feel welcomed, at home, where we speak their language.”¹⁰⁵ Their repertoire ranges from productions of Arab plays to adaptations of foreign plays, such as *Waiting for Godot*, which became *The Cloudy Moon*, in which “their” Godot becomes an Palestinian Prime Minister in Israel. They choose plays

¹⁰⁴ www.riwaq.org

¹⁰⁵ Interview with Adeb Jahshan, Jaffa, March, 18th, 2008.

dealing with issues people feel concerned with, both comical and critical of politics and policies.

They work a lot with children and students, via youth clubs and organisations in Jaffa, as well as schools. Their social policy towards the Arab community in Jaffa translates into lower ticket prices for Arabs.

In the OPT, the cultural infrastructure, though weak, still counts a dozen art galleries and a couple of art foundations, mainly located in Ramallah and Jerusalem. The A.M. QATTAN FOUNDATION stands out as the most important art foundation in Palestine. Founded in 1994, the Qattan Foundation is a UK-registered charity with offices in London, Ramallah and Gaza City. Its original vocation focused on educational issues, through the establishment of the Qattan Centre for Educational Research and Development in Ramallah, and the Qattan Centre for the Child. However, in 1999, it launched a Culture and Science Program (renamed the Culture and Arts Program in early 2006) to provide financial and moral support to talented people in a number of fields of creative endeavor, particularly for the young. The program provides incentives for artists and creators to develop their skills and explore new horizons. Through numerous grants and awards, the Qattan foundation has been the catalyst through which most of the now well-known Palestinian artists have been discovered.

CONCLUSION: The Role of the EU: Stock-Taking and Recommendations

This report has shown the difficulties inherent in categorizing in terms of “securitization” civil society actors in Israel and the OPT who are concerned by the conflict and engaged in pursuing human rights issues. The great majority of NGOs and other members of civil society who we have interviewed among both Israelis and Palestinians do, however, categorically oppose the occupation and its consequences. Actively and explicitly, or passively and implicitly, they seek an end to what they consider to be the denial of human rights that characterize Israel’s 42 years of occupation of the West Bank and its present siege of Gaza. Yet, on the basis of our research, none of these members of civil society can see on the horizon the termination of the occupation. The peace process initiated at the Madrid Conference of 1991, followed by the Oslo Accords of 1993 and later proclaimed by the Quartet and Annapolis, now awakens among our Palestinian and Israeli interlocutors bitter disappointment and disbelief. Nonetheless, the work that they carry out in the service of human rights in a context that presently holds no promise is, as we have noted, admirable and deserves support.

The determining logic that holds the stage in the conflict today is that of “security” as perceived in Israel. The security establishment has dominated the state since its beginnings. Its power, at once political, economic and ideological, is vast. While, in theory, it exists within a democratic system and is subservient to civil society, the security establishment consumes the greater part of the country’s annual budget. Its production of weapons plays a central role in the country’s economy and its exports. Moreover, it acts as a pressure group, a political lobby and an ideological institution. The span of “security” is a pervasive factor in Israeli life. The armed forces (IDF), the General Security Service (Shin Bet), the Mossad and the police have an immeasurable influence within society and upon political decisions. The IDF’s Chief of Staff attends cabinet meetings of the government in order to express what is termed “the army’s considered opinion”. A large network of former officers maintains an important influence on policy and ideology. Retired in their mid-40s, senior officers move into top jobs in industry, public services, and political parties.

In seeking to understand the conflict, the role of civil society, and the question of human rights, the influence of the military and of militarization in Israel should not be underestimated. This is often cloaked, by proclamations of “Israel’s right to exist”, and a corollary belief that “might is right”. Israel since its birth has repeatedly been in a state of war. Dominant views within public opinion and most of civil society have been shaped by the country’s perpetual war-footing and consequent militarization. The nation’s war-footing shapes public opinion, and the media does its best to ensure that the population retains its “preparedness”.

Military thinking has determined the rule over the Palestinian territories occupied since 1967. It has played a pivotal role in regard to the extensive Israeli settlements in the OPT. The presence of the settlers in the OPT is one of the main characteristics of the occupation and a fundamental barrier to a resolution of the conflict. The settlements, however illegal and increasingly powerful as a pressure group threatening civil war if displaced, would not be who and where they are without the security establishment’s active encouragement. Indeed many military officers actually live in settlements. The settlement movement, albeit launched and supported by the army and political leaders, may no longer be under their control, nor easily challenged by the government or the law courts.

European concerns about a just peace with Palestinians, an end to the occupation and to settlements, and the establishment of a viable Palestinian state are considered by the mainstream of Israelis as a pipe-dream for the faint-hearted. The so-called “realists” perceive peace to be nothing more than a dangerous illusion. It may be argued, moreover, that for

many Israelis in positions of privilege and influence the failure to reach a peaceful resolution to the conflict has been and remains a vested interest.

The above serves to explain the extent to which Jewish and Palestinian members of Israeli civil society who oppose the occupation and the denial of human rights, in NGOs or the press, must struggle against a tide of hostile public opinion. Gideon Levy, one of the very few journalists who covers the OPT for an Israel daily newspaper, told us that he sees his articles as a means of disclosing the victimizers from within his own Israeli Jewish society rather than as an identification with, or a plea for, the Palestinian victims of the occupation. For the peace activist Gideon Spiro, Israelis as a consequence of their Jewish heritage should be humanists and pacifists. From that standpoint, he has involved himself in opposing military service in the OPT, and in campaigning for a nuclear-free Middle East. Such Israeli voices exist, but they are increasingly voices in the wilderness. Since the Second Intifada in 2000, peace activism in Israeli civil society has dramatically weakened, but it maintains nonetheless some presence and symbolic impact.

An increasingly important part of Israel's population are Palestinians with Israeli citizenship, sometimes called "Palestinians of the interior" or "Arabs of 48". They count some 20% of the Israeli population, and their yearly rate of population growth is estimated at 3%, double that of the Jewish population. These Palestinians citizens of Israel are widely neglected or discriminated against by the state and considered a "time-bomb" by many of their Jewish co-citizens. To the rest of the world, they have remained largely invisible. In that context, they nonetheless have created an active network of grassroots organizations, a few of them in alliance with or linked to Israeli Jewish individuals or NGOs. They participate in civil society and consider their human rights as infringed upon. Their main concerns focus on the defense of their rights as a minority and their unfulfilled needs for services that should normally be provided by the state. Because these associations are usually seen as part of Israel's domestic scene, they have enjoyed limited access to EU attention and funding. However, their conditions of life and demands for equality, however specific, are part and parcel of the larger Israeli-Palestinian conflict, and this will surely be increasingly the case.

In the OPT, civil society faces immense obstacles to its very existence in a non-state under occupation or siege. Concerning the roles and competences of NGOs, George Giacaman of Muwatin argues that on their own such organizations cannot build civil society or bring about social change. These tasks belong to entities such as political parties, unions and student unions. The EU tends to consider NGOs in the OPT as parallel authorities to the government and to give them more responsibilities than they are able to exercise.

Palestinians living under military occupation in the West Bank and under siege in Gaza suffer from the constant violation of human rights to life, liberty and safety. Members of civil society engaged in non-governmental activities, many of them enjoying aid from the EC, legitimately feel frustration and anger towards the European Union because of its failure to exercise an independent role in its policies towards the conflict. A standard phrase repeated in many interviews was that the EU should be involved on the ground as a "player" and not simply set itself aside as a "payer". Of course, in fact, paying is a form of playing. The EU is a member of the Quartet and shares and supports its policies.

The refusal to recognize the democratically elected HAMAS government in the OPT, its boycott by the Quartet and Israel and acquiescence regarding the siege of Gaza has been a policy shared by European governments and the U.S. From the perspective of Palestinian civil society, the credibility of the EU as an even-handed international body committed to resolving the conflict among Israelis and Palestinians is at its lowest ebb. The EU is seen as contributing to the stagnation of the conflict. This lack of independence, it is argued, is all the more unjustified in that Europe has more to gain and more to lose than the U.S. in the Israeli-Palestinian issue. Thus, e.g., while funding reconstruction projects of infrastructures in the

OPT that have been damaged or destroyed by the Israeli army, the EU helps to pay for the occupation and relieves Israel of responsibilities it should carry out as an occupying power (as stipulated under the Fourth Geneva Convention). For most Palestinians the EU seems to play the role of a silent and passive partner in policies made by and for others. The EU participates in the management of the Israeli-Palestinian conflict, a policy aimed at controlling violence while accepting the continuation of the occupation and the absence of a peaceful and viable resolution. Thus, it is accused of bearing much of the responsibility for the lack of progress towards a resolution of the conflict.

Are Hovdenak, one of the authors of this report, has argued cogently in "*Hamis in Transition: the Failure of Sanctions*" (to appear in the *Journal of Democratization*) that the EU's support of the international boycott of the democratically elected HAMAS government has backfired. The movement's entry into politics had presented an opportunity to recognize Palestinian democratization, a fact that the EU has failed to grasp. It had assumed that FATAH, the nationalist party of the PLO, would win the elections of 2006. Thus, the EU while supporting the inclusion of HAMAS in the political process would not accept the popular will expressed in the elections. Its inconsistent policy contradicted its claim to promote the principles of democracy in its European Neighbourhood Policy. By adhering to the Quartet's boycott of the HAMAS government, the EU has undermined signs of political moderation that had begun to appear among the HAMAS following the election of 2006.

The context of the victory of HAMAS candidates should be kept in mind. Since the Oslo agreement of 1993 the PLO had failed through negotiations to achieve an end to the occupation and the establishment of a Palestinian state. One of the main results of that failure was the success of the Islamic movement of HAMAS in gaining credibility and legitimacy among the population. Furthermore, its role in the intifada of 2000 following the collapse of final status negotiations between Israel and the PLO, and the withdrawal of Israeli troops and settlers from the Gaza Strip in 2005, were celebrated as a victory for the resistance and for HAMAS. Hovdenak quotes one of the leaders of the movement:

"What FATAH and the PLO failed to achieve by negotiations, HAMAS managed to take by force. Moreover, it had created a well-organized network of associations within the OPT. Accompanied by an increasing desire for political power and pragmatism, the movement was prepared to enter politics. Once elected, HAMAS tried to reduce tension with Israel, but the internal conflict with FATAH soon led to the five-day battle in Gaza and the military takeover by HAMAS-controlled forces in June 2007, and the Israeli siege. That was the end of democratic and constitutional rule both in the Gaza Strip and the West Bank, and fixed the territorial division of the OPT."

The frustration among Palestinians is profound, specifically the sense of resentment towards the West, in general, and against Europe, in particular. The rhetoric of the EU concerning the promotion of democracy and human rights is considered inconsistent with its policies, and a demonstration of its double standards. This misguided strategy has counter-productive consequences not only in terms of the regress in democratization, institution building and economic development within the structures of the Palestinian Authority. The EU policy has also had a devastating impact on internal Palestinian politics, weakening moderates and strengthening militant factions in HAMAS and fuelling the conflict among Palestinians that has divided the West Bank and the Gaza Strip into separate political units. Hovdenak concludes that the EU by its policies has discredited itself in the eyes of HAMAS supporters, as well as among larger segments of the Palestinian public.

Our interviewees in the OPT insisted on the need to recognize that the HAMAS is a key political player for the future of democratization and peacemaking for Palestinians and

Israelis. A leitmotiv of civil society discourse in regard to the EU is the pressing need to enter into a dialogue with HAMAS without prior conditions. Our interlocutor from Al Haq, for example, pointed out that people in HAMAS ready to recognize the principles of International Human Rights Law had been killed by the Israelis. Thus, at the beginning of the second intifada, the IDF assassinated Jamal Jamal, one of those very leaders of HAMAS who was open to dialogue in all areas, political, social and cultural.

One cannot ignore the wide-spread and deep-seated presence of the HAMAS in the OPT. Some of our interviewees argued that today HAMAS represents Palestinian nationalism and that fact need be recognized. The leaders of HAMAS have expressed a willingness to agree to a *hudna*, a long-term truce. It is not a full peace agreement with Israel, but it could lead to one.

In effect, following their election victory, HAMAS accepted the continuation of peace negotiations with Israel by the PLO president. The EU has been unwilling to pursue reconciliation with HAMAS which it continues to regard as a terrorist organization. The European, as well as the American and Israeli, fear of Islamic political movements clearly serves as an obstacle to the possibility of negotiated relations and inhibits progress towards democracy in the OPT.

Criticism by respected Palestinian and external researchers can be virulent. Some go so far as to accuse the EU of being an accomplice to war crimes by Israel. This is the case, they say, because the Europeans know, sometimes better than the Palestinians, the extent of Israeli violations of international law in the OPT. Research supported by the EU uncovers these violations, yet the EU takes no action concerning them. This is considered a form of complicity. Furthermore, the EU's position in regard to Israeli settlements in the OPT is attacked for neglecting international law and human rights, for failing to exercise pressure upon Israel to remove the settlements. Civil society activists consider that the human rights of Palestinians are violated on a daily basis by the unlawful exercise of the occupation's military power. Law pertaining to war and occupation according to the Geneva Convention, UN resolutions, and international law are ignored by Israel. The EU appears to accept practices that violate international laws and conventions, including the export of goods produced in settlements in the OPT which should not be allowed according to preferential trade agreements signed with Israel.

The major trading partner of Israel is the EU, and human rights violations have not disturbed this relation. This is unacceptable, legally as well as morally. NGOs like Adalah in Israel, as well as others in the OPT, point out that Israel has refused to join supplementary protocols to communal agreements with the EU which would enable international bodies to examine specific complaints. The European Court of Human Rights can and should have an impact on the actions of states with which it holds agreements.

Our interviewees spoke also about the EC funding policy. Amongst Palestinian NGOs in the OPT and within Israel itself, we heard many expressions of discontent with what is perceived as a lack of even-handedness by the EC. It was felt that Israeli Jewish organizations enjoyed favoritism in receiving grants for their projects. Arab NGOs in Israel stated that the projects they put forward for funding by the EU do not enjoy a fair distribution of funding, considering that they make up 20% of the state's citizens. In our view, this segment of Palestinians deserves positive attention.

Other criticisms have focused on the EC's tendency to fund small projects of limited duration rather than projects that could effect social movements and groups with long-term goals. Some NGOs, Israeli and Palestinian, complained of the complicated and lengthy nature of applications for projects and the EC's refusal to take into consideration the ongoing running costs of organizations.

As a conclusion, one can say that the prospects for the establishment of a viable independent state of Palestine, for a just and a workable two state solution to the Israeli-Palestinian conflict, seem highly unlikely in the present or foreseeable future. As a consequence a renewed debate has begun concerning a one-state solution. The terms of the debate contains hopes for the best and fears for the worst, according to those making the arguments.

In the immediate future, we suggest that the EU policy towards funding civil society projects in respect to human rights could have a more concrete positive impact on the conflict in the following ways:

- Reassessing its funding policies and criteria, distancing itself from a “project logic” by promoting long term initiatives through funding of ongoing operational costs and improving follow-up. Simplifying the nature of the application procedures.
- Being consistent with its own commercial agreements by pressuring Israel to respect the human rights clauses contained in each of these preferential trade agreements and to sign the additional protocols which would allow international bodies to monitor the proper implementation of these clauses. This implies clearly excluding all items produced in settlements from these agreements, as stated in international Law.
- Increasing recognition and support of Palestinian Israeli civil society and its organizations.
- Opening dialogue with HAMAS representatives.

Paris, September 2008 / November 2009

ANNEXES

ANNEXE 1: Indicative chronology

1914-1918 World War I; Britain makes conflicting commitments regarding future of Palestine in the Hussein-McMahon correspondence (1915-1916), Sykes-Picot Agreement (1916), and Balfour Declaration (1917); the latter promises a “National Home” for the Jewish people in Palestine.

British Mandate 1917-1948

1919-1922 U.S.-sponsored King-Crane Commission tells Paris Peace Conference of Arab desires for independence; Newly created League of Nations ignores King-Crane and gives Britain mandatory control of Palestine.

1924-1928 Fourth aliyah (immigration of Jews to Palestine) includes fewer socialists, more middle-class eastern European and Soviet Jews.

1933-1935 Hitler comes to power in Germany; fifth aliyah peaks as Jews escape from Germany and German-controlled areas.

1936-1939 Arab Revolt in Palestine; Britain crushes rebellion, expels or executes its leaders;

1937 British Peel Commission report recommends partition of Palestine into Jewish and Arab areas, angering the majority Palestinian Arab population.

1939 British MacDonald White Paper recommends restrictions on Jewish immigration and land purchases; calls for establishment within ten years of independent, binational state in Palestine, angering Jews who comprise 31 percent of Palestine's inhabitants.

1945 End of World War 2

1946 Anglo-American Commission of Inquiry recommends U.N. trusteeship over Palestine; Palestinian and Jewish violence against British and each other; Jewish Holocaust survivors begin to arrive in Palestine through clandestine land and sea routes.

1947 Britain requests that the U.N. deal with the question of Palestine; U.N. General Assembly Resolution 181 calls for Palestine to be divided into a Jewish state (57% of Palestine), an Arab state (43% of Palestine), and an internationally controlled corpus separatum for Bethlehem and Jerusalem. At the time, Jewish land ownership is less than 7%.

Partition of Historic Palestine 1948-1967

1948 Civil war in Palestine; Britain ends its mandate, Israel declares independence, Arab states declare war against Israel; Israel gains control of 77% of British Mandatory Palestine, including some areas designated for Palestinian Arab state; Jordan and Egypt hold the West Bank and the Gaza Strip respectively, Jerusalem divided; 85% of the Palestinians displaced before, during, and after the fighting are not allowed to return, and over 500 Palestinian villages are destroyed; U.N. General Assembly Resolution 194 supports right of Palestinian

refugees to return to their homes if they so desire, or to receive compensation if they choose not to return.

1948-1958 Large-scale Jewish immigration to Israel from Europe, North Africa, and Asia.

1950 Israeli Law of Return and Absentee Property Law enacted; extensive confiscation of Arab property.

1956 Suez War begins; Israel, supported by Britain and France, attacks Egypt; Israel conquers and eventually withdraws from Sinai and the Gaza Strip.

1964 Establishment of the Palestine Liberation Organization (PLO).

1965 Fatah (founded in 1959 by Yasser Arafat and others) conducts first guerrilla actions against Israel.

Occupation of Gaza and the West Bank from 1967 until the present

1967 Six Day War. Israel attacks Egypt and occupies West Bank, Gaza Strip, Egyptian Sinai, and Syrian Golan Heights. It expands Jerusalem boundaries and extends Israeli law over East Jerusalem; U.N. Security Council Resolution 242 calls for withdrawal of Israeli troops from territories newly occupied; 500,000 Palestinians are displaced.

1968-1970 Israel establish Jewish settlements in newly occupied territories; PLO adopts goal of a democratic secular state in all of Mandate Palestine; Arafat named chairman of PLO. War of Attrition between Israel and Egypt, Israel and Syria.

1970 Black September. Civil war between Jordanian army and Palestinians following airplane hijackings by a Palestinian guerilla group; PLO expelled from Jordan, moves to Lebanon.

1973 October (Yom Kippur/Ramadan) War. Egypt seeks to regain land that Israel captured in 1967; U.N. Security Council Resolution 338 calls for cease-fire and comprehensive peace conference.

1974 Arab League declares PLO the sole legitimate representative of the Palestinian people; Yasser Arafat addresses United Nations which grants PLO observer status in 1975.

1975 U.S. promises Israel it will not talk officially with PLO until, inter alia, PLO accepts U.N. Resolutions 242 and 338.

1976 Pro-PLO candidates sweep Palestinian municipal elections in the West Bank.

1977 Likud wins Israeli elections, Menachem Begin becomes prime minister; Egyptian President Anwar Sadat visits Jerusalem and addresses the Israeli Knesset; Peace negotiations begin between Israel and Egypt.

1978 Temporary Israeli invasion of southern Lebanon; Begin, Sadat, and U.S. President Jimmy Carter sign the Camp David Accords.

1979 Begin and Sadat sign Israeli-Egyptian Peace Treaty in Washington, D.C.

1980 Israel's Basic Law on Jerusalem; U.N. Security Council condemns action.

1981 U.S. sponsors cease-fire between Israel and the PLO that lasts until June 1982; Israel annexes Syria's Golan region.

1982 Israeli invasion of Lebanon; PLO evacuated from Beirut to Tunisia; massacre at Sabra and Shatilla refugee camps near Beirut; In Tel Aviv Peace Now mobilized 400,000 Israelis to demonstrate and to call for investigation of Israel's role in massacre.

1985 Israel withdraws from most of Lebanon, leaving an Israeli-allied Lebanese force in control of the southern areas; Israel bombs Tunisian headquarters of the PLO.

The First Intifada 1987-1993

1987-1993 Predominantly nonviolent (demonstrations, strikes) first Palestinian intifada.

1988 Jordanian disengagement from West Bank; emergence of Hamas; declaration of the State of Palestine at the Palestine National Council meeting in Algiers; Arafat condemns terrorism, accepts U.N., Security Council resolutions 242 and 338, and recognizes the State of Israel; U.S. opens direct discussions with PLO.

1989 U.S. State Department publishes report on Israeli human rights practices; international peace demonstration in Jerusalem.

1990 Israeli coalition government collapses over proposed negotiations with Palestinians; influx of immigrants from former Soviet Union to Israel begins; Yitzhak Shamir forms a narrow, right-wing government headed by Likud; U.S. suspends dialogue with PLO.

1992 Ongoing bilateral and multilateral peace talks; Labor party wins Israeli elections, Yitzhak Rabin becomes prime minister; Bush administration attempts to limit Israeli settlement by delaying U.S. loan guarantees.

1993 Israel restricts Palestinian movement between Occupied Palestinian Territories (except East Jerusalem) and Israel; Israeli policy of closures and restriction of Palestinian movement; Israel and the PLO sign Declaration of Principles (the "**Oslo Accords**") on interim self-government arrangements in the OPT.

1994 Massacre of Palestinians in Hebron mosque by Israeli settler; first Palestinian suicide bombing against Israeli civilians; Yasser Arafat establishes Palestinian Authority institutions in Gaza and Jericho; Israel and Jordan sign peace treaty.

1995 Oslo II Accords establish three types of control in the West Bank (Area A: direct Palestinian control, Area B: Palestinian civilian control and Israeli security control, Area C: Israeli control); Rabin assassinated in Tel Aviv.

1996 First Palestinian elections for president and parliament result in Arafat victory; Palestinian suicide bombings in Jerusalem and Tel Aviv; Israeli "Grapes of Wrath" operation

against Lebanon, bombing the UN compound in Qana which killed 102 civilians; Binyamin Netanyahu elected Israeli prime minister.

1997 Hebron Protocol divides West Bank city of Hebron into Israeli and Palestinian areas; Israel begins building Har Homa settlement between East Jerusalem and Bethlehem.

1998 Wye River Memorandum;

1999 Ehud Barak elected Israeli prime minister; Sharm el Sheikh memorandum.

The Second Intifada 2000-Present

2000 Clinton-led **Camp David II** summit and negotiations end in failure; new Palestinian uprising (Second Intifada) begins, sparked by Ariel Sharon's visit to al-Haram al-Sharif/Temple Mount.

2001 Taba negotiations fail; Palestinian suicide bombings against Israeli military and civilians; Israeli forces increase "targeted killings" of Palestinians and armed incursions into Palestinian-controlled areas; Sharon elected Israeli prime minister; U.S. Mitchell Report calls for immediate cease-fire and complete freeze on building of Jewish settlements in the West Bank and Gaza Strip.

2002 Palestinian suicide bombings and Israeli "targeted killings" continue; Israel reoccupies nearly all Palestinian areas evacuated as part of Oslo process; Arafat under house arrest in Ramallah; Arab League endorses plan to recognize Israel in exchange for end of occupation; Israel begins construction of "security fence" (The Wall) within the West Bank, confiscating additional Palestinian lands; "The Quartet" (U.S., U.N., Russia, European Union) proposes Roadmap to Peace.

2003 Palestinian suicide bombings and Israeli "targeted killings" continue; Mahmoud Abbas (Abu Mazen) chosen as Palestinian prime minister; Israel completes first stage of The Wall; Abu Mazen resigns, replaced by Ahmed Qori'a (Abu Ala');

2004 Hamas founder and spiritual leader Sheikh Ahmed Yassin killed by Israel as part of "targeted killing" campaign in response to attacks against Israelis within Israel and the Occupied Palestinian Territories; the International Court of Justice finds the Separation Wall "contrary to international law"; **Yassir Arafat dies in Paris** and is buried in Ramallah.

2005 Mahmoud Abbas is elected President of the Palestinian Authority; Israel increases settlement activity in and around Jerusalem; Israel unilaterally evacuates all Israeli settlements in Gaza and four from the northern West Bank.

2006 Hamas wins a majority in Palestinian Parliamentary Elections in January; Beginning of Hamas/Fatah conflict; Ehud Olmert elected Israeli Prime Minister as a member of the Kadima Party; after Palestinians captured an Israeli soldier in June, Israel launches a military offensive against the Gaza Strip killing some 400 and injuring some 1,000 Palestinians; the right-wing Yisrael Beiteinu party joins the Israeli government; Israel announces the building of a new Jewish settlement in the Occupied West Bank.

2007 February: Mecca Agreement between Hamas and Fatah, formation of unity government; June, Hamas takes over the Gaza Strip, Israeli siege of Gaza; Mahmoud Abbas dissolves unity government and forms emergency government, legally for one month, but extended until today. Nov: Annapolis Conference.

2008: Israel cuts Gaza fuel supplies in retaliation to rockets fired from Gaza.

Sources: American Friends Service Committee; mideastweb.org

ANNEXE 2: Twilight Zone / When charity ends at home

By Gideon Levy

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The ovens have been brought downstairs, into hiding. The two bagel and cake bakeries have already been closed by army order. The Israel Defense Forces confiscated the ovens in one of them, but the employees in the other bakery managed to rescue and hide theirs. The popular clothing shop Pretty Woman, in the heart of the bustling mall in Hebron, and its neighbor, Mama Care, the high-end shop for baby clothes, are about to close. The same is true of the new and spacious supermarket, the modern physical-therapy institute, the beauty salon, the barbershop and the library: Everything will be closed by order of the GOC Central Command. Local food and clothing warehouses were also emptied out by the IDF last week, with an inventory worth about NIS 750,000, designated for the impressive orphanages of the Islamic Charity Movement. The goods were loaded onto trucks and confiscated.

In the well-kept orphanage we visited this week, the hundreds of children were eating only majadera (a rice-and-lentil dish) and yogurt for lunch: There is no meat, no chicken, no fish; everything has been taken away. The gates of the movement's new school, a handsome stone building designed for 1,200 pupils, have also been welded shut by the IDF.

The army has declared war on the Islamic Charity Movement in Hebron, in the context of the war against Hamas, the war against terror. After emptying the offices of the city's money changers of cash reserves several weeks ago, the next strategic target is the private bakeries and shops in the city, whose owners happen to lease their places of business from the owner of the buildings: the Islamic Charity Movement.

How pathetic is an occupation army that empties out warehouses of food and clothing earmarked for orphans; how absurd is GOC Central Command Major General Gadi Shamni, who signs closure orders for beauty salons and clothing shops; how outrageous is the confiscation of industrial refrigerators in which food for children is kept; how cruel is a military regime that closes libraries used by young people; how ridiculous are the excuses that closing bakeries contributes to the war against terror; how foolish is the battle against dairies whose products are earmarked for these children; and how difficult is the situation of the Israeli occupation in the territories if it must resort to such contemptible activities in order to establish its status.

The Islamic Charity Movement in Hebron was established in 1962, long before the birth of Hamas, shortly before the beginning of the Israeli occupation. Since then the organization has established a ramified network of educational and welfare institutions, and has acquired a great deal of real estate all over the city, with the declared aim of providing assistance to the needy - mainly to local orphans and the children of the poor. The legal adviser of the movement, attorney Abd al-Karim Farah, young and energetic in an elegant suit and a well-kempt beard, who does not hesitate to shake women's hands and is now studying Hebrew at a local ulpan, says that in the early days of the occupation the Military Administration helped and encouraged the activity of the charitable movement. He himself is a product of its institutions.

Today the Islamic Charity Movement cares for 7,000 orphans and children in distress from Hebron and surrounding villages. There are 350 youngsters at its boarding schools and 1,200 pupils attending its three city schools; another six are in outlying towns. The children have

lost one or both parents, or come from severely distressed homes. Only a small percentage are children of the fallen. The movement's institutions employ 550 people, assisted by hundreds of volunteers. Their monthly budget is 400,000 Jordanian dinars, over NIS 2 million. Attorney Farah says everything is supervised by accountants and the Palestinian Authority's welfare and education ministries. Also, the curricula in the movement's educational institutions are identical to those of the PA, according to Farah, who emphasizes that "everything is legal."

Most of its budget comes from donations from abroad - from Arab countries, and European and American agencies - but the charitable organization also has quite a number of independent sources of income: from buildings and modern commercial centers all over Hebron that it owns and leases to private tenants and businessmen, two bakeries, a sewing workshop and a dairy, whose products are used by the children in the institutions and are also for sale in the open market. The movement has a board of directors that is elected biannually and was headed by Dr. Adnan Maswadi, an ear, nose and throat specialist, who was recently released from detention in Israel and was forced to resign. About 30 additional employees are presently under arrest for belonging to the organization.

"I would like to emphasize," says Farah, "that our movement has no official connection with Hamas. Perhaps some of our workers belong to Hamas, just as in other institutions such as the municipalities, but there is no formal connection. Nor are there transfers of money to Hamas, as Israel claims. Our financial reports are open and transparent. We are in no way the infrastructure of Hamas."

Since 2002 the IDF has raided the movement's offices many times, confiscating a computer here and taking away files there, detaining employees for investigation, issuing closure orders. But what has happened in recent days is unprecedented. On February 26, the IDF carried out a raid and issued seven closure orders for institutions associated with the movement. Last Friday it also raided its 500-square-meter food and clothing warehouse. Closure orders were also issued against all the stores and commercial centers owned by the movement.

Attorney Farah says he would have been happy had the IDF explained the steps it took, and what is permitted or forbidden in terms of his organization. The movement has already hired the services of Israeli attorney Jawad Bulus, who will appeal to the attorney general on its behalf and try to overturn the evil decree. Researcher Musa Abu-Hashhash has written a report on behalf of the B'Tselem human-rights organization.

Meanwhile, we go on a tour of Hebron accompanied by Farah, to see the results of the war the GOC Central Command has launched against Hamas.

First stop is the Mercy Bakery, a shop and a gallery, which makes savory and sweet confections. A paper declaring "Confiscation order and closure" is pasted on the display window, in Hebrew, signed by GOC Shamni. "In the context of my authority," etc.; there are still bagels for sale. The bakery's staff was told that until April 1 they are allowed to sell them, although Shamni's order went into effect in February - for three years. Why for three years? Perhaps then the movement will change its ways. Three years with education, but without food. To be on the safe side, the bakers took the forbidden ovens away from here in time. Two sacks of white flour donated by the World Food Program and the European Union remain in the empty premises.

The neighboring store, a modern and luxurious supermarket, lacks for nothing. Its owner has rented the premises from the Islamic Charity Movement, and therefore it has been condemned to closure. "Confiscation order and closure. From April 1 all activity involving equipment found on the business' premises will be forbidden, and the military commander will act to realize his ownership and to seize said equipment." All in the usual inarticulate and absurd language of the IDF.

The owner of the supermarket, Mujahid al-Atrash, opened his large store only three months ago and invested NIS 500,000 in it. "Don't I have anything to say about this?" he asks. "Where will I go?" Ein Gedi mineral water, Tnuva sour cream, cans of Red Bull, Huggies diapers, Head & Shoulders shampoo, Osem petit-beurre cookies, Strauss ice creams. The adjacent shop, Ayman's barbershop, has a closure order on the window. The same is true along Nimara Street, the "street of the tiger."

On King Faisal Street, Hebron's answer to Dizengoff, Pretty Woman and Mama Care are both full of customers. Spacious stores, two floors, dozens of women, all wearing head scarves. Pretty Woman's owner, Lina Karaki, opened the store nine years ago and says she invested about another NIS 1 million in expanding and renovating it about a year ago. The store really is elegant, with a marble floor and chandeliers. "I don't belong to any organization or any party. I have nothing to do with all this. What is illegal about my store? They gave us a month to get out. Where will we go? This is not a street stall that can be closed in a month," Karaki says.

On the second floor is the evening-gown department, the best of Hebron fashion for NIS 3,000 per dress. There are 18 employees in the shop, who are liable to lose their livelihood. The end-of-season sale is in full swing, but Karaki emphasizes that it has nothing to do with the closure order. This is only the end of winter and the beginning of summer fashions. She still hopes that the edict will be canceled.

We enter the far reaches of the mall, over which the general's closure order hovers. And what do we have here, in this bastion of Hamas? A cosmetics store, two clothing shops, The Gap and Calvin Klein in the display windows. There's a closure order on the dental clinic of Dr. Rima Kawasmeh on the second floor, and also on the door of the private physical-therapy and fitness institute of Dr. Mohammed Amaru, this time signed by Colonel Yehuda Fuchs, the Hebron brigade commander. Shamni and Fuchs have apparently divided the responsibilities between them: Shamni signs the orders for bakeries and Fuchs for fitness clubs. Together with his Ukrainian doctor-wife, Amaru opened the place in 1998 and equipped it with the best rehabilitation and fitness devices. A month ago he completed another renovation in the luxurious institute: sophisticated treatment beds, a Jacuzzi, exercise machines, silent air conditioning, a therapeutic pool and even a "beauty machine" designed for people who suffer from paralysis of the face. Amaru says the patients are afraid to come since the IDF raided the club, about a month ago: "There is no law in the world that will do this to me. I don't belong to any group, I am not connected to anyone. I only pay rent here."

On the floor above is the public relations office of the Islamic Charity Movement: rooms that have been emptied of their contents, except for two heaters, which were apparently too heavy for the IDF's "porters." Farah says that in the IDF liaison office there are probably already whole containers full of equipment seized from his organization. Its public library for youth, on the third floor of the mall, is also supposed to be closed. It contains 18,800 books, cataloged and classified, about science and religion, plus computers and even tapes for

learning Hebrew. Everything will soon be closed, by order.

The IDF spokesman's response: "During recent weeks forces of the IDF, the Shin Bet security services and the Civil Administration have been operating in order to strike at the institutions of the Islamic Charity Movement, which belongs to the Hamas terror organization and works to increase support for the organization, to disseminate its ideas, to find and enlist activists, and to transfer money for terrorist activity.

"Hamas activity is carried out under the civilian cover of support for the population and charity, but in fact the goal of the movement is to strengthen the power and control of the terror organization Hamas, as part of the expansion of terrorist activity against the State of Israel and its attempt to increase power in Judea and Samaria.

"In the context of the activities and protests of the Islamic Charity Movement in Hebron, the movement has transferred money to terror activists and their families, educated young people in the spirit of jihad, supported the families of shaheeds [martyrs] and prisoners, and worked to disseminate Hamas principles among the Palestinian population. By these acts the Hamas terror organization has exploited the Palestinian population and its weaker elements, in order to harness them to the terror network.

"In the context of the activity, the IDF operated against a number of economic assets of the Islamic Charity Movement in Hebron, and ordered their closure and the confiscation of some of their property. These assets constituted a source of income for the Hamas terror organization, which earned substantial sums of money from them for terrorist activity. The IDF will continue to adopt all the means at its disposal against the terror organizations and those who help them, and against Hamas in particular, in order to provide security to the inhabitants of the State of Israel."

The orphanage is located in a pleasant neighborhood on the western slopes of the city, at the edge of a vineyard. Everything is so clean and well-kept - the dining room, the bathrooms, the bedrooms and the classrooms used by 150 children. It is hard to believe that here, in these buildings, live dozens of youngsters in distress. Now they are out in the yard, preparing to enter the dining room for lunch. The discipline is strict and the order is exemplary. Grace for meals is posted on the wall. The children are well-dressed; their bedrooms have posters of native birds on the walls. Mohammed is fatherless, Mahmoud is motherless. All the children with whom I spoke are from severely deprived backgrounds. Outside there is a garden and a shady place to sit, large sports fields with a mosque next to them. Six in a room, they sleep in attractive wooden beds covered with flowered bedspreads. Every residential wing also has a large guest room with armchairs and a television, "so the children will feel at home."

It is doubtful whether they ever lived in such conditions. It is also doubtful whether they will be able to continue to live like this, if the IDF continues to confiscate, to close and to destroy

March 14-15 2008, Haaretz
<http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=964067&contrassID=2&subContrassID=14>

**ANNEXE 3: ADALAH's litigation docket, Cases pending as to April 2008
(Abstract)**

“I. Land and Planning Rights

Supreme Court

1. Demanding the Cancellation of an Israel Land Administration (ILA) Policy Permitting the Marketing and Allocation of **Jewish National Fund (JNF)**-Controlled Lands by the ILA through Bids Open only to Jewish Individuals

H.C. 9205/04, Adalah v. Israel Land Administration, et al. (Supreme Court agreed in 9/07, over Adalah's strenuous objection, to suggestion made by the Attorney General [AG] and the JNF that JNF-controlled land will be made available to all citizens, including Arab citizens, for three months, but that the state will compensate the JNF with other state land if an Arab citizen wins the tender. The AG's Office has successfully requested numerous delays in proceeding with the case in order to allow it to reach an agreement with state over a land exchange)

2. Seeking the Annulment of the **“Wine Path Plan”** for the Establishment and Retroactive Legalization of 30 Individual Settlements in the Naqab (Negev) for the Purpose of Securing the Land for Exclusive Use by Jewish Citizens

H.C. 2817/06, Adalah, et al. v. The National Council for Planning and Building, et al.

3. Representing Residents of the Village of Kammaneh in the Galilee against Attempts by the Neighboring Jewish Town of Kamoun to Impose Racist Conditions on the Approval of **Kammaneh's Master Plan**

H.C. 6176/06, The Cooperative Organization for the Agricultural Settlement of Kamoun v. The National Council for Planning and Building et al.

4. Appealing the **Confiscation of Land in Lajoun** Belonging to 300 Arab Families in Umm al-Fahem

C.A. (Civil Appeal) 4067/07, Jabareen, et al. v. The State of Israel, et al.

5. Challenging the ILA's Policy and Use of **Selection Committees** in Allocating Land for Housing in Community Towns, Excluding Arab Citizens, Mizrahim (Eastern Jews), Single Parents and Gay Individuals

H.C. 8036/07, Fatina Ebriq Zubeidat, et al. v. The Israel Land Administration, et al. (Injunction issued in 10/07 ordering Rakefet community town to set aside plot of land for Zubeidat family pending a final decision on the petition; hearing scheduled for 5/08)

District Courts

6. Challenging Master Plan that Threatens to **Confiscate Land** of 24 Arab Residents of Daliyat al-Carmel to a “National Park and Har Shukiv Forest”

Haifa District Court, A.P. 4377/07, Maqaldah Safi, et al. v. The National Council for Planning and Building (In 1/08, the state announced its decision to rescind the appropriation of 27 of 36 plots of land designated for the park).

Magistrates' Courts

7. Seeking the Cancellation of **Evacuation Lawsuits** against about 1,000 Arab Bedouin Citizens of Israel Living in Atir-Umm el-Hieran in the Naqab and Demanding Recognition for the Unrecognized Village

Beer el-Sabe Magistrates' Court, Civil File 3326/04, The State of Israel and the Israel Land Administration v. Ibrahim Farhood Abu el-Qian, et al. (+ legal representation on 26 additional civil files)

8. Motions to Cancel **Ex Parte Demolition Orders** against 33 Homes in the Unrecognized Arab Bedouin Village of Umm el-Hieran in the Naqab

Beer el-Sabe Magistrates' Court, Different Motions 8477/06, Abu el-Qian Ali, et al. v. The State of Israel (In 10/06, the court delayed the implementation of the orders but in 6/07, nine homes were demolished by the ILA in violation of the court's orders. Adalah has demanded that the AG open an investigation into the ILA's illegal actions)

9. 45 Urgent Motions to Cancel **Ex Parte Demolition Orders** Issued against Almost All Homes in the Unrecognized Arab Bedouin Village of Al-Sura in the Naqab

Beer el-Sabe Magistrates' Court, Different Motions 9364/06, Suleiman Nasasra and Adalah v. The State of Israel (In 8/07 the court ordered the freezing of the demolition orders; a hearing had been scheduled for 9/08).

Planning Committees

10. Objection Filed Against Master Plan for the Arab Village of **Sandalah** in the North on behalf of the Members of the Local Village Council

Objection filed in 12/07 demanding the redrafting of the master plan so as to maintain the agricultural nature of the village, allow for its economic development, and reflect the vision of its residents of the future of their community

11. Objection to Master Plan for **Metropolitan Beer el-Sabe**, which Violates the Rights of Arab Citizens Living in the Naqab to Dignity, Equality and Suitable Housing

Objection filed in 10/07.

12. Seeking Cancellation of Master Plan for **Metropolitan Beer el-Sabe** (Beer Sheva) and Recognition for Arab Bedouin Village of Umm el-Hieran

Objection filed in 10/07 by Adalah and Bimkom.

13. Appeal against Local Master Plan for **Daliyat al-Carmel** on the Ground that it Disregards the Rights of the Town's Arab Residents

Appeal filed in 3/08 against a decision to reject objections submitted by residents of the town and to approve the plan."

Full text on: <http://www.adalah.org/newsletter/eng/apr08/2.pdf>

ANNEXE 4: The One State Declaration

Editor's Note: The following statement was issued by participants in the July 2007 Madrid meeting on a one-state solution and the November 2007 London Conference.

For decades, efforts to bring about a two-state solution in historic Palestine have failed to provide justice and peace for the Palestinian and Israeli Jewish peoples, or to offer a genuine process leading towards them.

The two-state solution ignores the physical and political realities on the ground, and presumes a false parity in power and moral claims between a colonized and occupied people on the one hand and a colonizing state and military occupier on the other. It is predicated on the unjust premise that peace can be achieved by granting limited national rights to Palestinians living in the areas occupied in 1967, while denying the rights of Palestinians inside the 1948 borders and in the Diaspora. Thus, the two-state solution condemns Palestinian citizens of Israel to permanent second-class status within their homeland, in a racist state that denies their rights by enacting laws that privilege Jews constitutionally, legally, politically, socially and culturally. Moreover, the two-state solution denies Palestinian refugees their internationally recognized right of return.

The two-state solution entrenches and formalizes a policy of unequal separation on a land that has become ever more integrated territorially and economically. All the international efforts to implement a two-state solution cannot conceal the fact that a Palestinian state is not viable, and that Palestinian and Israeli Jewish independence in separate states cannot resolve fundamental injustices, the acknowledgment and redress of which are at the core of any just solution.

In light of these stark realities, we affirm our commitment to a democratic solution that will offer a just, and thus enduring, peace in a single state based on the following principles:

- The historic land of Palestine belongs to all who live in it and to those who were expelled or exiled from it since 1948, regardless of religion, ethnicity, national origin or current citizenship status;
- Any system of government must be founded on the principle of equality in civil, political, social and cultural rights for all citizens. Power must be exercised with rigorous impartiality on behalf of all people in the diversity of their identities;
- There must be just redress for the devastating effects of decades of Zionist colonization in the pre- and post-state period, including the abrogation of all laws, and ending all policies, practices and systems of military and civil control that oppress and discriminate on the basis of ethnicity, religion or national origin;
- The recognition of the diverse character of the society, encompassing distinct religious, linguistic and cultural traditions, and national experiences;
- The creation of a non-sectarian state that does not privilege the rights of one ethnic or religious group over another and that respects the separation of state from all organized religion;
- The implementation of the Right of Return for Palestinian refugees in accordance with UN Resolution 194 is a fundamental requirement for justice, and a benchmark of the respect for equality;
- The creation of a transparent and nondiscriminatory immigration policy;

- The recognition of the historic connections between the diverse communities inside the new, democratic state and their respective fellow communities outside;
- In articulating the specific contours of such a solution, those who have been historically excluded from decision-making -- especially the Palestinian Diaspora and its refugees, and Palestinians inside Israel -- must play a central role;
- The establishment of legal and institutional frameworks for justice and reconciliation.

The struggle for justice and liberation must be accompanied by a clear, compelling and moral vision of the destination -- a solution in which all people who share a belief in equality can see a future for themselves and others. We call for the widest possible discussion, research and action to advance a unitary, democratic solution and bring it to fruition.

Madrid and London, 2007

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Each individual has authored/endorsed this statement in a personal capacity.

Activism News
 The One State Declaration
 Statement, *Various undersigned*, 29 November 2007

<http://electronicintifada.net/v2/article9134.shtml>

LIST OF INTERVIEWEES (97)

Organisations

Name	Structure	Location	Date
Kohn, Orna	Adalah	Shefa-`Amr	03/20/08
Swirski, Shlomo	Adva	Tel Aviv	03/19/08
Owdah, Naji	Al Finiq Center	Dheisheh Camp	03/28/08
Jabarin, Shawan	Al Haq	Ramallah	03/04/08
Afifa, Wissam	Al Risala	Gaza	03/29/08
Abu Khalil, Mustapha and Shaheen, Alia	Al Salah Association	Deir el Balah	03/26/08
Espanioly, Nabila	Al Tufula	Nazareth	03/22/08
Younis, Nael	Al-Bayan Project/DAI (USAID)	Gaza	03/29/08
Hawari, Areen	Al-Siwar	Kufr Qara	03/23/08
Warshawski, Michel	Alternative Information Center	Jerusalem	04/02/08
Pollak, Jonathan	Anarchists against the Wall	Jaffa	03/17/08
Zeidan, Mohammad	Arab Association for Human Rights	Nazareth	03/24/08
Yakir, Dan	Association of Civil Rights in Israel (ACRI)	Tel Aviv	03/17/08
Jarradat, Ingrid	Badil	Bethlehem	03/28/08
Alpher, Yossi	Bitterlemons.org	Tel Aviv	04/09/08
Montel, Jessica	B'Tselem	Jerusalem	03/27/08
Mortajaa, Bassam	Chamber of commerce	Gaza	03/31/08
Natour, Salman	Emile Toume Foundation	Haifa	03/25/08
Hlehel, Ala	Factory	Acre	03/22/08
Tsion, Ilan	Fence for Life	Herzliya	03/28/08
Khatib, Mohammad	Galilee Society	Shefa-`Amr	03/20/08
Sarraj, Eyyad	Gaza Community Mental Health Program	Gaza	03/28/08
Mann, Kenneth and Bashi, Sari	Gisha	Tel Aviv	03/19/08

Maray, Tayseer	Golan for Development	Majd el-Shams	03/24/08
Keller, Adam	Gush Shalom	Tel Aviv	03/17/08
Akel, Jihad	Hadash/ Histadruth	Tel Aviv	04/09/08
Kerstein, Dalia	Hamoked	Jerusalem	03/30/08
Mohammed, Ghassan	Hebron Charitable Society	Hebron	04/06/08
Halper, Jeff	ICAHD	Jerusalem	03/26/08
Zoubi, Haneen	I'lam Center	Nazareth	03/22/08
Giacaman, Rita	Institute for Community and Public Health	Ramallah	03/06/08
Harel, Israel	Institute for Zionist Strategy	Jerusalem	03/30/08
al-Sousi, Mohammed	Islamic Relief	Gaza	03/27/08
Baskin, Gershon	Israel-Palestine Center for Research and Information	Jerusalem	04/02/08
Makhoul, Ameer	Ittijah	Haifa	03/20/08
Lefkovits , Etgar	Jerusalem Post	Phone	04/12/08
Mandel-Levy, Naomi	Keshev	Jerusalem	04/03/08
Davis, Uri	MAIAP, Al Beit	Tel Aviv	03/17/08
Ben Natan, Smadar	Machsom Watch	Tel Aviv	03/15/08
Shammas, Charles	Mattin Group	Ramallah	03/05/08
Feidi, Lily	Miftah	Jerusalem	03/07/08
Younis, Issam	Mizan	Gaza	03/28/08
Abu Islam	Mujamma Islami	Gaza	03/27/08
Giacaman, Georges	Muwattin	Ramallah	03/08/08
Mohsen Byadsi, Saidah	Nissa w Afaq	Baqa el Gharbiya	03/23/08
Barghouti, Omar	One State Solution Initiative	Ramallah	03/08/08
Kirsty	Palestine Monitor	Ramallah	04/07/08
Abu-Zayyad, Ziad and Schenker, Hillel	Palestine-Israel Journal	Jerusalem	04/08/08
Prof. Raid M. Nairat	Palestinian Center for Democracy and Political Studies	Nablus	03/09/08
Wishah, Jaber	Palestinian Center for Human Rights	Gaza	03/27/08
Jarraba , Mahmoud	Palestinian Center for Policy and Survey Research.	Ramallah	03/05/08

al-Ghurra, Mohammed	Palestinian teacher society Forum	Gaza	03/30/08
Said Lubbud, Ahmed	Patients' Care Association	Gaza	03/26/08
Shawa, Amjad	PNGO	Gaza	03/29/08
Ascherman, Arik (Rabbi)	Rabbis for Human Rights	Jerusalem	03/30/08
Barghouti, Iyad	RCHS	Ramallah	03/11/08
Shbeita, Fadi	Reut - Sadaka	Jaffa	03/18/08
Ophran, Hagit	Shalom Achshav (Peace Now)	Jerusalem	04/01/08
Abu Srour, Kifah	Sharek Youth Center	Jenin	03/10/08
Hammouda, Dawood	Stop the Wall	Jerusalem	04/01/08
Attawnah, Marwan Suleiman	Student Union	Gaza	03/30/08
Algazi, Gadi (prof)	Ta'ayush / Tarabut	Tel Aviv	03/16/08
Safran, Hannah (dr)	Women in Black	Haifa	03/21/08
Menuchin, Ishai (dr)	Yesh Gvul	Jerusalem	04/02/08
al-Amayreh, Khaled	Zakat Committee	Dura (Hebron)	04/06/08
Bronstein, Eitan	Zochrot	Tel Aviv	03/17/08
Jahshan, Adeeb	Arab-Hebrew Theatre	Jaffa	03/18/08
Abdul Hadi, Mahdi	PASSIA	Jerusalem	03/26/08

Individuals

Nom	Occupation/Institution	Location	Date
Prof. Jihad Hamed	Al Azhar University	Gaza	03/31/08
Prof. Mkhaimar Abusada	Al Azhar University	Gaza	03/28/08
Prof. Ali Sartaoui	Al-Najah University	Nablus	03/09/2008
Prof. Imad Salah	Al-Quds Open University	Jenin	03/10/2008
Prof. Imad Nazal	Al-Quds Open University	Jenin	03/10/2008
Prof. Helga Baumgarten	Bir Zeit University	Bir Zeit	03/04/2008
Prof. Saleh Abdeljawwad	Bir Zeit University	Bir Zeit	03/04/2008

Prof. Hani Abu Al-Rob	Director of Al-Quds Open University	Jenin	03/10/2008
Ziv, Neta (dr.)	Director of the Law clinic in Tel Aviv University	Tel Aviv	03/19/08
Yousef, Nasr	Fatah/Police	Ramallah	04/07/2008
Awad, Mohammad	General Director of ministry council	Gaza	03/30/08
Mousa, Qadoura	Governor	Jenin	03/10/2008
Levy, Gideon	Ha'aretz, journalist	Tel Aviv	03/18/08
Mustafa, Mohanad	Haifa University	Haifa	03/23/08
Youssef, Ahmad	Hamas Government	Gaza	03/27/08
Dr. Hillel Cohen	Hebrew University	Jerusalem	03/30/08
Wadi, Issa	Imam Khatib	Ramallah	03/08/2008
Spiro Gideon	Journalist	Jerusalem	03/18/08
Hass, Amira	Journalist	Berlin	05/22/08
Abu Salman al-Mughani	Mukhtar	Gaza	03/28/08
Mansour, Mona	PLC member, Hamas	Nablus	03/09/2008
Daragmeh, Ayman	PLC member, Hamas	Ramallah	03/08/2008
Abu Ras, Marwan	Rabitat Ulema, Islamic scholar	Gaza	03/30/08
Sobhi Mahameed, Samir	School director	Um el-Fahm	03/23/08
Maysoon	Hamas sympathiser	Ramallah	03/09/2008
Hilal, Jamil	Sociologist	Jerusalem	03/11/2008
Sand, Shlomo (Prof.)	Tel Aviv University	Tel Aviv	03/15/08
Matar, Anat (Dr.)	Tel Aviv University	Tel Aviv	03/18/08
Dr. Raef Zreiq	Van Leer Institute	Nazareth	03/22/08