

**Research article**

# **Earned or Given? A Question of Legitimacy of Palestinian Nongovernmental Organizations in the oPt**

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## **Abstract**

The purpose of this article is to address the relationship between governance, accountability and legitimacy in the Nongovernmental Organizations (NGOs) sector in the Occupied Palestinian Territory (oPt) in order to find some answers to the questions: what are the factors that determine legitimacy of a NGO? And most importantly, are Palestinian NGOs legitimate?

Presenting the findings using a qualitative approach of a case study on six large youth organizations in the oPt, the study analyses many sources of legitimacy: legal and societal. It concludes that the legal identity in which gives the NGO the right to operate does not give the organization a “blanket” legitimacy and justify its existence overtime. As NGOs are founded to serve public in deferent capacities and they are using public funds (local and foreign donations coming to Palestinians, this article maintains that the public and grassroots<sup>1</sup> are the main source of legitimacy that can be bestowed upon an NGO at any point of its existence. This remains true even though the NGOs relatively exercise some influence over public policy making, an area of overlap between the public and the third sector where the national goals and society’s best interests should supposedly be the ultimate objectives. But that influence in itself does not automatically make NGOs unequivocally legitimate.

**Keywords:** Occupied Palestinian Territory, Nongovernmental Organizations, Accountability, and Legitimacy.

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## **I) Introduction**

legitimacy of Palestinian NGOs has become a controversial topic made even more complex with the continued occupation and the absence of Palestinian statehood. The concern is invoked mainly by questioning what these organizations are doing on the ground and what motivated their creation. In a recent article, PNGOs formulation motives are for three factors: personal motives of individual founding members; their relationships to political factions, and the way these organizations would be used to support the factions’ agendas and popularity (Awashra, 2011). The mushrooming of PNGOs in the West Bank, from a mere 210 in 1987 (Horani, 1988) to 2319 in 2010 (PA Ministry of Interior Affair Record, 2011) has raised the doubts about the impact of PNGOs work, and the role played by the donors and their agendas (Songco et al., 2006). In addition, NGOs face criticism from the public and researchers on the ground of their neglect to responding to the needs and priorities of the general public and local communities (Hanafi & Tabar, 2005; Jad, 2007; Songco et al., 2006).

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<sup>1</sup> Grassroots organizations are often created through “independent’ initiatives by local activists and not organized by the state or international institutions” (Goudar, 2010:27) in the Palestinian case, political parties encouraged late of 1970<sup>th</sup> to form grassroots and later NGOs .

While the Palestinian NGOs may “historically drew strength and legitimacy from the lack of a national government, they have also gained further legitimacy as provide essential services as well as political and moral support to local communities” (Shawa, 2000:1). In addition, the Palestinian voluntary sector enjoyed substantial social support and recognition for their decades - long roles it fulfilled during the Occupation even though they rarely had registration or official recognition from the occupation force. On the contrary, Palestinians were often persecuted for participation in any of the organizations, unions, women committees or popular communities outlawed by the occupation forces. This is especially true with NGOs with political affiliations. Nevertheless, they enjoyed legitimacy from being participatory. While parliamentary democracy is about representation and civil society is about participation, Marschall argues that “citizen participation carries its own self-originated legitimacy; it does not need to borrow legitimacy from representation” (Marschall, 2002: 2).

The purpose of this article is to address the relationship between governance, accountability and legitimacy in the NGO sector in the oPt in order to find some answers to the questions: what are the factors that determine legitimacy of an NGO? And most importantly, are Palestinian NGOs legitimate? Thus, the article provides information on source of organizations legitimacy and emphasis on the importance of public participation in enhancing governance and strengthening legitimacy of Palestinian NGOs. Then try to define the organizational legitimacy and discuss source of the legitimacy, in other words, what makes an NGO legitimate? The second section provides information on the research approach and the six NGOs that are included in the study. The third section present the findings from the field on PNGOs sources of legitimacy, followed by offering a model to strengthen NGOs legitimacy in the West Bank and last conclusion remarks.

This research paper depends on the qualitative approaches, using focus group discussion of ten participants from Beet-Rima in April 2011 and No of interviews from six organizations, top management and key informative form these organisations. Three urban youth NGOs based in Ramallah, namely:

- 1- The Palestinian Youth Union (PYU)
- 2- The Association of Youth Development (AYD), and
- 3- Taawon for Conflict Resolutions (TCR)

In addition, three other organizations are working with framers & women and target youth too. These are:

- 1- Union of Agricultural Work Committees (UAWC)
- 2- The Association of Women Committees for Social Work (AWCSW)
- 3- The Union of Palestinian Women Committees Society (UPWCS)

All six organizations are secular ones that three were founded prior to negotiation process in 1991, PYU after the negotiation started in Madrid, except AYD and TCR that were created during the 2<sup>nd</sup> intifada. Moreover, the case study revolves around six organizations that be classified as:

- Old mass political affiliated organizations (UPWCS, AWCSW) changed their names for registration and funding purposes enforced after the passage of the Associations Law No (1) of 2000 although they maintained their formal structures and political affiliations. Their resistance-related mandates and prior existence *to the issuance of the law has bestowed on them a certain type of societal legitimacy* unrelated to process of legal registration and licensing from the PA.
- Two youth NGOs with political affiliations (UAWC & AYD) were founded before and after PA creation yet their continued existence hinges on PA registration and licensing.
- Two NGOs (PYU & Taawon) enjoy certain relations or closeness to political parties but are not considered as popular arm of those political parties<sup>2</sup>.

## **More details on these six organizations:-**

### **1. Association for Youth Development (AYD)**

Established in 2003 by group of youths<sup>3</sup> and mature Palestinians, AYD gives primacy to training youth leaders, promoting voluntarism, and encouraging youth participation in ‘civil society’(AYD website, [www.youthda.ps](http://www.youthda.ps)).

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<sup>2</sup> PYU was created to be the youth arm of the People’s Party but has gained independence and distanced itself from the party. TCR is close to Fatah but have never been regarded as an affiliate.

AYD was the spin off a youth program implemented at the time by the Palestinian Agriculture Relief Committee (PARC). AYD serves as for the youth are for the Palestinian People's Party<sup>4</sup> (PPP) in the oPt. AYD currently has (37) local centers in oPt.<sup>5</sup>

In 2007, the first General Manager was selected amongst the founding members in addition to the appointment of other paid staff in the centers. In terms of governing bodies, the AYD has a General Assembly, part of their representatives allocated for local centers, and other members - seats selected from among the PPP members (Abu Jaish M, 12 March, 2011- communication). In turn the General Assembly elects the Board of Directors that is comprised of 11 members four of them are female.

## **2. Palestinian Youth Union (PYU)**

The Palestinian Youth Union (PYU) was established in 1992 with a mandate to "develop the abilities of Palestinian youth groups and children without any discrimination. The PYU has a General Assembly, 19 members, and a Board of Directors, 7 members, who are usually selected by the General Manager who is also one or the original founders. The Union relies on paid staff at the central office and partially-paid ones in local centers. Local coordinators are semi- voluntary positions because their holders don not receive of a full normal salary. (Bargouthi M, 30 March, 2011- Communication). PYU aims to strengthen the role of Palestinian youth role in their community and promote their participation in decision making (PYU [www.pyu-pal.org](http://www.pyu-pal.org)).

## **3. Taawon for Conflict Resolution (TCR)**

TCR was established in 2002 with a wide youth mandate which eventually filtered down to conflict resolution<sup>6</sup>. As a youth organization, TCR aims to promote peace, conflict resolution and dialogue as well as to empower youth in schools, universities, and youth & women centers with regard to peaceful conflict resolution. It also works for integrating dialogue and non-violence in the public education system and other public policies and arenas. Also, TCR seeks to develop into a house of expertise in conflict mitigation and resolution in the oPt (TCR, [www.taawon4youth.org](http://www.taawon4youth.org)). In its mode of operation, TCR does not run its own centers but depends on existing CBOs, youth groups and student bodies that are mass popular organizations for Fateh movement<sup>7</sup>.

## **4. Union of Agricultural Work Committees (UAWC)**

UAWC was established in 1986 by group of volunteers and agronomists in order to respond to various needs of farmers especially those living in hardship. In the formation phase, the main focus was to expose and work against the Israeli measures against the Palestinian agriculture and its infrastructure. Since 1991, UAWC has gradually become a professional organization, with formal structure and paid permanent personnel. UAWC aims to "improve the living conditions of Palestinian agrarian community within a comprehensive framework of sustainable rural development in a manner that would enhance self-reliance and activate the role of local agricultural committees and the concept of voluntary and team work" (UAWC website, [www.uawc-pal.org](http://www.uawc-pal.org))

UAWC has several local committees in the oPt and is largely perceived as affiliated to a political faction. About one fourth of its General Assembly, i.e. 24 seats out of 100 members is filled by representatives from the local committees, and the remaining 76 seats are filled by PLFP members and supporters. (El-khawajeh Sh, 15 January, 2011- communication)

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<sup>3</sup> The Palestinian charitable association and community organizations law No (1) of 2000 allows adults over the age of 18 years to join the founding members of such organizations.

<sup>4</sup> The Palestinian People's Party (PPP) was formerly known as the "Palestinian Communist Party" until the collapse of the Soviet Union when the party opted for the adoption of more liberal views and agendas.

<sup>5</sup> At the time of the researcher's visit to AYD local centre in Aroura in Ramallah district for the purpose of data collection, the centre was closed and neglected as if was deserted for a long time. Some residents referred to the centre as the "PPP centre" and no young person could mention any of the activities held by the Centre.

<sup>6</sup> TCR operated for a long time before it took a decision to focus exclusively on conflict resolution after experimenting for years with various topics and fields.

<sup>7</sup> *Fateh* is the major political Palestinian party headed by the PLO chairman- the PA President Mahmud Abbas and formerly by Yasser Arafat until his death in November 2004.

## 5. The Association of Women's Committees for Social Work (AWCSW)

Established in 1981, AWCSW has grown into a mass public organization of approximately 30,000 women members, affiliated and belong to Fateh movement. No elections have been held in AWCSW for a long time ( AWCSW Staff, 22 April, 2011- communication) despite the claim of otherwise. In addition, the managers and staff members of AWCSW district branches in the West Bank receive their salaries from the PA. Thus AWCSW is an example of a mass, politically affiliated organization<sup>8</sup> that functions as an NGO and presents itself as an independent women's organization<sup>9</sup>.

AWCSW is mainly a service provider. The branches run dozens of kindergartens, 3 nurseries, 2 children libraries, 4 children centers, and 7 vocational centers. It also works on to heritage preservation, handicraft, food processing, internet training and literacy courses. These subcommittees work on voluntary basis whereas their main task is to determine and meet the specific needs of local women, under supervision of the AWCSW head office.

## 6. The Union of Palestinian Women's Committees Society (UPWCS)

Similar to AWCSW, the UPWCS was founded in 1980 and have become a mass popular organization affiliated with PLPF. It identifies itself as "a progressive women mass- based organization and an indivisible part of the Palestinian women movement in particular and the national movement in general." As such its main purpose is to "empower Palestinian women contribute to the Palestinian national struggle against the occupation and develop their circumstances to achieve real equity between men and women as well as equity among all social classes".<sup>10</sup> It also works on the promotion of affirmative action legislations and policies.

UPWCS's General Assembly is elected from women's local committees in multiple stages (i.e. elections at the local, districts and national levels). Winners of the national level elections become the General Assembly and elect the Board of Directors (Mar'ei, 17 March, 2011- communication).

## II) Public participation and NGO legitimacy

The decline of the first intifada, and the starts of Madrid 'peace' process between the Palestinians and Israel in 1991 carried some shifts in public participation and their interest in continuing national struggle against the occupation in which it reach its lowest point with signing the Oslo Accord. This period of declining for public participation in national struggle seen as defeat, the convergence of interest between the PLO leadership and occupation, so public stepped back from the struggle ( Samara, 2001) while others view it as shifting in priorities (Ashrawi, 2009:19).

Ashrawi's opinion, Palestinian grassroots started developing institutions for democracy and resistance mobilization. For example, "women who had been at the forefront of the Intifada and struggle for freedom, turned their attention to issues of social justice and good governance" (Ashrawi, 2009:19). Mass organizations like labour and students unions practiced had some democratic practice, despite being outlawed, and the practice of enforced political nominates as election candidates. Arafat once described the Palestinian democracy as the "democracy in the Jungle of Guns" (Ashrawi, 2009: 7) where the later gives legitimacy. This is to say that

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<sup>8</sup> Some argue that the double identity enables organizations to register and receive foreign funds, since registration is a basic requirement by almost all donors. Other argue that it service as a mechanism to women organizations with huge membership size.

<sup>9</sup> AWCSW identifies itself as "a registered non-governmental, non-profit organization a basic pillar of the Women's Movement in the Occupied Territories... and a pioneer in offering services to the Palestinian women and children particularly in marginalized areas". AWCSW BOD is headed by PLC member Mrs. Rabiha Diab. AWCSW claims that a new Board of Directors (9 members) took place on 10/02/2007, more than half of them (54%) are considered women political leaders.

<sup>10</sup> Until its registration at the PA ministry of Interior in 2001, the organization was formerly known as "The Union of Palestinian Women Committees". UPWC, sees itself part of the universal progressive movement that works alongside with the international progressive movement against the militarization of globalization as well as against any form of discrimination imposed on any social sector (especially women) wherever it takes place.

NGOs are legitimate by the validity of their ideas to their societies, by the values they promote, and by the issues they care about (Atack, 1999).

While the creation of the PA indeed ushered a new era, it seems to have also caused certain confusion among the NGOs especially with regard to their collective role. In more than one area, NGOs found themselves asking what responsibilities they should assume now that the PA is taking over the responsibilities of the public authority. Should NGOs focus their activities in services provision as an auxiliary to the nascent PA? Or should service provision take a back seat so that NGOs are enabled to focus on new emerging issues and needs? In fact, one could argue that PA and influx of donor funds and the influence of their agenda have played critical roles in NGOs shifting their energies towards advocacy, public awareness raising and lobbying to influence and shape PA policies, at a time when many of the public's basic needs for services, e.g. education, health, job creation, poverty reduction, etc., remain unfulfilled.

Admittedly, the NGOs community in the oPt has come under fire for their intricate relationship to international donor community in the post –Oslo era. NGOs relations to donors are overloaded with politics. Many researchers believe that donors' support to Palestinians aims to support the newly created Palestinian Authority (PA), the child of Oslo Agreements, and the negotiation process between Israeli government and the Palestinians. When negotiation fails, donations has clearly shown a tendency to substantially reduce such funding to the bare minimum or cut it off completely. Palestinian NGOs projects and activities are often based on donors' agendas; an issue that continues to trigger serious criticism of NGOs (Hanafi & Tabar 2005; Jad, 2007).

Often, NGOs leaders and major figures assume power in manners that the society has not anticipated before, given their legacy as people's organizations. The society is sceptical of the NGOs claims that, through their work, they represent public voice at international forums and influence the PA national agenda (Hanafi & Tabar, 2005). While some NGOs managements are worried about the possible complications of involving the grassroots and prefer to keep the closed membership of their NGOs and restrict participation to a few of trusted, like minded individuals inside these organizations. Other senior officials and managers are principally looking after their personal interests and maintain inactive governance structures<sup>11</sup>.

Moreover, as Brown and Korten put it, NGOs should play the role of a catalyst and a facilitator or democratic transformation that eventually leads to the realization of social justice (Brown & Korten, 2001). The term 'Social Justice' is used in its widest sense to denote the provision of "equitable outcomes to marginalized groups by recognizing their past disadvantage and existence of structural barriers embedded in the social, economic and political system that perpetuate systemic discrimination" (Tungaraza, 2010: para 1). Regardless of how narrow the NGOs interpretation of such role or its translation into NGO activities, such a lofty role places a lot of burdens on the NGOs themselves because the road to social justice is rocky to say the least. Aren't we overestimating the abilities of this sector?

It is the contention of this article that the NGOs relatively exercise little or some influence over public policy making, an area of overlap between the public and the third sector where the national goals and society's best interests should supposedly be the ultimate objectives. But that influence in itself does not automatically make NGOs unequivocally legitimate. Today's decisions, argues McIntyre-Mills, influence tomorrow's generations, therefore, NGOs community practice 'expanded pragmatism' should be grounded in reality, taking into account their contribution to democratization, social justice and collective objectives. To quote McIntyre-Mills, "as pragmatism is based on understating the consequences of our actions, whereas expanded pragmatism<sup>12</sup> is about being mindful or conscious of the implication – not just for some stakeholders – but for all life in the short and long term" (McIntyre-Mills, 2010:4).

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<sup>11</sup> During an interview, Mohammad, a seasoned Palestinian researcher, explained how some NGO directors predetermine determine who will be in the NGO's general assembly or the Board of Director so as to ensure their personal interest are fully accomplished).

<sup>12</sup> Expanded pragmatism means: allow stakeholders to participate in the policy making and decision making base in rationality for current and better future, so powerful stakeholders doesn't have the final words or play that domination role. This sound like ideal but with public – grassroots educations and believe they cannot hold it.

At the time McIntyre- Mills (2010) realize how is important for public to participate in policy making and decision making, she still give the domination rights to technocrats to decide, and formulate policy. Technocrats in McIntyre- Mills understanding have the domination knowledge and rationally as they can control and separate their feeling form decisions, so, they have to lead in a way or another. This article calls for enhancing participation but aware about relationship between capital and technocrat's. Thus, this article does not argue for technocrat domination as expanded pragmatism suggests in which the reality technocrats have linkages with capitalists and business entity.

This article is not a call for NGOs to regress to service provision role when clearly they have overgrown of the task of being responsible for relief, humanitarian assistance or social services NGOs areas of interest today covers many field and areas. (Kamat, 2004; Al-Tarah, 2002; Fisher, 1997; Brown & Korten, 1989; Rugendyke, 2002). Service delivery, coupled with legal identity that allows the NGO to operate, does not give the organization 'blanket' legitimacy and justify its existence and actions towards its constituencies and its internal or external stakeholders. As NGOs are founded to serve public in deferent means and they are also using public funds, local and foreign donations coming to Palestinian people. Thus, this article that argues that public, grassroots<sup>13</sup> continue to be the main source of legitimacy that can be bestowed upon an NGO at any point of its existence.

### III) What Makes an NGO Legitimate?

There are many definitions of legitimacy and therefore many sources. The legal dictionary define it as "the quality or fact of being legitimate" i.e. a person, entity, action or something that is "recognized by law, proper, real or genuine." (Brown, 2007). For many NGOs' leaders and activists, the issue of their organizations' legitimacy is resolved by the power of the law: the legality that comes from the NGO registration at the Ministry of Interior. Mohammad (2007) sees legitimacy as the other face of public credibility –trust of public to these organizations.

Sources of organizations legitimacy could be come: (1) legal form the authority, (2) Program implemented by NGOs signal for doing things (Mohammad, 2007); (3) public participation in NGO programs and the degree of their public participation in the policy process and decision making a prerequisite for NGOs legitimacy. In addition, some researchers believe that legitimacy is only granted by the grassroots and communities that are supposed to serve and defend its interests. These are the only reasons to justify the existence of an NGO (Jad, 2000; Hammami, 2000; Bishara, 1996; Najam, 1996; Muhsin, 2010). Nevertheless, the sheer size of NGOs activities alone do not guaranty legitimacy for the NGO simply it could lack relevance or be disconnected from people needs, priorities and aspirations. This source of legitimacy also entails an operational aspect. It demands from that the NGO allows authentic public participation in electing their representatives to this organization and participation in the organization's processes of policy making, agenda setting and decision taking as well as in its activities through planning, implementation, evaluation and impact assessment phases of its activities. Moreover, NGOs may claim legitimacy if they "succeeded in convincing the society that they are needed in a pluralist democracy as a leaven of civic commitment and as a counterforce to powerful interest groups – and see themselves not as a substitute for but as a complement to democratically legitimated institutions" (Nuscheler, 2003:9). Both Nuscheler (2003) and Bishara (1996) stress that NGOs should not act as an affiliates or as a substitute for state or public institutions.

To sum up, legitimacy is a continuously fluid, multi-faceted social concept that is comprised of the following (not ranked in any preferential order):

- a- Legal legitimacy: legal status of an NGO
- b- Independence from state / political parties /individual interests
- c- NGO mandate and mission
- d- Representational legitimacy: Good governance /community representation in NGOs
- e- Community – sanctioned missions, agendas and objectives of NGOs
- f- Continued relevance of NGOs activity/service to community needs
- g- Participatory legitimacy: Community participation in NGO affairs
- h- Societal legitimacy: society's perception of the NGOs /civil society added value

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<sup>13</sup> Grassroots organizations are often created through "independent' initiatives by local activists and not organized by the state or international institutions" (Goudar 2010:27)

(Brown, 2007; Mohammad, 2007; Slim, 2002).

On the basis of the above discussion, what does make an NGO legitimate? Are all sources of legitimacy equally? Which of the eight facets enlisted above is essential to be satisfied without which an organization to be viewed as legitimate?

Legitimacy is a concept closely related to accountability. Both are value –laden concept focused on stakeholders but legitimacy favours some stakeholders, downward accountability, while accountability in itself does not have stakeholder preferences, theoretically at least (McIntyre-Mills, 2006). Accountability is a process while legitimacy is largely a matter of subjective opinion or perception. But unlike what offers the legal legitimacy that secures “coverage, licence provided or obtained by organizations to operate” (Slim, 2002), social and public acceptance are huge factors that make legitimacy a necessary product of accountability. In other words, an NGO could be legally legitimate but not accountable, or vice versa. For example, many NGOs are accountable to donors, legitimate by public authority put their legitimacy in the eyes of the public suffers if they are viewed as untrustworthy, do not share information, undertake inappropriate activities, or have bad reputation in the community for whatever reason (Marshall, 2002). For example, secular NGOs seem to have less than a favourable image in Palestinian local communities than those with overtly Muslim agendas (Aman, 2009).

The many theoretical classifications of NGOs (private voluntary organizations, not for profit charities, service organizations, non-profit making enterprises, membership organizations, common interests groups, etc.) further complicate the issue of legitimacy. Uphoff believes that NGOs form a sub-sector of the private sector in which individuals called clients or beneficiaries rather than grassroots, local communities or constituencies. Common interest groups, i.e. lawyers, farmers, teachers, workers, etc., have members who come together and have been called the ‘collective action sector’ (Uphoff, 1993).

Although NGOs are created upon the initiative of few persons and enjoy semi-closed members, classifying NGOs as private for non-profit sounds like claiming ownership of these organizations and therefore narrowing and narrowing their legitimacy to the legalization gained ‘governmental’ sanction or registration law.

Legitimacy of Community Base Organizations (CBOs) is less contested and made easier to address. Kamat believes that CBOs legitimacy

“derives from the fact that their work in a local context requires them to develop a membership base – known as the ‘target’ or ‘beneficiary’ group in development language – which actively participates in the various social and economic projects managed by the CBO. It requires CBOs to interact with their members on a daily basis, to build relations of cooperation and trust with them, to understand their needs and plan projects that respond to these needs. Consequently, CBOs tend to have close and intimate working relations with men and women of the community and local leaders, some of whom may also work as paid staff for the NGO.” (Kamat, 2004: 159-160)

In contrast, NGOs claim legitimacy derived from endless work on issues pertaining to large social groups such as women, youths, students, men, etc. to NGOs, representing the views of the poor or marginalized provides legitimacy, given the fact that most NGOs are neither membership based organizations nor elected bodies (Ebrahim, 2003).

#### **IV) Findings**

Examining the six organizations shows the following findings:-

##### **Legal Legitimacy**

All six national organizations are registered with the Palestinian Ministry of internal as a non-for profit societies. Despite the vast differences in their size, mandates, political orientations/ affiliations, experiences and modes of operation, they are treated equally by the Associations Law in force which makes no distinction between the various types of organizations (charitable societies, associations, universities & colleges, CBOs, NGOs, and research centres or think tanks)

## **Societal Legitimacy**

Although the history of these six organizations had not impacted their legal status, the “national legacy” of the pre-PA organizations in the case study turned out to be the major determining factor behind their unquestioned legitimacy by the public. This is even so these organizations are well known for their political affiliations. Nevertheless, one issue emerged which seem to have an implication of the social perception of organizational legitimacy. Organizations that seek to enhance cooperation and coordination among local organizations (such as PYU & UAWC) are looked upon favourably, particularly when they involve other local actors such as village councils and municipalities, or work under their umbrellas. It is noticeable that the coordination level is limited among local organizations unless dictated by prior implementation arrangements, mostly at the individual activity level. The level of organizational cooperation could easily be enhanced given the presence of the centres as in villages and small towns and their proximity to their populations. Collective work can facilitate carrying out comprehensive and in depth assessments of community needs that all organizations adopt for their programming and operation and therefore, achieve a wider, longer lasting impact.

## **Representational Legitimacy and better Governance**

All of these six organizations have membership-based general assemblies, with the exception of TCR, in one form or another that brings their constituencies (i.e. youth, women and farmers) into the organizations’ governance structure. AWCSW has a semi- closed membership, meaning that members should be women members or supporters of Fateh. This kind of membership is necessary for participation in the election of general assemblies but it is not required to benefit from services. As in any elections, local elections in AWCSW branches are determinable by powerful women members and the political party’s interests and desires.

The major question about the relationship between governance and legitimacy is whether democratic elections, superficial election, or lack thereof, cause the organizations to gain, taint, or lose its legitimacy. Board members effectiveness and participation is more critical. All participants agreed that many Palestinian NGOs boards are not effective but rarely take meetings and tasks seriously. General assemblies’ meetings are celebratory in nature gathering rather used to discuss NGO overall affairs (Awashra, 2011). The legitimacy of both UPWCS & AWCSW as popular mass organizations is not in real danger at the present, although USPWC has lost many members to new women NGOs and AWCSW is currently facing a democracy crisis since no elections had held for long time.

Both phenomena result in a monopolized decision making organization's decisions which are in hands of few or only one person (interview with Mohammad, 2011). A disconnect from the grassroots, as Jad (2003) rightfully suggests, is more hurtful to legitimacy as this completely excludes the public from the governance and decision-making processes. For example, an organizational with a historical recognition such the AWCSW, with its large base of members, branches, local centres and service users can reduce the damage to its legitimacy. However, if the current situation continues, AWCSW is more likely move towards the ‘service provider – client’ form of relationship.

On the other hand, membership in TCR and PYU is largely determined by the founders, the general manager and chairperson of the Board. In AYD and UAWC, both politically affiliated organizations, a combination of membership criteria are present (election winners and political party appointees). By comparison, PYU local centres operate without written internal bylaws specifying official membership criteria and conditions, or informing members of their rights and duties. Membership fee also varies from free membership (as is the case with the PYU’s centre in Mazare’ El-Nobani) to the imposition of a small fee (about 50 NIS for membership in the women’s centre in Beit Rima).

However, there seems to be a constantly growing disconnect between NGOs and public in the post PA formation era, especially with regard to their governance and management. Probably, such organizations, and the older ones as well, are forced to think how to narrow this gap. For example, UAWC & AYD adopted a special model to work with the public and increase grassroots participation in General Assembly (membership), probably to ensure that the political party’s vision and objectives are reflected in the NGO composition and framework. The PYU and TCR have left their organizational and social visions and mandates to be determined solely by few individuals in their leaderships.



Furthermore, if an organization has a wide base of volunteers, the organization still faces legitimate doubts. For example, many NGOs claim that they have tens of volunteers but when they are asked if they are currently mobilized, the answer is usually negative. This means that volunteers (in case they exist) are only involved casually or paid for their contribution. PYU, for example, uses volunteers who receive salaries, stipends or in-kind compensation for their 'volunteering'; a practice that is against the very concept of voluntarism.

### **Relevance and Participatory Legitimacy**

No doubt that each organization serves a large portion of the Palestinian society and that their programs and services are in much demand by the target groups. The focus groups participants indicated that the impact or their projects and activities are felt and acknowledged by the public except with regard to TCR conflict resolution projects. Maybe it is a case of the public not perceiving conflict resolution as on the list of their needs or priorities.

Due to the multiplicity of social problems and demands, the six NGOs run a wide range of activities such as micro-economic projects as well as educational, cultural, social, and voluntary activities for the benefit of their communities. However, some concerns were expressed by focus group participants in relation of unjust distribution of the benefits and activities implemented by the organizations. More specifically, NGOs are showing a tendency to serve 'people who share their political inclinations', except PYU to a certain extent, and practicing pre-selection and selective exclusion. On the other hand, organizations claim that the community tend to self-exclude if they perceive the NGO as having political ideas different to their own, unless the organization offers direct financial or other benefits to potential participants. The PYU claims that there is no political or other favouritism in its recruitment<sup>14</sup> or the geographical distribution of the youth centres simply because it is a real need in rural communities. While many villages have centres or societies serving their young females, centres for the young males are a rarity except with regards to sport activities.

Relevance aside, the focus groups shows that local communities usually accept the activities of these organizations, be it educational, cultural or economic in nature, but they are more hesitant to participate or seek activities that seek to facilitate social change. This is true with regard to three major topics related to gender, democracy, conflict resolution, and human rights and social justice or those activities that carry a very explicit political tone<sup>15</sup>. As the investigation shows that the 'more acceptable' types of activities have an effect and impact, however limited or short term, on their participants or members, unlike the social change ones which people regard as a 'luxury', 'unrealistic' or 'contradictory to the community's beliefs, values and best interests' (Beit-Rima focuses group result, 2011).

Activities that impart skills and tangible benefits are mostly welcome and ironically end up in enforcing social change more than their 'awareness raising' counterparts. For example, women empowerment workshops and lectures rarely have a concrete outcome unlike women's economic projects that provide women with economic and other powers within the family and immediate community. Focus group participants gave many anecdotes of women who actively participate in familial decision making or developed an affinity to and skills of persuasion with old people to urge them accept new idea or practices such as co-ed activities, women's employment, and men's assumption of further reproductive roles in their families.

In terms of activities and projects implementation, most of the work done by these NGOs occurs at the local level or centres. Usually rapid participatory need assessments are carried out in order to identify public needs. More or less, this is the standard practice in the six organizations under study. In other words, some bottom-up planning is followed by these organizations but public participation in implementation and monitoring is still a weak area. Besides, participants said carrying out activities at both the local and central level not only allows for more democratic practice but also encourages local imitativensess.<sup>16</sup>

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<sup>14</sup> It's worth noting that PYU took a decision to shun away from political supporters for the hiring of local coordinators and volunteers. "We decided to check political identity at the centre's door", said one coordinator. PYU women centre in Beet Rima went further and decided not even to talk about politics inside the centre.

<sup>15</sup> Many focus groups participants, especially women, said they are not interested in participation in political activities such as peaceful street march, protests or sit-ins.

<sup>16</sup> Interviews with local coordinators, semi-voluntary members, office staff, and a review of their annual plans.

However, local communities have no role in proposal writing, fundraising, donor relations all of which are some of the concerns consuming the energy of an organization and its leadership. Weak organizational and service sustainability independently from foreign funding cast lots of shadows on not only the accountability of the organization but also on its legitimacy, if it could not be sustained. It will also question the main reason why this organization was created unless it has the means to stay relevant to its communities (Awashra, 2011).

People's perception of the legitimacy of an organization and its financial stability are mutually reinforcing. The lack of either one gives rise to the familiar claim of being called a 'donor-driven' organization. In addition, the six organizations, and other NGOs as well, share common points of weakness namely, the lack of plans to secure financial resources (exceptions PYU which is working hard to mobilize financial resources and guarantee the continuity of local centres. The main method PYU is employing in this regard revolves around self-sustaining income generation activities and project such as: shoe-repair, nurseries and child care centres, catering services, a restaurant, and others.<sup>17</sup> . However, some of these projects have already proved their inability to generate sufficient funds for an NGO to be self-sustaining financially. This conclusion is repeatedly stressed by UPWCS & AWCSW, that are convinced from real life experience that social services in the oPt can be financially profitable to their NGO providers.

## **V) A Proposed Model of Organizational Governance**

This model takes account of all aspects of public participation in NGO processes of planning, implementation, monitoring, evaluation and impact measurement. Additionally, it draws upon the organization's mission and vision, both of which are important for determining public priority and formalizing relationship with stakeholders. It is also based on the definition of 'expanded democracy', the model is also grounded in better governance whereas public must effectively participate in all processes. The Model seeks to enhance the legitimacy of NGOs through democratizing their internal structure via general assembly members who come from the grassroots. The model operates on only one assumption: NGOs do want to enhance the democracy of their internal structure and encourage public participation.

### **Rationale behind the Model:**

CBOs generally enjoy many advantages that can be emulated in this model: open membership, closeness to community, simple structure, and voluntary public contribution to obtain more resources, human and financial resources. Thanks to the large membership base and greater clarity of their activities, CBOs legitimacy is drawn directly from the public.

By comparison, the standard example of an urban based NGO (a privileged institution with closed memberships and almost non-functional governance bodies but controlled by one person), is the epitome of illegitimacy. Studies have repeatedly drawn the picture of self-serving, overpaid NGOs leaders acting as tyrants are in constant conflict with or dominance over their general assemblies and board of directors (Interview with Bargouthi and Nasser, 2011). Such organizations are impossible to spearhead democratic transformation (Abdul Shafi, 2004; Awashra, 2011). To alleviate their legitimacy problems, some urban organizations try seriously to enhance their legitimacy through working with CBOs (interview with Daneh, 2011). NGOs, even those with hundreds of members and volunteers, could not claim legitimacy without a democratic process of direct representation (Jad, 2003).

### **How this Model Works: Bringing NGOs Closer to CBOs**

Local organizations, groups, or CBOs should have representatives of their constituencies at the NGO General Assembly.

#### *Define membership criteria:*

Membership is based on direct election from grass-roots and CBOs. General assembly members in urban NGOs, whatever are comes from direct grass-roots. The criteria for obtain a membership is to be able to work, take

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<sup>17</sup> According to PYU General Manager and coordinators, there are plans to open a restaurant in Jefna, Ramallah district.

duties, accomplish achievement and progress. Sure more than 18 years old, and linked in away or other in professionals, and community work.

At the end whomever grass-roots choose will learn from their experiences.

*Open membership base:* Membership in local centres and CBOs should be granted throughout the year to any willing applicant who fulfils the membership criteria and commits to active participation following his or her admittance. In politically affiliated organizations, party leadership and NGO management exercise lots of power over membership process and criteria. This could happen too in un-affiliated community organizations.

*Define members' roles and expectations:*

*Limit multiple memberships:* the model allows the same person to participate in a general assembly member or board of directors in one or two organization. Experience in the oPt and elsewhere continues to show that multiple memberships in different organizations decrease the efficiency of that person either or both governance boards in all organizations s/he is involved with

*Break the election-membership cycle:* Membership should not be opened for election time only to avoid misuse. There is a tendency for organizations to manipulate election results through membership and because member's post-election participation is not encouraged until it drops to zero

*Increasing constituency representation in the General Assembly to 50% of seats at the first level then increasing it to 75% and to leave the remaining seats designated for experts and independent activists' members at the second level.* This means to move to full democratizations in start from the general assembly. These direct elections of *General Assembly members* by/ from their groups, make linkages with grassroots.

General Assembly elected board of members (example 7 or 9 persons) with real work and activities for each member. Each board member heading a committee in the NGO to make it a real voluntary position, not only prestigious with no real tasks. After the internal structure becomes more democratic, members gain experience, increase the membership representation to % 100, following down to up as UPWCS model.

*Introduce a Local Boards to the NGO as an intermediary governance body between the General assembly and the National Board of Directors.* A Local Board is a voluntary body (i.e. members are not paid) the highest body to supervise the NGOs local centres and activities, projects, in each area/district??. They are invested with real decision making powers to undergo planning and accept or refuse the implementation of any activities the NGO brings to the (semi-autonomous) local centres. These bodies should also make sure that their projects are relevant and accepted by the local communities that will also participates in the strategic planning for the centre(s) at the local and regional level.

*Complement the model with reference documents:* Internally, the model has more chances to produce results in case the following were developed:

- \* Bylaws to organize local centres members' relationship and work
- \* Bylaws to organize local centres relationship with NGO

*Create a professional structure at the local level:* The coordinator's position must be professionalized and established as a paid, non-voluntary position, transparently hired in accordance with the to the NGO by-laws.

## **B. Strength and applicability of this Model**

This model will not only encourage public participation but also will enhance NGOs experience and their community work, gain knowledge and skills, and build community – NGO relations through transformation of leadership.

In addition, this model will encourage cooperation and coordination among local communities and give NGOs the opportunity to work fully on fulfilling public needs especially in villages, small towns based on comprehensive needs assessment that can be taken collectively by the civil society sector in the community, while its encourages integration of the national NGOs projects located in the main cities.

As community organizations interact directly with a large percentage of local community, the only suggestion for CBOs in this model is to open their membership to public that fit only the written membership conditions. This model can be applied to NGOs working at the district, regional and national levels except think tanks, research centres, academic institutions, and consulting organizations. This model can also be operationalized in any environment, in both of the West Bank and Gaza, in politicized and non-politicized environments.

Here are few examples on how this model can be applied:

- Health NGOs should have general assembly members from the CBOs or group communities in which they operate.
- Women or youth NGOs should include general assembly members from different women's community centres, branches, or service centres.

This is necessary to claim legitimacy otherwise NGO become isolated and disconnected from public, grassroots, and move towards business – private attitude/identity despite their large size projects worth millions in value.

## Concluding Remarks

In order for this model to succeed and help enrich NGO work, it is important for the organization to specialize on one field or sector (e.g. youth, women, farmers or health). Narrowing down the organizational focus is more likely to produce more impact and better use the already limited resources. Sectoral coordination at all operational phases is also important as it tends to mainstream approached and coordinate efforts, or at least avoid negative competitiveness and overlap.

According to this model, UPWCS is a more legitimate organization despite its political affiliations. It holds bottom-up elections starting from the grassroots, also despite the monopoly and hierarchy typical in political parties and various organizations monopolized by certain figures or run as a family enterprise.

The suggested model can enhance public participation in the public issues by enhancing NGOs role in the local communities and encourage their participation and coordination at the national levels in their attempts to actualize the society's national agenda.

The Palestinian political parties however may see the model as promoting NGOs as a substitute to political parties who major role is political presentation/organization of the public. NGO leaders may use the expanded membership model to strengthen their chances to run for Palestinian Legislative Council elections especially if they run an independent candidate. A apolitical ambitious activist can use the membership (of youth or women or farmers sectors) to run in national elections and therefore become a substitute for political parties.<sup>18</sup>

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<sup>18</sup> Interview with PYU local centre coordinator El-Mazare who said “we discussed the idea of running for PLC elections but found it difficult to achieve since elections (local and national) have multiple factors such political identity, clan, family, and PYU Identity.”

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