Creating an International Network of Democracy Builders

Volume 3

The Palestinian Territories: Optimism with Information / Democracy in the Islamic World

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Do you know the definition of a pessimist? An optimist with information.

Afif Safieh

Executive Summary

The story of Historic Palestine in the last century may be said to be one without too many heroes. The issue of whether a non-democratic party should be permitted to obtain power

a holy book, not a social and political manifesto. Others seek a secular society in which religion plays a moral and confessional role, but is not involved in the due processes of state.

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Acknowledgements

Acronyms

AIPAC	American Israel Public Affairs Committee
CDHR	Cairo Declaration of Human Rights
CIA	US Central Intelligence Agency
DOP	Declaration of Principles on Interim Self-Government for the Palestinians
EHCR	European Court of Human Rights
EU	European Union
FIS	*Front Islamique du Salut*: Algerian Islamic Party
FMCAT	The Free Muslims Coalition against Terrorism
IDF	Israeli Defence Force
IMF	International Monetary Fund
IRA	Irish Republican Army
MB	Muslim Brotherhood
MEF	Middle East Forum
MENA	Middle East and North Africa
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PCHR	Palestinian Centre for Human Rights

K fir: literally an "ingrate." The term is Qur'anic and can describe non-believers, apostates, and even Muslims from different sects. There is some dispute in the Muslim community as to whether Christians and Jews are *k fir*. They are often described as "people of the Book."

Mujahadin: a military force of Islamic warriors engaged in a jihad.

Qur'an: literally means "the recitation." It is the central religious text of Islam. Muslims believe its text to be the direct words of Allah, revealed to Muhammad over a period of 23 years.

Salafi: Arabic for "predecessors." Salifism (known in the west as Wahhabism) is an austere movement founded by Muhammad Ibn Abd al Wahhab in the eighteenth century to purify Islam from what he regarded as accretions and restore it to its original purity of the time of the Prophet.

Shari'ah Law: a system of divine law and practice. Literally the word means "path" or "path to water." It is not just a legal system but governs all aspects of life, from human relations to banking.

Shura: a Qur'anic concept meaning "mutual consultation."

Sunnah: literally means "trodden path": those religious actions instituted by Muhammad that Muslims received through the oral testimony of his companions.

Surah: a chapter of the Qu'ran.

Ulama: Islamic scholars

Ummah: Muslim community. The term is commonly used to mean the whole Muslim world.

Introduction

O Isaac, can we live free at last?
O Ishmael, with justice in the land?
We are brothers, can we live in peace again?
O Abraham, father, can we heal your broken heart?

Rabbi Leila Gal Berner

has frequently escalated its conflicts and issues onto a global scale. A good starting point is to employ the democratic evaluation framework developed by George Perlin of the Centre

Theory of Democratic Change

The political and security structures took precedence over institution-building and the enhancement of civil society. The legal system remained fragmented and contradictory and the judiciary incomplete. So did the regulations and work

every indicator outlined by Perlin, but uses his approach as a guideline to explore those

the elements of popular sovereignty; and to what extent does Hamas embody the elements of a liberal democracy?

Questions relating to popular sovereignty include

- *Governing Institutions*
  - Are Palestinian governing institutions (under Hamas) effective, responsive, and accountable to citizens?
- *Elections*
  - Have political elites been chosen through regular, free, and fair elections?
- *Party Politics*
  - Is there a genuinely competitive system of party politics that represents a broad spectrum of societal interests and accommodates diverse interests?
  - Does the electoral system in Palestine produce outcomes that represent the distribution of party support?
- *Representative Government*
  - Does Palestine's political system represent its citizens' interests (based on the principles of pluralist theory)?

The compatibility of violence with democracy is not unique to the Hamas challenge in Palestine. In Israel, the former leaders of extremist organizations gradually accepted democratic norms, and two of them eventually rose to become prime minister. In Northern

Consolidating Factors: A Survey of Modern Palestinian History

Ottoman Palestine and the British Mandate

During the period of the Ottoman Empire's rule over historic Palestine,[9] there was no administrative unit of this name. The region was divided into a number of district administrations that were part of the wider area of suzerainty known as Syria. In practice, the

Hussein Correspondence of 1915-16, between Hussein bin Ali, Emir of Mecca, and Sir Henry McMahon, British High Commissioner in Egypt, essentially agreed that in return for an Arab uprising against the Turks there would be Arab independence and the possible reestablishment of the caliphate. Later discussion on the correspondence challenged what either man had meant by "Palestine" in these letters, thereby questioning the area of proposed Arab control, as well as noting that while there appeared to be a wartime promise, there had been no formal agreement   a point the Arabs did not concede. This was followed by the Sykes-Picot Agreement, negotiated between the British and French in 1916, which secretly planned the partition of the Ottoman Empire: much of Palestine would be given to either British or French control and modern-day Israel would be put under international administration. Finally, the Balfour Declaration of 1917, a public letter from the British Foreign Secretary Arthur Balfour to Lord Rothschild of the British Zionist Federation, stated:

> His Majesty's Government views with favour the establishment in Palestine of a national home for the Jewish people and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.[14]

The post-war settlement, ratified by the League of Nations in 1922, divided the region into British and French trusteeships. The French were granted Syria and Lebanon, and the British were granted Iraq, Palestine, and Transjordan. This, too, was not without controversy as the League of Nations' ratification used the Balfour Declaration in its preamble, thereby reinforcing Jewish claims in international law.

the mandate. The flow of Jewish immigrants into Palestine not only increased the tension but put historic Jewish communities at risk. Tensions boiled over in 1929 when communal disturbances in Jerusalem left three Arabs and three Jews dead. Three days later, 67 Jews were massacred at Hebron, although many more owed their lives to the protection of Arab families.[15]

During the era of the Great Depression in the 1930s, government-sponsored anti-semitism in Europe, such as Hitler's Nuremberg laws, drove up Jewish immigration. Between 1933 and 1936, around 165,000 Jews entered Palestine, bringing the Jewish population to 400,000, or 30 percent of the total, by 1936.[16] The increased immigration, complementing the ever-simmering violence, led to the Arab Revolt of 1936–1939. A Royal Commission headed by Earl Peel in 1936–37 was the first to recommend the partition of Palestine into Jewish and Arab states. The commission also led to closer ties between the British and the Jews, as 15,000 Jews were brought under arms as British-trained uniformed auxiliary and a blind eye was turned toward Arab-targeted attacks by Zionist terrorist groups such as the *Irgun*.

Despite the partition proposal, a White Paper published in 1939 proposed a single state of Palestine to be established within ten years. It also limited Jewish immigration to 75,000 over the next five years, thereby guaranteeing an Arab majority. Nevertheless, 26,000 Jews in Palestine joined the British forces over the course of the Second World War. The Nazis, with their anti-Semitic policies, were clearly the prime enemy. There were also clear benefits toward helping themselves by helping the British: the *Haganah*, and terrorist groups such as the *Irgun* and the Stern Gang, used this period to organize militarily while at the same time storing weapons, conducting attacks against Arabs, and arranging entry for illegal Jewish

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[15] Shoenburg, retrieved rom www.jewishvirtuallibrary.org/source/History/hebron29.html. On 08/24/08.

[16] Government of Palestine, Survey of Palestine, 1946. Retrieved from http://www.pef.org.uk/Pages/People/Gavish.htm on 08/23/08

immigrants. By the end of the mandate in 1947, despite the sporadic attempts by the British authorities to restrict immigration, the Jewish population had increased tenfold.[17]

Conversely, on the principle that "my enemy's enemy is my friend," several prominent Arab leaders aligned themselves with the Axis powers during the war. This, combined with several other factors, including the aftermath of the Holocaust, would lead to profound developments

The Jews, unlike the Arabs, supported the partition plan, seeing the greater goal of sovereignty, with its subsequent control of immigration, as an approaching reality. This came to pass on 29 November 1947, when the UN General Assembly voted in favour of the partition plan. Within a month the Arab Liberation Army was formed, trained and armed by Syria for the Arab League states. It was a volunteer army of only 5,000 men, mainly from Iraq, Syria, and Lebanon and with very few Palestinians.[20] It entered Palestine in December 1947 and by the end of January 1948 had gained control over Jerusalem. By April 1948, however, the tide had turned in favour of the *Haganah*, which in early May captured Haifa and gained effective control over roughly the size of the area designated to the Arabs by the United Nations' partition plan. In the process, 531 Arab villages were deliberately depopulated or destroyed and two-thirds of the Arab population driven out.[21] This episode is known to the Palestinians as the *Naqba*, or disaster.

Correctly assuming that the United Nations would not react, David Ben-Gurion, Israel's first prime minister, declared independence on 14 May 1948. The next day, armies from the

be denied in many quarters. Meanwhile, Israel established the right for any Jew from anywhere in the world to claim citizenship. It experienced a wave of immigration, with many of the new arrivals occupying the areas vacated by the fleeing Palestinians.

Suez and the Six Day War

In 1954, Gamal Abd al-Nasser became president of Egypt after a coup. Pursuing policies of nationalism and pan-Arabism, on 29 July 1956 he nationalized the Suez Canal Company, which had been controlled by British and French interests. Three months later, a secret meeting took place at Sévres in France between British, French, and Israeli representatives. On October 29, Israel invaded Egypt. Two days later, Britain and France invaded the Suez Canal Zone under the pretext of securing the waterway and separating the belligerents. The two allied powers vetoed a motion of censure at the UN Security Council. The matter was brought to the General Assembly, which held an emergency special session in November. It called for a ceasefire and the withdrawal of invading forces. The US administration was outraged by the unilateral military action and brought pressure on the three powers to conclude a ceasefire. The UN Emergency Force (UNEF) was established to secure and supervise this.

This uneasy truce came to an end on 14 May 1967, when Nasser ordered Egyptian forces into the Sinai Peninsula. He requested that the UNEF be withdrawn from the area and closed the Gulf of Aqaba to Israeli shipping. Then, on May 30, he signed a mutual defence pact with Jordan. In a pre-emptive strike, Israel destroyed most of the Egyptian Air Force on the ground on June 5. Over the next six days, the Israeli Defence Force (IDF) achieved a series

Creating Facts: Settlement of the Occupied Territories

After the Six Day War, the Israeli government moved swiftly to "create facts."[23] On 26 July 1967, Israeli Defence Minister Yigal Allon presented a plan to Prime Minister Levi Eshkol for a settlement with the Palestinians.[24] According to its strategists, Israel would need to retain military control of the Jordan Valley and certain areas of the West Bank that were mainly uninhabited desert. Palestinian access to Jordan would be controlled and any eventual Palestinian autonomy would be restricted to separate populous enclaves. A northern enclave would include Nablus, Jenin, and Ramallah; a southern enclave, Hebron and Bethlehem; and a Jericho enclave would include a crossing to Jordan. Israel should also annex certain areas in the Jerusalem corridor to secure approaches to the city. Acting on this strategy, the municipal boundaries of the Israeli section of Jerusalem were extended to include the Old City and other areas. These districts were formally annexed to Israel.

The Allon Plan advocated the establishment of settlements in areas perceived as having security importance. While some of the settlements founded in the West Bank, Gaza, Sinai, and the Golan Heights were justified on the grounds of perceived interests of security, others were established on land that religious settlers claimed had been given by God to the Jews. The *Gush Eminem* (Block of the Faithful) movement was founded to advance the cause of the religious settlers, many of whom believed that, in the wake of the Six Day War, secular

were only 800 settlers in the West Bank, 600 in the Golan Heights, and 700 in Gaza.[25] If the settlement policy was to prove more than an aspiration, people to occupy the territories had to be found.

The potential answer came from the last place with a large Jewish population   estimated at over two million people   who had not had the opportunity to emigrate to Israel: the Soviet Union. For many years, the official Marxist ideological stance had been hostile to Israel; Lenin regarded Zionism as a form of bourgeois nationalism. Although the Soviet Union had briefly supported the establishment of the state of Israel, during the Cold War it had been a strong supporter of the Arabs. During the 1960s, only 4,000 Jews had been permitted to emigrate. After a sustained campaign by Zionist organizations, the restrictions were relaxed. In the 1970s, the number emigrating rose to 250,000. In 1989 a record 71,000 Soviet Jews were granted exodus from the USSR, but many chose destinations other than Israel, most notably the United States. Israel is now home to 825,000 former Soviet Jews, who form some 20 percent of the population. The situation has not been entirely easy. The Jewish identity of many of the immigrants is frequently tenuous and this has led to friction with the religious establishment.[26]

Since 1967, each Israeli government has invested resources in establishing and expanding settlements in the Occupied Territories. Israel has used a complex legal and bureaucratic mechanism to take control of around 50 hasform some

The Israeli settlements and the Israeli settlement policies have been declared illegal by virtually all the international legal agencies: the United Nations in resolutions 446, 452, 465, and 471; the International Court of Justice in a ruling on 9 July 2004; and Amnesty International on 23 March 2005.

The Palestine Liberation Organization, Fatah, & the Yom Kippur War

On 29 May 1964, the Palestine National Council (PNC) was convened for the first time. It was founded largely through the good offices of the Arab League. Three days later, the Council established the Palestine Liberation Organization (PLO), which was intended to be the legislative body. Under the influence of the Egyptian president, the organization initially embraced a Nasserite pan-Arab stance   the creation of a unified Arab state   but later it called for the destruction of the state of Israel and its replacement by an independent, secular state.

The PLO was a confederation of a number of secular parties and factions committed to the liberation and independence of the Palestinian homeland. The largest party, al-Fatah, aimed to achieve this through armed struggle. *Fatah*, which translates "Palestinian National Liberation Movement," is intentionally close in sound to the word *fath*, which means "conquest." The word is used to denote the early Islamic conquests, and so it has positive

The First Intifada

The tense situation leading to the First Intifada in 1987 was the product of a generation of Palestinians who had grown up knowing life only under Israeli occupation and the resentment implicit in that. They were increasingly disillusioned with the Arab states that had

November 1988. It proclaimed a "parliamentary system of government, based on freedom of expression and the freedom to form political parties . . . social justice, equality and non-discrimination in the public rights of men and women on grounds of race, religion, colour or sex and the aegis of a constitution which ensures the rule of law and an independent judiciary." Implicit in the Declaration was acceptance of a two-state solution to the issue of historic Palestine. This theme was taken up by Yasser Arafat in his address to the UN General Assembly on 13 December 1988:

> The situation in our Palestinian homeland can bear no more waiting. Our people and our children, leading our march to liberty, holding aloft the torch

opened the way toward direct negotiation and contributed to a growing conviction among the powers that there could be no peace in the region without a resolution to the Palestinian issue.

The Rise of Hamas

The establishment of Hamas in December 1987 was almost contiguous with the start of the first Intifada. It does not appear that the two events were directly related, but both were certainly products of the same groundswell. Hamas is an acronym for *Harakat al-Muqawama al-Islamiya* (Islamic Resistance Movement), as well as an Arabic word meaning "zeal." Its goal is to eliminate the state of Israel and replace it in historic Palestine with an Islamic state.[34]

Hamas began as an offshoot of the Muslim Brotherhood, a religious, social, and political organization formed in Egypt in 1928. The Muslim Brotherhood was opposed to the secular drift and foreign influences invading Arab countries and encouraged a return to Islamic society. It started proselytizing in Palestine in 1935. Despite being home to the third holiest site in Islam, Palestine was considered to be one of the more secularized places in the Arab world.

Hamas's founder and spiritual guide, Sheikh Ahmad Yassin, was a member of the Muslim Brotherhood in Gaza and was known prior to the establishment of Hamas for his work as a teacher and spiritual leader. An accident in his youth had left him paralyzed and wheelchair bound but that did not limit his activity. In 1973, he founded *Al Mujamma Al Islami* (the Islamic Association) to coordinate the Muslim Brotherhood's activities in Gaza.[35]

The Islamic Association was involved in activities typical of any religious institution

support away from the PLO. According to documents obtained by United Press International from the Israel-based Institute for Counter Terrorism, *Al Mujamma Al Islami* was legally registered in Israel in 1978 by Yassin. It should be remembered that it was only with the inception of the first Intifada that the organization that became Hamas espoused violence against Israel. According to Matthew Levitt, Yassin was initially opposed to armed operations.[36] With the outbreak of the Intifada, however, he felt that the Islamic Association would lose much ground by not taking up armed resistance, and so Hamas was born.[37]

The idea of sponsoring a counter-source of power to the exiled PLO may have seemed irresistible to at least some members of Menachem Begin's administration although it turned out to be the political equivalent of the Sorcerer's Apprentice. It has been suggested that the main thrust of this policy was the subsequent creation of Islamic "Village Leagues," a system of local councils under Israeli supervision that were run by hand-picked Palestinians. The Village Leagues were designed to further subvert the PLO's authority in the Occupied Territories.[38]

It is likely that Hamas cooperated with the Village Leagues in order to obtain resources. Yasser Arafat certainly believed this. He said as much in an interview with *Corriere della Sera* on 11 December 2001: "Hamas is a creature of Israel which, at the time of Prime Minister Shamir, gave them money and more than 700 institutions, among them schools, universities and desiel

in the *Haaretz* on 20 December 2001: "Israel perceived it to be better to have people turning to religion rather than toward a nationalistic cause."

Thus Hamas, with its revolutionary approach to Palestinian discourse, was able to threaten what Mishal and Sela have described as "the PLO's hegemony and political domination of the Palestinian arena."[41]

Hamas stated that it would join the PLO under terms it knew to be unacceptable, such as a pledge by the PLO to rescind acceptance of UN Security Council Resolution 242 and to grant Hamas 40 percent of the seats on the Palestinian National Council.[42] With the PLO's refusal, Hamas gained public support among the masses, emerging as the strongest voice of a Palestinian nationalism free of any restrictions. Its popularity was strengthened by its increased ability to attack the Israeli military establishment, demonstrated in December 1992 over the course of a week with the killing of five Israeli soldiers and the kidnapping and killing of a border guard. The violence was carried out by Hamas's newly formed military wing, the Qassam Brigades.[43] The Israeli response of deporting 400 Islamists to Marj al-Zuhur in Lebanon only cemented Hamas's image of fighting for Palestinians. Whereas the PLO was often perceived as simply talking, Hamas was regarded as taking action. Whereas

between the Arab nations and the Israelis, although a façade of its delegation being subsumed into the Jordanian one had to be maintained.

This situation changed in the late summer of 1993 when reports surfaced that secret negotiations had taken place between Israel and the PLO in Oslo, Norway. In September 1993, first the Israeli cabinet and then the Fatah central committee voted in favour of the Declaration of Principles on Interim Self-Government for the Palestinians. The Accords were intended to provide a framework for future relations between the two parties. They provided for the creation of a Palestinian National Authority to administer the territory under its control, and called for the withdrawal of Israeli forces from parts of the Gaza Strip and West Bank. On 9 September 1993, Arafat wrote a letter to Israeli Prime Minister Yitzhak Rabin stating that the "PLO recognized the right of the State of Israel to exist in peace and security."[44] It was anticipated that this arrangement would last for a five-year period during which a permanent peace settlement would be negotiated.

Interim self-government was to be granted in phases. As a result of the agreements, working parties began drafting a constitution for the proposed Palestinian National Authority. It became known as the Basic Law and was intended to last only until 1999 when the interim period specified in the Oslo Accords ended. According to Nathan J. Brown of Georgetown University, the "faulty drafting and legal ambiguities" in this document, which was not completed until 2002, became a source of future friction.[45]

On 4 May 1994, Arafat and Rabin signed an agreement in Cairo detailing the terms of the withdrawal of security forces from Gaza and Jericho, which was completed in Jericho on May 13 and in Gaza on May 18 (although the Israeli settlements would remain). Arafat swore in members of the Palestinian National Authority on July 5 in Jericho an unparalleled

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[44] US State Department Dispatch, September 1993.

[45] Brown, 2008, Retrieved from http://www.carnegieendowment.org/files/brown_palestine_elections.pdf on 08/23/08.

victory for him in the eyes of Palestinians and seemingly the beginning of the end of Israeli occupation. For the first time in decades, the situation in historic Palestine appeared hopeful.

On the other hand, the Accords were highly contentious on both sides, with Israeli hawks such as then-Likud party leader Benjamin Netanyahu and former Prime Minister Yitzak Shamir denouncing them as the first phase in the destruction of Israel, and Hamas leading the calls that Arafat had sold the Palestinians short.

Hamas's Suicide-Bombing Campaign

Even before the signing of the Cairo agreement, an upsurge of violence on both sides swept away the feelings of optimism. On 25 February 1994, at the Cave of the Patriarchs in Hebron (which includes sections for Jewish and Muslim worshippers), Baruch Goldstein, an

all, tend to be treated by Western media as one-off incidents that have no basis in a wider ideology or movement. In responding to the Goldstein massacre, for example, Prime Minister Rabin denounced the killer as a "foreign implant" and "an errant weed."[49] In fact, Goldstein was a long-established settler who had received two citations for his service with the IDF.

Regardless of the definitions of terrorism, it is incontestable that there is no "democratic control of internal and external security institutions"[50] in Palestine. The violence both within Palestine, and perpetrated by Palestinian factions in Israel, is in direct contrast to the operating principle of democratic control of security measures. Clearly defined limits on the authority of military and law enforcement agencies are lacking, as are legal protections against the political use of force and accountability to democratic institutions. Furthermore, violence is being perpetrated by multiple parties, which undermines the very idea that one state body could have a monopoly on the use of force. Lastly, security agents cannot be seen as acting in a manner consistent with their responsibilities under a regime of entrenched rights, another factor of liberal-constitutionalism that relates to internal and external security.

Oslo II – The "Taba" Accords

It was against this background of mounting distrust and tension that the Oslo negotiations resumed in the summer of 1995. The negotiations were held at Taba, a small Egyptian tourist resort on the Israeli border on the Red Sea. The agreement signed in Taba on 24 September 1995 and four days later in Washington was known as the Oslo II or the Taba Accords. It detailed how areas of the West Bank and Gaza would be turned over to the Palestinian National Authority. The region was divided into three areas. Area A, which was to be placed under direct PNA control, included seven major cities making up 3 percent of the West Bank. Area B, which consisted of 450 towns and villages comprising 24 percent of the West Bank, was to be jointly controlled by the PNA (civil and police authority) and the Israeli Army

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[49] *Jewish Chronicle*, 4 March 1994.

[50] See Perlin's Theory of Change Model, Appendix I.

(overall security). The remaining 73 percent of the West Bank, Area C, composed of sparsely or unpopulated land, Israeli military outposts, and Jewish settlements, was to remain under exclusive Israeli control.

The Accords were a point of contention for many Palestinians and Israelis. The Palestinians, aware of continuing Jewish settlement in the West Bank   in 1995 the number of settlers grew by 4 percent to 133,000[51]   were suspicious of Israel's likelihood to transfer control of Area B to the Palestinian National Authority. Fundamentalist Israelis, on the other hand, denounced the plan as a dismantling of *Eratz Yisrael* (the boundaries of Biblical Israel). Foreign Minister Shimon Peres attempted to reassure Israelis that "Israel would maintain control of 73 percent of the land, 80 percent of the water, and 97 percent of the security arrangements" in the West Bank.[52] Despite these assurances, Prime Minister Yitzhak Rabin was assassinated on 4 November 1995 by a right-wing Israeli radical, Yigal Amir.

The assassination of Rabin threatened the progress of Oslo II; however, Shimon Peres, his successor as prime minister, continued with the Israeli withdrawal from Area A, which was completed by the end of 1995. This allowed Arafat to proceed on 20 January 1996 with elections for the president of the Palestinian National Authority and members of the Palestinian Legislative Council, the legislative arm of the PNA. Despite such disturbing matters as suicide bombings and the assassination of Rabin, the atmosphere was one of optimism. Many Palestinians believed that the government they were electing would lead to the creation of an independent Palestinian state.

Arafat won an overwhelming victory in the presidential election, gaining 88 percent of the vote, while Fatah won 55 of the 88 seats. Hamas boycotted the election, feeling that participation would lend legitimacy to the PNA, which had been created out of what they considered unacceptable negotiations and compromises with Israel. Independent international

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[51] 'The Population of Israel, 5755-1995,' Demographics Centre, Ministry of Labour and Social Affairs. Central Bureau of Statistics, 1995. Retrieved from www.mfa.gov.il/MFA/Archive/Communiques/on 08/23/08.

[52] Bickerton and Klausner, 2002, p 286.

the position of "second among equals" in relation to the PNA. Still possessing his talent for rhetoric, the Sheikh issued calls for closer ties to the PNA, and emphasized that Hamas did not want to attack civilians but that retaliatory attacks were necessitated by Israeli actions. He also stated that Hamas would end all violence if Israel withdrew to pre-1967 boundaries, dismantled all settlements, released all prisoners, and promised non-interference with the Palestinian state.

House, with President Clinton playing a key role as the official witness. The terms to which

Both sides accepted the Mitchell Report as a way forward, but given the deteriorating situation on the ground in the Occupied Territories and the unlikelihood that Arafat could

headquarters in Ramallah. A lengthy siege followed, during which Arafat became a focus of the world's attention. Excluded from the next stage in the peace process, Arafat was obliged to appoint Mahmoud Abbas as Palestine's first prime minister on 19 March 2003. Abbas represented the Palestinians in the negotiations, which became known as "the Road Map," a

also watched their own men participating in this abuse of their rights along with hated alien agencies."[72]

The Palestinian Economy

One of the facilitating conditions for liberal democracy, a functioning market economy (with state regulation to ensure fairness in economic relations), is clearly lacking in Palestine. The effects of the Intifada have been dire for the Palestinians. Even before its outbreak, the Palestinian economy was one of the most remittance-dependent in the world, with income outside the territories comprising 21 percent of Palestinian gross national income.[73]

Yet, as in many other cases across the West Bank, Israel has built the fence some distance away from the settlement, confirming, for many, the suspicion that the building of the barrier is in effect a land-grab to ensure future settlement expansion. Human rights activists, both Israeli and Palestinian, have maintained weekly protests about the barrier at Bil'in. They obtained an injunction in the Israeli High Court to halt its construction, but expressed the pessimistic view that the IDF would simply ignore the verdict, "as in the past."[79]

Thousands of olive trees have been uprooted to make way for the security fence, destroying the livelihood of Palestinian farmers. According to a *Daily Telegraph* report on 27 November 2002, many of the trees were illegally sold by the contractors, "sometimes for thousands of pounds each," to rich Israelis. Moreover, the report estimated that 11,000 Palestinian farmers would lose all or some of their land holdings to the fence.

Shoif Omar, from the village of Jayous, said, "I have lost almost a291/7ho"I /7ho"I 0 792 cm BT 12 0

23 October 2002, the *Washington Post* reported that the settlers had set hundreds of trees in the Palestinian Territories on fire. According to Avnery, "the Israeli settlers try to prevent the harvesting, to steal the fruit or to burn the groves."[84]

The frequent closures and delays at frontier crossings controlled by the Israelis have cost the Palestinian economy dearly. According to the World Bank, closures during first three months of 2005 cost at least $17 million in lost exports, equivalent to approximately 3 percent of all Palestinian exports in 2005.[85] Of this amount, approximately 40 percent was in irrecoverable agricultural products (strawberries, flowers, tomatoes, and so forth) that spoiled in trucks while waiting for the crossing to reopen.[86]

The fishing industry in the Gaza Strip a vital contributor both to the local economy (it employs 30,000 people) and the nutrition of the population   suffered severely following the abduction of Israeli Cpl Gilad Shalit in June 2006. The Israeli navy established a blockade, which prevented the fishing fleet from leaving port. According to the Oslo Accords, Palestinians are entitled to fish up to 20 nautical miles off the coast. In April 2007, the IDF announced that it was permitting Gazan fishermen to take to the waters again for the high

the PNA Department of Fisheries.[88] The IDF defended the blockade on the grounds that it

External Factors: Palestinian Democracy & Relations with Israel and the US

Palestinian Democracy and Relations with Israel

It has been a huge problem for the PNA that its major issues cannot be isolated from external factors largely beyond its control. It is not an independent state. It does not have real authority over any part of its claimed territory. Indeed, it cannot even prevent the effective annexation of lands through the "iron wall," Israeli settlement expansion and military bases that are generally acknowledged to be part of its territory. Entry and departure into the Palestinian Territories is entirely at the discretion of the Israelis, as is movement between Gaza and the West Bank.[91] According to a Special Report published by United Nations Office for the Coordination of Humanitarian Affairs, 38 percent of the West Bank is now taken up by Israeli infrastructure.[92] Nor, crucially, does the PNA have external access to its territories. The Gaza International Airport was demolished by the Israelis shortly after it was opened.[93] The proposed port of Gaza has never been permitted to be completed. All land frontiers are under the control of the Israeli forces. The virtual impossibility of movement between the

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[91] The World Bank (*Guardian*, 10 May 2007) estimates that 50 percent of the West Bank is closed off to Palestinians without a permit. There are now 47 permanent checkpoints. Forty-one sections of road, covering a distance of some 700 kms, are restricted to Palestinian traffic, while Israelis are allowed to travel freely. In addition, the United Nations Office for the Coordination of Humanitarian Affairs estimates that there is a weekly average of 200 flying checkpoints throughout the West Bank.

[92] United Nations Office for the Coordination of Humanitarian Affairs, "OCHA Special Focus Occupied Palestinian Rerriroty," August 30 2007.

[93] The Gaza International Airport was opened in 1998 thanks to funding provided internationally and served as the home base for the two Fokker 50s of Palestinian Airlines. The radar station and runway were destroyed by the IDF in December 2001. During the Lebanon War of 2006, Israel bombed the terminal building. The airline, which is owned by the PNA, still operates out of El Arish International Airport in Egypt. It employs 388 people.

Gaza Strip and the West Bank has meant that Palestine has developed into two entities with different economic characteristics and political cultures.[94]

On 15 November 2005, Israel and the PNA came to an Agreement on Movement and Access. It was agreed that the Rafah Crossing would be manned by Palestinian Force 17, the Presidential Guard. The process would be monitored by a special border force provided by

In a World Bank report, David Craig, the country director for the West Bank and Gaza, indicates that restrictions must be eased if the Palestinian economy is to improve.[97] The economic deprivations and repressive measures have contributed to extremism, which in turn has led Israeli officials to claim that the restrictions are a necessary response to terrorist attack. "We have no interest in seeing Palestinian hardship but our measures are defensive,"[98] commented Mark Regev, a spokesman for the Israeli Foreign Ministry. While acknowledging the legitimacy of Israeli security concerns, the World Bank insists that these measures cannot be imposed "against the background of Palestinian hardship and collapse."[99]

> The relationship between Palestinian economic growth and stability and Israeli security remains unarguable and of fundamental importance to both societies' well-being. . . . While there is consensus on the legitimacy of Israel's security concerns, it is difficult to reconcile this with the clear correlation between access restriction and the protection and expansion of Israeli settlement activity in the West Bank. The commitments entered into by Israel under the 2005 Agreement on Movement and Access (AMA) remain as unfulfilled as they are critical. The AMA must be implemented immediately; the loosening of restrictions on people and produce is a long-term source of stability, not a consequence of it.[100]

The Occupied Territories and Illegalities

Rampant illegalities in Palestine are in direct opposition to liberal-constitutionalism's principle of the supremacy of the rule of law, and undermine the efficacy of any governing body within Palestine. There is little doubt that the situation in the Palestinian Territories has

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local military commander. According to a 2004 report by B'Tselem, the Israeli Information

entitled his submission to the UN Conference on Civil Society, which took place in Brussels in August 2007, "Enforcement of International Law in the Occupied Palestinian Territory: The Only Real Roadmap for Peace." It is difficult to escape the conclusion inherent in the title.

Illegalities have been committed not only by the Israeli government but also by the Palestinian National Authority. As stated previously, the PNA was established in 1994, according to the Israeli-Palestinian Interim Agreement, to manage the civil affairs of Palestinians living under its auspices. It had therefore, *inter alia*, to establish legal bases and principles that would govern its relations with Palestinian society. In its temporary

only three days after they had been charged with two murders.[111] Most of these death sentences were issued by the State Security Courts, which do not follow due processes. President Yasser Arafat established these courts in February 1995 without determining their mandates. The Palestinian Centre for Human Rights and other human rights organizations

negotiating process."[116] Arbitrary arrests and detention without charge or trial were condoned as a means of containing the terrorist threat posed by Hamas and Islamic Jihad.[117]

The Perlin model emphasizes human rights as a core aspect of liberal-constitutionalism. In Palestine, there have been many abuses of this ideal, both by Palestinians and Israelis. But there is also a large constituency, again made up of Palestinians and Israelis, who hold to this ideal and ensure that it is part of the public policy debate.[118]

Palestinian Democracy and US Policy

The democratic process in the Palestinian Territories has been inhibited by the failure of Israel and the United States to negotiate with, or even to acknowledge, many of the legitimate representatives of the Palestinian people. The diplomatic boycotting of Yasser Arafat and the demonstration of his political impotence was undoubtedly a factor in the rise of Hamas.

The failure of the US administration to adopt an even-handed approach has been another major obstacle. As Afif Safieh, a Catholic Palestinian who is currently the PLO representative in the United States, has put it:

> With all respect to the Quartet, the US remains the only superpower in the World, and it indeed behaves in that way toward the Arabs. On the other hand,

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[116] Retrieved from http://hrw.org/doc/?t-mideast&c=islpa on 08/24/08. The site contained the annual Human Rights Watch Annual Reprt On Israel and the Occupied Territories for the years 1989-2008

[117] For example, on 5 August 1997, Secretary Albright told reporters, "What we would like is as robust a reaction to the terrorists as [Arafat] took in March 1996, when he undertook a series of very specific steps to deal with the terrorist threat," an apparent reference to the round-up of several hundred suspected Islamists who were then held without charge or trial, and the summary closure of charitable organizations affiliated with Hamas or Islamic Jihad. (Retrieved from www.fas.org/news/iraq/1997/11/97111405_npo.html - 17k on 08/24/08.) The US applauded when the PNA started rounding up suspected Hamas activists in September, without charges being filed   and closing Hamas-affiliated charitable organizations. State Department spokesman James Foley said on 8 September 1997, "We think any step in the direction of an active, relentless effort to dismantle [the security infrastructure] in the territories is a positive step." (Human Right World Watch Report 1998, p 343, retrieved from http://books.google.ca/books?id=LzoDuFXAiW8C&pg=PA343&lpg=PA343&dq=Foley+We+think+any+step+in+the+direction+of+an+active,+relentless+effort+to+dismantle+%5Bthe+security+infrastructure%5D+in+the+territories+is+a+positive+step&source=web&ots=GXoZI7VEgp&sig=U2_YrEjEEuscJfX032ymtfKrscQ&hl=en&sa=X&oi=book_result&resnum=1&ct=result#PPR3,M1 on 08/24/08.

[118] See Appendix I.

that "the lobby, working with Israel itself, has pushed US policy in ways that are in neither the United States' nor Israel's national interest," and that the United States "should end its special relationship with Israel and treat it like a normal country."[125]

American policy has not only been biased in favour of Israel but has also targeted extremist elements in the Muslim world as "the enemy." As William Dalrymple has pointed out, the so-called success of US-led "war on terror" has contributed to the rise of religious fundamentalism.

> As clear and unambiguous opponents of US policy in the Middle East   in a way that, say, Musharraf, Mubarak and Mahmoud Abbas are not   religious parties have benefited from legitimate Muslim anger: anger at the thousands of lives lost in Afghanistan and Iraq; at the blind eye the US turns to Israel's nuclear arsenal and colonization of the West Bank; [and] at the Islamophobic rhetoric that still flows from Bush and his circle in Washington.[126]

There is no issue that has the same global impact as the Palestinian-Israeli conflict. Solving it might well transform the entire political landscape of the Middle East for the better. This would serve the interests of all parties involved, including Israel.

because they have been overly concerned with placating domestic constituencies. This failure has left a diplomatic vacuum. As Jimmy Carter expressed it, "This is the first administration since Israel became a nation that hasn't made any real effort to have peace talks. It's left a vacuum there, and vacuums are always filled with increased violence."[128]

The Hamas Challenge

Support grew for Hamas following the increased public perception of corruption within Arafat's regime, along with its failure to govern. The corruption under the Fatah-dominated government reinforced the view that it was cooperating with Israel's political agenda. The rise of Hamas as a powerful political force can be further ascribed to a number of factors:

> The dichotomy between the Tunis-based leadership of the PLO in exile and the locally based Hamas, who had suffered with the people and, to some extent, triumphed during the Intifada.

transition to new leadership through elections. Hamas and Islamic Jihad groups chose not to participate in the presidential election in January 2005, when Mahmoud Abbas was elected. Their boycott reduced the turnout in Gaza to less than 50 percent. Hamas chose instead to mobilize its support in the May 2005 municipal elections, taking control of Beit Lahia and Rafah in the Gaza Strip, and Qalqilya and five of Bethlehem's seven Muslim wards (one-third of the total number) in the West Bank.[131] Abbas attempted to consolidate his power by calling the first elections for the Palestinian Legislative Assembly in ten years.[132]

The election that followed on 25 January 2006 was supervised by international observers and was hailed as the most open and fair ever conducted in the Arab world. The result astounded the world. Since Arafat's Fatah had gained control over the PLO in the late 1960s, no other group had been privy to Palestinian electoral power. This all changed when Hamas captured 44.5 percent of the popular vote and 74 of the 132 seats in the legislature.[133] While most observers had expected Hamas to make a good showing, not even its supporters had expected a majority victory and the subsequent control over the PNA and its institutions.

This disparity is a source of great tension. It is significant that one of the first moves announced by President Abbas following the effective split of the Palestinian Territories between the Hamas-controlled Gaza and the Fatah-controlled West Bank was a change in the dual electoral system   a move immediately denounced (possibly correctly) by Hamas as illegal. Abbas abolished the district vote, where a great deal of Hamas's strength lay, and

Jerusalem.[140] Short of the kind of unforeseen developments that are a feature of the region, there appears to be three potential scenarios.

- Fahah and Hamas come to a resolution for a fair and free election and/or a coalition government. An election would be complicated by what rules would apply: the Basic Law, as favoured by Hamas, or the presidential decrees of Mahmoud Abbas. A further complicating factor would be whether Israel would connive at any election involving Hamas, or agree to release the Hamas parliamentary representatives (including the Speaker) that it currently holds in custody.

- The situation remains as it is with Mahmoud Abbas ruling through presidential decree and a rump parliament in the West Bank, as did Yasser Arafat, while Hamas continues its Islamic regime in the Gaza Strip.

- The separation of the West Bank and the Gaza Strip is formally recognized and each departs on its own social and political agenda, although doubtless hopes would be expressed for a future reunion.

Some politicians in Israel and the West have expressed the view that the dichotomy represented by the latter two scenarios and the resulting territorial division between Hamas

Since Hamas has taken over the Gaza Strip, information about the precise effects of its rule there has been hard to come by. Media outsiders who gain access (entirely controlled by the Israelis) are painfully aware of the kidnapping of the BBC correspondent, Alan Johnston. Regardless, veteran American reporter, Marie Colvin, in a report for the *Sunday Times* on 30 September 2007 noted "Hamas wants you to

Constitutionalism and Sovereignty: What Happens When They Conflict?

The above discussion of Hamas leads to the central question of this paper   should extreme and anti-democratic parties be permitted to benefit from electoral success in the democratic process?

There have been a number of occasions when, through the process of democratic election, an

adoption of a kind of limited democratic choice. These changes were frequently instigated as a result of Western pressure or encouragement and were clearly intended to assist the emergence of secular elites who would support the ruling party. Frequently, the result has been the opposite, with fundamentalists capitalizing on their grassroots support and reputation for incorruptibility.[145]

Given their electoral successes, it comes as no surprise that many Islamic fundamentalist groups have become avid advocates of free elections as a hitherto unexpected route to the power that has eluded them. There is a powerful argument that, if Muslims desire an Islamic

legitimate representative" of the Palestinian people.[146] This decree was enacted in the expectation that it would effectively debar Hamas from future elections.[147] President Abbas, together with many others, has clearly decided that Hamas is a non-democratic organization and therefore should not be allowed to enjoy the fruits of an election victory. It is true that Article 27 of Hamas's Covenant constitutes an attack on the PLO's ideal of a secular state of Palestine. But the decree, with its demand that candidates endorse the PLO, suggests that, as in other places in the Arab world, national unity is confused with conformity.

Hamas may not consider itself to be anti-democratic; they fielded a significant number of female candidates in the election and fought a more professional election campaign than Fatah. Yet Hamas cannot be described as democratic in anything other than Islamic fundamentalist terms. The articles of its Charter and the practical consequences of its rule in Gaza demonstrate that it is an anti-democratic political party.

Within the world of Islam, there are those who regard democracy as a Western concept that is incompatible with Muslim society, and those who view democracy as a natural and necessary extension of the Islamic tradition. The debate has been summarized by John L. Esposito and John O. Voll:

> The relationship between Islam and democracy is strongly debated among the people who identify with the Islamic resurgence in the late twentieth century

contemporary world, democracy can be considered a requirement of Islam. In these discussions, Muslim scholars bring historically important concepts from within the Islamic tradition together with the basic concepts of democracy as understood in the modern world.[148]

It is important to get matters into historical perspective. Even in most Western nations, democracy is a comparatively new phenomenon. Recall that in the United Kingdom, generally regarded as one of the great cradles of modern democratic principles, universal suffrage and religious freedom only developed over the past two centuries.[149] It is equally important not to fall into the evolutionary trap: the idea that societies are moving through varying stages of development toward a common goal. There are significant cultural

A number of influential Islamic intellectuals have articulated a vision of Islamic democracy that conflicts with the ideals of Western secular democracy. Sayyid Abul A'la Mawdudi, who in 1941 founded the Jamaal-e-Islam Party in British India, asserted that in Islamic

The dominant schools of Islamic theology see religion and civic government as a unified system. This is exemplified by the immutability of Shari'ah Law, a *Weltanschaung* that precludes the concept of Natural Law on which many Western concepts of democracy and communal and individual freedoms are based. Unlike Western legal systems, Shari'ah is not merely a system of law but a comprehensive code of behaviour that embraces both public and private life. The source of Shari'ah is the Qur'an, which Muslims believe to be the words of Allah revealed to the Prophet Muhammad over a 23-year period. As the revelation of divine law, Shari'ah is unchangeable.

Natural Law, on the other hand, as defined by Thomas Aquinas in his *Summa Theologica,* is "the rational creature's participation in the eternal law." To put it simply, it is assumed that God's purpose (the Natural Law) can be discerned by all people of good will, not just Christians, or as John Milton writes: "Just are the ways of God/And justifiable to men." The preamble to the American Declaration of Independence is firmly based on Natural Law: "We

The implementation of Shari'ah Law negates the rights of women. A delegation from the Bahrein Women's Petition Committee, which met with United Nations' human rights officials in 2006, delineated some of the injustices: patriarchal Shari'ah courts that refuse to accept women's evidence while accepting unfounded allegations by men; the nomination of sectarian judges; the widespread practice of "temporary" and "pleasure" marriages; the denial to married women of their financial rights; the denial to mothers of custody of their children

fundamentalist Islamic countries.[156] The Declaration concludes, "The Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration (Article 25)."[157]

One of the first acts of the incoming Hamas government was to announce that it would introduce Shari'ah Law   presumably in both its civil and criminal form. It is questionable whether President Abbas would underwrite such a proposal. Since the effective division between Gaza and the West Bank, it is likely that Shari'ah will be fully implemented in the former while the latter will continue to have a plurality.

Democratic Tendencies within Islam

Despite these anti-democratic strands, the values of Islam are compatible with democratic norms. Many Muslims cite the Qur'an (42:38), which defines "mutual consultation" or *shura* as one of the traits of the righteous. *Ijma* or consensus of believers is another quality they find capable of democratic interpretation, as is *baya*, an oath of loyalty to a ruler that involves mutual obligation. The prevailing ethos tends to be consensual rather than confrontational. Some Muslims extend these concepts to affirm that, in the contemporary world, democracy is a requirement of Islam.[158]

The Palestinian religious philosopher Ismail al-Faruqi, who achieved academic distinction in both the Arab world and in North America, proposed an epistemological framework known

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[156] The imposition of *hadd* penalties is frequently among the first symbolic measures implemented by fundamentalist Islamists on gaining power. *Hadd* penalties are meted out for the most serious offences under Shari'ah Law, such as adultery, drinking alcohol, apostasy, theft, and highway robbery. Penalties include stoning, amputation, lashes, and beheading. At the present time, Islamic criminal law is applied in Saudi Arabia, Yemen, the United Arab Emirates, Libya, Pakistan, Iran, Sudan, Mauritania, parts of Somalia, and in some northern states of Nigeria.

[157] Adama Dieng, a distinguished international lawyer from Senegal and himself a Muslim, has been highly critical of the Cairo Declaration. He argues that it threatens the human rights consensus on which the international human rights instruments are based. It institutionalizes discrimination against minorities and women. Further, he points out that many of its provisions are below the legal standards actually existing in a number of Muslim countries (BBC News, 23 September 2006).

[158] For a discussion this topic, see John L. Esposito and John Obert Voll, *Islam and Democracy* London: Oxford University Press, 1996.

as the "Islamization of Knowledge" within which modernization might be realized.[159] In response to what he called "the malaise of the *ummah*" (faithful), he argued that the use of methods and concepts that originated entirely in the secular West had caused a decline in Islamic ethical standards. Even worse, it had led to an inability to respect the norms of Islam

Al-Quaradawi's views on democracy are inconsistent but include some support, at least in theory, for democratic principles. On 6 June 2007, he told an inquirer on IslamOnline that "Islam calls for democracy and grants people the right to choose their governors. . . . Free integral elections should be guaranteed, where values of justice and the rule of law prevail."[160] To a British student of comparative religion, he commented on 26 May 2004:

> Applying the Shari'ah requires two essential types of understanding . . . understanding the sources from which the rules are derived, the Qur'an and the Sunnah . . . and the reality in which these rules are applicable. Hence the application of the Shari'ah is not in a vacuum: rather it is in a reality that is changeable due to time and space.

Yet in response to another question, he said that "Shari'ah cannot be amended to conform to changing human values and standards. It is the absolute norm to which human values and conduct must conform."[161] He opposes secularism as a form of atheism and a rejection of Islam. Al-Quaradawi does not claim to be a constitutional theorist; however, his vagueness on how to actualize a true Islamic state perhaps reflects a paucity of consideration of the issue among many Islamic scholars.[162]

Many of the interesting ideas on Islam and democracy come from the Muslim diaspora in

modern secular version of Islam which is peace-loving, democracy-loving and compatible with other faiths and beliefs."[163] The coalition has chapters in ten US states, and in Egypt and Iraq. It sees the promotion of secularism and the destruction of terrorism as prerequisites to democracy in Islamic countries. But the organization points out that many Muslims equate secularism with failure.

The 20th

the United Kingdom may seek judgment in Shari'ah courts. A parallel system also exists in India and Israel, where a combination of historical precedent and a sizeable Muslim minority ensures its continuation. In these countries, the religious courts have a sphere of authority but are nevertheless subject to the overview of civil courts.

The hazards of parallel legal systems from a democratic point of view have been analyzed by mer Çana, associate professor of Political Science at Fatih University in Ankara. He writes that "communal divisions institutionalized in a system of legal pluralism are easily politicized. Identity politics crystallizing around legal issues in such a system may come to threaten the stability of the system itself and the capacity of the state to safeguard rights."[165] The parallel system is a source of tension in many Western countries that have significant Muslim populations.

Conditions Favourable to Democracy in Palestine

Strengthening democratic processes and pursuing institutional reform may no longer be immediate national priorities for most Palestinians. The humanitarian crisis, growing poverty, unemployment, and loss of property and land mean that basic survival and providing for the family surpass everything else for the vast majority. A growing number of Palestinians are skeptical that a two-state solution and an independent, viable Palestinian state will ever be possible. Nevertheless, a recent opinion poll conducted by the Jerusalem Media and

- In common with many emergent nations, there is a sense of mutual cultural identity among Palestinians.
- A plethora of groups have been established that relate to human rights, dissemination of

- The West Bank has genuine potential as a financial centre, situated as it is close to the oil-rich nations of the Gulf and with the opportunity of attention from the Palestinian diaspora. A Palestine Stock Exchange opened in Nablus in 1997. It now lists 37 companies and eight brokerage firms. In the first six months of 2008, its Al-Quds Index gained 38.6 percent, making it the best performing index in the Arab world.[174]

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parallels between Northern Ireland and historic Palestine and suggests alternative approaches to dialogue and peace.

Although there are great differences between Northern Ireland and Palestine, there are also significant parallels. Both can be perceived as "settler states" where "interlopers" have ousted the native population from its historic lands and rights. From the sixteenth century onwards, the lands of Irish Catholics were sequestered by Protestant settlers, creating a "victim culture" of the dispossessed. The Palestine conflict is not so long-seated, but there, too, the bulk of the population is heir to the original conflict.

The conflict in both countries has given rise to myths of culture based on what are often distorted but deep-felt versions of history. Conceptions of identity are reflected in a use of language of that hardens attitudes and deepens misunderstandings. "Northern Ireland" is a British designation; to the Loyalists it is "Ulster," while to the Nationalists it is the "North of Ireland." These differences, which to an outsider appear to be mere semantics, reflect definitions that are worlds apart in geographic and political meaning. Similarly, the far-right Jewish settler movement refers to the whole of historic Palestine as "Israel," while Hamas claims the whole area to be "Palestine." Any dialogue conducted on the basis of these different understandings will be brief and unproductive.[178]

According to Ancram, the first requirement in any constructive peace process is the tacit acknowledgement by both sides that they cannot win. It is impossible for a "terrorist" group to defeat determined government forces supported by a significant portion of the local population; it is likewise impossible for government forces to defeat permanently a terrorist group supported by a significant portion of the local population. However legitimate the armed struggle and its associated rhetoric may appear to be, it has the effect of enhancing a "security" agenda.

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[178] Language also divides perceptions concerning those engaged in armed struggle. The well-known phrase, "One man's terrorist is another man's freedom fighter," has its origin in the Northern Ireland troubles. It has almost become a cliché, but it expresses succinctly the dichotomy of view that pervades such conflicts.

Recognition of the other side's legitimacy has been an important aspect of the peace processes in both Northern Ireland and Palestine, although in former it has progressed while

> dialogue is more likely to succeed than that carried on in the bright spotlight of international publicity.[180]

From the earliest days of talks in Ireland, "power-sharing" has been seen as the key to a peaceful outcome.[181] The theory is applicable in states that have major internal divisions along ethnic, religious, or linguistic lines. John McGarry and Brendan O'Leary argue that, in Northern Ireland, power-sharing provided a way out of the impasse: "Inclusion in power-sharing coalitions, we submit, can make radicals less extreme, because it . . . can strengthen the position of moderates within radical factions."[182] In developments that in retrospect seem extraordinary, in the election on 7 March 2007 the moderate parties on both sides of the political and cultural divide were largely replaced by extremist ones   the Ian Paisley's Protestant-based Democratic Unionist Party and the Sinn Fein   who have agreed to form a power-sharing government.

There may be sufficient parallels with the Northern Ireland situation to make an exploratory dialogue along similar lines in historic Palestine a worthwhile exercise. The power-sharing solution may have more parallels to the Fatah versus Hamas situation than the Palestinian versus Israeli one. Even so, a key issue in the dialogue must be whether the Hamas's aim of establishing an Islamic state is subject to negotiation. In the past, Hamas has been willing to agree to both ceasefires and power-sharing the prime starting-point for any dialogue.

General Conclusions

Perlin's model is organized on the premise that democratic development incorporates two

There should be little surprise that this society has had such difficulties in creating viable institutions and a democratic culture. Perhaps what is more surprising than the emergence of an extremist, violent faction like Hamas is that the great mass of Palestinians have used the forms of democracy to bring about change and have even supported peace with Israel, at least as measured by public opinion polls, despite the great provocations of the Israeli-Palestinian conflict.

Is the democratic glass half-full, or half-empty? Rex Brynen, an authority on the Middle East from McGill University in Montreal, told Canada's Democracy Council in February 2007 that "in Palestine, Western governments are attempting to strangle the democratically elected Hamas government they don't like, and arm the corrupt opposition that they do like, amid signs of civil war."[183] He concluded that the process of democratization in the Middle East is comatose. On the other hand, Sari Nusseibeh, the president of Al-Quds University in Jerusalem and one of the best-known Palestinian analysts in the Middle East, is more hopeful. While recognizing that Hamas and the iron wall are "two sides of the same coin, both slam the door shut on dialogue," [184] he has faith in the Palestinian majority:

> Over the decades, the Palestinian people had developed a will to live in peace with Israel, and the PLO leadership had to come to terms with that. It was our collective desire for the same freedom and dignity that other nations enjoyed that lured Arafat out of his underground lair and forced him to come to terms with Israel and the Jewish people.[185]

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[183] Perlin and Wood, 2007, p 47.

[184] Nusseibeh, 2007, p 529.

[185] Ibid, p 11.

success. Only ten years after their return, they were humiliated in the 2006 election.[188] Crafting the political institutions of Palestine proved to be an enormous challenge. Aid-givers and democracy-builders often neglect governmental and party institutions and instead concentrate on civil society, but Fatah's failure demonstrates the wisdom of Max Weber's

The West extols democratic values but reverts into a security shell in the event of an undesired electoral outcome. As Rex Brynen writes, "the priorities of stability and counter-terrorism and fear of Islamist oppositions have eclipsed pious expressions of support for democratic change."[189] The result is that, in the eyes of the Middle East, Western advocates of democracy appear to be hypocrites. The violence sanctioned by Hamas cannot work, but nor will total isolation.

- US administrations have failed to exercise their full diplomatic clout because they have been overly concerned with addressing domestic constituencies and promulgating the war against terror.
- International agencies play an important role in encouraging and supporting the development of democratic institutions in Palestine.

The Palestinian National Authority was created under exceptional and difficult circumstances. Most post-World War Two examples of countries moving toward independence have included a measure of institution-building. The work of external agencies such as the European Union in supporting the growth of freer institutions is important (i.e., Algeria), as are welfare and educational provision, and a free media. In Palestine, the failure to develop adequate constitutional safeguards and an independent judicial system has been a weakness of the parliamentary system. However, there appears to be a free and healthy media in touch with pan-Arab and international influences.

- The plethora of self-help and campaigning groups listed in Appendix III represent the potential lifeblood of any democracy.

Democratic culture requires that people learn mutual respect even if they do not agree with other viewpoints. Democracy-builders in Palestine must have the perspective that it will take time for respect to replace violence, but the process has to start now. The 2006 election of Hamas should be regarded not as the end of democracy in Palestine, but as a vivid demonstration that there are no quick fixes and that democratic cultures take a long time to build.

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[189] Perlin and Wood, 2007, p 47.

- As the example of Northern Ireland suggests, exploratory dialogue and power-sharing can lead to a peaceful outcome.

The result of the 2006 Palestinian election came as a thunderbolt to many outsiders. The decades of effort toward resolving the Israeli-Palestinian conflict suddenly seemed to have achieved very little. Israel had withdrawn from Gaza but had built a security fence that is a physical refutation of the hope that eventually Israelis and Palestinians might live as good neighbours. The election of Hamas, with its extreme platform, seemed to demonstrate that the roots of democracy were very shallow indeed in Palestinian soil. But democracy lives on hope. It is always imperfect and must always be built anew. Sari Nusseibeh discusses at length his disappointments as a Palestinian democrat, but refuses to give in to despair. His father also had a dream of establishing a modern, liberal Arab nation in Palestine, but this aspiration was shattered by war: "Rubble, he used to tell me, often makes the best building material."[190] There is much democratic rubble in Palestine today, but with that kind of hopeful spirit, a sustainable democracy can still be built.

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[190] Nusseibeh, 2007, Retrieved from www.nytimes.com/2007/03/29/books/29bronner.html on 08/24/08.

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Element A4:   Democratic control of internal & external security institutions

a) There exist clearly defined & enforceable legal protections against the political use of military, intelligence, & law enforcement agencies & personnel.

b) There exist clearly defined lines of accountability of military, intelligence services, & law enforcement agencies to democratic institutions.

c) There exist clearly defined limits on authority of all agencies of law enforcement.

d) Independent mechanisms exist for reviewing & controlling the activities of intelligence agencies.

e) State security agents understand & act in a manner consistent with their responsibilities under a regime of entrenched rights.

f) There are processes to provide citizens with the means to appeal administrative decisions.

g) There are effective conflict of interest & other "anti-corruption" laws.

Element B2:Political elites chosen through, regular, free & fair elections

a) Universal franchise exists.

b) Government policy-makers & administrators recognize the legitimacy of advocacy.

c) There is open & equal access to decision-makers for advocacy groups.

d) Lobbying is regulated to ensure transparency & fairness in competition among groups.

e) Support is provided to disadvantaged or diffuse groups with weak financial & organizational resources to enable them to compete effectively.

2. Conditions Necessary to Achieve & Sustain Liberal Democracy

The information below distinguishes between conditions that are widely agreed to be an essential & integral part of a stable, self-sustaining, functioning democracy & those that facilitate the realization & sustainability of a functioning democracy. The importance of these "facilitating" conditions is more contentious.

Widely Agreed Condition 1: Political engagement of citizens

a) Citizens participate in politics (minimum requirement is that those who are eligible will vote.)

b) Citizens are interested in, attentive to, & informed about public affairs.

Widely Agreed Condition 2: Democratic Political Culture

a) State elites & citizens are committed to liberal values:

- Individual autonomy
- The "freedoms"
- Equality before the law
- Political equality
- Equality of opportunity
- Justice

b) State elites & citizen are committed to democratic values:

- Decisions through discussion & debate
- Tolerance of dissenting opinion
- Acceptance of necessity to make decisions through accommodation & compromise

c) State elites & personnel know & respect the limits on their authority, understand their duties under a liberal-democratic constitution, & are committed to the legitimacy of the system.

d) Citizens are committed to the legitimacy of the system: they accept decisions with which they disagree because they recognize the legitimacy of the processes by which the decisions have been made.

Widely Agreed Condition 3: Civil Society

a) There exists a substantial network of active, autonomous, organized groups pursuing a multiplicity of diverse individual interests outside the sphere of state authority.

b) Group participation is voluntary.

c) Groups are free to form around any set of social, economic, or cultural interests.

b) There is widespread citizen participation in group activity.

c) Individuals have multiple group memberships reflecting differing aspects of their individuality.

Facilitating Condition 1: Open, non-polarized, system of social stratification

a) Large middle class.

b) Social mobility based on achievement.

c) Government policies promote equality of opportunity.

d) Government policies provide some measure of social justice: for example, equal access to adequate health services & social support for disadvantaged members of society.

Facilitating Condition 2: A functioning market economy regulated to prevent disproportionate aggregations of power & ensure fairness in economic relations

a) There are state policies & laws to establish the conditions necessary to ensure the integrity of market transactions, to preserve competition, & to maintain the stability of the monetary system.

b) There is state regulation to protect collective bargaining rights for labour.

c) There is state regulation of workplace conditions.

d) There is state regulation to protect consumer interest.

Facilitating Condition 3: An internally cohesive political community

a) In societies where there are significant ethno-cultural &/or linguistic cleavages there are effective state policies to promote tolerance & protect cultural minorities.

b) In culturally diverse societies government policies effectively promote commitment to shared values that underpin social cohesion.

c) In societies where there are distinctive regional sub-communities, based on a strong sense of regional identity & interests, state structures are designed & function effectively to give representation to & accommodate regional sub-community differences through:

• Adoption of the federal principle or devolution of significant powers on regional governments, &;

• National institutions that incorporate the principle of regional representation; informal practices to ensure that the principle of regional representation is observed in the national government.

Operating Principle B:
POPULAR SOVEREIGNTY EXPRESSED THROUGH INSTITUTIONS & PROCESSES OF REPRESENTATIVE DEMOCRACY

Element B1: Governing institutions that are effective, responsive, & accountable to citizens.

The division of Palestine into Hamas-controlled Gaza and the Fatah-dominated West Bank has weakened the effectiveness and responsiveness of Palestine's governing institutions. Ongoing violence and instability as well as corruption within the Fatah old guard has limited accountability.

Despite this, the Palestinian Constitution provides that the Rule of Law shall be the basis of government in Palestine (Article 6), which, if implemented, could serve as the basis for holding accountable and responsive the legislature and executive.

Further, many non-governmental organizations have pushed for improved public administration within the Palestinian territories, and whose experience and encouragement has done much to push the Palestinian National Authority towards this ultimate goal, though developing truly accountable and effective institutions will remain nearly impossible so long as such deep divisions persist, whether between Hamas and Fatah, or between Gaza and the West Bank.

Finally, to the extent that Palestine's governing institutions are components of the Israeli Military Administration, they are neither effective, responsible or accountable to the citizens of Palestine.

Element B2:Political elites chosen through, regular, free & fair elections

The 2006 Legislative Election was hailed as the most open and fair ever conducted in the Arab world by international observers. The unprecedented openness and fairness of this election were attributable, in part, to the strong influence of President Abbas and a truly independent electoral commission. There is no reason to believe that they will not be able to do the same again, especially with such infrastructure already in place. Further, the Constitution guarantees that the governing system in Palestine will be democratic (Article 5), that all citizens have the right to vote (Article 26), and that both the President and the Legislative Authority (Articles 34 and 47).

Despite this, there is some uncertainty over the form that the next election will take. If the ongoing divisions between Gaza and the West Bank continue, it is unclear whether a Palestine-wide election can be held that is free from factional and partisan violence and pressure. Without a resolution to Palestine's internal civil divisions, free and fair elections may not be possible.

A genuinely competitive system of party politics effectively representing a broad spectrum of societal interests & contributing to accommodation of diverse interests

Palestine has a range of parties. In the 2006 legislative election, 9 smaller parties and independents gained 14.11% of the vote between them and won 13 seats. Despite this, the long-term dominance of Fatah and the meteoric rise of Hamas have effectively transformed Palestine's politics into a two-party system. Further, the division between the secular-nationalist Fatah and Islamist Hamas does not facilitate the representation of a broad spectrum of interests. Unlike two-party systems that divide along the right-left spectrum, Palestinian politics is factional, such that the accommodation of diverse interests is only done superficially. Despite this, the Palestinian Constitution guarantees to the right to form and join political parties (Article 26), meaning that small parties will continue to develop and compete, and may precipitate a move towards a genuine multi-party system.

Element B3: A genuinely competitive system of party politics effectively representing a broad spectrum of societal interests & contributing to accommodation of diverse interests.

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Element B4: A system of political communication that ensures a free flow of information about public affairs.

Palestine has a very free media. The Palestinian Constitution gives the right for any person to establish newspapers and other media (Article 27). The 2005 annual report on Palestinian

Despite this, 70% of Palestinians indicated that they have not participated in political activities other than voting in elections, and only 21% indicating that they have participated in non-voting political activities more than once. However, there are a range of indicators which suggest significant potential for the development of democracy within the Palestinian territories.

Facilitating Condition 1: Open, non-polarized, system of social stratification

An open and non-polarized system of social stratification is absent in the Palestinian National Authority.

Facilitating Condition 2: A functioning market economy regulated to prevent disproportionate aggregations of power & ensure fairness in economic relations

Appendix III: Palestinians, Hamas, and Democracy

By Khalil Shikaki, Director, Palestinian Centre for Policy and Survey Research

Executive Summary

The January 2006 election of Hamas has raised many questions, particularly in Israel and in the West, about the commitment of the Palestinian public to democracy. For example, the accompanying paper in this series by the Centre for the Study of Democracy, "Optimism with Information," is cautiously optimistic that a "sustainable democracy can still be built" in Palestine, yet also concludes that the election of Hamas suggests that "the roots of democracy were very shallow indeed in Palestinian soil." Others argue that the election of Hamas

Palestinian Attitudes toward Democracy

Survey research findings indicate that there is sufficient Palestinian public understanding of democracy, that there is broad popular support for democracy and its values, and that most Palestinians do not believe that democracy is a Western form of government incompatible with Islam. But findings also indicate that support for democracy does not necessarily mean support for secular democracy. Indeed, opinion is fairly evenly divided on the question of whether Islam should play an important role in political affairs.

A comprehensive survey conducted in May 2006 by the Palestinian Centre for Policy and Survey Research (PSR) as part of the Arab Barometer project examined Palestinian public understanding of the meaning of democracy. Our survey presented respondents with four attributes of democracy   two related to political dimensions (the opportunity to change the government through elections, and the freedom to criticize the rulers) and two related to socioeconomic dimensions (the possibility of reducing the gap between rich and poor, and the provision of basic needs such as food, housing, and clothing to all citizens)   and asked them to choose the most important attribute. The majority (57%) chose the political attributes, with 33% selecting elections and 24 percent the freedom to criticize. The rest went for provision of basic needs (29%), reducing the gap between rich and poor (12%) or other attributes (3%.)

Moreover, in our 2003 comprehensive survey examining Palestinian attitudes regarding democratic values, a clear majority supported the statement that in a democratic system of government one must respect human rights (99%) hold periodic political elections (95 percent), have full freedom to form political parties (72%) and have a free press with no government censorship (62%.)

PSR's May 2006 survey examined the level of political awareness, participation, and respondents' behaviours and beliefs based on their personal experiences and interaction with their government and public institutions. Political awareness is assessed through patterns of

news media exposure. Findings indicate that interest in political matters is high with about 54% showing interest, 23% showing little interest, and another 23% showing no interest. Moreover, 79% of respondents indicated that they follow the news often or very often.

The poll found that 78% of the Palestinians consider television the most trustworthy news source, followed by radio (12%) and newspapers (3%.) A majority (53%) of respondents indicated that al-Jazeera news television was their most trusted media: 69% report watching news almost every day on al-Jazeera or on other satellite channels. Thirty percent reported watching news almost every day on Palestinian television. As for newspapers, 52% reported that they almost never read a daily newspaper, and only 13% reported reading a newspaper almost every day. As to Internet usage, 9% indicated that they use the Internet daily or almost daily. To sum up, Palestinians seem to be highly tuned to news but obtain their current affairs information mainly from television.

To assess the level of press freedom, the Palestinian Centre for Policy and Survey Research uses a sub-index based on nine empirically measured indicators. In the Palestine Democracy Index – 2005 (*Miqias al Dimokratiyya fi filisteen*), our annual report of the status of Palestinian democracy, freedom of press and expression received 739 points out of a maximum of 1,000 points. However, the 2006 report showed a drop of about 10 percent under the Hamas government to 662 points.

Almost three-quarters (73%) of the respondents indicated in May 2006 that they have participated in legislative elections, but participation in other domestic political activities remains weak. 70% of Palestinians said that they have never attended political meetings or gatherings, or signed petitions. 21% reported participating in such activities more than once, while 9% have participated one time only. This weak political participation might be explained by the widespread belief among Palestinians that political matters are complicated, with 79% agreeing that politics is too complicated for an average citizen to comprehend. Moreover, only slightly more than half of the respondents (52%) believe that political leaders

in Palestine care about the needs of citizens. Further, life under occupation tends to force Palestinians to participate in "resistance" to outside threats rather than domestic ones.

Political participation in domestic affairs is influenced by three main factors: education, work sector, and political affiliation. Findings indicate that participation in parliamentary elections is very high among the university educated, reaching 82%, but falls to 68% among those who are illiterate. The level of participation in public meetings and gatherings is also relatively higher among the most educated, reaching 48%, compared to 22% among the poorly educated. Participation increases among those working in the public sector compared with those working the private sector. Moreover, findings show that supporters of Fatah are more likely to participate in elections and attend public gatherings than supporters of Hamas.

Concerning overt political action, Palestinian public opinion is most visible in expressions of active resistance to the Israeli occupation, by peaceful as well as violent means. These expressions epitomize the prevailing norm of defiance and objection to the Israeli occupation and reinforce the dominant nationalist climate of opinion that surrounds the Intifada. Yet mass demonstrations and rallies are usually organized not by citizens but by the ruling party or a strong opposition group   Fatah and Hamas in their turn.

The May 2006 findings show that 88% of the Palestinians believe that it would be good to have a democratic political system in Palestine. The overwhelming majority (83%) prefer the democratic system to any other despite the recognition of its problems. Only 17% do not prefer democracy to other systems. It is important to know that the survey was conducted

agree that leaders should be open-minded and receptive to different political ideas, with 97%

Shari'ah is appropriate for Palestine tend also to believe that democracy and Islam are incompatible.

Findings about the role of religion in public life were mixed. For example, 56% said that the government should enact laws based on Islamic Shari'ah, while 44% were opposed. Similarly, 56% agreed and 44% disagreed that "men of religion" should be able to influence government decisions. On the other hand, three-quarters of the respondents indicated that non-Muslims should have the same political rights in Muslim countries as Muslims. Similarly, two-thirds said that they disagreed with the statement that democracy contradicts Islam. Respondents agreed, however, that religion plays an important role in private life. For example, 63% said that they would be reluctant to marry a partner who does not pray.

On social issues, findings show that public opinion is almost evenly divided. For example, 52% agreed and 48% disagreed that women should dress modestly but that Islam does not require women to wear a *hijab* (which covers all the body except the face.) The same results were found on the issue of whether religious practices should be separate from socioeconomic and political life.

in 2006 and 2003. Many secular non-democrats support leftist third parties. The fourth group, the Islamic non-democrats, received the support of 10% in 2006 and 11% in 2003. This group tends to reject political participation, viewing the political system as illegitimate. However, members who do participate tend to view Hamas as the most preferred faction.

The Rise of Hamas and the Evolving Balance of Power

contributing to decline of Hamas during the early days of the peace process was the failure of the Islamist faction to understand and engage the new domestic dynamics unleashed by the peace process. The Palestinian public shifted its attention during this period from fighting the Israeli occupation to state-building. The public punished Hamas, which continued to carry out violent attacks against Israelis and was detached from the daily needs of the people.

The second Intifada, which erupted in 2000, changed the domestic balance of power once again, this time weakening the ruling party, Fatah, and strengthening Hamas and other Islamists, such as Islamic Jihad. Three developments shifted public support in favour of Hamas: (a) increasing concerns about government corruption; (b) the perceived demise of diplomacy after the failure of the Camp David Summit in July 2000 and the declining prospects for progress in the peace process, accompanied by an increased confidence in violence as the most effective means of ending the occupation; and (c) the increased role of traditional values in shaping public behaviour, a development prompted by the mounting lawlessness, poverty, and overall political instability and insecurity.

Determinants of Party Differentiation and Affiliation

Developments in the years and months leading up to the January 2006 parliamentary elections provided the backdrop for clear party differentiation in the minds of the public. These dynamics led more and more people to abandon Fatah and to support Hamas. Support for third parties remained limited and never exceeded 15 percent. Comprehending the process of party differentiation helps us understand the rise of Hamas and the decline of Fatah during the 2000–2004 period, the short-lived rise in support for Fatah and decline in support for Hamas during 2005, and the eventual Hamas electoral victory in January 2006.

In determining public party affiliation and vote, we have found three dynamics at play during the past eight years: a preference for violence versus diplomacy, a focus on traditional values versus secular and liberal ones, and the increasing priority given to fighting corruption and good governance versus gaining independence and building a state.

In the 1990s, when Palestinians believed that diplomacy was viable and could help them attain independence and end the occupation, they supported and voted for Fatah because they expected it to deliver a peace agreement with Israel. When the peace process no longer seemed viable and, more importantly, as people came to believe that violence pays, they

democrats) in 2003, when conflict with Israel and the Palestinian perception of threat had reached their highest point, while 37% supported Fatah (secular democrats). The slightly less volatile environment in 2006 has lessened the demand for traditional values, boosting support for Fatah to 41% and reducing support for Hamas to 42%.

The third factor that has motivated people to affiliate themselves with one group against another is the perception of state-building. For those who supported Fatah, what was really at stake was the attainment of independence and sovereignty in a state in the West Bank and Gaza; issues such as clean and good governance could come later. In their minds, therefore, state-building was very much about creating an independent and sovereign state. For those who supported Hamas, the question of establishing a state, while important, was not sufficient. The nature of the state and the pre-state entity, the Palestinian Authority, mattered. Hamas supporters focused on clean governance; they wanted a pre-state authority and a post-independence state free of corruption. Third party supporters shared the passion of Fatah voters for independence and sovereignty and did not disagree with Hamas voters on the critical need for good governance, but they added to that the need to create a liberal democratic political system. To sum up, Fatah supporters sought first and foremost the creation of an independent state, Hamas supporters aimed at fighting corruption, and third party voters tended to focus on building liberal democratic state institutions. It goes without saying that the growing salience of corruption during the second Intifada benefited Hamas and hurt Fatah.

The Road to Hamas's Electoral Victory

The optimistic environment following the death of PNA president Yasir Arafat in November

September 2004 to 24% in December 2004, one month after the death of Arafat, but rebounded to 35% by December 2005.

The death of Arafat affected the Palestinian domestic environment in ways that significantly altered the dynamics unleashed by the Intifada: the political system became more open, optimism about the future increased, economic conditions improved, public willingness to accept compromise in a political settlement with Israel increased, and the order of Palestinian priorities changed. The opening up of the political system allowed the integration of Hamas into the political process and facilitated the holding of local elections beginning in December 2004, followed by presidential elections in January 2005. In March 2005, a nationalist-Islamist agreement brokered by Egypt and known as the Cairo Declaration was reached. In

While the death of Yasir Arafat in November 2004 temporarily changed the public perception of the future of Palestinian-Israeli diplomacy and Palestinian state-building, this optimism, while significant, was short-lived. The unfolding events of 2005 brought significant public disillusionment as the focus shifted to state-building failures, such as corruption and lawlessness, and to Israeli policy in the Gaza Strip and the West Bank, such as the unilateral disengagement from Gaza and the building of the separation barrier in the West Bank.

Table 2 shows how all of these considerations affected the vote in the January 2006 legislative elections. As the table indicates, the behaviour of voters was significantly affected by their own priorities, expectations, and perceptions of personal safety and security. For example, 71% of those who identified corruption as their top priority voted for Hamas, while Fatah received only 19% of their vote. By contrast, 69% of those who identified the ability to reach a peace agreement with Israel as the most important factor voted for Fatah, while Hamas received only 19% of their vote. The more unsafe and insecure voters felt, the more they voted for Hamas, and the more safe and secure they felt, the more they voted for Fatah. Among those least safe and secure, 56% voted for Hamas and 31% for Fatah; by contrast, among those most safe and secure, 35% voted for Hamas and 53% for Fatah.

Conclusions

Appendix IV: Organizations Dedicated to the Development of Free Institutions and Democratic Processes within Historic Palestine

Established in 1972, ACRI is a non-partisan, independent organization that works for the entire spectrum of human rights and civil liberties issues in Israel and the Occupied Territories. Its work encompasses litigation and legal advocacy, education, and public outreach "as the most effective way in which to build toward our long-term vision of a just and democratic society that respects the equal rights of all its members."

BBC World Service Trust
The BBC World Service Trust has been considering media training projects within the Palestinian community, but progress was halted by the election results.

Bethlehem University of the Holy Land   www.bethlehem.edu
Bethlehem University is a Catholic institution open to students of all faiths. Despite having been closed 12 times by the Israeli military   the longest was for three years   classes have never ceased, either on or off campus. The university's Institute for Community Participation runs a six-month training program on Palestinian Local Government Leadership Building. The university is also participating in a three-year research initiative with the universities of Birzeit, An-Najah, Siena, and Pavia on creating a Sustainable Palestinian Business Environment. The initiative is funded by the Italian Ministry of Higher Education and Research.

Birzeit University   www.birzeit.edu/news
Birzeit University has been highly active in the Palestinian electoral processes. The university's Ibrahim Abu Lughud Institute for International Studies offers a program called Reinforcing the Democratic Process in Palestine, in cooperation with the Canadian International Development Agency. The program seeks to enrich the democratic process by "reinforcing the basis of pluralism, dialogue and honourable competition" through public education. Public lectures have focused on the issues of increasing voter registration, supporting the role of women, and decreasing the effects of tribalism. The The Institute also conducted the first public evaluation of the election results at a conference entitled The Palestinian Political Reality Post the Second Legislative Elections: Challenges and Future Visions, which involved the participation of all parties and members of the new Palestinian parliament. The Development Studies Department at Birzeit conducted pre-election opinion polls and exit polls.

B'Tselem   www.btselem.org
The Israeli Information Centre for Human Rights was established in 1989 by a group of prominent academics, lawyers, journalists, and parliamentarians. According to its website, it "endeavours to document and educate the Israeli public and policy-makers about human rights violations in the Occupied Territories, combat the phenomenon of denial prevalent among the Israeli public and help create a human rights culture in Israel." B'Tselem seeks to change Israeli policy in the Occupied Territories and ensure that its government, which rules the Occupied Territories, protects the human rights of residents and complies with its obligations under international law.

Centre Against Racism and Defamation www.nif.org/about/grantees/center-against-racism-and.html
The Centre Against Racism and Defamation was established in 2001 by a group of young social activists "to engage Palestinian society in Israel in the struggle against racism." It aims to campaign against all manifestations of racism and to empower the Palestinian population in Israel to fight against racism. Its website states that "due to the Israeli-Palestinian conflict, Israeli society has experienced increased manifestations of racism against Arabs in public opinion and by the authorities, including the security forces."

Challenge
Challenge is a "leftist magazine focusing on the Israeli-Palestinian conflict within a global

Health, Development, Information and Policy Institute   www.hdip.org
The institute surveys the primary health care and related infrastructure in Palestine with the aim of improving "the level of coordination and cooperation between civil society and governmental and international policy institutions through information and policy dialogue."

International Solidarity Movement (ISM)   www.palsolidarity.org

This Palestinian-led movement, founded in 2001, is "committed to resisting the Israeli occupation of Palestinian land using non-violent, direct-action methods and principles…. ISM aims to support and strengthen the Palestinian popular resistance with two resources: international protection and a voice with which to non-violently resist an overwhelming military occupation force."

Jerusalem Media and Communication Centre (JMCC)   www.jmcc.org
JMCC was established in 1988 by a group of Palestinian journalists to provide information on events in the West Bank, East Jerusalem, and the Gaza Strip. Its Jerusalem and Ramelleh offices provide a wide range of services to journalists, researchers, international agencies, individuals, and organizations wishing to obtain reliable information on the Palestinian Territories. Its subscription-based Daily Press Summary provides translations of news and analyses from Palestinian Territory dailies, Voice of Palestine Radio, and other media outlets in the Arab World. JMCC also conducts opinion polls and market research in the Palestinian Territories, and publishes an extensive range of research papers.

MIFTA, the Palestinian Initiative for the Promotion of Global Dialogue and Democracy
www.mifta.org
Founded in 1998, MIFTA describes itself as "a non-governmental non-partisan Jerusalem-based institution dedicated to fostering democracy and good governance within Palestinian society through promoting public accountability, transparency, the free flow of information and ideas, and the challenging of stereotyping at home and abroad." It is headed by Secretary-General Dr Hanan Ashrawi. MIFTA networks with diplomats, institutions of civil society, and grassroots organizations locally, regionally, and internationally in pursuit of dialogue and democracy. It seeks to increase global awareness of Palestinian realities by providing accurate and comprehensive information, policy analysis, strategic briefings, and position papers. MIFTA's Good Governance and Democracy Program aims to strengthen governance and the rule of law, establish efficient and transparent systems of accountability, promote political pluralism and participatory governance, and support leadership among women and youth. Strengthening the role of the media is seen as a vital function. To this effect, MIFTA has established a media monitoring service and news agency that can be accessed on its website.

Muwatin: The Palestinian Institute for the Study of Democracy   www.muwatin.org
Muwatin uses its website to develop global contacts and disseminate information. Its *Parliamentary Horizons* newsletter is posted in full.

settlers watch hotline, and a legal unit. A principal strategy has been "to appeal to Palestinian public opinion and to international opinion in order to bring about positive change in the

food products and handicrafts from olive trees. It is a member of IFAT, the global network of fair trade organizations.

Ta'ayush   www.taayush.org
This organization was founded in 2000 by a group of Arab and Israeli citizens of Israel (the name is Arabic for coexistence) who "work against the occupation and against the discrimination done by the State to Palestinian Israelis, and fight against all kinds of separation and segregation between Arabs and Jews."