The Role of Local Authorities in Building A Palestinian State

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RESEARCH PROPOSAL

What has been the Impact of Reforms on local government in the Occupied Palestinian Territories in the post Second Intifada period– Do they lead towards a viable Palestinian State and maintain human security of the Palestinian population?

Background

Local authorities play an important role in situations of insecurity since ‘most people in post conflict states live outside the capital city and so interact with government through local level institutions’ (Jackson and Scott, Local Government in Post-Conflict Environments p4). In Palestine this is especially true since given the fragmented nature of authority given to the PNA under the Oslo Peace Accords. There are 483 Local Government Units (LGUs) in Palestine (2009); 132 are designated as Municipalities and the rest are Village Councils or Village Committees with the population of less than 5,000. Upon its establishment in 1994 in the West Bank and Gaza, the PNA set out a vision to activate and assist LGUs to serve as the foundation of governance and state building in Palestine. Given the legacy of occupation and the continued struggle for independence, state building in Palestine has been confronted with many obstacles and limitations.

First, the Oslo Accords limited the sovereignty of the PNA by giving it ‘full’ jurisdiction over only 29 per cent of the West Bank, 70 per cent of Gaza (100 per cent following Israel’s unilateral withdrawal in 2005) and none over East Jerusalem. Second, there are severe constraints on building a viable economy. There is no unified Palestinian economy due to the limitation put on the flow of goods and people by checkpoints and roadblocks both between the West Bank and Gaza, territories that are not contiguous, and within the West Bank itself. In terms of its funding,
the PNA is completely dependent on external actors: two-thirds of the PNA’s budget is made up of revenues collected by Israel, the other third being provided by foreign aid. Added to this is the current problem of the split between the West Bank and Gaza after the international sanctions against the elected Hamas administration in January 2006, and the subsequent coup in June 2007. The political and economic situation has negatively affected the human security of the Palestinian population. (Turner, 2006)

In order to respond to the new economic, social and political situation in Palestine, the PNA prepared a National Strategy which constitutes the framework that will shape and guide the development of the future Palestinian local government system including the distribution of power and delegation of authority between the Central and Local Government. However, there are many challenges starting with the size of the current Palestinian territories – far smaller than the 48 per cent of historic Palestine promised under UN Resolution 181 (1948), the Israeli occupation and the fragmentation of territories by the Separation Wall and the checkpoints and the fact that the land is poor in natural resources.

**Research Design**

This research will analyze the current prospects for the development of local government as a service provider and essential link between government and the people (and thus a crucial part of viable state-building) in Palestine by developing empirical research on the history of local government in the oPt, its development since the Oslo Accords and the current policies of the PNA towards it.

It will provide a historical summary of the phases of local government/administration in Palestine from the Ottoman era, through the British Mandate, the Jordanian and Egyptian era, until the Israeli occupation. This historical account provides a basis from which to explore the local government system that emerged in Palestine following the establishment of the PNA (LID Strom, 1999). The research will then move on to analyse the present legislative and legal structures of local government, its relationship with the PNA and its ability to provide essential services to the population.

The research will therefore analyse the institutional structure of the local authorities: their tasks and powers, their relations and linkages within and between governorates, and between them and the institutions at the centre. A review of the macro policies, reform programmes and plans
which frame and govern the course of development, together with the sectoral policies and sectoral strategies, will also be discussed as well as service delivery, finance and security issues.

The research will explore the challenges faced by the PNA in general and local government in particular vis-à-vis regional planning amid the ongoing conflict with Israel and the impact of the Oslo peace agreement on the territorial fragmentation and isolation of the Palestinian people and the resulting a weak economy which is dependent upon external assistance.

Issues related to the decentralization and delegation of powers, the legal environment, participation, accountability and transparency, and the administrative structure will be also discussed.

In order to assess the role of local government in promoting and/or protecting democracy, the research will also analyse local authority elections in Palestine: municipal elections under Israeli occupation and the first local elections held in the era of the PNA in 2004. The 2004 elections were held in four stages and did not include all Palestinian local authorities (some municipalities had not held elections since 1976 e.g. Hebron municipality). There will also be an analysis of why local elections due to the be held in July 2010 were postponed, focusing particularly on the internal conflict within Fatah and Hamas's boycott.

Finally, the research will draw on other case studies of state building on the local government level – i.e. Iraqi Kurdistan, Lebanon – to compare and contrast with the Palestinian experience.

Semi-structured elite interviews will be conducted with professionals, policymakers (including members of the PNA, local government) and donors working in the sector. The first phase of the research will be dedicated to a critical review of the literature on the role of local government in state building (including a short review of other case studies); phase two will move on to the elite interviews after which I will be able to identify problems and opportunities for local government in war-torn societies as an essential component of viable state-building and human security specific to Palestine but which will have broader implications.

**Discussion Questions:**
- What are the main obstacles that face the Palestinian National Authority (PNA) when undertaking the process of local reforms and what are the possibilities for improving this process?

- How to improve the legal framework towards more decentralization in light of the absence of a Legislative Council and the separation between Gaza and the West Bank?

- What are the reasons for the proposed new territorial organization plan (i.e. is it an administrative rationale in order to reduce the high number of local authorities or a political rationale in order to weaken Hamas on the local and central level)

- Is the actual administrative structure a success or failure?

- What is the role of the international community in putting pressure on the Israeli government to end its occupation and cease land confiscation and settlement construction?

- What are the challenges for the PNA in terms of technical and human resources for implementing the new strategic plan for local government?