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# **A Forward-Looking Vision for Reforming the Palestinian Political System**

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**Within a project**

Palestinian Civil Society contributes actively to Shaping  
the Palestine's Future

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The views in this paper reflect the researchers' views and do not necessarily reflect the views of PalThink for Strategic Studies or the donor.

## **Introduction:**

Political reform in Palestine is an urgent necessity to achieve progress and development, ensure political and social stability, and confront the internal and external challenges facing the Palestinian cause. The Palestinian political system, which was established under complex historical circumstances and under Israeli occupation, needs continuous development to be able to respond to the requirements of the Palestinian people and their aspirations for freedom, dignity, and independence.

The importance of political reform also comes in the context of enhancing the political legitimacy of the Palestinian system. Over time, the Palestinian citizen's confidence in political institutions has declined as a result of the accumulation of issues such as the absence of periodic elections, the erosion of legitimacy, weak accountability and transparency, and the spread of favoritism and corruption in some areas. Thus, this reform is the cornerstone for rebuilding trust between the people and their institutions, and ensuring real and inclusive representation of all groups.

Political reform is necessary to modernize the legal and organizational structure of the Palestinian political system. Current legislation and regulations, which may have been appropriate in earlier times, need a comprehensive review to match the changes of the times and the political changes in Palestinian society, and to activate the rule of law and ensure the realization of citizens' fundamental rights and freedoms. Reform also strengthens the separation of powers, emphasizes the independence of the judiciary, and lays the foundations for building a sustainable democratic system.

Political reform also strengthens Palestinian national unity, one of the most prominent challenges facing the Palestinian people in light of the internal division, which would contribute to strengthening social cohesion. Achieving a national consensus on reform paths can be a key step in ending the division and unifying efforts to confront the Israeli occupation. Political reform contributes to building a comprehensive national vision that reflects the interests of all parties and promotes social and political cohesion.

Political reform is necessary to improve relations with the international community and strengthen support for the Palestinian cause. A strong and effective democratic political system sends a positive message to the

world, reflecting the Palestinians' commitment to democratic values, justice, and human rights. Reform can also contribute to attracting more international support, both politically and economically.

Political reform is a process that aims to improve the existing political system by amending and developing laws, policies, and structures to ensure greater political participation, efficiency, effectiveness, integrity, and transparency in the pursuit of justice. Political reform is not an easy process, but it is a necessity to achieve stability and development, which requires a consensus among all actors as well as a real political will to implement it. Gradual, continuous and sustainable reforms through periodic reviews are the way to build a strong and just state, where all citizens enjoy their rights and exercise their role in decision-making.

Finally, political reform is a tool for achieving social justice and enhancing popular participation to reach the highest levels of consensus or even unanimity, especially for youth, women, and minority groups; as these groups, which represent the pillar of Palestinian society and the energy of the future, need political spaces that allow them to express their aspirations and participate actively in decision-making, so political reform in Palestine should not be a mere option, but a national necessity to overcome challenges and build a more stable and just future for the Palestinian people.

### **The Palestinian Political System: Structural Issues Hindering Political Reform**

The Palestinian political system suffers from a structural crisis. The absence of democratic freedoms and the prevalence of (absolute) rule created an authoritarian mindset for the Palestinian political class that led to a situation in which the people are no longer the source of authority, and the legislative institution they elected to represent them is absent, as elections constitute an important and effective tool for the circulation of power between different parties in democratic systems, and thus the only mechanism through which the will of the nation is expressed in choosing its representatives<sup>1</sup>. The collective concern retreated in favor of individual salvation, the value crisis worsened, and power became a source of strength

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<sup>1</sup> [1]. Dr. Ahmad Abu Diya et al., Political Corruption in the Arab World (Ramallah: AMAN Foundation, 2014), p. 24.

for some." This opened Palestinian organizational and factional fronts and internal contradictions at the expense of the basic contradiction with the colonizer, and administrative chaos was reinforced by making decisions in the morning and retracting them in the evening, putting the wrong person in the wrong place, lack of accountability, mismanagement, making ill-considered decisions, improvisation in positions, using the logic of "fear" or resorting to change under external pressures.

Therefore, it is crucial to conduct a comprehensive assessment of the PNA's experience to achieve the national goals of the Palestinian people, based on imposing the independence of the judicial system, activating oversight and accountability institutions, getting rid of chaos and corruption, returning to building civil society, separating powers, consolidating democracy, limiting the power of the individual and unilateralism, and building the rule of law. Otherwise, the Palestinian political system will remain inadequate if it continues to be based on factionalism, and thus there will be no significant political change in the structure of this system, but rather it will lead to further rupture and decay in the structure of the political system, which will reflect on the overall national cause.<sup>2</sup>

The Palestinian political system was seen as facing structural challenges until 2006, then it was later categorized as a (hybrid) system between 2006-2012, which is the rank that precedes the fourth degree called (absolute dictatorship),<sup>3</sup> meaning that it is neither a presidential system nor a parliamentary system nor a fully mixed system, although Article 5 of the amended Basic Law of 2003 explicitly states that the system of government in Palestine is a representative democratic system based on political and party pluralism<sup>4</sup>, which has not been committed by the ruling executive authority, in addition to the inability of the Palestinian political system to ensure the exercise of control mechanisms and checks and balances. The Palestinian political system is a mixed political system that mixes the features and characteristics of the parliamentary and presidential systems

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<sup>2</sup> [2]. Dr. Ali Jarbawi, *A Critical Review of the Palestinian Development Experience* (Ramallah: Palestinian Studies Center, 1st ed., October 1991), pp. 31–37.

<sup>3</sup> [3]. Democracy Index 2010.

<sup>4</sup> [4]. Article (5) of the Amended Palestinian Basic Law of 2003.

in a selective and distorted manner rather than a pure parliamentary system or a clear presidential system.<sup>5</sup>

As is well known, the parliamentary system lays clear foundations for the relationship between the three powers (legislative, executive and judicial), and on bipartisanship<sup>6</sup>, as is the case with the presidential system, where the powers of each authority and the mechanisms of oversight and accountability between them are clear and specific. <sup>7</sup>However, the relationship between the three authorities in the Palestinian reality is difficult and complicated by the mixed system that combines some of the principles of both the presidential and parliamentary systems randomly and selectively, which does not help in building an effective accountability system.

### **The importance of studying the issue**

The importance of the issue of reforming the Palestinian political system lies in the following:

1. Contributing to solving the crisis of legitimacy due to the absence of elections and the disruption of legislative institutions, which requires reforming it to restore citizens' confidence, enhance community participation in decision-making, reform the legal system, ensure the balance of powers, and achieve the rule of law.
2. Reforming the political system has become a necessity to end the division and promote joint action and political partnership to enhance political effectiveness and national unity.
3. The Palestinian political system faces challenges in transparency, accountability, and separation of powers, requiring fundamental reforms to strengthen democratic governance and ensure the independence of the judiciary.

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<sup>5</sup> [5]. Researcher Jihad Harb, Separation of Powers in the Context of the General Budget of the Palestinian National Authority (Ramallah: The Palestinian Initiative for the Promotion of Global Dialogue and Democracy "MIFTAH," 2006), p. 15.

<sup>6</sup> [6]. Dr. Ibrahim Shiha, The Status of the Executive Authority in Political Systems (Alexandria: Monsha'at Al-Maaref, 2006), p. 84.

<sup>7</sup> [7]. Dr. Hazem Sadiq, The Authority of the Head of State Between Parliamentary and Presidential Systems (Cairo: The Egyptian General Book Organization, 2013), p. 362.

4. Youth and women are marginalized in political life, and political reform is an opportunity to enhance their participation and inclusion in decision-making.
5. The Palestinian political reality requires reforms in line with regional and international developments to strengthen the Palestinian position in the international arena and achieve greater support for the Palestinian cause.
6. The current political situation requires reforms that enable Palestinians to face the economic and social challenges resulting from the Israeli occupation, and to fortify the internal front against external pressures and interference.
7. Political reform is linked to achieving internal stability, which contributes to providing a suitable environment for economic and social development and achieving social justice.
8. The lack of balance in the distribution of powers between the authorities in the Palestinian political system, where the executive authority encroaches on the legislative and judicial authorities, both according to legal texts and due to implementation.<sup>8</sup>
9. Failure of the executive authority to submit draft budget laws to the Legislative Council on time. In addition to not requiring the executive authority to finalize the executive regulations for new laws approved by the Council, or a long time passes before they are prepared and approved by the Council of Ministers.
10. Disrupting the oversight performance of the Legislative Council on institutions that are not affiliated with the Council of Ministers and those affiliated with the presidency, as the Council does not have the powers of oversight and accountability over them.
11. The appointment of the Attorney General by the President of the National Authority on the recommendation of the Supreme Judicial Council, whose appointment should have been approved by the Legislative Council, which prevents the completion of the oversight of the executive branch by holding it accountable.

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<sup>8</sup> [8]. Mohammed Hussein Abu Zneid, *The Relationship Between the Palestine Liberation Organization and the Palestinian National Authority: A Legal Analytical Study*, Master's Thesis, Al-Quds University, 2017, pp. 59–61.

12. The principle of balanced/flexible separation between the three powers and mutual control between them, the Palestinian political system with its current composition does not allow the Legislative Council to exercise its original powers of legislation and oversight, which weakens the democratic process and accountability based on accountability.

13. The unclear relationship between the PA president and the prime minister and whether the latter is bound by the PA president's political orientations and positions, which was reinforced after the issuance of Decree Law (5) of 2020 regarding the Presidential Office, which sparked much controversy.

14. The unclear nature of the nature of the president's relationship and role in many issues, such as supervising the security forces and overseeing the work of the security services, and the overlapping roles between the president and the Council of Ministers in many powers.

15. The influence of capital on the political system, whether through the alliance between businessmen and some politicians, and the resulting policies and procedures, or through the bills and laws that are passed, most of which are of an economic nature, or protect monopolies and others, which leads to the concentration of power and resources in the hands of a specific political-economic group.

### **Challenges facing the process of reforming the Palestinian political system**

There are a number of challenges facing the process of reforming the Palestinian political system, the most important of which are:

1. Practices that are characterized by favoritism or nepotism, such as the creation of titles, positions, and bodies for specific people, which reinforces nepotism.

2. Leaders of the security services, high-ranking officers, undersecretaries, some directors general, governors and their deputies, heads of ministerial bodies, the majority of ambassadors, the majority of senior administration officials, and the majority of directors of civil and security directorates in various governorates, most of whom belong to a single political orientation.



3. Extending the terms of security service commanders and senior officials in violation of the law (only a one-year extension), and then retiring them. In addition to issuing decisions by law that are tailored to a specific person, not to mention issuing decisions by law that have no urgency or necessity.
4. Failure to involve the private sector, civil society organizations, academics, and local experts in participating in administrative reform committees; administrative reform processes in the PA are usually the result of international pressure, and have never been the result of a national priority or need.<sup>9</sup>
5. Civil society as a stakeholder, including academic institutions, media, etc. etc. Civil society did not present its (parallel) vision and practical suggestions regarding the government's administrative reform process. Civil society was limited to providing criticism and observations, without presenting its reform vision in writing, and in a parallel report to the government on the desired administrative reform, under the title Civil Society Organizations' Vision for Reform.
6. Citizens do not have any information about the efforts of the current reform committee, as it is a governmental committee. The committee has not gone out to inform citizens of its work, i.e., to the extent that some public information can be disseminated.

**The overlap in the relationship between the PLO and the National Authority is one of the issues in any political reform process,<sup>10</sup> as evidenced by:**

1. Dual office-holding between the PNA and the PLO.
2. The merging of some PLO institutions with PNA institutions. Such as the Liberation Army, the Political Department of the PLO ... etc.
3. The dominance of PNA institutions over PLO institutions.
4. Dwarfing the organization, its institutions and frameworks.

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<sup>9</sup> [9]. Dr. Ayman Talal Yusuf, *Political Reform in Palestine 1994–2006: A Critical Review of Theoretical Calls and Practical Initiatives* (Jenin: Arab American University), p. 10.

<sup>10</sup> [10]. MIFTAH Foundation, *A Comparison Between the Role of the PLO and the Palestinian Authority* (Ramallah: MIFTAH Foundation, November 2024), pp. 4–6.

5. Financial overlap between the PNA and the PLO, including investments.
6. The opportunistic and opportunistic use of PLO institutions whenever the need arises to legitimize the authority, and the marginalization of these institutions after the need has passed.
7. The overlap in powers and the form of the current relationship between the PNA and the PLO may lead to the question of the PLO's obligations and duties in accordance with international law.

### **Options and alternatives: Methods of Political Reform**

Political reform is a comprehensive process aimed at strengthening the political system, developing its institutions, and broadening the base of political participation, in order to achieve transparency, justice, and accountability. Therefore, the methods of political reform can be summarized as follows:

1. Defining the relationship between the Palestine Liberation Organization (PLO) and the Palestinian Authority (PA), or transferring the Palestinian state to what is liberated or extending Palestinian sovereignty over it, while allocating the responsibility for political and international decisions to the PLO and keeping the responsibility of managing Palestinian affairs in the hands of the PA or the future Palestinian state.<sup>11</sup>
2. Strengthening democratic life by reforming the electoral system, which must take into account the adoption of electoral systems that reflect political pluralism and ensure the representation of all segments of society.
3. Modernizing administrative structures, by improving the administrative efficiency of government institutions to provide better services to citizens and reduce bureaucracy through the digitization of government processes.
4. Reforming the security system, by improving the performance of the security apparatus to ensure respect for human rights by reformulating its security doctrine to reflect its Palestinianism, strengthening civilian

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<sup>11</sup> [11]. Proceedings of the Workshop on Ways to Achieve Palestinian Reform, Sunday, March 9, 2025; PalThink for Strategic Studies, as part of the project Enhancing the Contribution of Palestinian Civil Society in Shaping the Future of Palestine.

oversight, and placing the security apparatus under the control of legislative and judicial institutions.

5. Separation of powers, ensuring the independence of the executive, legislative, and judicial authorities. Establish controls to prevent overlap or dominance of one authority over the other, and promote balance between authorities by clearly defining the competencies of each authority to avoid conflicting tasks.

6. Strengthening governance, by applying good governance standards such as transparency, efficiency, and accountability and developing clear strategic plans for the performance of government institutions.

7. Engaging youth and women, by enhancing the presence of youth and women in public life.

8. Strengthening the role of political parties, by enabling political parties to exercise their role freely without restrictions and developing legislation that prevents political monopolization by a particular party or current.

9. Transparency and accountability, by empowering independent oversight bodies to combat corruption and promote transparency.

10. Publish information, by passing laws that guarantee the right of access to information, especially the Information Disclosure Law, and providing periodic reports on the performance of the government and public institutions.

11. Strengthen accountability, by establishing mechanisms to hold government officials accountable for their actions, such as parliamentary questioning or legal trials.

12. Expand political participation, by enhancing the role of civil society organizations in formulating and monitoring public policies.

13. Promote national dialogue, by launching inclusive national dialogues that include all political and social parties. Promote the concept of partnership in decision-making.

14. Strengthening the rule of law, through the independence of the judiciary, separation of powers to ensure the independence of the judiciary from the executive authority, providing protection for judges and ensuring that their decisions are not influenced.

15. Reforming the legal system, by reviewing laws and legislation to ensure their compatibility with human rights standards and repealing laws that restrict political and civil freedoms.

16. Protect human rights and public freedoms by amending or repealing laws that limit freedom of expression, peaceful assembly, and association. Ensure that journalists and human rights defenders are protected from any violations.

Political reform is a dynamic process that requires strong political will, effective community participation, and cooperation between all parties to achieve the goals of sustainable development. By applying these methods, it is possible to build a stable, just, and transparent political system that fulfills the aspirations of citizens and protects their rights.

### **Mechanisms and tools that can be used in the process of political reform in Palestine:**

Political reform in Palestine requires a comprehensive vision and clear mechanisms that ensure the achievement of the desired goals and address the structural issues plaguing the Palestinian political system, and political reform in Palestine requires serious political will and a comprehensive strategy based on transparency, community participation, and respect for the law. Therefore, adopting a set of mechanisms and tools can contribute to building a strong democratic political system that expresses the aspirations of the Palestinian people and enables them to face internal and external challenges, through a set of practical mechanisms and tools, most notably:

#### **First: Strengthening the legal and constitutional framework**

1. Drafting a Palestinian constitution that clearly organizes the relationship between the three authorities (legislative, executive, and judicial) and defines their powers and responsibilities. Based on the principle of separation of powers and strengthening the principle of the rule of law.
2. Conducting a comprehensive review of laws, reviewing and amending existing laws to ensure that they are in line with democratic standards. The

State of Palestine's obligations under international conventions and treaties ratified by the State of Palestine, and repeal decrees that violate the principle of necessity.

3. Develop and amend the electoral law, adopting a more inclusive electoral system that promotes the representation of women, youth, and people with special needs.

### **Second: Activating the Role of the Judiciary**

This can be achieved by strengthening judicial independence and ensuring its integrity. Additionally, the restructuring of the Supreme Judicial Council is necessary to make it accountable and representative of the diverse components of society.

### **Third: Advocating for the Formulation of a Comprehensive Palestinian Social Contract**

The shortcomings in the implementation of the Palestinian National Charter—which, from the outset, did not transparently or comprehensively reflect the aspirations of Palestinians both inside and outside Palestine—along with the emergence of various charters from different Palestinian movements that sometimes contradict each other, necessitate the formulation of a new Palestinian social contract. Taking into account the political and social changes over the past forty years, this contract should align with the aspirations of Palestinians wherever they are while also adapting to regional and international developments, without excess or compromise.

### **Fourth: Engaging Civil Society<sup>12</sup>**

**1. Strengthen partnership with civil society:** Engage civil society organizations, trade unions, academics, and the media in formulating public policies and providing visions for reform. By holding more meetings and consultations between the government and civil society organizations to discuss issues related to reform.

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<sup>12</sup> [12]. Proceedings of the Focus Group Workshop Held on February 9, 2025.

**2. Encourage the participation of youth and women:** Promoting the participation of youth and women in public affairs, which requires a set of mechanisms and policies that focus on enabling them to participate effectively in political, social, economic and cultural life.

#### **Fifth: Building a democratic culture**

**3. Developing educational curricula:** By including the concepts of democracy, human rights, and social responsibility in educational curricula. Organizing awareness campaigns aimed at promoting a democratic culture in society.

#### **Sixth: Reforming public institutions**

**1. Restructuring official institutions:** By reducing bureaucracy and promoting efficiency in government institutions. Appointing employees based on competence and merit, away from political and organizational loyalties.

**2. Promoting decentralization:** Empowering local authorities to make decisions independently, and enhancing the role of local councils in providing services. Increase the financial and human resources available to local councils to activate their role.

#### **Seventh: Ensuring media independence**

1. Protect freedom of the press and ensure the independence of the media. Develop a law that regulates the work of the media and guarantees the right of access to information.

2. Combat hate speech: Launch awareness campaigns to combat hate speech, factionalism and partisanship, and promote pluralism and respect for other opinions.

## **Eighth: Strengthening National and International Relations**

1. Consolidating the Internal Front: Ending political division and forming a national unity government that represents all factions.
2. Adopting a Unified National Discourse: Promoting internal Palestinian solidarity through a cohesive and inclusive narrative.

### **Interventions and recommendations**

1. Holding presidential, legislative and municipal elections on their constitutional and legal dates.
2. Availability of political will to carry out political reform.
3. Announcing jobs for the top category and opening them to everyone.

#### **First: At the level of the Palestine Liberation Organization (PLO)**

1. Electing women and youth to the Executive Committee of the Palestine Liberation Organization.
2. Electing women and youth as president or vice-president of the Palestinian National Council, and in the chairmanship of the committees of the National Council and the Central Council.

#### **Second: At the level of the presidency and government**

1. Enhance the presence of women and youth in the Cabinet and in leadership positions within ministries and ministerial bodies.
2. Apply and implement various sectoral strategies and plans related to youth.
3. Include women and youth in reconstruction and reconciliation committees.

#### **Third: On the legislative level**

1. Making amendments to the legislative and local election laws in line with the State of Palestine's international obligations, and in line with the Palestinian Central Council's decision in 2015, regarding the women's quota, which is not less than 30%.
2. Harmonize the legislation in force in Palestine with the international conventions and treaties to which Palestine has acceded.

3. Lowering the age of candidacy for elections to the Legislative Council and local bodies.

**Fourth: At the level of political parties**

1. The need for political parties to elect women and youth to leadership positions within them.
2. Factions and parties should review their statutes and stipulate equality in the leadership bodies of the parties. Including their student, mass, trade union and labor frameworks.
3. Parties nominate women and youth to occupy advanced positions in the PLO and the National Authority, and in professional and labor unions.
4. Political factions and parties amend their internal regulations to allow women and young men and women to participate in the leadership bodies and frameworks of these factions.

**Indicators for measurement and follow-up**

**First: Indicators related to democratic institutions and good governance**

1. Measure the extent of commitment to holding presidential, legislative and local elections on their legal dates.
2. Assess the extent to which the Legislative Council fulfills its oversight and legislative role, and holds its sessions regularly.
3. Monitor the level of independence of the judiciary from the executive authority and the extent to which judicial rulings are applied fairly.
4. Measuring the number of laws and legislations that have been updated or issued to ensure the democratization of the political system.
5. Including the level of transparency, accountability, and reducing corruption within governmental and political institutions.

**Secondly: Indicators of political and societal participation**

1. Measuring the percentage of citizens' participation in elections as an indicator of their confidence in the political system.



2. Assess the extent to which youth, women, and persons with disabilities are represented in leadership positions within political institutions.
3. Monitor the index of freedom of press and expression and the extent to which journalists and activists are subjected to violations.
4. Evaluate the number of civil initiatives and campaigns that contribute to promoting political reform.

**Third: Indicators related to the separation of powers**

1. Measuring the extent to which the government adheres to its powers without exceeding the powers of the legislative and judicial authorities.
2. Evaluate the performance of oversight institutions in combating corruption and ensuring integrity in governance.
3. Monitoring political interference in judicial decisions and its impact on the independence of the courts.

**Fourth: Indicators of promoting freedoms and human rights**

1. Monitoring the number of events and marches that were allowed to be held without restrictions.
2. Measuring the number of political arrests and harassment of political activists.
3. Using the reports of human rights organizations to assess respect for the civil and political rights of citizens.

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