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Palestinian NGOs in Israel: A Campaign For Civic Equality in a Non-Civic State

One sixth of Israeli citizens are Arabs, many of whom identify themselves as Palestinians. Non-Jews in an avowedly Jewish state, Palestinian citizens enjoy many of the same formal democratic rights as Jews—in contrast to Palestinians in the occupied West Bank and Gaza Strip—yet Israeli law does not grant full equality to all, and the state confines its Arab citizens to the margins of the country's political life. In recent years, Palestinians in Israel have established a wide variety of political and social organizations seeking to challenge this marginality and reduce inequalities. Since the passing of the Law of Associations in 1980, the establishment of nearly 1000 Israeli Palestinian non-governmental organizations has been recorded.[1] During this period, their social and political role has been central and growing, both quantitatively in terms of the growth of registered Palestinian organizations, and qualitatively in terms of the scope and sophistication of their activity.

This article considers the reasons behind the phenomenal growth of Palestinian non-governmental organizations in Israel and assesses their relationship with the state and the consequences this relationship bears upon Israeli civil society. NGOs are defined here as nonprofit organizations, private in that they are institutionally separate from the state, and bearing a distinct legal character.[2] In the Israeli context, this legal character is provided by registration as an *amuta* [association, pl. *amutot*] with the Registry of Associations in the Ministry of the Interior. Palestinian NGOs in Israel—designated in this article by the acronym PINGOs (standing for "Palestinian Israeli NGOs")—are those organizations registered as *amutot* that are run by Palestinian citizens of Israel and aim mainly to serve Palestinian society inside the boundaries of the Green Line.

Although PINGOs deal with a host of issues, from organizing events of Palestinian culture to provision of after-school tuition, I focus on their

unique role in attempting to elevate the civil status of the Palestinian minority in Israel.[3] I argue that PINGOs have successfully used democratic channels in innovative ways to advance the interests of Palestinian. These include consolidation of state-initiated reforms, enhancement of political participation of under-represented Palestinian citizens, and a struggle to redefine the boundaries of political discourse in Israel.

The civil campaign of PINGOs has suffered many constraints and limitations, however—first and foremost those inflicted by the state. As an ethnic state, Israel gives preference to considerations of Jewish dominance in the design and implementation of its laws and policies. Ethnic states link citizenship and full participation in society to ethnicity and descent. They do not act as blind or neutral arbitrators between citizens, nor do they offer them equal protection under the law. Scholars have sharply contrasted ethnic political systems with civic ones, which are pluralistic and aim to facilitate full participation in society for all their citizens.[4] In this respect, restrictions faced by PINGOs shed light on the limitations of democracy and civil society in Israel.

Despite the central influence of state authorities on the activities of PINGOs, an additional limitation on their effectiveness derives from their own patterns of activity—patterns that are common to NGOs everywhere. Critics have pointed to the fact that NGOs find it difficult to challenge power dynamics between majority and underprivileged groups, whether the marginality of the latter results from a national or ethnic conflict or from stark economic gaps between center and periphery. The limitation of NGOs are tied to their tendency to promote technical rather than political solutions to problems, which reduces pressure on the state rather than challenging the roots of inequality, their lack of coordination and splintered representation, the fact that they are not elected institutions and hence base their legitimacy on state recognition, and their dependency on external donors, who sometimes dictate agenda for action.[5]

An analysis is presented in this article of the achievements and constraints of the civil campaign of PINGOs. It is composed of three sections. The first discusses the main processes behind the proliferation of PINGOs, in which the argument is made that both local and global processes explain this proliferation. The second section explores Israeli state policy toward PINGOs and the restrictions it has placed on their activities. The third section assesses the relationship of PINGOs with the state in an historic perspective, dealing with the development of PINGOs in three main periods: an initial period of formation (1976–82); a period of institutionalization (1983–93); and finally, a period of both consolidation and disillusionment (1993–2000). In conclusion, the contribution of PINGOs to the struggle of

the Palestinian minority for civic equality and the limits of this contribution are discussed.

The article does not discuss the deep crisis in the relationship between Palestinians and Jews in Israel that began in October 2000, when 13 demonstrators were shot dead by police during protests of Palestinians in Israel that coincided with the outbreak of the al-Aqsa Intifada in the West Bank and the Gaza Strip. The dynamics of the relationship between PINGOs and the state, however, sheds light on the weaknesses of Israeli civil society from a perspective that has not been thoroughly examined. It illustrates the reasons why Palestinians in Israel have not yet mounted a successful campaign for civil equality in Israel. The political violence of segments of the Palestinian minority and the violent response of the state, as well as the widening gulf between the two communities, can be seen as a consequence of this failure.

THE FLOURISHING OF PINGOs AND THE GLOBAL "ASSOCIATIONAL REVOLUTION"

The number of PINGOs has increased dramatically in the last two decades. There is accurate data on the number of NGOs in Israel only after 1981, when the new Law of Associations (1980) required all NGOs, Jewish and Arab, to register with the Ministry of the Interior. Until that date, there appear to have been around 40 active PINGOs.[6] Their number might have been higher, however. Unlike the Israeli law that replaced it, the Ottoman Law of Associations in force at the time demanded only that the state be notified of the establishment of an association, but not that it register as a condition for formal activity.[7] The new Israeli Law of Associations demanded the registration of all existing NGOs. In the first year, three PINGOs registered. Official data published by the Registry of Associations indicates that, by 1998, there were some 1000 registered PINGOs, 100 of which were in East Jerusalem and the rest active within the Green Line.[8] The latter represent some 4% of the total 20,700 NGOs in Israel.[9]

Although the number of associations is much lower than the percentage of Palestinians in the overall Israeli population, the ratio it represents of NGOs to citizens of about 1:1000 people is significant. On one hand, this ratio is lower than that found among minorities in other developed countries—for example, it is three times lower than the ratio of NGOs to citizens in the case of "visible" minorities (Black and Asians) in Britain.[10] On the other hand, it is compatible with the cases of the highest ratio of NGOs to

citizens in the developing world. Thus, for example, a similar proportion of 1:1000 was found in the Philippines after the rule of Ferdinand Marcos. In this period, the Philippines was considered one of the leading countries in the developing world in terms of number of active NGOs.[11]

Although the number of organizations tells only a limited part of the story of the development and role of NGOs, these comparisons give an insight, first, to the contrast between the level of the organization of minorities in an ethnic state such as Israel and a civic democracy such as Britain. Naturally, the differences between the two cannot only be attributed to the state, but also to different economic and historic conditions, traditions, and cultures among both minorities and majorities. As the regulating power, however, the state plays a major role in allowing a free and democratic civil society to develop. As John Keane has argued, democratization "requires the State to govern civil society neither too much nor too little, [because] while a more democratic civil society cannot be built *through* State power, it cannot be built *without* State power."[12] Because minority organizations represent the greatest test for a free and democratic civil society, the effect of state regulations and policies on the development of minority NGOs is apparent.

Second, the similarity of the ratio of PINGOs to citizens to the proportion of NGOs in the developing world—particularly in times and places where some democratic processes were in place—does not seem incidental. Although Israel is an industrial state, the Palestinian economy bears major similarities to Third World economies on issues such as rapid demographic growth, urbanization, a prevalence of artisan and small-scale industries, traditional agricultural methods, and labor migration; all of these have important social and political implications.[13] Furthermore, as an ethnic state, Israel does not guarantee its Palestinian citizens full protection under its democratic laws and intuitions. As noted, Israel has used Emergency Defense Regulations as an alternative to its civil law mainly to restrict its Palestinian citizens. Thus, Palestinian newspapers in Israel have been closed, parties banned, and PINGOs dismantled without trial. Palestinian civil society organizations in Israel are therefore exposed to risks familiar to NGOs in the developing world.

The identification of PINGOs with the NGOs of developing counties is enhanced if compared to their Jewish-Israeli counterparts. Proportionally, the ratio of NGOs to citizens in the Jewish sector is much higher than that of the Palestinian sector in Israel, reaching about one NGO to 190 people. The numbers are accentuated by the nature of NGO characteristics in the two respective sectors. Political scientist Nitza Nachmias and

Amiram Bogot, the Registrar of Non-Profit Organizations in the Ministry of the Interior, have defined Israeli-Jewish NGOs as agents of the "franchise state" and argue that this kind of interaction between NGOs and the state is typical of developed countries. Israeli NGOs help create a "franchise state" because their relationship with the state is characterized by very little conflict and very little opposition to the state. A majority of Israeli-Jewish NGOs are funded by the state. Furthermore, most are service providers on behalf of the state and not advocacy organizations.[14] By contrast, PINGOs carry many of the characteristics of developing-world NGOs: they are funded mainly by external donors, rather than by their own members or the state; they challenge the state; the proportion of advocacy organizations among them is quite high. In 1998, 10% of all PINGOs registered in Israel dealt with advocacy, a higher proportion than their Jewish counterparts (6%);[15] and many of the services they provide are those denied to their community by the state.

There seem to be four main explanations for the proliferation of PINGOs since the late 1970s. First, since Palestinians in Israel cannot deal effectively with the Israeli state as isolated individuals, they need the help and support of representative organizations; a function that PINGOs fulfill. Second, the Law of Association represents one of the few forms of legal political participation available to Palestinians in Israel. Third, the Israeli state spends less per person on Palestinians in Israel than it does on Israeli Jews (particularly in terms of social services) and also treats Palestinians in Israel differently with respect to land rights; PINGOs therefore fill a vacuum by providing needed social services and by campaigning for greater equality between Jewish and Palestinian citizens in Israel. Finally, PINGOs have constituted an important means of providing sought-after opportunities for educated Palestinians. It is telling of the role of PINGOs in their community that they employ nearly double the rate of employees as their Jewish counterparts.[16]

Other factors have also contributed to this proliferation of PINGOs, most prominently the emergence throughout the developing world of NGOs as a channel of political mobility. Some scholars view this phenomenon, evident especially since the 1980s, as one of the most significant global processes since the emergence of nationalism, terming it an "associational revolution."[17]

Gerard Clarke identifies five factors that have contributed to the proliferation of NGOs outside the West. These include, first, the transfer of money from NGOs in the industrialized world to their counterparts in developing countries. Second, governments in the West have trans-

ferred funds to local NGOs in developing countries. Third, due to the economic crisis of the 1980s, developing countries have been forced to transfer an increasing number of state responsibilities to NGOs. Fourth, social movements, which used to be ideologically and organizationally united, fragmented due to the systematic repression of class-based movements and the collapse of socialism in Eastern Europe. Fifth, economic growth throughout the developing world triggered social differentiation. As existing political institutions failed to represent the new concerns of disparate groups, activists established NGOs that addressed their interests more explicitly.[18]

Scholars of NGOs in the developing world argue that the role of these organizations has changed over the years from local bodies focusing on the provision of welfare services to organizations with a wider political role. David Korten has attempted to describe this change in terms of four "generations" of organizations. The first generation, that of community-based organizations, mostly provides welfare services to a small local community. The second generation of NGOs emerged during the 1970s, focusing on slightly more ambitious community development projects. The third generation concentrates on building political consciousness and mobility. The fourth is explicitly dedicated to institutional and structural reform.[19] The "associational revolution" in the developing world has meant mainly the rapid proliferation of third and fourth generation NGOs. These organizations set in motion political processes, do not limit themselves to providing services, and tend to operate in coalitions with first and second generation NGOs.

Significantly, this development is not linear. First, it is notable that many organizations combine different strategies identified with the various generations.[20] Second, the shift away from the grassroots does not always coincide with greater focus on political mobility. This shift has often been motivated by increased availability of external funds. In order to receive funds, organizations have often been requested to register formally with the state.[21] Thus, funding has contributed to the process of institutionalization that, to a large extent, facilitated the development of NGOs identified by Korten. At the same time, both donors and state regulations associated with registration have tended to restrict the political engagement of NGOs. As Paul Stubbs argues, Western donors support NGOs precisely because they view them as non-political agents committed to provide technical relief solutions and execute development projects.[22]

The "associational revolution" in the developing world did not bypass Palestinian society in Israel, which faced developments similar to those

described by Clarke, Korten, and Stubbs. These global processes can account for the impressive increase in the number of PINGOs throughout the years, in conjunction with the specific need to fight the marginalization of Palestinians in Israel. Notably, the existence of such a need by itself neither accounts for the choice of NGOs as a means for mobilization, nor does the ability of marginalized groups to organize. The political opportunities that became available to the Palestinian minority—as well as those that remained closed to it—explain the proliferation of PINGOs since 1976 and the changes they have undergone.

STATE RESTRICTIONS

Scholars have argued that public policy toward the Palestinian minority tends to be incoherent. Although its main intent is to exercise control over the minority and its resources, implementation depends upon the decisions of bureaucrats in various state agencies.[23] Public policy toward PINGOs is no different. PINGOs meet a variety of responses from state agencies, ranging from support and cooperation to coercive restrictions. An active attempt to contain and control their activities, however, is evident at all levels of public policy, including legislation and policy implementation by both civil servants and the security services. Inconsistencies often lead to an insecure atmosphere. To give one example, the Galilee Society for Health Research and Services—a leading PINGO that shares some of its projects with the Ministry of Health—received an instruction in April 1998 from the ministry to fire any doctor who was a member of the Galilee Society. The instruction followed criticism by the organization of a decision to cut the budget of the Mobile Clinic in the unrecognized Beduin villages of the Negev, a shared project of the ministry and the Galilee Society. The instruction was eventually canceled less than a month after it was issued following a public outcry.[24]

Despite such inconsistencies, there is a clear difference between state attitudes to Palestinian and Jewish NGOs in Israel. Yael Yishai has suggested a linear progression in the level of freedom the state allows to civil society. Up to the 1960s, she argues, Israel offered an example of "active inclusion," in which civil society was part and parcel of the state-building effort, and thus did not enjoy an independent social position. From the end of the 1960s to the early 1980s, she suggests, the attitude changed to one of "active exclusion." During this period, the state denied recognition and legitimacy to an increasingly assertive civil society, a denial that led to the

consolidation of state's power *vis-à-vis* civil society. A third stage began in the early 1980s and is characterized by "passive exclusion," a state attitude of "live and let live" toward civil society.[25]

Palestinian civil society organizations, unlike their Jewish counterparts, never constituted a part of the national—that is, Zionist and Jewish—project. In this respect, exclusion has always been the underlying approach of the state toward Palestinian organizations. The experience of PINGOs during the 1980s and 1990s shows that active exclusion remained the dominant state attitude toward minority organizations. This attitude manifests in threats of the type faced by the Galilee Society and more explicit interference such as interrogations of activists.[26]

The Law of Associations includes mechanisms of discrimination against PINGOs. The idea of replacing the Ottoman Law of Association with Israeli law that would condition the legal existence of an association at the time of its registration with the state first emerged as a way to outlaw a Palestinian organization in Israel, the *al-Ard* [The Land] movement, in 1965. *Al-Ard* was a non-violent irredentist Palestinian political movement that regarded the whole of mandatory Palestine as Arab territory. In 1964, the District Commissioner rejected their notification of the founding of an association called the "*al-Ard* Movement," arguing that they aimed to weaken the integrity of the state. Fearing that the Supreme Court would dismiss the cancellation, Likud members initiated a more restrictive Law of Association. Eventually, its legislation was deemed unnecessary at the time, since the Supreme Court of Justice had dismissed the petition against the Commissioner's decision.[27]

The spirit of the law as a mechanism of control over Israeli NGOs in general and PINGOs in particular remained when it was finally legislated some 15 years later. The Law of Associations has been criticized for the wide authority it gives to the Registrar of Associations, especially during the registration phase, when the Registrar can delay or reject the right of an NGO to register.[28] Articles 3 and 4 of the law are considered especially oppressive, since they allow the Registrar to refuse to register an NGO if it is determined that its name will be offensive to public feeling or there is a reasonable basis for concluding that the organization may constitute a cover for illegal activity. Legal experts also believe that the law gives too much authority to the District Court by giving it carte blanche to dismantle an NGO if it decides it is unlawful (Article 49:5).[29]

In the years since the law was passed, activists have argued that these restrictions were used mainly to limit the activity of PINGOs.[30] Perhaps the most symbolic example of the different treatment of PINGOs is the

fact that they are handled in the Registry of Associations by a special clerk, a Jewish lawyer fluent in Arabic.

Conflicts between NGOs, including PINGOs, and the Registrar of Associations have occasionally ended in court or in threats to file a petition. A few examples include the 1991 refusal of the Registrar to register the Israeli-Palestinian Association for Human Rights, arguing that its name might mislead the public to believe that Israel recognized a Palestinian state. The court rejected the refusal and determined that the right of an NGO to choose its name is a significant aspect of the freedom of organization and expression.[31] In the same year, and based on a similar argument against the offense in the name "Palestinian," the registry of the Palestinian-feminist organization *al-Fanar* was turned down. *Al-Fanar* threatened to appeal to the Supreme Court and was eventually registered under its chosen name three years after it first applied to the Registry. The success of *al-Fanar* in challenging the Registrar's decision by a threat to appeal to the Court points to the limits of this authority; however, the long struggle in itself was costly in human and financial resources, and highlighted an ideological aspect in the Registrar's work.[32] A more recent example is the appeal of *Mossawa* to the court in 1998, after its registration was delayed. *Mossawa* is a lobby association, based in Haifa, that campaigns in the Knesset and elsewhere for the rights of Palestinians in Israel. The Association for Civil Rights in Israel (ACRI) appealed on its behalf in order to revert the refusal. In this case, too, the court judged in favor of the organization and ordered the Registrar to register Mossawa and pay its legal costs.[33]

Although the right of an association to appeal to the District Court is a significant democratic right and one that has somewhat balanced unequal treatment by the Registrar of Associations, the Registrar can still resort to a host of other control measures. Activists have argued, for example, that the Registrar's right to investigate NGOs suspected of violating the Law of Associations has been used, unequally and for political reasons, to limit PINGOs. This claim has been recently raised against the Registrar following the opening of an investigation of *Adalah* in August 2002.[34] Of 130 associations that the Registrar, on his own initiative, disbanded in November 1999, 76 (58%) were Palestinian.[35] The state can, in addition, close NGOs without trial based on the Emergency Defense Regulations of 1945, a holdover from the British mandate period. The state used this right in 1996 to shut down the Islamic Relief Committee, a registered association. The Committee, based in Nazareth, was established to provide economic aid to orphans whose fathers died during the intifada. The state argued that the Committee supported *Hamas* and raised funds abroad for this purpose.

It did not, however, institute a civil suit against the Committee or its chair. Rather, its head, Suleiman Aghabariya, was administratively detained and the association was closed by an administrative warrant.[36]

State authorities distinguish between different associations not only in what they prohibit, but also in what resources they choose to give or withhold. The level of state support for PINGOs attest to active exclusion: only 1% of all NGOs supported by the Ministry of Education are Palestinian[37]; and, in general, only 15% of the PINGOs receive any governmental funding, direct or indirect.[38] In addition, only a few PINGOs benefit from discounted income taxes for themselves or their donors. Out of nearly 2,550 associations that were eligible for this benefit in May 1998, only seven were Arab or Druze and three were joint Jewish-Arab associations.[39]

PINGOs have evolved against this restrictive and incoherent backdrop. Their attempt to negotiate with the state on behalf of the Palestinian minority and the civic vision they promote through their activities have therefore faced heavy limitations. Although their development since 1976 represents a line of empowerment and proliferation, they have consequently been engaged in an on-going struggle against state restrictions. Their position in this struggle has changed over the years. Whereas, in their formative years (1976–1982), the response of PINGOs to the state focused mainly on an ad-hoc and spontaneous reaction to events, the 1980s saw the initiative move to institutionalized and subject-specific PINGOs. The years 1993–2000 saw a growing focus on activities characteristic of Korten's third- and fourth-generation NGOs; namely, on the building of political consciousness and mobility alongside the promotion of institutional and structural reform. These years, however, were also characterized by a growing disillusionment from joint Jewish-Palestinian activity among Israeli NGOs.

THE DEVELOPMENT OF PINGOS, 1976–2000

The Period of Formation: 1976–1982

PINGOs during the 1970s demonstrate the process of change from local welfare activity to a nation-wide political focus identified by Korten. One of the manifestations of this change was the establishment of explicitly political PINGOs. These were formed within the framework of a shift toward greater independence within Israeli civil society, which in the 1970s began to loosen its previously close bonds with the state. Most Jewish organizations in the first two decades of Israel's existence took active

part in the national project and were highly dependent on the political establishment. The national consensus enjoyed by the government and the army was shaken following the diplomatic failures and un-preparedness revealed by the 1973 Arab-Israeli War. The new public mood legitimized extra-parliamentary protest, and the era witnessed the establishment of such political movements as Gush Emunim [a settlers' movement] (1973) and Peace Now (1978). Within the parliament, Mapai's hegemony came to an end, and new competition in the Knesset allowed interest groups to exercise more direct pressure on the government.[40]

These developments encouraged the establishment of Jewish as well as Palestinian NGOs in Israel. The establishment of PINGOs resulted from additional processes, including the abolition in 1966 of the military administration that had governed Palestinian areas since Israel's independence. The Communist Party was also important in initiating a host of organizations, from the Palestinian Authors' Union to student organizations and the Committee for the Defense of Arab Lands.[41] Rising educational levels increased the political awareness of Palestinians in Israel in general, and of marginal groups within the Palestinian society in particular.[42] Sociologists Khalil and Mariam Mar'i have argued, for example, that the fact that seven out of ten Palestinian university students from Acre in the early 1970s were women directly contributed to the establishment of organizations in the city in which women held leadership roles.[43]

Mariam Mar'i herself was involved in founding an NGO, The Acre Arab Women's Association, which demonstrates this line of development. Four working mothers, who wanted an adequate nursery for their children, established the organization in 1975 as the first Arab nursery in Acre. Starting off as a small scale, community-based organization, it soon expanded; both its activists and the organization itself have acquired political importance that has exceeded the original place and time. A landmark in the development of the organization was its adoption in 1983 by the Welfare Association, also known as *Ta'awun*, a Geneva-based Palestinian donor fund. It provided a total of US $991,000 between 1983 and 1998, enabling the opening of *Dar al-Tuful al-'Arabi,* the Center for the Arab Child, as a training center for Arab kindergarten teachers.[44] Thus, the Acre-based organization has evolved into a professional and regionally important institution serving the entire Palestinian community in the Galilee.

Growing political confidence among Palestinians in Israel therefore manifested itself in the establishment of formal associations. Organizations formed by the Communist Party and women's organizations are but a few examples of this development. Another prominent example of an

NGO-based campaign that began locally during the 1970s, and which later expanded, was a campaign of the "unrecognized villages" for state recognition and services. "Unrecognized villages" are those excluded from the map of settlements recognized by the 1965 Planning and Building Law. While the law incorporated 123 Arab villages and towns, it is estimated that over 100 other Arab villages (in which 60,000–70,000 residents were living) were excluded from the residential planning schemes. Due to the agricultural status of the lands, all buildings in these villages—including private family homes and public sites—were considered illegal. According to the Arab Association for Human Rights, the law therefore provided the legal basis for a policy of planned demolitions. Between 1993 and 1996, for example, 1440 Palestinian houses were demolished, 624 of them without any prior legal process. During this period, Palestinian homes accounted for 94% of all demolitions in Israel, despite forming only 57% of all recorded unlicensed buildings.[45]

Residents' campaigns for recognition began in the 1970s as a separate activity of grassroots organizations in different villages and regions. Thus, for example, The Association of Forty was founded in 1978 to advocate the recognition of 'Ein Hod, a village in Mount Carmel. The residents of this small unrecognized village, numbering only 130 men and women at the time, were considered "Present Absentees" by the Israeli Absentees' Property Law (1950), after they left their village—the original 'Ein Hod, only a few miles away—during the 1948 war.[46]

The beginning was rather modest. The eldest man in the village called for a meeting and selected a committee to demand services and utilities for the village. Muhammad Abu al-Heija, the youngest of the gathered men, was elected to chair the committee, and has remained the chairman of the association ever since. Al-Heija describes the villager's expectations that the state would sort the village's problem, and the disillusionment that brought them to establish the association:

> The people of my generation, including myself, who were born and educated in Israel, expected the campaign to be short and limited. We sincerely believed that our village was not provided with services because of some kind of a mistake, or maybe because older generations did not ask for services. We were taught that we were equal Israeli citizens, and we believed it.[47]

Soon, however, he realized that the problem exceeded the borders of 'Ein Hod alone, and that the deprivation of services was part of an intentional state policy. When, in 1986, the government published the Markovitch

Committee Report[48]—which confirmed the strategy of service deprivation and house demolitions in the Palestinian unrecognized villages and hastened the implementation of this policy—the association was formally organized on a national basis.

The campaign for recognition and services for the unrecognized villages has gradually involved the Beduin-Arab villages of the Negev as well. The southern struggle lagged behind its northern counterpart, both in time and organization, growing into a strategic campaign only in the late 1990s. Nevertheless, it is notable that the emergence of a civil campaign among the Beduin of the Negev developed along similar lines into the development of PINGOs elsewhere in Israel. While the late 1970s–early 1980s saw the awakening of the community's awareness to its rights, advocacy and service-provision organizations emerged in the Negev during the 1980s, and the 1990s saw the institutionalization of these organizations, with growing involvement of organizations from outside the Negev region and increasing professionalism of local NGOs.

The first major grassroots organization focusing on advocacy for the Beduin unrecognized villages in the Negev was the Association for Support and Defense of Beduin Rights in Israel. This association did not use the terminology of "unrecognized villages" during the 1970s and 1980s in the heydays of its activities; yet these activities aimed to achieve a change in the living conditions of residents in these villages. This focus owed much to the fact that the founder and chairman, Nuri al-'Ukbi, lived in such an unrecognized village after his family was displaced from its home in 1951.

Al-'Ukbi had been involved in public activism since 1959, when he worked as a journalist for Mapam's Arabic newspaper, *al-Mersar*. He then joined political parties—first the government's opponents from the right-wing *Herut*, and later its opponents from the left-wing *Ratz* [Movement for Human Rights]. Disappointed by the lack of willingness of either to act on behalf of the Beduin, al-'Ukbi established the Association for Support and Defense of Beduin Rights in Israel. The association's first assembly took place on March 1976, three days prior to the first Land Day. While some left-wing Jewish Israelis delivered supporting speeches in the assembly, the event was resented by Yitzhak Vardimon—then deputy of the Negev region in the Ministry of Interior Affairs—and highly criticized in the Hebrew press.[49] Clashes with the authorities continued to stand in al-'Ukbi's way. Nevertheless, the association he chairs has left a mark on the younger generation in the unrecognized Beduin villages, who received scholarships and after-school tuition from its activists and who witnessed or took part in its advocacy efforts toward recognition.[50]

NGOs formed during the 1970s enhanced the major Palestinian protest activities of the time. These activities focused mainly on formulating a response to official discrimination and reached their height during the Land Day protest on 30 March 1976. Land Day strikes and demonstrations, called in response to a government plan for large-scale expropriations of Arab land in the Galilee, ended tragically when six demonstrators were shot dead by the police. The protest achieved its immediate aim, however, since most of the planned expropriations were canceled. Land Day is seen as the event that marked the transition of Israeli Palestinian political behavior from acquiescence to activism.[51] Indeed, Land Day had three main consequences, so far as the history of PINGOs is concerned. First, it highlighted the leadership role of several civic organizations, foremost among them the National Committee of Heads of Arab Local Councils (NCALC), an organization that set the tune for extra-parliamentary Palestinian protest in Israel for a generation.[52] Second, it defined a shared national agenda for Palestinians in Israel organized around such issues as land expropriation, unequal access to public services, and other forms of discrimination. Third, it established nation-wide strikes and demonstrations as patterns of protest that continue to characterize Palestinian protest in Israel to the present day. The influence of Land Day on the institutionalization of Palestinian protest in Israel is recognized by activists nation-wide. For example, Nakhleh Shaqer, one of the founders of *Al-Rabita Min Ajli 'Arab Yafa* [The League for the Arabs of Jaffa], says the establishment of the organization in 1979 owed much to the message of confidence projected by the success of Land Day three years earlier.[53]

The period following Land Day saw more protests by Palestinians in Israel than in any former period.[54] These continued to be characterized by informal structures and ad-hoc methods. An example of the nature of such protests was the wave of demonstrations that broke out in October 1982 in response to the massacres in the Sabra and Shatila Palestinian refugee camps in Lebanon. Like Land Day, this protest enhanced the position of the NCALC. It led to the establishment of an umbrella organization in which the NCALC constitutes a core part—the High Follow-Up Committee for Arab Affairs, composed of Arab mayors, members of the NCALC, and other elected Arab politicians, such as members of the Knesset.[55]

The adoption of ad-hoc mass protest methods throughout this period of awakening reflected the pressing need to give a visible response to discriminatory state policies such as those governing land. The ad-hoc nature of these protests, however, can only be fully understood in light of the limitations imposed on Palestinian mobility by the state—in particular

the authorities' resistance to any attempt to establish national representative institutions for Arabs. Thus in 1980, Prime Minister and Minister of Defense Menahem Begin banned the meeting of a "Congress of Arab Masses" that was set to take place in Nazareth in the beginning of December. The Communist Party initiated the Congress, aiming to form a multiparty body to represent the Palestinian minority outside the Knesset. The government banned the congress out of fears that it would be hostile to the state and that members would express sympathy with the PLO.[56]

Official attitudes toward the NCALC and the High Follow-Up Committee for Arab Affairs have been more complex. The prime minister's advisor on Arab affairs, Shmuel Toledano, initiated the establishment of the NCALC in 1974. Toledano saw the Committee as an instrument for coordinating the relationship with the Palestinian minority and a channel for exerting governmental influence. However, the Shin Bet, Israel's internal security service, opposed its establishment,[57] and has continued to view the NCALC as a threatening institution. Ya'akov Peri, its chief between 1995–98, explained that "The NCALC is an inappropriate organization, because it unites [the Palestinian minority] and may eventually lead to negative ideas. And we have indeed proven these things."[58]

The Israeli government eventually adopted a harsher line than that envisioned by Toledano. Despite occasional negotiations with the NCALC, it has refused to grant the organization official recognition. The cool attitude of the government had a significant effect on the activities of the High Follow-Up Committee and the NCALC, constraining their practical bargaining power and restricting their ability to achieve tangible gains for the Arab community. It has contributed to the fact that their role has so far remained mainly one of influencing Palestinian and Jewish public opinion and setting up guidelines for an extra-parliamentary campaign, leaving it to other groups and associations to translate this agenda into more concrete achievements.[59]

The Period of Institutionalization: 1982–1993

PINGOs established in Israel during the 1980s tended to be more institutionalized and to have a more professional administration than the NCALC and the High Follow-Up Committee. Unlike the Committees, they are registered with the state, and often focus on a single issue or a group of issues over a prolonged period of time. In fact, the Follow-Up Committee itself established four subsidiary NGOs to meet the challenge of carrying out technical studies and providing professional services. Established and registered with the state in the early 1980s, these organizations deal with issues of education, health, welfare, and sport.

The establishment of subsidiary NGOs under the Follow-Up Committee reflected the growing preference of Palestinian activists in Israel to act through formal associations registered by the new Law of Associations. Throughout the 1980s, 351 PINGOs registered with the Ministry of Interior—a faster pace of registration than their Jewish counterparts.[60] Between 1980–1984, Palestinian NGOs were established at almost twice the rate of Jewish NGOs.[61]

As discussed earlier, the new Law of Associations had an adverse impact on PINGOs since it tightened state control over NGOs in general and Palestinian organizations in particular. The law has also had the effect of facilitating the establishment of more PINGOs, however, because it created a legal framework for the activity of NGOs.

The Islamic Movement was one of the most prominent institutions to take advantage of these new arrangements. Indeed, the Law of Association is viewed by leaders of the movement as a turning point in its history. The establishment of dozens of Islamic associations gained the movement popular support, which, within a decade, manifested in success in local and Knesset elections. Ibrahim Sarsur, head of the southern section of the movement, recalls that the decision to act within the frame of the Law of Associations was taken after main activists in the Islamic Movement were arrested in connection with the underground sabotage movement *Usrat al-Jihad*. It allowed the movement to act lawfully, without being considered a "ticking bomb" by Israeli authorities.[62]

Although many PINGOs act in some way in contrast to the state—for example, when providing services the state fails to provide—or in opposition to it—when engaging in advocacy activities—some cooperation between the state and PINGOs has been crucial to their development. As was the case with other countries outside the west during the 1980s, PINGOs were established *inter alia* in response to the privatization of state companies and social service provision. Since the 1980s, governmental ministries have increasingly turned their activities over to the private sector, nominating NGOs to run programs on their behalf. This policy has led to the establishment of several local PINGOs. For example, the mid-1980s witnessed the proliferation of Palestinian associations providing services to the elderly. This resulted from the introduction of new regulations for the governmental organization for the elderly, *Eshel*, conditioning its financial support for projects on their being run through local associations.[63]

The political role of local, issue-specific organizations such as associations for the elderly might not be self-evident. Yet the history of PINGOs shows them to be invaluable participants in the Palestinian campaign for civil equality. Thus, for example, local and/or issue-specific gender asso-

ciations have raised the gender issue to a high priority in the agenda of PINGOs.

Women were present on the boards of a quarter of PINGOs researched in 1990. In addition, women's associations constituted 5% of the overall PINGOs at the time.[64] This is a rather high proportion, especially when compared to the low representation of women in Arab parties in Israel. Notably, participation of women in NGOs is a common phenomenon throughout the Middle East. Women who are underrepresented in traditional institutions, such as political parties and trade unions, are prominent among NGO activists. One explanation, suggested by the sociologist Hanna Herzog, is that NGOs constitute "borderline institutions" that are not entirely separate from the private sphere, which is traditionally viewed as the woman's domain. This thesis is supported by the activities of NGOs on family issues such as day care and nurseries.[65] Valentine Moghadam has emphasized the role played by international organizations in encouraging Middle-Eastern women to participate in NGOs. This has especially been the case since the United Nation declared the Decade for Women in 1975. In addition, subsequent UN-sponsored conferences on women in the 1990s have offered increased funding and lobbing opportunities for women's organizations.[66]

Feminist activists in PINGOs have establishment a linkage between the national and feminist campaigns, arguing that oppression of Palestinian women in Israel result not only from the national oppression of the Palestinian society, but also from patriarchal patterns that often go hand in hand with official policies. An example of the intersectionality of the sources of oppression is provided by the cooperation of traditional leaders and local social workers with the police, when the latter return Arab victims of domestic violence to their homes. Many prominent PINGOs have accepted this linkage and incorporated feminists issue into their national campaigns.[67]

By representing peripheral and grassroots concerns at the political center, therefore, local and issue-specific PINGOs provide an important bottom-up aspect to the struggle. The other contribution of such organizations to the struggle for equality works the other way: they provide a means for national movements to reach the grass roots level of their community. A prominent example of this dynamic could be seen in the campaign of local and nation-wide NGOs in Israel against a 1989 attempt by the Knesset to legislate an Amendment for the 1948 Prevention of Terrorism Ordinance. The amendment was designed to grant the *Shin Bet* [Israel Internal Security Agency] the discretion to stop the activity of organizations suspected of

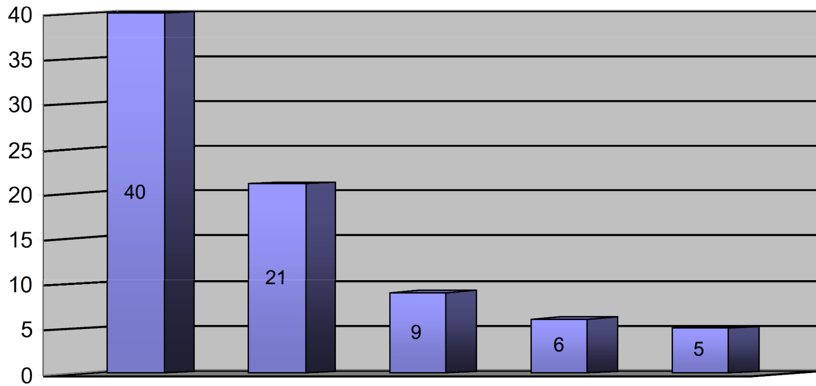

Figure 1: Summary of main Sources for Funding of PINGOs in 1990.
Source: Jaffa Research Center, *Guide to Arab Civil Organizations and Associations in Israel, 1990* (Nazareth, 1990) 19 [Arabic].

involvement in terror activities, and expropriate all properties of suspicious organizations without a trial. The legislation posed a potential risk for the freedom of PINGOs. In response, a Coalition for the Freedom of Organization has been established to prevent its completion. The Coalition, led by *Shatil* (an organization providing professional advice to NGOs, funded by the New Israel Fund), was composed of 70 local PINGOs. Their activism, with the aid of *Shatil*'s professional management and the support of American Jewish activists, has brought to the success of the campaign. Although the amendment passed the first vote in the Knesset, which was called before the campaign started, it eventually fell through.[68]

During the 1980s, PINGOs began to benefit from growing availability of funds. Figure 1 below presents the main sources for funding for 186 Palestinian organizations in Israel in 1990.

As this figure indicates, Europeans were the main donors to PINGOs, providing 24% of total funds. The second biggest source of funding was the Geneva-based Welfare Association, which provided 12.5% of the total funds. In the decade following its establishment in 1983, the Welfare Association donated $2 million to PINGO-initiated projects for children, a sum comparable to its investment in children's services in the West Bank during the same period.[69] The New Israel Fund (NIF), an American-based Jewish fund that supports organizations for social change in Israel, decided in 1989 to support Palestinian NGOs in addition to Jewish ones.[70] In 1992, the NIF established the Equal Access Initiative, a project run by its daughter organization, *Shatil*, dedicated to "help[ing] Arab citizens and

their municipalities gain equal access to government services and resources, especially education, health care, and economic opportunity."[71]

As argued by Stubbs, however, availability of funding often contributed to the promotion of technical rather than political solutions.[72] Funding allowed PINGOs to organize numerous projects to fill the gap between community needs and state service provision, aiming to offer Palestinians the same level of self-help that Jewish organizations abroad provide to Israeli-Jewish society. For the most part, however, they have been unable to compete with the kind of cooperation that exists between Jewish organizations and the Israeli government. A sewage project undertaken by the Galilee Society for Health Research and Services (GS) in 1983 illustrates the dilemma. Having built a sewage infrastructure for 25 Arab towns with the aid of $300,000 in funding from the Welfare Association, the GS did not have the resources to tackle the remaining 103 towns without such service, nor did it feel in a position to challenge the government's neglect of these areas, or its use of Jewish organizations for the selective provision of services. The project indirectly benefited the government, which no longer faced pressure to act from unserved Palestinian communities, while the wrath of those who remained without sewage services was no longer directed toward the government alone, but also toward the Galilee Society.[73]

The Impact of the First Intifada

The outbreak of the first intifada in the Occupied Territories in December 1987 brought about a peak in the number of PINGOs established within Israel. At the height of the intifada in 1988–91, 298 PINGOs were registered in Israel—more than double the 140 associations registered in the previous seven years.[74] Arabs in Israel expressed support for the national struggle of Palestinians across the border and its aim of ending the occupation and establishing a Palestinian state alongside Israel. From the early stages of the intifada, however, Palestinians inside the Green Line emphasized their unique position as Israeli citizens; consequently, their aid to the intifada concentrated on providing humanitarian relief, on one hand, and conducting an advocacy campaign within Israel, on the other. NGOs proved to be an increasingly effective means for the Palestinian community to pursue its campaign in Israel during this period. Explicitly civic and non-violent in nature, they distinguished the Palestinian struggle inside Israel from that of Palestinians in the Occupied Territories, and reinforced the linkage between peace between Israel and the Palestinian national movement externally and equality for Palestinian citizens internally.

During the intifada, however, the flourishing of PINGOs also coincided with the weakening or restriction of other political avenues of political participation for Palestinians in Israel. The state enforced coercive measures on Palestinian activists, ranging from abolishing the immunity of MK Hashem Mahamid to the arrest of the nationalist poet Shafiq Habib. Activists in the political movement *Abna al-Balad* were placed under house arrest and administrative detention, and student activists were detained by the police or punished by their universities for demonstrating in support of the intifada.[75] The Communist party, which has been the most prominent representative of Israeli Palestinians since 1948, faced an ideological crisis following the collapse of the Soviet Union, as well as increasing competition following the establishment of new and explicitly nationalist Arab parties.

PERIOD OF CONSOLIDATION AND DISILLUSIONMENT: 1993–2000

The numbers of PINGOs continued to rise in the 1990s, when nearly 700 additional NGOs were registered.[76] The 1990s also saw new developments in their activities. On one hand, PINGOs consolidated and became more professional in response to new political opportunities. At the same time, their activities also suggested a growing disillusionment with Jewish-Palestinian partnership in the Israeli "peace camp."

Examples of political opportunities that influenced the establishment and activities of PINGOs during this period include, first, the responsiveness of the Labor government of 1992–96 to Palestinian needs.[77] On average, 82 PINGOs registered in each of these years. The number was cut nearly in half in 1998.[78] Second, Palestinian citizens benefited from increasing opportunities to fight for equal right following the promulgation in 1992 of two Basic Laws: the first concerning Human Dignity and Liberty, and the second concerning Freedom of Profession. Arguably, the Court's problematic record when it comes to defense of minority rights was not addressed—and in the view of some scholars, was even exacerbated—by the 1992 legislation.[79] There is, however, a consensus among scholars that the new discourse of increased civil liberty fueled expectations of change. This in itself has reinforced efforts to consolidate civil rights as more jurists, interest groups and activists apply to the Supreme Court against what they view as excesses of power on the part of the government. This activism has

led to the organization of individuals and groups in new ways in order to put pressure on the system to take greater account of human rights.[80] A prominent example of a PINGO established to take advantage of the new legal atmosphere is *Adalah* [The Center for Legal Rights of the Arab Minority in Israel].[81] The growing confidence of PINGOs in their ability to exploit political opportunities was manifested throughout the 1990s by the establishment of coalitions (according to Korten, the distinguishing characteristic of "fourth generation" NGOs) and increasing appeals to international organizations to help them in their struggle against state institutions. An example of these developments was an appeal made by the Working Group on the Status of Palestinian Women in Israel—a coalition of Palestinian women and human rights organizations in Israel—that was sent to the United Nations Committee on the Elimination of Discrimination against Women in July 1997. The appeal involved a counter report to the official presentation by the Israeli government, which ignored the unique problems of Palestinian women in Israel. The Working Group report detailed the discrimination faced by Palestinian women in all avenues of life—from health care to political representation.[82]

Some critics have argued that NGOs fragment the struggle for greater equality by increasing competition for limited funds.[83] The growing importance of PINGO coalitions contradicts this argument and demonstrates one of the ways in which the variety of organizations seems to have contributed more to pluralism and the representation of a large spectrum of opinion than to the dissipation of the movement's energies through fragmentation. Nevertheless, it remains true that the level of cooperation among PINGOs is still low. One symptom of this is that PINGOs still lack an overall leadership, even of an informal variety, to coordinate their activities.

The prominence of gender issues in the activities of PINGOs—as demonstrated *inter alia* by the formation of the Working Group on the Status of Palestinian Women in Israel—illustrates the role of NGOs as a means for the representation of disadvantaged groups within Palestinian society itself. Another prominent example of the contribution of NGOs toward strengthening marginal sectors in Palestinian society is provided by the ongoing campaign for recognition led by unrecognized Beduin villages in the Negev and the Galilee. The campaign, which started off locally in peripheral Beduin villages during the 1970s, grew stronger in the 1980s and 1990s. By the end of the 1990s, this campaign was no longer carried out in isolated villages or by unprofessional villagers. Rather, it came to be marked by growing professionalism, cooperation between Beduin and other NGOs (including Arab and Jewish NGOs in Israel in addition to NGOs abroad),

and real impact on Beduin lives. Thus, by the time the Association of Forty was formally a registered association (1988) it has campaigned for dozens of villages and educated villagers about their rights.

In the Negev, a well-organized association—the Regional Council of the Unrecognized Arab-Beduin Villages in the Negev—was established in 1997. One of the strengths in both the campaigns of the Association of Forty and the Regional Council was its proposal of a professional and realistic alternative Master Plan that suggested solutions for the unrecognized villages. This plan relied on the principles of their non-demolition and the non-transference of their residents, bestowing upon them the right to live and develop on the lands they inherited from their ancestors. The campaign of the Association of Forty achieved its main goal: from 1992, eight unrecognized villages in the north—'Ein Hod, Domeida, Kammaneh, Husseiniya, Humeira, Khawaled, al-Arian, and Ras al-'Ain—were officially recognized, and many neighborhoods and small localities have been annexed to the juridical areas of adjacent Palestinian towns. Despite these important achievements, the living conditions of the residents in the unrecognized villages have not improved. As *Ha'aretz* journalist Ori Nir noted in 2001, residents in the unrecognized villages saw recognition as a bureaucratic tunnel, at the end of which there was a light of municipal services. It took many years to reach the light, at which time Regional Plans were prepared and residents waited for building permits. By the time the process was concluded, however, the authorities forbade any form of building in the villages.[84] Activists add to this description the fact that infrastructure has still not been installed.[85] The campaign, therefore, did not fulfill the real need of the residents: to receive services that would be equal to those received by their Jewish neighbors. Official recognition proved to be a technical solution (official recognition for unrecognized villages) that failed to challenge the real cause for discrimination: state policy of Judaization of the Negev and the Galilee.

The prominence of organizations dedicated to helping women and Beduin point to another contribution of PINGOs to socio-political change: like NGOs everywhere, they struggle to redefine what is included in the political discourse. Based on Michel Foucault's analysis of the "strategic reversibility" of power relations,[86] William Fisher has argued that NGOs can play a key role in challenging the terms of governmental "truths." By changing the terms in which people think of the political, power relations may shift and reality may change.[87]

PINGOs have struggled with some success to redefine the boundaries of political discourse. The discourse of development provides an example.

The state has often invoked the need for "development" in order to depoliticize certain actions that would otherwise be considered prejudicial to Palestinian interests. During the legislation of the Cross-Israel motorway in 1994, for instance, the expropriation of Arab land was presented as necessary sacrifice to facilitate an economic development project. In fact, this land expropriation carries severe repercussions for the development of Arab towns along the road.[88] Similarly, the Green Patrol in the Negev is an institution that was officially established to protect the environment of Israel's southern desert. In fact, it operates as much to restrict the Beduin residents of the area as to protect the environment. The Green Patrol is largely an attempt to execute a policy of forced settlement of the Beduin in state-planned communities.[89] PINGOs have protested against these projects and tried to mitigate their consequences; in the process, sparking a debate on issues which had previously been considered non-political.

Even as new opportunities have become available, however, it is difficult to overestimate the disappointment of Palestinian-Israeli activists at the limited access they have enjoyed to the peace negotiations between Israel and the Palestinians of the occupied territories. The peace process, which formally began with the Madrid Peace Conference of 1991, and reached a peak in the 1993 Oslo Declaration of Principles, excluded the Palestinian minority in Israel from any direct role in the negotiations. Similarly, their political future was not negotiated. The peace process has thus frustrated the long-held expectations of Palestinian citizens in Israel that they would serve as a bridge for peace between Israelis and Palestinians in the territories. It also dashed the hope that peace between Israel and the national Palestinian movement would inevitably bring about improvements to the civil status of Palestinians in Israel.[90] As a result of this disappointment, many Arab-Israeli activists have chosen to leave joint Jewish-Palestinian organizations in favor of independent activity; for example, *al-Siwar*, a support organization for victims of sexual assault, withdrew from the Jewish-led joint coalition Woman to Woman. *Mossawa*, a lobby organization working to advance equality for the Palestinian society in Israel, also left *Shatil* for independent activity.

CONCLUSION

Although the importance of PINGOs is rarely acknowledged in scholarly literature, these organizations have in fact played a significant political role in the campaign of the Palestinian minority for civil equality in Israel. Pal-

estinians in Israel have taken advantage of a host of newly available political opportunities in order to establish formal associations and struggle for the expansion of civil rights and the opening of Israeli democratic institutions. These opportunities have included the increased legitimacy for extra-parliamentary opposition in Israel since the mid-1970s; the legislation of the Law of Associations, which provides a legal framework for organization; increased funding sources; the rise of a professional and educated stratum, who found in NGOs a suitable outlet for their abilities; and, reforms in governmental policies, such as privatization or the promulgation of the 1992 Basic Laws.

With the institution of the Law of Associations, the state has provided PINGOs a legal frame that other forms of political mobilization do not enjoy, even as it places restrictions on their activities. A prominent example is provided by the unwillingness of the state to recognize the NCALC or the High Follow Up Committee, even though it recognizes their subsidiary associations—the follow-up committees for Arab education, health, welfare, and sport—registered as *amutot*.

The history of PINGOs demonstrates the line of development suggested by Korten, from welfare through development projects to building political consciousness and mobility, as well as focusing on institutional and structural reform. PINGOs have evolved in three main periods: the initial period of formation and growth (1976–1982), a second period of institutionalization (1983–1993), and a third period characterized by growing impatience at the failure of the Arab-Israeli peace process to yield an improvement in the civil rights of Palestinian citizens of Israel, on one hand, combined with an increasing number of political opportunities for PINGOs. on the other (1993–2000). Throughout these periods, PINGOs have continued to deal with all four issues identified by Korten, but have presented a thread of change from the local, welfare-focused activities to nation-wide actions aimed at structural reforms.

In their activities, PINGOs first challenge the assumption, common to much of the literature about Palestinian society in Israel, that Palestinian-Israeli citizens are incapable of mobilizing themselves along modern political lines. NGOs are an explicitly modern and political form of mobilization. Second, the activities of PINGOs question the assumption, common to much of the NGO literature, that NGOs fragment and thus weaken struggles of minority groups for greater equality. In fact, the variety of PINGOs promotes coordination between different groups in the center and the periphery of the Palestinian society in Israel. This coordination has a political meaning, both as it allows Palestinians in Israel to coordi-

nate their various demands from the state and by enhancing their sense of identity as a community.

By their growing campaign to reach structural reform, PINGOs have enhanced civil society in Israel. Their contribution has manifested itself in the creation of avenues for participation in public life by groups that have traditionally been under-represented. First and foremost, they have empowered the Palestinian minority *vis-à-vis* the state and the Jewish majority. NGOs have also contributed to the process of empowerment by enhancing the professional ability of Palestinians to oppose discriminatory state policies. PINGOs, for example, presently employ experts in every field of public life—from economists and legal experts to city planners and psychologists. Through professional reports, appeals to institutions in Israel and abroad, and alternative planning, NGOs have developed skilled and experienced personnel to challenge state policies. The contribution of NGOs to the empowerment of the minority is also manifested in the provision of services; for example, in the fields of health, housing, and education, and in initiating programs for enhancing awareness of Palestinian culture and identity.

Moreover, NGOs have also enabled the representation of disadvantaged groups within Palestinian society itself. Two prominent examples of the latter are women and the Beduin in the Unrecognized Villages. By raising their level of political awareness and activity, PINGOs not only empowered sections of the Palestinian community relative to the state, but relative to their own communities as well. The prominence of organizations dedicated to helping women and Beduin point to another contribution of PINGOs to socio-political change: PINGOs have struggled with some success to redefine the boundaries of political discourse.

Finally, PINGOs have also helped to consolidate reforms initiated by the state, such as the overhaul of the legal system that followed the 1992 legislation of the two Basic Laws concerning Human Dignity and Freedom and Freedom of Profession. Their contribution to the reform comes both from lobbying for change and from implementing the change once it has been achieved. The growing appeals of legal associations to Israeli courts on minority rights issues are an explicit example of the latter.

The state has formally recognized the right of associations to act; nevertheless, it has applied restrictive and discriminating laws to PINGOs. These have included opening more investigations and closing more Palestinian than Jewish NGOs in Israel; use of the Emergency Regulation to close PINGOs; threats to fire civil servants who volunteer in PINGOs; warning investigations of activists; blatant discrimination in the level of governmen-

tal funding of PINGOs in comparison to their Jewish counterparts; and discrimination in giving tax benefits. All of these demonstrate the non-neutral position of the state when it deals with civil society organizations. This position casts a dark shadow on the possibility to develop a free and democratic civil society in Israel.

Notes

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1. Elias Zeidan and As'ad Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel* (Beer-Sheva: Israeli Center for Third Sector Research, February 2000) 13.

2. Gerard Clarke, *The Politics of NGOs in South-East Asia: Participation and Protest in the Philippines* (London, 1998) 2; Helmut Anheier and Lester Salamon, "Introduction," in Anheier and Salamon (eds), *The Nonprofit Sector in the Developing World* (Manchester, UK, 1998) 1.

3. The civic vision is mainly characteristic of the 75% of the PINGOs registered in Israel, which are not explicitly religious organizations; while these are registered as formal NGOs, their political vision is different from their "secular" counterparts and does not include the creation of a civil society among their aims. This article, therefore, discusses religious associations only in their formal aspect, but does not deal with the contents of their activities. The analysis in the article focuses on the phenomenon of non-religious PINGOs—a new and hitherto nearly unexplored phenomenon—which is significant for understanding the relationship of the state and the Palestinian-Israeli minority.

4. Christopher Bryant, "Civic Nation, Civil Society, Civil Religion," in John A. Hall (ed), *Civil Society: Theory, History, Comparison* (Cambridge, UK, 1995) 140–53; Pierre Du-Toit, in *Civil Society, Democracy and State-Building in South Africa* (Stellenbosch, South Africa: Centre for International and Comparative Politics, Research Report no. 1, 1993) 8; Oren Yiftachel, "Israeli Society and Jewish-Palestinian Reconciliation: Ethnocracy and Its Territorial Contradictions," *Middle East Journal*, 51(4) (1997) 509–15.

5. See Paul Stubbs, "Nationalism, Globalization, and Civil Society in Croatia and Slovenia," *Research in Social Movements, Conflict and Change*, 19 (1996) 1–26; David M. Abramson, "A Critical Look at NGOs and Civil Society as Means to an End in Uzbekistan," *Human Organization*, 58(3) (1999) 240–50; James Petras,

"NGOs: In the Service of Imperialism," *Journal of Contemporary Asia*, 29(4) (1999) 429–40.

6. Jaffa Research Centre, *Guide to Arab Civil Organizations and Associations in Israel* (Nazareth, 1990) 9 [Arabic].

7. Hadara Bar-Mor, *Nonprofit Institutions, The Legal Situation* (Beer-Sheva, 1999) 18.

8. *List of Arab Amutot*, The Registry of Associations, Jerusalem, 24.11.1998.

9. Benjamin Gidron, *Hagai Katz and Michal Bar, Hamigar haShlishi beY-israel 2000: Tafkidei haMigzar* (Beer-Sheva, 2000) 5 [Hebrew].

10. Council of Ethnic Minority Voluntary Sector Organisations (CEMVO). http://www.emf-cemvo.co.uk/, 8 June 2002. It is estimated that there are about 10,000 ethnic-minority NGOs in Britain for the nearly 3.5 million people considered as members of ethnic minorities.

11. Clarke, *The Politics of NGOs in South-East Asia*, 70, 93.

12. John Keane, *Democracy and Civil Society* (London, 1988) 23.

13. Raja Khalidi, *The Arab Economy in Israel: The Dynamics of a Region's Development* (London, 1988) 5.

14. Nitza Nachmias and Amiram Bogot, "The Role of NGOs in Developed and Developing Countries: Comparing Israeli and Palestinian NGOs," paper presented at ISTR (International Society for Third Sector Research), July 5–8, 2000, Dublin.

15. Zeidan and Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel*, 15–16.

16. Benjamin Gidron, "Characteristics of Israeli Civil Society," paper presented at the Fourth Annual Conference of the Israeli Center for Third Sector Research, Ben-Gurion University of the Negev, July 2001, 64.

17. Anheier and Salamon (eds), *The Nonprofit Sector in the Developing World*, 1.

18. Clarke, *The Politics of NGOs in South-East Asia*, 8.

19. David Korten, *Getting to the 21st Century: Voluntary Action and the Global Agenda* (West Hartford, CT, 1990) 2.

20. Clarke, *The Politics of NGOs in South-East Asia*, 14.

21. Michael Edwards and David Hulme, "NGO Performance and Accountability," in Michael Edwards and David Hulme, *Beyond the Magic Bullet: Non-Governmental Organisations: Performance and Accountability* (London, 1995) 5.

22. Stubbs, "Nationalism, Globalization, and Civil Society in Croatia and Slovenia," 14–15.

23. Alisa Rubin Peled, *Debating Islam in the Jewish State: The Development of Policy toward Islamic Institutions in Israel* (Albany, NY, 2001) 8.

24. The Ministry of Health, Regional Health Bureau, The Northern Region, *The Galilee Society*, 2.4.1998, document 1/1—1162 [Hebrew]; 'Abd al-Malik Dahamshe, MK, "The Galilee Society—The Instructions of the Ministry of Health to Cut Off its Alliances With It, Dated 2/4/1998," 26 April 1998, Fax Document [Hebrew].

25. Yael Yishai, "Civil Society in Transition: Interest Politics in Israel," *Annals*, 555, January 1998.

26. Although only a few of the activists interviewed for this study were arrested or detained, most interviewees described a similar experience of "warning interviews" at the local police station. During these "interviews," a plain-clothes detective, who warned them that their activity was under surveillance, questioned them. These testimonies are compatible with *Shin Bet* policy, which—according to, Ya'akov Peri, who was head of *Shin Bet* between 1995 and 1998—views PINGOs as a "strategic, though not a tactical" threat. Interview with Peri by the author, 17 January 1999, Hertzliya.

27. Menachem Hoffnung, *Democracy, Law and National Security in Israel* (Dartmouth, 1996) 160–73.

28. Yishai, "Civil Society in Transition," 154.

29. Amnon Rubinstein, *The Constitutional Law of the State of Israel* (Jerusalem and Tel-Aviv, 1996) 1124; Yishai, "Civil Society in Transition," 154.

30. Yossi Bar-Moha, "The Disclosed Interests of Amiram Bogat," *Ha'aretz Weekend Supplement*, 12 January 2001 [Hebrew].

31. Rubinstein, *The Constitutional Law of the State of Israel*, 1124.

32. Interview with Manar Hassan, 28 September 1999, Jerusalem.

33. Bar-Moha, "The Disclosed Interests of Amiram Bogat," 26–32.

34. Yair Ettinger, "If We Don't Take Advantage of the Democratic Tools, What Shall We Take Advantage Of?" *Ha'aretz*, 22 August 2002 [Hebrew].

35. Bar-Moha, "The Disclosed Interests of Amiram Bogat," 26–32.

36. Northern Tier Headquarters, Major General Chamber, *Decree of Place Closure: Extension*, 12 January 1997; Interview with Suleiman Aghabariya, 26 May 1999, Umm al-Fahm; Interview with Avigdor Feldman, 19 July 1999, Tel-Aviv.

37. Mossawa Center and Sikkuy, "1999 Budget Plan and the Arab Citizens," prepared by Amin Fares, Yusuf Khuri, and Ja'faar Farah (1999) 14.

38. The Israeli Centre for Third Sector Research (ICTR), *Characteristics of Israeli Civil Society*, The Fourth Annual Conference of the Israeli Center for Third Sector Research, Ben-Gurion University of the Negev, July 2001, p. 64.

39. Dror Vinogord (ed), database of not-for-profit organizations in Israel, *Missim*, Israel: Ronen publications, May 1998: software [Hebrew]. These organizations were: Children of Peace, Neve-Shalom, Arab-Jewish Fund for the Promotion of Arab-Israeli Awareness, Scholarship Fund in Memory of Dr. Shaheen, The Community Center of Abu-Snan, Bani-Ma'aruf Fund for the Druze, Nur al-Salam—'Arab al-'Aramshe, Taha Hussein Association for the Blind—Umm al-Fahm, Al-Rahma Association for Drug Addicts—Umm al-Fahm, Al-Huda Association—Baqa al-Gharbiya, The Druze Denomination House—Shafa 'Amr.

40. Benjamin Gidron, 'Theoretic Review,' in *Not-for-Profit Organisations in Israel 1991*, (Jerusalem: Central Bureau of Statistics, publication 1016, January 1996) 18–24 [Hebrew]; Mordechai Bar-On, *In Pursuit of Peace: A History of the Israeli Peace Movement* (Washington, 1996).

41. Ilana Kaufman, *Arab National Communism in the Jewish State* (Gainesville, FL, 1997) 98–9.

42. For example, the percentage of literate Palestinians in Israel gradually rose from 50% in 1961 to 90% in 1994. Nadim N. Rouhana, *Palestinian Citizens in an Ethnic Jewish State: Identities in Conflict* (New Haven, CT, 1997) 80–1; see also Sammy Smooha, *Arabs and Jews in Israel: Change and Continuity in Mutual Intolerance*, v2 (Boulder, CO, 1992) 11.

43. Mariam M. Mar'i, and Sami Kh. Mar'i, "The Role of Women as Change Agents in Arab Society in Israel," in Barbara Swirski and Marilyn P. Safir (eds), *Calling the Equality Bluff: Women in Israel* (New York, 1991) 218–20.

44. Welfare Publication, *Seeds for the Future through the Donations of the Welfare Association, 1983–1998: The Continuous Support for Development and Human Resources in Palestine* [Arabic]; Interview with Mariam Mar'i, 5 December 2000, Acre; Interview with Husniya 'Omari, 10 December 1998, Acre.

45. "Arab Association for Human Rights: The Unrecognized Villages—Demolitions," http://www.arabhra.org/4article.htm, 7.10.2000.

46. The Absentees' Property Law instructs the Minister of Finance to appoint a Custodian for Absentee Property, thereby transferring the owner's rights (who is declared as Absentee) to the Custodian to take care of the property and manage it. An owner is declared to be Absentee if he/she was not present on the property in question between 29 November 1947 and 10 May 1948. In some cases, a person may be defined as Absentee by the law even if he/she stayed in Israel during this period; indeed, it has been claimed that 75,000 people, who remained in the country after the 1948 war, became "present absentees." The law does not give an absentee the right to return to his/her property. David Kretzmer, *The Legal Status of the Arabs in Israel* (Boulder, CO, 1990) 56–7.

47. Interview with Muhammad Abu al-Heija, 8 January 1999, Haifa.

48. The Markovitch Committee Report recommended dividing the unlicensed houses in the Arab sector into three parts. One part was recommended for demolition, another one entered the category of "gray" houses (a scheme that deprived these houses of any services), and the third was incorporated into the juridical area of adjacent localities. The committee called for "an iron fist" against Arab citizens in order to put a stop to the phenomenon of unlicensed construction. It recommended *inter alia* the levy of high monetary fines on owners of such structures (thus doubling the cost of the structure itself), imposition of imprisonment, and making house owners pay for the demolition. The Association of Forty, http://www.assoc40.com, 21 October 2000.

49. Mordechai Artzieli, "They Came Riding the Camels, But Left on the Tails of the Dogs," *Ha'aretz*, 28 March 1976 [Hebrew].

50. Interview with Nuri al-'Ukbi, 26 September 2000, Lydda.

51. Kaufman, *Arab National Communism in the Jewish State*, 11. Palestinians in Israel have protested against their discrimination earlier as well, and especially against land expropriation. Sabri Jiryis, *The Arabs in Israel* (Beirut, 1969) 81.

52. Mahmoud Muhareb, *The High Follow-Up Council for the Arab Masses in Israel: Towards United National Leadership* (Jerusalem, 1988) 23–32 [Arabic].

53. Interview with Nakhleh Shaqer, 29 July 1999, Tel-Aviv.

54. P. 101 in Oren Yiftachel "The Political Geography of Ethnic Protest: Nationalism, Deprivation and Regionalism among Arabs in Israel," *Transactions*, 22 (1997) 91–110.

55. Jacob M. Landau, *The Arab Minority in Israel 1967–1991: Political Aspects* (New York, Oxford, 1993) 101–05; Kaufman, *Arab National Communism in the Jewish State*, 102–03.

56. 'Attalah Mansur, "The Government at the Aid of Rakah," *Ha'aretz*, 2 December 1980 [Hebrew].

57. Ze'ev Schiff and Ehud Ya'ari, *The Palestinian Uprising—Israel's Third Front* (New York, 1990) 217.

58. Interview with Ya'akov Peri, 17 January 1999, Hertzliya.

59. Muhareb, *The High Follow-Up Council*, 23–32.

60. Zeidan and Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel*, 13.

61. ICTR, *Characteristics of Israeli Civil Society*, 64.

62. Interview with Ibrahim Sarsur, 14 August 1997, Kafr Qasim.

63. Hanna Vayil, *Welfare Services for the Elderly* (Jerusalem, 1989) 60 [Hebrew].

64. Guide to Arab Civil Organisations and Associations in Israel.

65. Hanna Herzog, *Gendering Politics: Women in Israel* (Michigan, 1999) 55, 264.

66. Valentine M. Moghadam, "Women's NGOs in the Middle East and North Africa: Constraints, Opportunities and Priorities," in Dawn Chatty and Annika Rabo (eds), *Organizing Women: Formal and Informal Women's Groups in the Middle East* (Oxford, 1997) 31.

67. Samera Eismeir, "Litigation, Legal Discourse and Identity," *Adalah's Review*, 1 (Fall 1999) 12–21.

68. Guide to Arab Civil Organisations and Associations in Israel, 7; *Shatil*'s Archive.

69. Seeds for the Future, a brochure, (n.d) 3 [Arabic].

70. Interview with Dorit Karlin (Allocation Manager, the NIF), 19 July 1999, Jerusalem; Interview with Mar'i, 5 December, 2000.

71. New Israel Fund, *1996 Annual Report*, 45.

72. Stubbs, "Nationalism, Globalization, and Civil Society in Croatia and Slovenia," 14–15.

73. Interview with Hatim Kan'aneh, 9 December 2000, 'Arabeh.

74. Zeidan and Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel*, 13.

75. Examples for the severe punishments by the universities include the suspension for two years of the chair of the Arab Student Union at the Hebrew University, Jaber 'Asaqlah, for political activity during the intifada; and suspension of one

Jewish and five Palestinian students from Haifa University on November 1990, for participation in demonstrations in support of the intifada.

76. Zeidan and Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel*, 15–16.

77. Sikkuy, Report on the Achievements of the Government in Promoting Jewish-Arab Equality in Israel, 1992–4 (Jerusalem, 1994); Rouhana, *Palestinian Citizens in an Ethnic Jewish State*, 211.

78. Zeidan and Ghanem, *Donation and Volunteering in the Arab-Palestinian Community in Israel*, 13.

79. Pp. 113–14, 135 in Ruth, Gavison, "The Constitutional Revolution: A Reality or a Self-Fulfilling Prophecy?" *Mishpatim*, 28(1–2) (April 1998) 21–148 [Hebrew]; pp. 97–8 in Aeyal M. Gross, "The Politics of Rights in Israeli Constitutional Law," *Israel Studies*, 3(2) (Fall 1998) 80–81; Gad Barzilai, "Political Institutions and Conflict Resolution: The Israeli Supreme Court and the Peace Process," in Ilan Peleg (ed), *The Middle East Peace Process: Interdisciplinary Perspectives* (Albany, NY, 1998) 87–106.

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82. Interview with Hassan Jabareen, 17 June 1999, Shafa 'Amr.

83. The Working Group on the Status of Palestinian Women in Israel, *NGO Report: The Status of Palestinian Women Citizens of Israel*, A Report Submitted to the United Nations Committee on the Elimination of Discrimination Against Women, 17th session, July 1997.

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91. Dan Rabinowitz and Khaula Abu Baker, *Hador HaZakuf* (Jerusalem, 2001) 54 [Hebrew].