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Islah Jad:

The Post-Oslo Palestine and Gendering Palestinian Citizenship

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This article examines the gendering of Palestinian citizenship which occurred in the decade immediately following the creation of the PA. Based on extensive interviews, official documents, and personal experience, it traces the evolution of women's political, social and economic actions from the early charitable societies, to a popular mass women's movement with ties to various political parties and including many sectors of the population, to its fragmentation into two main currents - on the one hand, the Islamist women's movement, and on the other, a secular, donor-driven proliferation of professional institutions, many attempting to develop a gender agenda within the severe constraints facing the PA and their position within it. It is with the latter group that this paper deals; Islamist manifestations of the women's movement are dealt with elsewhere.

The article describes both the difficulties and opportunities confronting women's organisations in the early years of the Palestinian Authority. It discusses the PA's treatment of women and the dramatic transformation in the image of women fostered by the PA, which helped alter the role of woman in modern Palestinian history from militaristic guerrilla fighter and grass-roots organiser to -- at least on the secular front -- "professional" "femocrat" heading a new kind of nongovernmental organisation, or NGO. The article emphasises the externally imposed restrictions which defend the Palestinian Authority from charges of "neopatrimonialism", while at the same time offering a critique of the limitations of NGOs and institutions of "civil society" existing in such a situation. It ends with a case study of the General Union of Palestinian Women (GUPW), one of the most important Palestinian women's organisations and a leader in the Palestinian national movement.

Engaging gendered citizenship in the Middle East

In the Middle East, the emergence of the notion of citizenship has been related to the quest for equality for women in the public sphere and has included an attempt to theorize women's status in relation to both the state and community ([Joseph 1986: 3-8, 2000](#); [Molyneux 1985](#); [Kandiyoti 1991, 2001](#)). This in turn has been associated with

contestations over the relationship between the state and civil society (Bishara 1996; Norton 1993, 1995). The gendered nature of social transformation, revived "an ahistorical notion of Middle Eastern exceptionalism" (Sadowski 1993; Zubaida 1988, 1995, 2000). Neo-Orientalists cast the Middle East as blighted by a failure to modernise due to its essentialised nature (Pipes 1983: 187-8 in Sadowski 1993: 18; Bill and Springborg 1990; Lewis 1964, 1988; Kedourie 1992; Crone, 1980).

Feminist evaluations of citizenship in the Middle East suggest that the question of women's rights exposes significant "fault lines in modern concepts of citizenship" (Kandiyoti 2000: xv). The feminist critique focuses on the continuing role of kinbased, communal entities and their incorporation into different systems of governance, either as recognised parts of the political system, or as the source of various forms of nepotism and clientelism (ibid: xv). Some feminists have argued that citizenship concepts do not apply and call for a more culture-specific approach to address the complex way in which these systems serve to simultaneously empower and disempower women (Joseph 1994, 2000; Al-Torki 2000; Charrad 2000). Others have argued in favour of citizenship concepts and call for the expansion of women's rights as individuals, as they "condemn the stranglehold that communal and religious forces exercise over them" (Kandiyoti 2000: xv; Hatem 2000; Hale 2000; Jad et al., 2000; Amawi 2000).

In the Arab world, women's rights were tackled by post-colonial national elites in their initiatives for modernisation and development by the introduction of policies to increase women's employment and education, control of women's fertility, and provision of social services were central to modernisation and led to changes in gender relations (Kandiyoti 1991). While introducing these top-down reforms and creating the 'new, modern woman,' these states tended to restrict and ban all forms of autonomous organisations (Kandiyoti 1991a). In short, they expanded the notion of social rights but simultaneously restricted political and civic rights which contradicted the evolutionary path of citizenship charted by Marshall in which civil and political rights are secured before the introduction of social rights.

However, women's introduction into the labour market did not produce a substantive change in the sexual division of labour. Women were perceived by these national elites both as modern citizens and as bearers of cultural authenticity

(Anthias and Yuval-Davis 1989). This contradiction figured in most of their national constitutions in which women were defined as equal citizens, but with fewer rights than men because the realm of the family remained governed by shari'a, a strict interpretation of Islamic law which, among other things, primarily defines women as dependants. Women's rights and shari'a law became part of a dominant debate on the Middle East, including Palestine.

Gender and the PA: The Legal Contours of Palestinian Citizenship

The Palestinian Authority from its inception was able to function at best as a kind of "quasi-state", divided and constrained by rigid and ever-evolving conditions and sanctions which deprived it of the power to govern in any meaningful way, its very existence in question. The experience left deep scars on the Palestinian community at large and on gender relations in particular.

In the Palestinian case, there is a tendency by critics to ignore external factors which affect the normal functioning of the PA and which affect the contractual relations between state and citizen. These included the restrictions on local resources under siege by the Israelis (Khan and Hilal 2004); the highly volatile political situation obfuscating developmental planning; the Islamic movement, Hamas' internal political opposition to the PA, and the nature of PA policies themselves, influenced as they were by earlier forms of Palestinian nationalism and by convoluted and ever-tightening Israeli-imposed constraints. As Molyneux has stated, government policies and a commitment to women's emancipation have a crucial impact on the content of women's citizenship (2001: 50). Likewise, any of the factors just described can hinder the process of women's emancipation and their claim for rights.

The legal contours of Palestinian citizenship were drawn by gender as well as by history, which were tied to the land and to the father (Massad 1995: 468-9). With the establishment of the Palestinian Authority, Palestinian citizenship became a dilemma. The Oslo Agreement only granted the PA the right to issue a Basic Law. The first drafts of the Basic Law reflected the fact the Authority could not define Palestinian identity according to the tenets of Palestinian nationalism.

Rather than formalizing a separation between Palestinian nationality/identity and Palestinian citizenship, the first

drafts of the Law postponed the definition of citizenship to some future period of legislation (Hammami and Johnson 1999).

Article 12 of a later (March, 2003) version of the Palestinian Basic Law specified the ways in which Palestinian nationality was to be transmitted. The basis of transmitting citizenship -- before 1984, blood ties through the father -- was changed to include blood ties to both parents, under the pressure of the women's movement. For the first time in an Arab state, women were given the right to grant their citizenship to their children (Jad 2003: 9). Earlier drafts of the Basic Law had stated that Palestine recognised and respected a whole set of universal agreements and declarations, including the United Nations Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), which provided a basis for the adoption of universal conventions as sources for legislation. In the first four drafts, which were subject to popular discussion, shari'a was not mentioned as a source of legislation; nor was Islam adopted as the state religion. However, under the pressure of Islamists, both were later added by the Legislative Council, (which, parenthetically, was mostly constituted of secular members. It is worth noting here that the Palestinian Legislative Council did not include Islamist members, since the Islamist political groups had boycotted the elections, which they saw as an outcome of Oslo, a process they opposed.)

There are some revealing passages that deal with work and motherhood which denote a 'lip service' approach to changing gender relations. Article 23, for example, in the Law declares: "Woman has the right to participate actively in social, political, cultural and economic life, and the Law will work to eliminate constraints that forbid women from fully participating in the construction of their families and society" (Jad et al. 2003:10) However, in many laws, such as the Civil Law and Civil Service Law, women were depicted as dependent on men. More importantly, changes in the laws were not translated into policies in instances that necessitated a financial commitment on the part of the PA.

Paralleling the unclear definition of citizenship was the PA's lack of a coherent set of policies intended to enforce the rule of law as an important guarantor for citizens' rights, in particular with respect to security responsibilities. Physical attacks on members of the

Legislative Council, raids on Palestinian universities, closures of private media stations, and arrests of journalists and student leaders all demonstrated non-adherence to the rule of law and a lack of respect for civil rights. (Palestine Report, April 2000). These repressive measures placed women activists in a dilemma. To increase their power, women had to form alliances with other social groups. But such alliances were problematic. On the one hand, forming alliances would mean that the women's movement would have to adopt a critical political position vis-à-vis PA practices, a stand which might lead to similar repercussions on women's activism. On the other hand, failure to adopt a position would discredit their demands and lose them legitimacy in civil society. The grass-roots women's organisations linked to Fateh, the ruling party, were, in fact, discredited for just this reason.

In the case of the PA, there was an inability to provide even the most basic right -- to work, to health and other services -- because these were being privatised with the adoption of structural adjustment policies. The shift to neo-liberal policies serves to erode the legitimacy of the state as its capacity to deliver social services was impaired ([Kandiyoti 1991](#)). The PA's deficiencies in providing basic rights contrasted with the gender-friendly language frequently employed by Palestinian officials, supposedly demonstrating their commitment to women's emancipation and gender equality but which in effect reflected UN pressures to conform with requirements to take gender into account.

The Palestinian "Quasi"- State: Neo-Patrimonialism or Gender Mainstreaming?

The power of the state -- to enhance women's choices creates opportunities for collaborative relationships with women's groups. However, the same state can also use its resources and coercive apparatus to reinforce existing genderretrogressive biases within the family and community, introducing points of conflict ([Rai 1996](#); [Agarwal 1994](#); [Goetz 1997](#); [Kandiyoti 1991](#)).

The Palestinian Authority has been extensively theorised as neo-patrimonial, with writers pointing to its personal patronage and corruption with inherently patriarchal tendencies which systematically disadvantage women. In accordance with the charges of neo-patrimonialism in reference to the Palestinian Authority ([Hillel 1998](#), Parker

199, Hilal 1999), some feminists consider the state to be a male-dominated apparatus against which women have to fight (Wilson 1977; Eisenstein 1989; Pateman 1988; Mackinnon 1989). In countries with a strong tradition of welfare state politics, there has been less resistance to dealing with the state, with both interest articulation and participation in state functioning seen in a positive light. The notion of the state as constituting one homogenous arena against which social forces, such as feminists and Islamists, struggle has been replaced with a conceptualisation of the state as heterogeneous institutional arenas with different power relations and offering different possibilities of contestation. Kandiyoti drew attention to an important marker of most postcolonial Arab states in enforcing kin-based and communal entities in their quest for legitimacy (Kandiyoti 2000: xv). The PA was not different, in the sense that in its quest for legitimacy it looked for the consent of contradictory social groupings, upper middle class, refugees, kin-based tribes and feminists. Women in the PA apparatus were seen as a source of legitimacy, with their gender units, requested and supported by foreign funding, serving as a secular, liberal image for the new authority.

In the following section I focus on the character and conduct of the PA as the main recruiter for women in the public sector.

From 'Self-help' to 'Self-government': Femocrats, between Patronage and Feminism

One group of players coming into its own with the formation of the Palestinian Authority was that of the "femocrats", a term originally referred to women who are employed within a state bureaucracy to work on advancing the position of women in the wider society through advancement of policies supportive of equal opportunity and anti-discrimination (Yeatman 1990). Palestinian femocrats are not necessarily feminist, nor are they "employed within state bureaucratic positions to work on advancing the position of women in the wider society through the development of equal opportunity and anti-discrimination" (Yeatman 1990: 65). Most Palestinian femocrats, in particular those in high-ranking positions, are nominated through patronage relations and not for their feminist credentials. However, these women are neither co-opted women who are waiting for the President to give them the mot d'ordre just to act on his behalf, nor are they innovators; rather, they are somewhere

in between. In other words, some of them may try to develop a gender agenda within the numerous constraints facing the PA and their positioning within it, while others may use the gender agenda and their political access to promote their own interests. Thus, patronage per se is not necessarily anti-feminist or against women's representation. In this sense, it is safe to denote these women as femocrats, since they deploy women's interests and rights, whether they 'truly' believe in them or not, to make a space for themselves within the PA and society.

The Inter-Ministerial Committee for the Advancement of Women's Status (lajnet al tansiq al wizaria leraf'a makanat al mara'a) (hereafter referred to as IMCAW) was the locus of femocrats within the Palestinian 'state' apparatus until the committee's dissolution and the establishment of the Ministry of Women's Affairs.

IMCAW consisted of women in key positions in their respective ministries, mostly nominated by the President to mainstream gender in their structures. In 1994, Palestinian women's movements within the Occupied Territories developed a project to establish a ministry for women's affairs within the PA. The President did not approve this, and IMCAW was created instead. The proposal triggered a conflict between, on the one hand, the Minister of Social Affairs and the head of the General Union of Palestinian Women, or GUPW (both expatriate Palestinians who had been working in the Diaspora), and on the other, the head of the Women's Affairs Technical Committees, or WATC (a local woman who had been working in the Occupied Territories). Expecting just such a conflict between those who had been working outside the Occupied Territories and those who had been working on the ground, under Israeli military occupation, Arafat suggested in his meeting with the women's delegation that the new body should include women both in the government and in the GUPW (Arafat, Interview), thus combining a committee (IMCAW) created by the PA with an organisation (GUPW) established in the time of the Palestinian Liberation Organisation (PLO), before the existence of the Palestinian Authority.

Success in fundraising and capacity-building was seen as vital for women in IMCAW to prove themselves professionals; they attempted, it seems, to imitate professional women in NGOs at the expense of their 'old' image as militants. Thus NGOisation set the model for the 'old' militants and was their path to professionalisation. In the Palestinian Development Plan (1996-1998), The

committee was heavily dependent on donor aid and was working as an NGO (or in this case, a GONGO, a governmental non-governmental organization) and women were lumped into gender units, in which many women activists were coopted, while women's gender equity was not integrated into the economic and political agendas of the new 'secular' PA. The lack of an overall goal for development led femocrats in IMCAW to focus on technicalities, such as how many workshops were needed for a mainstreaming plan. The confusions and conflicts within IMCAW reflected a similar trend in all ministries and structures of the PA. These seriously hindered not only attempts at mainstreaming gender but also any serious attempts at sustaining development. One could hardly speak of an orchestrated clear national project for change. Incoherent, contradictory and sometimes conflicting policies and interventions were the rule.

The Ministry of Women's Affairs, the locus of Palestinian femocrats passed through a tough test when the Islamist came to power after the legislative elections of January 2006. There was an international debate within the Islamists whether they should hold the responsibility of this Ministry or leave it for other non-Islamic forces. The debate ended up by holding the Ministry to 'prove that the Islamists can advance better women's needs and interests (Amal Syyam, Women's Affairs Minister November 10, 2009). The two Hamas women ministers Mariam Saleh and Amal Syyam, got the green light from the Cabinet to 'advance' Palestinian women's status through the establishment of women's multi purposes centres in the West Bank and Gaza. The centres suppose to provide different skills and orientation for women, particularly those political prisoners or martyrs.

Conflict soon irrupted in the Women's Ministry between women from Fateh party and the Islamists for political rivalry concealed in 'feminsit visage'. The Fateh women perceived the Islamists as lacking a 'feminist vision', while the Isalmists complained from the lack of professionalism characterised by the refusal of Fateh women to handle the authority to the Islamists by hiding files and documents and the refusal to cooperate at all levels. The internal conflict escalated to some physical attacks by Fateh women that led the Islamists to seek the protection of body guards. The conflict proved that a common gender agenda was not possible between women belonging to different rival political parties.

If gender mainstreaming suffered from conflict and confusion within the PA, women's activism in civil society was in no better shape. The establishment of the PA led to de-mobilisation of grass-roots organisations and of the GUPW, one of the most important Palestinian women's organisations, which was connected both with the PA, and therefore with its ruling party, Fateh, and with the PLO, as will be explained below.

GUPW: Between Mobilisation and NGOisation

The structure of the General Union of Palestinian Women (GUPW), whether in the Diaspora, where it was able to function beyond the repressive reach of the Israeli government, or in its various incarnations in the homeland, was an outcome of the continual change which has always characterised Palestinian politics. Unrelenting instability led to the freezing of most of the elections in all bodies belonging to the PLO, including the Union. The last election for the GUPW was organised in Tunisia in 1985, following the expulsion of the PLO from Lebanon in 1982.

In an attempt to solve the problems posed by geographical dispersion, a new representative body was formed to be the reference point for the Executive Committee (al amana'a al a'ama) of the GUPW in the absence of general conferences. The structure of the GUPW in the Occupied Territories had always been different from its structure in the Diaspora due to circumstances imposed by the Israeli Occupation. The GUPW was banned in the Occupied Territories by the Israeli authority on the grounds that it was part of a 'terrorist' organisation.

This resulted in the leadership's functioning in the Occupied Territories through a body of legal charitable organisations which existed in the main cities in the West Bank. Gaza did not at first join the GUPW for fear that the leader of the Arab Women's Union, Yussra al Barbari, would be deported. Thus divided and truncated, the General Union of Palestinian Women was unable to function as a national organisation. Soon, even most of the charitable organisations involved in 'national' activities were harassed and shut down; and the head of the largest one, Samiha Khalil (aka. Im Khalil) was put under town arrest.

These acts paralysed the power of the GUPW to play a leading role in women's resistance to the Occupation. Meanwhile, an older generation of women active in charitable societies were in control of the Union, a

situation which presaged conflict with the new generation of women activists in the newly formed grass-roots organisations.

Grass-roots women's committees emerged to fill the vacuum left by the General Union of Palestinian Women and then, due to political factionalism, began mushrooming. The committees brought new blood to the leadership of the Palestinian women's movement but were not allowed by the old leadership to join the underground structure of the Union. Supported by their parent political parties, these new committees started to gain a new and broad constituency due to their innovative approaches in organising women.

However, the non-existence of the Union in the Gaza Strip facilitated the creation of a new branch of the GUPW, headed by a powerful figure, Najla Yassine (aka. Im Nasser), a member of the EC and treasurer of the GUPW in the Diaspora. She had easy access to the President's Office and consequently to some resources. The GUPW targeted all women activists in Gaza whether in women's committees or NGOs, or newly appointed to the public sector. While one of the main issues raised in the West Bank was the independence of the Union from the PA, this was not the issue in Gaza, due to the ways in which new members were recruited. It seems that patronage links, as in other bodies connected to the PA, were commonly used in instances varying from distribution of food coupons and exemption from membership fees to provision of aid and social services. The links were also used for the distribution of membership forms to women working in government bodies urging them to join the Union (Mona, Interview). The structure of the GUPW in Gaza was mainly built on the persona of its founder. After she became ill, almost all activities were frozen and the Union proved incapable of competing with the growing power of the Islamists in Gaza.

The establishment of a new structure for the GUPW in the West Bank was less successful for a number of reasons. For one, the structure of the GUPW in the West Bank had already been weakened; for another, the Union, as in the thirties, was based on members representing their charitable societies rather than on individual members. The average (older) age of the charitable society representatives, their middle-class background, and their 'do-gooding' approach to women did not help enlarge the Union's constituency. As for the representatives of the women's committees, it is clear that they were too busy with their own committees to invest any real efforts in

establishing a structure in which they might not gain more power.

The freeze in the expansion of the GUPW was not only related to the power struggle between the 'returnees', who had been living abroad, and the 'locals', who had been living in the Occupied Territories. It was also related to facts on the ground created by Oslo. When Salwa Abu Khadra, head of both the GUPW and the EC, was faced with persistent criticisms about the lack of new elections she stated that:

We cannot organise it [the election] in the Diaspora as an issue of principle; the Occupied Territories are now the centre of the headquarters of the leadership. Also it will be very costly to bring big numbers of women representatives from the Diaspora: the Union coffers are empty. And even if they restrict the election to members living in the homeland in Gaza and the West Bank, the members in Gaza cannot join because of the siege (Salwa, Interview).

Another factor in the contraction of the GUPW, and one also related to tensions between women of the Diaspora and grass-roots women who had been living in the homeland, had to do with the Union's relationship with the PA. Upon their return, the Diasporic leadership announced that the Union was a nongovernmental body, but daily practice belied this claim. The leadership and its administrative staff received monthly salaries, and the rent of their luxurious villas was paid for by the PA. This reality was used by the local leadership to challenge the GUPW's claim of being a NGO.

Clearly, GUPW's financial dependence on the PA was seen as a sign that the organisation had become a mere hack for the PA. This was stated by another interviewee from the local group:

Every time we want to publish a leaflet or any political document, they [the GUPW?] always insist that we have to add some glorifying sentences about the President, and they ask us to display his photos. We are rebellious here; we are not used to that. Also, they objected to one of our leaders attending a conference in Amman because she was one of the signatories of a leaflet published by an opposition group criticising corruption in the PA. Of course we have to criticize the government; this is our right. We are not representing the government. We represent our people, our women (B, Interview).

Working in favour of the returnees was the fact that the new head of the Administrative Committee was less powerful than the previous head, because of her lesser-known history of militancy and because she was "less political" and Christian, factors which strengthened the control of the returnees over the Union.

Saying this does not mean that women in the local leadership had no power base of their own. They developed ties with women's NGOs and with grass-roots women's organisations belonging to political parties; and they invested all their efforts in building a popular base for the Union, especially in rural areas. The second intifada led to the inclusion of the 'local' head of the GUPW in the National and Islamic Leadership of the intifada, considered the highest popular political structure formed by the political activists belonging to political parties, unions and grass-roots organisations.

Conclusion

In this paper, I have provided an overview of how the PA constructed the legal contours of citizenship and gender relations through legislation, policies and cultural constructions of Palestinian nationalism. Based on the historical trajectory of the Palestinian national movement, I have argued that the Palestinian Authority had neither gender vision nor a political project for social change but that, despite being donor-dependent, weak and fragmented, the Authority still showed some positive reactions to women's well-organised efforts at pressure. Finally, I have questioned scholars' depictions of the Palestinian Authority as neo-patrimonial. The label is untenable, given the origins of the PA.

Nor does it allow for the externally-imposed lack of political stability and lack of control over national resources which have stood in the way of gender mainstreaming. Moreover, it takes no account of the conflicts created within and between bureaucracies by the merging of the old PLO with the new PA and the emergence of the new NGOs.

The cases of the Palestinian Authority gender units and of the GUPW suggest that international blueprints for women and development might not be best suited to the Palestinian situation, in which a continuing brutal military Occupation greatly hinders the application of most of the mechanisms

for development. All these blueprints assume a situation of political normality and stability, the existence of a state with functioning structures, and a stable and well-defined civil society. The tendency of outside 'experts' is to ignore the impact of structural and national instability and to pursue the implementation of previously designed 'projects' of mainstreaming gender. In this paper, I have argued that the Palestinian women's movement, in the process of claiming citizenship rights, assumed the 'normality' of the newly established PA and a period of political stability which they hoped would lead to a fulfilment of their national, political and social rights. The examples I have given show that Palestinian women's activism has not been undertaken by a movement representing all women's interests, but rather can be seen as a site of conflicting interests, power relations, and variable positioning. What then could femocrats and their gender units do, in a situation with no political stability, no unified women's front in civil society and a questionable commitment of the quasi-state?

The experience of women in the EC, as well as some women femocrats from the Diasporic leadership, demonstrates that elites whose power came from their leading role in the national resistance in the Diaspora did not necessarily lose power when the political system and their physical location changed nor were they passive followers of political leadership. In order to secure their self-interest while appearing to comply with the leadership and with the prevailing patronage norm, they used the same norm to hold their leaders accountable. Compliance with the political leadership in the Occupied Territories was the main strategy for Diasporic women leaders to achieve gains; they did not, as Razavi shows, seek autonomy or independence (as many feminists assume) as a pre-condition for women to realise their interests (Peteet 1991; Molyneux 2001). Nor were women in the PA and in the GUPW mere passive recipients of foreign aid. On the contrary, they worked to direct this aid to increase their gains and to strengthen their negotiating power vis-à-vis the PA and other women's groups in civil society. More significant in terms of women's empowerment, this paper has shown the impact of women's activism on PA policies and how it has expanded the boundaries of their rights as equal citizens. At the same time, it has been painfully apparent that the situation has caused women to limit the goals they set for themselves and therefore to have, in the end, less success in achieving women's rights than they might otherwise have had.

In the end, the state is responsible for regulating macro-level forces in a more gender-equitable manner (Razavi and Miller 1995: 4). Goetz has shown that the success of "the gender equity interest in policy making and policy implementation will depend upon the interaction of three major factors: the strength of the gender equity lobby in civil society, the credibility of feminist politicians and policies in political competitions, and the capacity of the state to enforce commitments to gender equity" (Goetz 2003: 30). In this analysis, I submit that while women's NGOs and grass-roots organisations have an important role to play in creating space for women to politicise their demands, there are serious limits to what institutions of civil society can achieve.

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