

**TRANSITING “EMERGENCY RESPONSE COORDINATION”  
TO “PROTECTION”: THE ROLE AND ACTIVITIES OF THE  
EMERGENCY WATER AND SANITATION- HEALTH  
(EWASH) COMMITTEE**

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**ABSTRACT**

International Agencies, International Non Government Organizations and Local NGOs all play a significant role in providing water and public health services in Palestine. Some also do much more, but this is infrequently recognised. Such agencies complement the activities of the Governmental (PA) agencies in response, advocate for policy change or implementation, and serve in a civil society role: One example of the inter-relation of these various roles is the Emergency Water and Sanitation- Health (EWASH) Committee.

The Emergency Water and Sanitation- Health (EWASH) Committee brings together the resources and representation from the Palestinian Water Authority, UN agencies, Palestinian and International NGOs. Initially, the EWASH Committee enhanced NGO response capacities through coordinating activities and information flows between geographically and organizationally disparate players. However, as the needs of the situation have changed it has also engaged as a “Humanitarian Protection” agency – i.e. an agency challenging the Palestinian ministries to take up their responsibilities, and, when the need is beyond the State’s resources or scope, providing an opportunity for other (non PA) agencies to fill the gaps. In taking up this role as a Protection Agency the EWASH Committee has developed beyond its original role as an information-clearing house to a position within Civil Society where it represents social interests and facilitates the work of the government.

**KEYWORDS:** Civil Society, Humanitarian Protection, International NGOs, Israel, Palestine, Water

## **INTRODUCTION**

The Emergency Water and Sanitation- Health (EWASH) Committee is a loose coalition of actors providing an open forum for all interested stakeholders to share information on the (Water and Sanitation) Watsan Sector in the Occupied Palestinian Territories. It is not a decision-making body but it does serve an interesting role mediating between the PWA and the NGO community. As such it takes on, perhaps unwittingly, a role as a “Protection Agency” within Palestinian Civil Society. This presentation is intended to present the:

- The History and Development of EWASH
- EWASH as a Humanitarian Protection Agency
- EWASH within Civil Society
- EWASH in practice.
- And a few thoughts on the possible future development of the EWASH Committee in the future

## **THE HISTORY AND DEVELOPMENT OF THE EMERGENCY WATER AND SANITATION/ HEALTH (EWASH) COMMITTEE.**

Damages to civil infrastructure peaked in May 2002. A whole lot of Water and Sanitation Infrastructure had been damaged; and entire communities were under extensive and strict curfews and unable to leave their homes, buy food, collect water, etc. In particular, local NGOs and Palestinian Water Authority (PWA) and municipal workers were unable to get out and survey and repair ripped up pipes. There was an acute humanitarian crisis.

### **The Problem**

In the immediate aftermath of the violent cycle inspired by the Intifada, a lot of NGOs sought to fill the gaps and respond directly to the needs of the population. There were, however, many problems. Information- accurate and timely- was hard to come by: So an effective and efficient response was hampered.

- When NGOs responded to locations that called them, they ended up by travelling all over the country. At a time when there were most checkpoints and travel restrictions, they found themselves spending the most time on the road.

- Many village councils called more than one NGO looking for assistance: Consequently many NGOs found themselves responding to the same emergency in the same location with the same sort of resources, resulting in a traffic jam of 4WD trucks bearing NGO flags and gifts.
- Some NGOs were called upon to assist in situations outside their expertise or experience.

Most agencies are torn between wanting to help community members, and their experience that if support is not met with a meaningful contribution from the beneficiary, it isn't valued. As NGOs are under significant pressure to distribute aid, canny village councils and municipal leaders found themselves in a "sellers market" and able to trade off NGOs to reduce their contribution, to the overall detriment of the country as a whole and the projects' long term effectiveness in particular.

A related problem is that NGOs were meeting the needs of the population, but were not informing the PWA of their activities. Accordingly, when the PWA went to the Joint Water Committee, the Israeli party knew more about the NGO activities than the nominal regulator. This led to negotiation problems, to the long-term detriment of the people the NGOs were trying to help. This is dealt with in more detail below.

### **The Solution**

In the summer of 2002, the Watsan Agencies formed the Emergency Water and Sanitation/ Health (EWASH) Committee with the intention of:

- Sharing information on the damage and needs
- Improving programming through sharing information on projects, problems, innovations, etc.
- Sharing information on a geographical basis i.e. informing NGOs in the sector as to which agencies are operating in which areas- encouraging "clustering" whereby agencies work in a few connected locations, and not dispersed ones.
- Sharing policy level debates- leading to a harmonisation of designs, costings, and beneficiary contributions.

- Informing the PWA of the proposed activities of the NGO community and informing the NGOs of the long term strategic, operational and tactical plans of the Water Authority.

### **EWASH Committee Composition and Membership**

It has long been realised that the strength and usefulness of EWASH is dependent on the size of the membership.

#### **Past and Current Membership**

This has varied between the handful and the twenties, although more and more agencies seem to be represented each time. A full membership list comprises some 20 organisations. It covers the gamut of INGOs and PNGOs (represented through PNGO). Some of these organisations are very small and local- but it is often the smallest NGOs that have been attending because it is more important for them to coordinate with other agencies than it is for the behemoths of UNDP, etc. At present UN agencies are represented through the attendance of UNOCHA and UNRWA, though UNDP is kept informed through the minutes.

The PWA nominally has observer status on the committee- but in fact their participation is key. Not only are the committee members seeking to coordinate their activities with each other, but also with the wider/longer strategy of the PWA. This is discussed further below.

#### **The Chair:**

This position has always been held by the Oxfam GB Water and Sanitation programme Coordinator: Apart from the geographical scope of Oxfam's programs and the expertise that can be called upon from other situations elsewhere there is little reason why this should be preserved.

There are suggestions that EWASH should be co-chaired by a Palestinian NGO, and this will probably happen, and is a good idea. The idea that an INGO is uniquely qualified for the position is not serious.

### **The Results of the EWASH Activities**

The activities of EWASH have resulted in an overall more effective and efficient response to the emergency needs. The initial activities comprised collecting and sharing information, and coordination of the activities of the independent agencies.

#### **Information Collected:**

A Water, Sanitation and Hygiene Database- funded by Oxfam GB, run by the Palestinian Hydrology Group and still going (available on the web, ([www.phg.org](http://www.phg.org)))

#### **Information Shared:**

EWASH provided and provides a regular forum at which information may be shared and enabled a mutual updating of agencies on project progress, sources of materials, contractors, outstanding needs, experiences etc. This enabled NGOs to improve their effectiveness and ensure “joined up implementation” such that results of one project are complementary to another.

Another important element of the information sharing was the empowering of the Palestinian negotiating team in the Joint Water Committee (JWC) such that they have as much or more information of water activities on the ground as the Israelis

#### **Actions Coordinated:**

The scope of information passed through the EWASH committee focussed on the technical and geographical areas- but also touched upon program development and implementation methodology. Examples would be a presentation of the “Technical Details of Household Sewage Treatment Plants” and an initiative we undertook to coordinate household cistern sizes, costs and prices.

The EWASH forum also enabled NGOS to set their priorities in coordination with the strategic programmes of the PWA and PA in general. EWASH and the NGO community maintain their independence, but sought to ensure firstly that there was no duplication between providers, and also that the activities of NGOs complemented, wherever possible, the plans of the government agencies responsible for water and sanitation. One case in point is where communities seek rainwater cisterns, but are about to be

connected to a mains supply: in such locations a community storage facility would be more appropriate.

Information collated through this forum also leads to the identification of lobbying issues; information on violations are provided for agencies to follow up both with their program and with their advocacy program. Working together on advocacy issues provided more weight than working individually.

### **EWASH and Humanitarian Protection**

However, the EWASH committee plays a wider role than just an information-clearing house. It also serves as a Humanitarian Protection agency. This is an Oxfam term but encapsulates broader themes of the role of NGOs in humanitarian situations. In this section I explain what the term means and how the EWASH operation fits within those terms.

### **Humanitarian Protection: A definition**

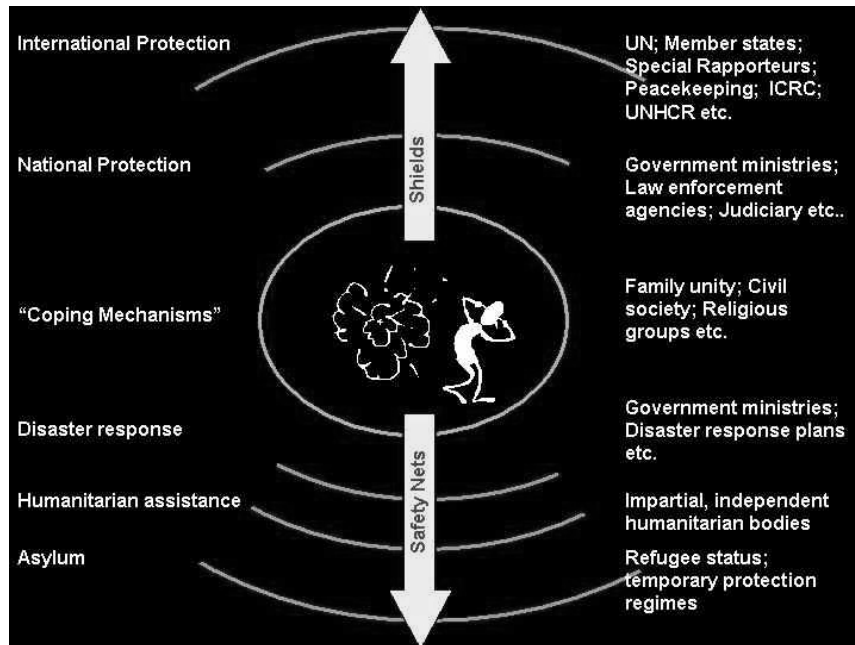
#### **What is it?**

“Humanitarian protection” is the challenge of making states and individuals take up their humanitarian responsibilities... and filling in for them as much as possible when they do not.

It is an approach that brings together different aspects of humanitarian response- from civil society building and advocacy to capacity building and direct assistance- rather than a specific set of activities.

### **Protection and the Rights Based Approach**

Many NGOs take a “rights-based approach” to humanitarian response. This recognises that people affected by crises not only continue to have rights under national and international law, but that states and individuals continue to have duties at multiple levels.



These rights and duties have crystallised into a humanitarian system (*see above*) which operates both formally and informally at multiple levels. The system aims both to protect people from coming to harm during a crisis (*shields*) and to cope with its consequences (*safety nets*). NGOs taking this approach see their overall role is to help this system function more effectively.

This implies that a coherent humanitarian response will not only **provide material assistance** but also **deliver policy and practice changes** at some or all of the levels in order to secure sustainable humanitarian assistance and protection for those affected by conflict or disaster.

### **EWASH as a Humanitarian Protection Agency**

Looking at role and functions of EWASH as a Humanitarian Protection activity we need to ask a few key questions:

1. Is this a Humanitarian Issue?
2. Are there people, affected by crises, who have their rights under national and international law abused?
3. Are States and Individuals taking up their responsibilities?

4. Does this require a coherent humanitarian response will not only provide material assistance but also deliver policy and practice changes?

### **1- Is this a Humanitarian Issue? Yes**

When a population has neither the quantity nor the quality of the water for domestic or agricultural use then I would argue that this is a Humanitarian issue. For details see Appendix 1 or the OCHA Consolidated Humanitarian Appeal document.

### **2- Are there people affected by crises who continue to have their rights under national and international law abused? Yes**

#### ***Protection of Civilians***

Civilians and their rights to life and water need to be protected from the actions of the occupying power and their agents (i.e. Settlers). Israeli armed forces have cut off water supplies, prevented maintenance crews from undertaking their legitimate activities, and enabled the discharge of garbage and untreated wastewater into the catchment areas of neighbouring villages. The quality of most water no longer meets World Health Organization drinking water standards. Ziegler, the UN Special Rapporteur on Food, places the remediation of this situation this firmly as a responsibility of the Occupying Power.

### **3- Are States and Individuals taking up their responsibilities? No**

#### ***The Humanitarian Responsibilities of the Palestinians***

The Oslo II accords granted Palestinians limited responsibility and authority over water activities in the West Banks and Gaza. However “any water activities” undertaken by the Palestinians are still constrained by Article 40. Their abilities to take up their responsibilities is further hampered by their physical inability to take up their responsibilities and move about the Disputed Territory. Therefore they are precluded from taking up the full gamut of their nominal responsibilities.

#### ***The Humanitarian Responsibilities of the Israelis***

The Government of Israeli appears to bend the spirit, if not the terms, of the treaty. The agents of the Government of Israel create and then exacerbate damage to water and sanitation infrastructure. Examples include Rafah, Deir Sharaf, Madama, South Hebron, etc. As an occupying power I would join Zeigler in stating they are definitively not taking up their responsibilities.

**4- Does this require a coherent humanitarian response that will not only provide material assistance but also deliver policy and practice changes? Yes**

It is estimated over USD 6 million is spent annually by INGOS in the sector merely trying to prevent further decline. It is clearly important that this money is spent wisely: It has the potential for providing significant and permanent benefits to the population- or it can be frittered away on short term ill advised projects that work against each other. The physical humanitarian projects must therefore be coherent to be truly effective.

This need for coherence extends beyond the physical response of delivering water and sanitation infrastructure. There has been a demonstrated need for the Palestinian ministries to take up the range of their responsibilities. However some policies appear non-existent, duplicative or contradictory. Highlighting the gaps and overlaps and complementing the state agencies is one role of NGOs. In some cases the INGO world, through EWASH, is able to bring a fresh perspective and expertise from similar situations elsewhere in the world to the benefit of the affected population.

I argue that the manner and context in which EWASH operates indicates that it meets all the criteria for a “Humanitarian Protection Agency”. They provide material assistance and also encourage policy and practice changes at a range of levels in order to secure sustainable humanitarian assistance and protection for those affected by conflict or disaster.

**EWASH AND CIVIL SOCIETY**

The EWASH committee plays a wider role than just an “information clearing house” and a “Humanitarian Protection agency”. In encouraging policy and practice changes it also plays a role within Palestinian Civil Society.

## **What is “Civil Society”**

The UNDP's definition of civil society is a useful beginning:

... Civil society is the sphere in which social movements become organized. The organizations of civil society, which represent many diverse and sometimes contradictory social interests, are shaped to fit their social base, constituency, thematic orientations (e.g. environment, gender, human rights) and types of activity. They include church related groups, trade unions, cooperatives, service organizations, community groups and youth organizations, as well as academic institutions and others (UNDP, 1993). . Civil society is independent of state and market and characterized by non-profit, voluntary organizations such as NGOs (Barber, 1998; Dionne Jr., 1998; Hall, 1992; Van Til, 1988).

Civil society is important in its ability to fill the inadequacies of liberal representative government or representative democracy and it is important to make democracy work. Civil society becomes the key variable for explaining the success of democratic government:

Civil society covers various aspects of voluntary associations such as NGOs, (who are the interlocutors for stakeholders and interest groups). Typical key interests are the effective delivery of public services– such as the major interests of all involved in the Water and Sanitation Sectors. An active civil society in these areas can lead to better institutional performance.

Historically, a wide variety of third parties have been involved in carrying out governmental functions when government cannot act (Salamon, 1995). Some NGOs are notable for their efficiency and recognized as a one of key participants of current and future governance models due to the flexibility and cost efficiency. (Miranda and Lerner, 1995) NGOs can be involved in civil society and collective decision making through arguing, bargaining and voting (Elster, 1998). The discussions can overcome the weakness of NGOs as they seek to further their own advantages or benefits without deliberation (Habermas 1989). Thus, civil society can lead to the development of democracy by mediating between citizen and state, by articulating citizen interests to government.

EWASH illustrates this overcoming of such insulation and enables collaboration among all stakeholders in a collective decision making process.

### **EWASH within Civil Society**

EWASH and the members of EWASH represent many diverse and sometimes contradictory interests in the social sphere; EWASH members are certainly interested in the success of the government and better institutional performance, (specifically in the fields of public service delivery, community policing, and health care service). The forum provides an opportunity for interests and expertise to flow vertically between the stakeholders-and horizontally between bodies seeking to represent these stakeholders. Although fiercely competitive when seeking grants and support for programs, to date the debate between EWASH members when considering our ultimate beneficiaries is characterised by a deliberative, collaborative, and altruistic approach.

Interestingly, the NGO sector in Palestine has been specifically singled out being [one of the agencies most] responsible for delivery of water and sanitation services.

### **THE EWASH COMMITTEE, HUMANITARIAN PROTECTION AND CIVIL SOCIETY**

How then, do these themes come together? How does this forum of Palestinian and International NGOs see their activities in meeting the duties of a Humanitarian actor and their role in civil society?

The EWASH Committee started as an “information clearing house”, took on a role as a “Humanitarian Protection agency” and plays a role within Palestinian Civil Society.

EWASH members provide material assistance – that much is clear. They do it in an informed and organised manner, and they do it well.

EWASH as a body also encourages policy and practice changes: As such it functions fills the inadequacies and tries to make democracy work.

EWASH also provides an opportunity for the concerns of the grass roots to be collected, collated, and presented to the agency or agencies responsible- making coherence out of voices of disparate villages.

## **What does it mean in Practice? Some Examples**

### **Water Quality**

#### *1- Contamination of Tankered Water*

##### Background:

During the times of greatest restrictions, NGOs are involved in running, or otherwise supporting water tankering. We do it for two reasons: One in cases where closures and other policies and events has driven the price of water so far above the ability to pay of the impoverished communities that financial support is required. The second reason is the protection provided by having a strong links between a specific provider and an NGO or ICRC that the soldiers at the checkpoint know that to hold back this truck will have ramifications beyond their intimidation of the truck driver.

However, even in the best of times it is not a problem free operation: Water User Groups, Village and Local Councils were reporting incidences of water born disease: Tests revealed that water being trucked was contaminated. This was traced to two sources: poor quality water being used to fill the tanks, poor quality tankers, and poor practices being used by the tanker drivers.

##### EWASH Actions

As a result of these findings:

- The general issue of Water Quality was raised within EWASH.
- A program of Tanker driver training was initiated.
- A commitment was made that no NGO will use a tanker that is driven by a driver who has not been through the training.
- A cross portfolio working group was formed that brought together the Department of Motor Vehicles (who register the water tankers); the Ministry of Local Government (in whose Municipal Areas the water was collected); the PWA (who is responsible for the regulation of Water Quality). This group sought to develop policies such that water sold as potable is, in fact, potable.

## *2- Chlorination*

### Background- chlorination

The key goal of most agencies involved in EWASH is to provide potable water at affordable prices- essentially to fill the humanitarian gap left between the responsibility of the Occupying Power and the capability of the Civil (Palestinian) powers to meet the needs of the population. Clearly water quality is a key element of the information needs of these agencies.

The agency charged with regulating water quality is the PWA, but a number of other agencies have testing kits to enable them to identify common pollutants. One of the reports to come out of the water-monitoring program is the widespread lack of residual chlorine at the point of consumption. Residual chlorine provides a degree of protection from the most common contaminants, and is the first line of defence against water borne diseases.

The core of the issue appears to be on two scales. Water supplied by the bulk supplier (WBWD) was chlorinated and so there was a degree of protection for these consumers. Most consumers, however, rely on local sources and, although a number of chlorination stations had been provided not many of them were still functioning. Therein lay the concerns. This has been attributed to a) rural populations and village councils not fully understanding why they had to treat their water and so b) not taking the issue seriously, not raising funds for consumables, not maintaining the dosimeters. Where the issue was taken seriously it was often not done properly, supplies of consumables were hard to come by (especially when the transition from Chlorine gas to liquid is concerned); there was confusion over which methods and concentrations were approved; “non-potable” chlorine (ie with poisonous trace elements) was used, etc.

### EWASH actions

EWASH played its role in Civil Society and expressed the concerns of the population. It also put on its Protection Agency hat, and encouraged the PWA to establish a chlorination task force to define a

national policy- and ensure the concerns of all stakeholders are heard. That process is ongoing.

## **WATER QUANTITY**

### **Background- Joint Water Committee**

According to the OSLO 2 treaty “all water activities” are subject to the Joint [Israeli/Palestinian] Water Committee. As almost all agencies in EWASH are involved in supplying water and sanitation infrastructure, most are severely constrained by its strictures. As NGOs seeking to meet a humanitarian need with limited funds it is galling to be diverted away from the efficient solution of problems to those activities that fall beneath or beyond the view of the JWC. As a result, EWASH members consider Article 40 of Oslo 2 as the most potentially egregious element of the treaty.

One issue of concern was the sporadic nature of the JWC meetings: when they do meet it is not unknown for them to be considered “complete failures”. For example in June 4<sup>th</sup> 2003 it was reported that no approvals were given, no new wells were approved, no more wells are to be licensed, and all aquifers in the west were to be considered closed to Palestinian access. What is worse is when a series of such bilateral meetings are consecutively cancelled- leaving one side in an artificial drought. One quoted reason for such meetings to be cancelled is the apparent inability of PWA to regulate- or even be informed of- relevant water activities. If the PWA was unaware of our activities then this would enable the interlocutor at the JWC to say “what about activities x,y,z”, accuse the party of negotiating in bad faith, and leave the negotiating table. As, I am told, happened.

### ***EWASH ACTIONS***

The EWASH committee is a committee of peers, with the chair having no authority. However through the discussions taking place members recognised the “disempowering” effect on the PWA of not informing them of their activities. Members may have had major concerns regarding the proposed procedures that would have had the NGOs working to the direction of the PWA but realised the costs of their independence would be borne by an extremely vulnerable group as the PWA would be unable to argue effectively for an increase in the allocation of resources.

Coordination with PWA has immense value on a number of levels, but there were concerns that this extra step would slow and limit the capacity of NGOS to respond to the needs of the community. Through EWASH a compromise was reached whereby the PWA was informed of what is going on. It is understood the PWA then informs the Israeli interlocutor on the understanding “no reply means no objections”.

### **Lobbying and Advocacy**

EWASH is linked to governments through the UN and the Donors agencies: We therefore have the opportunity to raise issues as individual agencies, and to inform those with whom we have close and funding relationships. This may, or may not, have been useful when we lobbied to have the stalled JWC meetings restarted. It may also be useful when the potential siting of a waste dump on a wellhead (Nablus) is considered. I wouldn't presume as to the value of the Committee's voice, but I would hope someone somewhere takes the chorus into account.

Advocacy also happens when we are invited to explain the breadth and depth of Water Issues in the OPT to the [UN] Operations Coordination Group. EWASH also contributed to the Consolidated Humanitarian Appeals Process that will go out to Heads of Government at the UN- EWASH members contributed their combined wisdom and experience to the formulation of the appeal and presented the viewpoints and inputs of EWASH members.

### **CURRENT ACTIVITIES**

The EWASH Committee fulfils all the roles noted above. Currently we are using the forum to coordinate our activities. Recently all the NGOs and agencies working in South Hebron have gotten together with OCHA to use the EWASH forum to coordinate their response to the destruction of water resources in the region. We continue to bring the voices we here in our activities at the grass roots to the attention of the “powers that be”. As individual agencies and members of the committee we have contributed to the OCHA Consolidated Appeals Process and we have ongoing sub committees looking at policies concerning Chlorination, Tanker Regulation, etc.

## **FUTURE ROLE**

As far as I can see EWASH will continue to progress along the path laid out: it is reasonable to expect a degree of regional responses such as that experienced in Hebron. However the overall role of the “information clearing house” will be maintained and complement the knowledge of the PWA. EWASH as a “Humanitarian Protection agency” will continue to encourage policy and practice changes wherever it comes across them in order to secure sustainable humanitarian assistance and protection. As such it will also continue to play a role within Palestinian Civil Society- and this will be strengthened by the widening links to Palestinian NGOs. We have not, as a group, considered the interrelationship with the future Water Governance Institutions. Whether, or how, this committee should fit into the proposed national water council remains to be seen. It would be a shame if the resource and energy its members have invested in it is wasted.

## **SUMMARY**

EWASH is widely recognized as a positive contribution to effective coordination between the PWA, NGOs and other actors in the provision of water and sanitation in the Palestinian Communities. What I don't think has been recognised is that it plays so many roles in the Water Resources Institutions of the Region.

The activities of EWASH have evolved over time- from an “information clearing house”, a “Humanitarian Protection agency” and as a part of Palestinian Civil Society. The roles will continue to evolve as the demands placed upon NGOs change and the demands upon the committee evolve. It clearly fills a niche and is flexible enough to change as the parameters of that niche evolve.

## **APPENDIX 1: THE HUMANITARIAN EMERGENCY IN WATER**

Palestinians face severe difficulties accessing safe water. Repeated IDF incursions have resulted in the destruction of water and sanitation infrastructure, and access restrictions prevent Palestinians from reaching water supplies. Palestinian Authority resources are being diverted into repairing damages rather than maintaining the water and sanitation network. Contamination of water supplies has increased as a consequence of degraded infrastructure, increased use of tanker

water and the inability of the Ministry of Health to monitor water quality (World Bank, forthcoming). Communities are surviving on less water – average Palestinian consumption *per capita* in the West Bank is between 30-60 litres per day (including water losses), compared to 220 litres in Israel.

This Emergency in the Water Sector continues to affect peoples' health and livelihoods in the Occupied Territories: It is not a natural phenomenon but rather an artefact of the occupation and the inequitable distribution of water between the two parties.

The humanitarian crisis in the water sector results from the impact of the occupation on all stages of the water cycle:

The **quantity** of water per capita available for consumption has been reduced by un-repaired destruction and deterioration and the widening gap between increases in demand and stationary or reducing supply.

The **quality** of water is affected both by the unregulated discharge of waste water from both Palestinian and Israeli camps and settlements in the West Bank and run off from the garbage that is no longer be disposed of properly (due to the restriction on movement, or indifference, respectively). This untreated wastewater enters the water cycle through groundwater, percolates down to the aquifer and re-enters the supply of drinking water. Treatment of water between the wellhead and the household tap is dependent on treatment stations, and these have been destroyed during incursions, rendered useless due to lack of access to supplies and spares.

The **use** of these reduced quantities of poor quality, expensive water requires specific skills and knowledge- this is not universally present. Inappropriate practices result in higher incidences of disease.

That is why there is a Humanitarian Imperative to be involved in the Water Sector in the Occupied Palestinian Territories.

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