

The Palestinians

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BY DAVID McDOWALL



THE PALESTINIANS

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MINORITY RIGHTS GROUP INTERNATIONAL

Minority Rights Group International works to secure rights and justice for ethnic, linguistic and religious minorities. It is dedicated to the cause of cooperation and understanding between communities.

Founded in the 1960s, MRG is a small international non-governmental organization that informs and warns governments, the international community, non-governmental organizations and the wider public about the situation of minorities around the world. This work is based on the publication of well-researched Reports, Books and Papers; direct advocacy on behalf of minority rights in international fora; the development of a global network of like-minded organizations and minority communities to collaborate on these issues; and **the challenging of prejudice and promotion of public understanding** through information and education projects.

MRG believes that the best hope for a peaceful world lies in **identifying and monitoring conflict** between communities, **advocating preventive measures** to avoid the escalation of conflict and **encouraging positive action** to build trust between majority and minority communities.

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This Report has been commissioned and is published by MRG as a contribution to public understanding of the issue which forms its subject. The text and views of the author do not necessarily represent, in every detail and in all its aspects, the collective view of MRG.

THE PROCESS

As part of its methodology, MRG conducts regional research, identifies issues and commissions Reports based on its findings. Each author is carefully chosen and all scripts are read by no less than eight independent experts who are knowledgeable about the subject matter. These experts are drawn from the minorities about whom the Reports are written, and from journalists, academics, researchers and other human rights agencies. Authors are asked to incorporate comments made by these parties. In this way, MRG aims to publish accurate, authoritative, well-balanced Reports.



*Palestinian woman,
Ramallah, West Bank*

CARLOS REYES-MANZO/
ANDES PRESS AGENCY

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Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities

(Adopted by the UN General Assembly; Resolution 47/135 of 18 December 1992).

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and maintain their own associations.
5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group, with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights including those as set forth in this Declaration individually as well as in community with other members of their group, without any discrimination.
2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights as set forth in this Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.
2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.
3. States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.
2. Programmes of co-operation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to minorities, inter alia exchanging of information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights as set forth in the present Declaration.

Article 8

1. Nothing in this Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.
2. The exercise of the rights as set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognised human rights and fundamental freedoms.
3. Measures taken by States in order to ensure the effective enjoyment of the rights as set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.
4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialised agencies and other organisations of the United Nations system shall contribute to the full realisation of the rights and principles as set forth in the present Declaration, within their respective fields of competence.

Preface

The 1993 Declaration of Principles and subsequent 1994 Oslo Accord between the Palestine Liberation Organization (PLO) and the Israeli government facilitated the establishment of areas of autonomy or self-rule administered by the Palestinian Authority (PA). While remaining vague about a final settlement of the issue of Palestinian sovereignty, these agreements provided – if only initially – a measure of hope for Palestinian aspirations in the Occupied Territories. Palestinians living in Israel, however, remained marginalized by a state that has always denied them full rights.

The assassination of the Israeli Prime Minister, Yitzhak Rabin, by a Jewish fanatic eager to halt the peace process, shocked Israel and the world. Yet within three months, the leader of the opposition Benjamin Netanyahu was elected Prime Minister, albeit by the smallest of majorities. We have seen the fragile peace process and the hopes of those committed to peace being constantly undermined. Today the focus is on the growing dangers of escalating violence and the incidence of terrorism or government violence. There is little attention given to the marginalization and poverty of the Palestinian community especially in Gaza, and even less attention to the situation of Palestinian Arabs in Israel.

Palestinian Arabs are not defined by the Israeli state as a national minority but referred to as 'Israeli Arabs' or by their religious affiliation. Israel has never sought to integrate them; it has long excluded them from public life by practising systematic cultural, economic, political and social discrimination. MRG's Report asserts that successive Israeli governments have followed a policy of attempting to suppress Palestinian identity and seeking to divide the community into 'minorities within a minority', trying to set Druze and bedouin against other Palestinians, through, for example, the provision of the educational curricula, the control of housing, employment and academic opportunities, and the selective conscription of Druze and some bedouin men into military service.

Minority Rights Group International (MRG) last published on the Palestinian issue in 1995, with a revised and updated edition of its book *The Palestinians: The Road to Nationhood* by David McDowall. MRG's previous Report on the Palestinians, by the same author, had appeared some years earlier. In the interim, recent events have done little to encourage hopes for an equitable and lasting peace. This new Report is hard-hitting, being critical of the Israeli government for encouraging new settlements and for continuing to forcibly evict Palestinians, being critical of the PA for various abuses and critical of the international community for failing, among other things, to deliver its promises of aid.

Both the earlier background and these more recent developments are discussed in this new Report by David McDowall. The Report reminds us that the founding of

the state of Israel involved the mass eviction of Palestinians from land they had lived in and worked on for generations, of the process by which Israel became an occupying force in 1967, of the important role of popular movements – most notably the *intifada* – in the Palestinian struggle for dignity and in bringing about a measure of change, and of Israel's continuing defiance of United Nations (UN) resolutions calling for it to allow Palestinians to recover their land. In the context of the peace process, the Report examines the role of the PLO and its transformation into a quasi-governmental body charged with the administration of the autonomous territory. Crucially, it also analyzes the prospects of those Palestinians living in Israel who, on present demographic trends, are likely to constitute more than one third of the Israeli population by the middle of the next century.

The Report concludes that a fresh initiative is essential to ensure progress towards peace. It argues, among a number of cogent recommendations, that international norms and law must be the guiding principles of a just and durable settlement, requiring both Israel and the PA to observe human rights standards including the rights of minorities within Israel. The challenge for Western and other governments is to do more to persuade the Israeli government to uphold Palestinian rights and avoid further deterioration of their circumstances. Without such steps, prospects for a genuine and lasting peace remain severely limited.

Alan Phillips

Director

March 1998

Background

In 1918 Christian and Muslim Arabs formed over 90 per cent of the population of Palestine. Fifty years later those left were a powerless minority in their own land, while most were refugees outside Palestine.

By January 1998 the peace process was in tatters, and the fate of the Palestinians unresolved. Barely 6 per cent of the land area of the Occupied Palestinian Territories (OPT) captured by Israel in 1967 had been returned to Palestinian jurisdiction. Material conditions for most Palestinians had never been worse, while the new Palestinian authority (PA) seemed too weak to defy Israel. Those world powers able to protect the Palestinians' few remaining rights were not disposed to do so and Western opinion was largely unsympathetic to Muslim Arabs. It seemed likely that Palestinians would continue to exist in isolated cantons on c. one sixth of their ancestral homeland, under conditions of institutionalized weakness.

This Report explains how this situation arose, the experience arising from dispossession, and the challenges now faced.

Palestine up to 1967

The name 'Palestine' has been used since Roman times to describe the land between Lebanon and Sinai, excluding land to the east of the River Jordan. Today's Palestinians are probably descended from the first recorded inhabitants of Canaan. These intermarried with the Philistines (who gave the land its name) and Hebrews who had both entered Canaan by the twelfth century BCE.¹

By the time of the Arab conquests, 634–41 CE, the area was largely Christianized; however, Palestinian society had always been pluralist. Many Jews accepted Christianity and later, like most Christians, accepted Islam. The Arabs imparted two unifying characteristics: the Arabic language and the Muslim religion. The forebears of many Palestinians today may have been Jewish.

By 1900 over 80 per cent of the Palestinian population was Sunni Muslim and mostly rural. Identity was governed essentially by village or religious affiliation. Others were bedouin, desert nomads practising pastoralism in the Jordan Valley, the Negev and parts of Galilee. Towns were small and served the locality. The Christians, evenly divided between Orthodoxy and Roman Catholicism, still formed 10 per cent of the population. Many were town-dwellers. There were a few Druzes – Arabs following a heterodox religion that splintered from Shi'i Islam in the eleventh century – in a handful of Galilean villages. Unlike the larger communities in Lebanon and Syria, the Palestinian Druzes were solely peasantry, working for Sunni landowners. There were also a few Shi'i villages in the very north, outposts of the community in south Lebanon.

There was also a long-standing European Jewish community, which by 1880 numbered about 25,000, approximately 6 per cent of the population, concentrated in the four holy Jewish cities: Jerusalem, Hebron, Safad and Tiberias. Most were without political ambition, having come to pray and die in Palestine.

During the nineteenth century Palestine began to change rapidly, mainly because of European penetration. Europeans came mostly out of religious interest, seeing the inhabitants as a passive backdrop to biblical truth. Because of this European penetration and Ottoman land reform, the transformation to a cash economy began to take place. Particularly along the coast, peasants became sharecroppers and wage labourers, producing cash crops, mainly citrus fruits, for export. Far from being changeless, Palestine was being sucked into the vortex of modernization.

Early Zionism

In 1881 Jewish settlers of a new kind arrived, calling themselves the Lovers of Zion. They were inspired by Jewish nationalism, seeking to regenerate Jewish identity away from the twin European dangers of *pogrom* and assimilation.

Under the leadership of Theodor Herzl, the first Zionist Congress adopted a programme in 1897 for 'the establishment for the Jewish people of a home in Palestine secured by public law'. Implicit was the establishment of a Jewish state.

How could a Jewish state be created? One means was immigration. By 1914 the settlers had grown to 85,000, roughly 11 per cent of the population. A second means was to remove the indigenous inhabitants. Herzl and others knew Palestine was not empty but they thought the indigenous inhabitants should move aside. In his diary Herzl privately recorded his aim 'to spirit the penniless population across the border' by 'denying it any employment in our own [*sic*] country.'²

The Zionists also adopted an economic strategy. They planned to acquire land for agricultural colonies. By 1914 they owned approximately 2 per cent of the cultivable land, mostly purchased from absentee landowners. In 1901 a Jewish National Fund (JNF) was established. Land acquired by the JNF became an inalienable part of the Jewish patrimony and only Jews could work it. Acquisition of land and denial of employment to its previous inhabitants meshed with the aim of getting rid of Palestine's non-Jewish population.

Although the number who lost their lands was still relatively small, by 1914, Jewish immigration and land acquisition was a major political issue. Palestinians were neither passive nor indifferent to what was happening, but they were weak, because of the decentralized nature of society.

British rule in Palestine

Britain captured Palestine from the Ottomans in late 1917. It made several conflicting undertakings concerning the future of captured Ottoman territories. The

most significant one was a public letter from the Foreign Secretary, Arthur Balfour, to Lord Rothschild in November 1917, stating:

Her Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of the existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.'

Just before the Armistice in November 1918, Britain and France promised Palestinians, Syrians and Iraqis self-determination. Yet neither harboured the slightest intention of granting it to them in any meaningful sense. The Zionists, too, were evasive with the Palestinians. When Britain was awarded the League of Nations Mandate for Palestine in 1922, a Jewish Agency was nominated to assist the British to develop Palestine economically; in disregard of the ostensible purpose of the Mandate. It implied Jewish economic ascendancy in the country. This was soon fulfilled.

Traditional Palestinian leaders were often ineffectual, quarrelsome and lacking in strategic judgement, challenging the legality of the Mandate's terms when neither the League nor Britain had any intention of amending it. While Zionists were intimate with the British establishment via British Jewry, Palestinians had no foothold at all. Besides, how could they mobilize a decentralized and largely illiterate population? Palestine's leadership was also damaged by Britain's appointment of Hajj Amin al-Husseini as Mufti of Jerusalem. He turned out to be a vacillating and poor tactician.

So Palestinians appeared recalcitrant and negative, refusing anything that implied acceptance of the Mandate's legitimacy, while failing to argue pragmatically for limitations on Jewish immigration. By comparison the Zionists were conciliatory. Arab frustration led to outbursts of violence against Jews, who began to organize their military defence.

In 1929 Arabs massacred 133 Jews in Hebron, Jerusalem and Safad. Behind the attack lay rising tension over control of the Western Wall, sacred to Jews but abutting the Haram al-Sharif, the main Muslim shrine in Jerusalem, and legally under Muslim ownership. The Mufti used the Haram as a symbol of identity, one that was more potent to ordinary Palestinian Muslims than abstract arguments concerning Zionism or self-determination. Thus the contest spilled over into the religious domain, drawing in the wider Muslim world and blurring the distinction in Arab minds between Zionist and non-Zionist Jews.

Meanwhile, Jewish land purchases continued apace. In 1936 the peasantry rose in revolt in an attempt to drive out both their unwanted rulers and the usurpers. British troops suppressed the revolt with ruthless brutality.

For the first time – in 1937 when the Peel Commission reported on the revolt – the incompatibility of Britain's promises to Jews and Arabs was publicly admitted, with a fruitless search for an equitable solution. But world war in 1939 and then the Holocaust changed everything.

Partition

In 1947 Britain asked the United Nations (UN) to terminate the Mandate and resolve the question of Palestine. It did not have the will to settle the competing claims, contest the campaign by Zionist terrorist groups, nor resist the psychological impact of the Holocaust.

A UN Special Committee on Palestine (UNSCOP) favoured partition, with proposed Jewish and Arab states and an international zone for Jerusalem. Partition was confirmed by UN General Assembly Resolution 181 of 29 November 1947.

The Palestinians rejected partition, for the geographical integrity of Palestine and the establishment of a secular democratic state were, and remained, guiding principles. They also refused a partition that awarded 54 per cent of the area to the Jews, when these constituted less than one third of the population. It was also absurd since it proposed a Jewish state that would be 50 per cent Arab, and an Arab state that would be 98.7 per cent Arab.³ The Jewish leaders accepted partition because it gave international recognition to a sovereign state in part of Palestine, even if it fell short of their claims.

Palestine slid into civil war, but fewer than 4,000 Palestinians volunteered to fight, and they were no match for the Jews. The Jewish (Haganah) force was 52,000 strong, of whom half were trained veterans from the Second World War. Jewish leaders planned to consolidate Jewish areas and seize strategic areas allotted to the proposed Arab state before Britain withdrew on 15 May 1948.⁴ Jewish forces usually expelled Arabs from captured areas. By 15 May, when the first regular Arab troops from neighbouring countries entered Palestine, approximately 300,000 Palestinians were already homeless with substantial areas allotted to the Arabs in Jewish hands. The task of the new Jewish state, Israel, was made much easier by the disunity among the adjoining Arab states. Israel gained on every front. By the time an armistice was agreed in 1949, Israel controlled 73 per cent of Palestine.

Into the wilderness

When hostilities ended, approximately 725,000 Arabs were refugees, forbidden to return home to the 400 or so villages they had fled. The UN tried to negotiate their return but Israel refused to allow any back. The UN General Assembly considered the refugees had inviolable fundamental rights, and Resolution 194 (III) of 11 December 1948 affirmed their right of return:

'the refugees wishing to return to their homes to live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those not choosing to return and for the loss or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible' (Article 11).

Israeli troops bulldozed most Arab villages,⁵ arguing that having voluntarily 'abandoned' their land and dwellings, the

Arabs no longer had a claim on them. The Zionist objective of removing the Arabs, formalized in 1937 under a Transfer Committee, was largely achieved. Most refugees had left their homes to avoid nearby fighting, but many were fearful of massacre. The most notorious massacre occurred in April 1948 at Deir Yassin, west of Jerusalem, when 254 villagers were killed, leaving Arabs across the country terrified.

There were also deliberate steps to make the Arabs leave. In July 1948 Israeli forces seized Lydda (Lod) and Ramla, both designated for the Arab state. After a massacre in Lydda, approximately 70,000 inhabitants of the two towns were driven out; they represented almost 10 per cent of the refugee total. Expulsions, sometimes accompanied by atrocities, were frequent from late summer onwards, increasing the climate of fear. Israel continued to claim that Arab flight was ‘a tactic of war on the part of the Arabs who directed the war against the Jews’. The claim had no foundation.⁶

Israel’s case was as mendacious as it was misleading, but many continue to believe it. Even after the Armistice agreements of 1949, Israel continued to expel or coerce departure. Only 17 per cent of the Arab population, approximately 160,000, remained in what became Israel.⁷ Israel accused Arab governments of failing to solve the refugee problem, but Egypt, Jordan and Syria all sought partial solutions if Israel would cooperate.⁸

The United States of America (USA) had been primarily responsible for the UN partition decision and should have been steadfast for the refugees’ rights. Instead, over the years, it assisted Jewish immigrant settlement while leaving the impoverished refugees in insecure statelessness.

The failure to establish a just peace: 1948–67

Palestine ceased to exist in international consciousness, its people thought of only as refugees. Egypt administered the Gaza ‘Strip’, 45 km long by 6–10 km wide. The area’s indigenous population of 80,000 was overtaken by some 200,000 refugees. Transjordan integrated what became known as the West Bank into a new ‘Kingdom of Jordan’, and its population almost trebled to 1,280,000 citizens, of whom just over 500,000 were refugees. From 1948 to 1967 refugees were approximately 55 per cent of the West Bank population (only 44 per cent from 1967). Palestinians correctly suspected Jordan of collusion with Israel. Jordan neglected the West Bank economically and installed its own people as governors. Refugee frustration found expression in radicalism, and this resulted in the assassination of the Jordanian King Abdallah in Jerusalem in 1951. By 1960, however, Hussein, Abdallah’s grandson, had suppressed nationalist expression.

Israel warned it would not tolerate trouble on its borders. However, its neighbours could not prevent ‘infiltrators’, the vast majority of whom were Arab peasants trying to return home or to harvest crops to assuage their hunger. Sometimes these robbed or murdered Jews; up to the mid-1950s about 40 Jewish civilians were murdered annually. Israel reacted ruthlessly. Between 1949 and 1956 its forces shot dead 3,000–5,000 ‘infiltrators’ – men,

women and children – most of whom were unarmed.⁹ Israeli forces also rounded up people in Arab villages and expelled those it decided were ‘illegals’.

Refused the right of return, peasant infiltration gave way by 1953 to armed bands crossing the border, intent on killing as many Jews as possible. Egypt, Jordan and Syria pursued a contradictory policy of trying to limit border violations but also allowing or even encouraging a small number of guerrilla raids into Israel. Israel always struck back much harder. In 1956 Israeli killings of surrendered or non-combatant Arabs reached a climax in Gaza during its Sinai/Suez operation.¹⁰

The war of 1967

Until the 1967 war the West had hoped the Arab–Israeli conflict would wither, the refugees integrating into their host countries and Arab governments accepting Israel. But this hope foundered, and in June 1967 Israel defeated its neighbours, seizing the rest of Palestine, Sinai from Egypt and the Golan from Syria. Many Palestinians fled or were expelled from villages or refugee camps. Some 355,000 crossed to the East Bank – i.e. Jordan, excluding the West Bank – of whom 210,000 had not previously been refugees and were now described as ‘displaced’. Only 15,000 of these were allowed to return, less than 5 per cent of the total.¹¹ By 1997 the displaced (of 1967) numbered an estimated 850,000. Israeli troops shot civilians trying to slip back home, and the Israeli cabinet discussed how to further reduce the Arab population.

In November 1967 UN Security Council Resolution 242 noted:

‘the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every state in the area can live in security.’

The UN Resolution also called for:

‘(i) Withdrawal of Israeli armed forces from territories of recent conflict; (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.’

To achieve these aims it also affirmed the necessity:

‘(a) For guaranteeing freedom of navigation through international waterways in the area [i.e. the Straits of Tiran]; (b) For achieving a just settlement of the refugee problem; (c) For guaranteeing the territorial inviolability and political independence of every state in the area, through measures including the establishment of demilitarized zones.’

The Arab states accepted Resolution 242 reluctantly. Israel accepted it, but made clear it would not withdraw completely. It hovered between claims on the whole ‘Land of Israel’ (i.e. all Palestine), and claims for strategic security. The Palestine Liberation Organization (PLO) rejected Resolution 242 because it ignored the right of the Palestinians to self-determination.

Palestinians inside Israel

Unequal and inferior

Approximately 160,000 Palestinians had remained inside what became Israel, mainly in Galilee. One quarter of these were forbidden to live in their homes and became internally displaced.¹² Other concentrations were in the 'Little Triangle', a strip of land running adjacent to the West Bank from Qalqilya to Umm al-Fahm, and in the northern part of the Negev where by 1953 the 11,000 bedouin inhabitants (those remaining from the pre-1948 war population of 92,000 bedouin) were congregated.

Israel promised to 'maintain complete equality of social and political rights for all citizens, without distinction of creed, race or sex'. Without mentioning 'Arabs' or 'Palestinians', it established legal mechanisms to exclude Palestinians from political, economic or other essential benefits of being an Israeli; these would keep them separate from mainstream Israeli life. Furthermore, until 1966 Israel applied military government to the Arab areas. It had powers to restrict freedom of movement, detain or expel inhabitants, designate land required for military or other purposes as 'closed areas', and control travel permits – essential to employment outside the village.

Israel's claim to democracy is vitally diminished by the Knesset Basic Law (Amendment 9 of 1985) which states: 'No political party may stand for election which rejects the State of Israel as the state of the Jewish people.' This denies a voice to those arguing that Israel should be the state of all its citizens.¹³ This law also proscribed any party denying the democratic nature of the state. As Meir Kahane, the extreme nationalist rabbi, observed:

*Western democracy calls for full political rights for all people, no matter who they are, Jews or Gentiles. If the Arabs were to be a majority here, then they have the right to plan the sort of state they want. Zionism states that this is nonsense. It says that this country was created as a Jewish State and a Jewish State means Jewish sovereignty, and that non-Jews can never be allowed to have sovereignty. There is a basic contradiction. That's why when we speak of giving the Arabs equal rights, that's a lie, a fraud.'*¹⁴

Land seizure

After the 1948 civil war those Arabs still in Israel owned an estimated 25 per cent of its land area.¹⁵ Israel transferred most of it to state (i.e. Jewish) control to weaken the Arab community economically, to dominate it physically, and to provide agriculture and housing for new immigrants. This transfer was legitimized under more

than 30 laws, affecting the land of refugees, of the internally displaced and of those still in their villages. By 1966 Arab villages had lost over half their land.

Israel gave administrative responsibility for virtually all of this land to the JNF, and thus Israel wittingly passed administrative powers to an agency which by definition would deny its use to Arabs. The JNF shares responsibility for and participates in the administration of over 92 per cent of the land area of Israel.¹⁶

Altogether 176 Arab settlements have been declared 'unrecognized' retroactively, their buildings illegal and their lands state property even though virtually all pre-date Israel. Some were villages from which the inhabitants fled during hostilities but returned afterwards. Israel describes these as 'present absentees' whose right to their homes is thereby forfeit. Others never left their villages but were expelled anyway and have come back. The inhabitants of unrecognized villages, in all some 70,000, remain under threat of house demolition and are denied basic services such as education, electricity, health, public transport and water. In June 1997 more households in these settlements were threatened with demolition orders.¹⁷

Israel has been trying to 'resettle' the bedouin since 1948, and is still trying to concentrate them in seven Negev townships, away from their ancestral lands or any form of economic independence.¹⁸

Israel also confiscated the *waqf* endowments of land and property of the Islamic community. This accounted for 10 per cent of all land in Palestine before 1948, and 70 per cent of all shops in some Arab cities, and was now put at the disposal of the Jewish community. The Israel Lands Authority recently admitted it deliberately frustrates Arab land purchase.¹⁹ After 50 years' of expropriation, Palestinians own only 4 per cent of the land.

Control mechanisms

The Palestinians in Israel are segmented by the government. They are sometimes called 'Arabs', yet Druzes are excluded from this category – although Druzes are incontrovertibly Arab. It often calls Palestinians by religious classification: Muslim, Christian and Druze, and also sets the bedouin apart. Muslims and Christians feel a solidarity for each other but Israel has been moderately successful in setting the Druze and bedouin communities apart from this Palestinian majority, and co-opting elements of both of these smaller communities. Israel took 500,000 acres (2 million *dunums*) of land the bedouin had previously cultivated, thus increasing their dependency. Today there are approximately 95,000 bedouin in the Negev and 55,000 in Galilee. Israel revived and manipulated traditional village structures, as a form of control.

Israel does not want Arabs and Jews to fraternize, so

Arabs are discouraged from living alongside Jews, even in mixed cities. However, where privately owned, (for example in the Jewish town of Natzerat Illit), Arabs sometimes succeed in purchasing property. This is considered a demographic threat.²⁰

Israel uses direct force, to uproot or repress. The bedouin continue to experience brutal evictions when grazing their livestock on ancestral pastures designated as 'unauthorized areas', or when forcibly moved to a resettlement area.²¹ Approximately 60 unarmed Israeli Palestinians (but no Jews) have been shot dead by government forces since 1950.

The state employs the defunct British Mandate Defence (Emergency) Regulations of 1945, to detain people at home, in their home town or in prison. These regulations strip individuals of their basic freedoms without any need to bring them to court or offer any explanation, and may be renewed indefinitely.

Continuing exclusion

Israel abandoned military government in 1966, once Arab unskilled labour had become economically necessary. Arabs have always been expected to go home at night after work. Very few have found accommodation closer to work, because of the difficulty of renting as non-Jews, and because neighbourhood hostility enjoyed official sanction. Arabs are used to long hours travelling to and from work.

After 1967 Israel again 'judaized' predominantly Arab areas. By 1977 the average loss of Arab village land had increased from half to more than two-thirds. The process continues with 80 per cent of Arab land now lost. Jewish domination remains a principle objective. For example, Natzerat Illit was built on confiscated Arab land in 1952 'for public purpose', thereby creating a Jewish town overlooking Arab Nazareth.²² There have been repeated drives to defeat Arab demographic predominance in Galilee. In 1994 a secret Jewish Agency plan to judaize Galilee and the Jezreel Valley with 26 new settlements was leaked to the press. Its aim was:

[T]he preservation of national land in the Galilee, a strengthening of controls over the area [Jezreel] between the Palestinian autonomy area and Israel [i.e. Arab Galilee], and a shift in the demographic balance with the establishment of a Jewish majority in the Galilee'.²³

Given such land loss but a fivefold population increase by the mid-1990s, Palestinians have become a rural proletariat. Many worked on the confiscated lands as wage labourers, but numbers dwindled as the JNF prevented them working on its lands. Agriculture accounted for 39 per cent of Arab labour in 1966, but only 9 per cent by 1984.

Palestinian agriculture is disadvantaged in two vital areas. 'Planned settlements', virtually the whole of the Jewish sector, are not subject to the same pricing scheme for water as 'other users', i.e. Arabs. Arab short tenancy (11 months) farmers in the Negev cannot obtain water for agriculture at all. So, while accounting for 18 per cent of land allotted to field crops and fruit, and 23 per cent of

land allotted to vegetables, Palestinians consume only 2.7 per cent of water used for agriculture. Furthermore, marketing is strictly controlled and permits are required for production.

Most Arab men work in the Jewish sector, in unskilled jobs in the construction and service sectors, the jobs most susceptible to booms and slumps. Palestinian unemployment averages about twice the national average except in boom periods.

Israel avoids Arab areas when locating new industries. The Histadrut (the General Labour Federation), which controls one quarter of the state's productive capacity, has not established a single factory or firm in Arab population areas. Furthermore, many employers require applicants to be ex-service personnel, thereby excluding Arabs. Regulations also debar Arabs from working in any defence-related industry, even in a food processing plant, if any of its produce is used by the Israeli Defence Forces (IDF).

The state also discriminates against the Arab population in state finance, services and permits. Under its development law it divided the country into three zones, two of which qualify for development assistance. Generous incentives are offered for industrial projects in 'Zone A'. Incentives at significantly lower rates are available for 'Zone B'. Generally speaking Zone A includes areas of Jewish numerical preponderance in Galilee and the Negev, but tends to exclude areas where Palestinians predominate. Zone B tends to favour Jewish settlements to the detriment of Arab ones, even though income per head is substantially lower in Palestinian population areas and unemployment twice the national average.

In 1987 the government produced a development plan for the Northern District – the area north of the West Bank with the exception of Haifa and its coastal environs – up to the year 2000, with incentives for Jews to settle there, including land expropriation euphemistically described as 'an adjustment in land ownership', and an industrial development programme. The Palestinian sector was almost completely ignored although Nazareth had the highest unemployment rate in the whole country.

The government discriminates regarding assistance to Arab and Jewish local councils. In 1973 a commission established that Arab localities – areas under the control of local councils – received per head between one quarter and one eighth of allocations to Jewish localities. Since then there has been a campaign to make funding fairer. Only seven Palestinian towns have municipal status, theoretically qualifying them for economic and government support. Virtually every Jewish settlement with more than 5,000 inhabitants (and many smaller ones) has a proper sewage system. Most Palestinians live in concentrations of over 5,000 inhabitants but most do not have such facilities. They live in what are described as 'urbanized' villages without the basics of urbanization.

In 1965 the state required local councils to produce a 'master plan' for developing their area. Approval, provided to all Jewish councils, empowers a council to issue building permits without further reference to central government. In its absence it must apply to central government on a case-by-case basis. Despite the submission of these plans over the past 30 years, few Palestinian councils have received planning approval. The state is reluctant, disputing the status of

much of the land involved, wishing to retain the option to confiscate more land, and the power to co-opt or punish through the provision or denial of building permits.

All recognized localities are 'zoned', with land designated either for housing/construction or agriculture. Palestinians control tightly confined zones for housing, but their agricultural lands are usually under a Jewish Regional Council control. Regional Councils (on which Palestinians are not represented) refuse to allocate more land for Arab housing, despite the needs of a population that has increased sixfold since 1948. So thousands of dwellings have been built illegally. Some have been demolished and the owners charged with the cost of demolition. Others are kept on 'hold', a form of coercion to be cooperative or become an informer. Between January and June 1996, 577 structures were recorded as being without a permit, of which 329 were Arab- and 248 Jewish-owned. During the same period 256 Arab homes and 29 Jewish ones were demolished.²⁴ Of the 68,440 dwellings constructed at state expense during the Labour administration, 1992–6, only 2.2 per cent were allocated to Palestinians; the majority of these were in villages in the Triangle for the resettlement of Palestinians from the mixed cities of Jaffa and Lydda (Lod).²⁵

Inequalities also exist in health and education. Apart from three small, basic charitable hospitals in Nazareth, other hospitals are located in exclusively or predominantly Jewish areas, a long way from many Arab locations. In education, Palestinian children generally receive one third of the national average allocation per head, with a serious shortfall in teachers. The Arab syllabus emphasizes the importance of Israel for the Jews and minimizes Arab identity, while the Jewish syllabus contains almost nothing on Arab culture.²⁶

Palestinian reactions

The way Palestinians vote reflects their ambivalent situation. Many support mainstream Zionist parties in the knowledge that any party perceived as 'representing Arabs' will be excluded from functional power. Many, however, support Hadash (the Front for Peace and Equality), identified with Palestinian concerns. Other small parties also represent Palestinian interests. Since, on average, they are much younger than Jews, Palestinians' voting potential remains masked. By 2010 their vote will account for one fifth of the Israeli vote. Over the past decade the Islamic movement has become a major factor in mobilizing Palestinians.

The Committee for the Heads of Arab Local Authorities is the most important instrument of Palestinian mobilization in Israel, partly because it is the only forum for Palestinians denied participation in state politics, partly because it is the main vehicle to campaign for a fairer slice of state services and partly because it is the main employer in the Arab sector. Its achievements are substantial. In the 1970s the average ratio between a Jewish locality's budget and an Arab one was 13:1. This improved to 2.5:1 in the 1980s. In view of the lack of infrastructure in Arab localities this ratio would have to be reversed for some years to achieve an equitable standard of services. During the 1992–6 Labour administration the budgets of most

Arab municipalities – areas of Arab concentration – were increased, but have suffered big cuts under Likud, leading to a serious budget deficit in 1997.

Palestinians have formed several voluntary groups: an Arab Association for Human Rights, the Galilee Society for Health Research and Services, a Galilee Center for Social Research to promote study of the Arab community, a Committee for the Defence of the Uprooted (displaced) in Israel, and an Association for the Support and Defence of Bedouin Rights in Israel. These reflect how Palestinians are challenging the status quo in a way few would have dared a generation ago. Furthermore, a Working Group on the Status of Palestinian Women seeks to address both traditional social and also political forms of discrimination.²⁷

Despite state co-optation among the 150,000 bedouin and 80,000 Druzes, a growing number of the younger generation feels a sense of solidarity with the rest of the Palestinian people. More Druze men avoid military service, even though it is one of the most promising careers for them.

Contacts across the Armistice Line (demarcated during the 1949 armistice negotiations) remain limited. Solidarity increased after the 1967 war and with the *intifada* (uprising) of 1987. While disappointed at the offer implicit in the 1993 Declaration of Principles (DoP), Palestinians hoped they could now be accepted as equals inside Israel, but there is no indication of this happening. They feel they should be recognized as a national minority with political and cultural rights, but fear they might be offered a form of autonomy that would exclude them formally from mainstream national life, or worse, that they might be forcibly transferred to the West Bank under a Labour peace settlement scheme. (Palestinians do not fear this from Likud which claims all Eretz Yisrael.)²⁸

Palestinians will increase proportionately because of their birth-rate. In 1996 Israel's population was 5,600,000, of whom Palestinians (including those of East Jerusalem) comprised 19 per cent, a proportional increase of 1 per cent since 1988 despite the recent influx of 780,000 Russian Jewish immigrants. By 2005 Palestinians will constitute 21 per cent. More significantly, they are already 27 per cent of the under-5 year-old cohort and are therefore likely to achieve this percentage of the total population within the next 20 years, easily reaching 35 per cent by 2050.²⁹ Yet the Israeli government continues to deny the Palestinians status – even as a national minority.

Palestinians in exile

The fate of the refugees

The 1948 refugees³⁰ have more than quadrupled over 48 years, and are scattered as follows:

Country	1948 (a)	1996 (b)
Jordan (East Bank)	70,000	1,389,603 (c)
Lebanon	100,000	356,258
Syria	75,000	352,136 (c)
West Bank	280,000	538,391
Gaza Strip	200,000	731,942
Total	725,000	3,368,330 (d)

Notes

- UN estimate.
- UN Relief and Works Agency for Palestine Refugees (UNRWA) figures for 31 December 1996.
- Includes 482,082 refugees (and descendants) displaced to Jordan and 32,236 refugees displaced to Syria as a result of the 1967 war. Including non-refugees displaced in 1967 (to Jordan 210,000 and to Syria 125,000), one may assume the total non-refugee displaced (including descendants) is now about 700,000.
- This excludes 45,800 people (and descendants) who, although inside Israel, lost both their homes and livelihoods in 1948 and who were the responsibility of UNRWA until 1952 when Israel assumed responsibility, removing their refugee status.

Most refugees were peasants who had not left their area before, and now found themselves dependent on the goodwill of strangers. They faced a mixed reception, sympathy tempered by the strain of absorbing such large numbers, and had to adjust to the loss of identity and community status. In Lebanon the refugees constituted one tenth of the total population and were perceived to threaten the fragile confessional balance and dominant position of the Maronite Christian community on which the political system operated. With annexation of the West Bank, Jordan became predominantly Palestinian. Even in Syria, the proportionately small refugee presence still presented a 'danger' to successive narrowly-based regimes, as a constant public reminder of Arab failure. The Gaza Strip received the biggest proportionate influx, its 80,000 inhabitants taking in 200,000 refugees. Such adverse circumstances, quite apart from refugee hopes of a return, belied Israeli government accusations of a cynical Arab refusal to resettle the refugees.

Each country adopted its own policy. Jordan went for integration and conferred full citizenship. Syria extended equal rights, allowed refugees to maintain their Palestinian

identity and even enter government service. Lebanon placed the refugees in an indeterminate category, neither foreigners nor nationals, and issued work and travel permits sparingly, leaving many refugees facing crisis. In every country the refugees were watched by the security services.

UNRWA: Political stability or humanitarian concern?

The UN established the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in 1949 to provide essential services to the refugee population pending a solution. It has remained in operation ever since. Although only a third of the refugees ever lived in permanent camps, these became symbolic of their plight.

UNRWA has provided education, health and relief services, controlling or preventing epidemics in overcrowded conditions, and providing education and vocational training. Its operation is problematic. Directed by an international cadre, Palestinian refugees have been denied real control over the relief of their own predicament. Moreover, did UNRWA exist for humanitarian or pragmatic purposes? At times it seemed to the refugees that international concern to anaesthetize the problem overrode other considerations.

It was assumed that once the refugees got over their anger, they could be gradually resettled. In the mid-1950s UNRWA sought implementation of two major schemes but the refugees repudiated resettlement, insisting on the right of return. While Arab governments sought to exploit the refugee situation for their own political purposes, Israel's charge that Arab governments were the real obstacle was at best only partially true. The real impediments were the refugees' insistence on their return, Israel's refusal to grant this, and the international community's inadequate resolve to ensure its implementation.

Forging Palestinian identity and the emergence of a national movement

Despite the effects of dispersal and fragmentation, exile accelerated the emergence of Palestinian national identity. Wherever they went, refugees were known by their status, differentiating them from the host community.

Another dispersal took place as refugees with marketable skills sought employment elsewhere. Many, particularly from Jordan, went to oil-rich Arab countries. They became the skilled backbone of Arab world development in the 1950s and 1960s. They had relative freedom to develop their own institutions as long as they did not threaten stability in these countries.

Jordan and Lebanon were inclined to suppress expressions of national feeling but the Arab League, dominated by the United Arab Republic (the shortlived union of Egypt and Syria), favoured helping the Palestinians to organize themselves to participate in the liberation of Palestine. In 1964 the PLO was founded as a political structure with no intention of guerrilla activity. Liberation would come by conventional war, Palestinians fighting under the direction of the Arab armies. Israel's defeat of the Arab states in 1967 changed all that. But some Palestinians had already concluded that only Palestinians would put Palestine first, and thereby recover it. The most important group was Fatah (Conquest) founded in 1959 and led by Yasir Arafat. Its first guerrilla raid was in 1965. Fatah grew rapidly and acquired effective control of the PLO in 1969, with Arafat as its Chair.

Other groups were more radical, for example the Popular Front for the Liberation of Palestine (PFLP) which preached social revolution in the Arab world as a precondition to the liberation of Palestine, and a splinter group, the PFLP-General Command (PFLP-GC). Another splinter was the Democratic Front for the Liberation of Palestine (DFLP). Other groups formed, often sponsored by Arab states. So the PLO became an umbrella organization, providing an arena for coordination but was repeatedly drawn into conflict with host countries, with the West and between its own constituent members.

The presence of large number of guerrillas inevitably affected relations with host governments. Jordanian troops expelled the guerrillas in 1970–1, killing 3,000 Palestinians – including non-combatants. Most guerrillas went to Lebanon.

The PLO in Lebanon

After the arrival of guerrillas from Jordan large tracts of south Lebanon came under informal PLO control. Initially the PLO enjoyed popularity with Lebanon's downtrodden: the Shi'is of south Lebanon and the large, low income Muslim population of Beirut and other towns. Its member groups built civil and social institutions, many assisting Palestinians and Lebanese alike.

However, the PLO became increasingly unpopular because of Israel's reprisals against the civil population and because it became a catalyst in the delicate confessional balance. The dominant Maronites felt increasingly threatened by the Arab nationalist challenge, supported by so many guerrillas. When Lebanon slid into civil war in 1975, the guerrillas joined the conflict.

Internationally, the PLO seemed highly successful, accepted by the Arab League in 1974 as 'the sole legitimate representative of the Palestinian people', and represented at the UN General Assembly by Arafat himself. Away from the media hype, however, the PLO's plans unravelled. In early 1978 a PLO attack on Israel's coastal highway left 37 civilians dead. Israel invaded Lebanon, killing some 700 mainly non-combatants, and displacing 250,000 people, before being forced to withdraw under US pressure. UN Security Council Resolution 425 required Israel's immediate unconditional withdrawal, and provided for a UN interim force (UNIFIL) to prevent border violations. Israel frustrated the UN by maintaining a surrogate Lebanese Christian militia in the border area, and failing to withdraw totally.

In June 1982 an assassination attempt on Israel's London ambassador gave Israel the pretext it sought to destroy the PLO. Its forces invaded again, breaking through UNIFIL lines and racing up the coastline, sealing and pounding refugee camps as it went. It besieged and bombarded West Beirut for 12 weeks, but dared not risk the heavy casualties implicit in storming the city. Under acute pressure and deserted by those Arab governments with influence in Washington, the PLO withdrew to Tunis. It had a US pledge for safe conduct of PLO troops and for the protection of Palestinian civilians left behind, and an Israeli promise not to enter Beirut. But the US rapidly withdrew its protection and Israeli troops entered Beirut, sending the Maronite militia 'with their own methods' to deal with 'terrorists' in Sabra/Shatila camp; they massacred some 1,300 men, women and children, Israeli troops providing illumination through the night. The massacre of Sabra/Shatila became, like Deir Yassin, symbolic of the Palestinian ordeal. Israel's invasion left 19,000 dead overall, of whom less than 5,000 were combatants. The following year the PLO residue was expelled from Lebanon by pro-Syrian Palestinian groups. The PLO now had no choice but to pursue diplomacy.

The failure of the PLO

A growing number of Palestinian leaders wanted to limit their immediate objective to recovering part of the territories (OPT) captured by Israel in 1967. Its acts of violence apart, some Palestinians believe the PLO failed to understand the essentials for diplomatic progress. The profound ambiguity in the words and actions of the PLO and other groups gave ample ground for those hostile to Palestinian claims to reject the PLO's advances as insincere. By refusing to recognize Resolution 242 the PLO dealt itself out of the diplomatic process. The PLO believed that the world would have to recognize it, mainly because of the influence it was beginning to attract in the OPT, but it paid a heavy price for its decision.

The West perceived the Palestinian struggle as synonymous with terrorism. Only a tiny number of people who knew the story of Palestine, recalled that the Zionist movement had been more proficient in perpetrating atrocities. Most saw Palestinian outrages as part of the seamless fabric of anti-Semitism. Public revulsion in the West made it easy for the USA to oppose Palestinian self-determination. In reality its opposition was based upon its commitment to Israel, its strategic struggle against the Soviet Union, and its perception of Syria and the PLO as Soviet allies.

The refugees in Lebanon now became victim to the Shi'i militia Amal's ambition to dominate all of West Beirut on behalf of Syria. Sabra/Shatila camp was subjected to an ordeal of siege that rivalled the nightmare of September 1982. During the 'Battle of the Camps' probably 2,500 Palestinians died. In 1988 Syrian artillery reduced Shatila to rubble yet again, to expel Fatah infiltrators. By now the refugees no longer had the support of any major political or confessional group of Lebanon.

Meanwhile the PLO remained impotent, excluded from the international arena. Then the *intifada* broke out at the end of 1987 and it slowly became clear that peace without the PLO was no longer credible.

Incorporating the Occupied Territories

Israel had established a strong but relatively invisible grip in the Occupied Territories. It governed through the traditional elite which had served the Jordanian government. It negotiated an 'open bridge' to Jordan, whereby the inhabitants could still go to Amman and sell agricultural produce there. Permission to visit Amman (by both Jordan and Israel) was a useful means of reward and punishment.

Israel worked towards physical integration, economic dependency and the frustration of Palestinian communal solidarity. To do this Israel had to violate international law.

The law

The occupation of captured territories is circumscribed by the Hague Regulations of 1907 and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949. Israel reluctantly accepted the applicability of the Regulations but not of the Convention, since this expressly prohibited key elements in Israel's policy: changing the law already in operation in the territories, collective punishments, expelling inhabitants from the area, expropriating private or public property, transferring and settling people from the occupier's own territory, etc. The Convention had been framed specifically to prevent a repetition of German abuses in occupied Europe, where the Jews had been the principal victims.

Israel applies a selection of British, Egyptian, Jordanian and Ottoman laws and 2,000 Israeli military orders, changing the body of law previously exercised in the OPT. It also uses Israeli civil courts for Jewish settlers, thereby illegally transferring its domestic law to occupied territory. It disregards legal process by administrative detention (on a six-monthly but indefinitely renewable basis); deportation of political leaders or activists; and the demolition of family homes for unspecified and unproven crimes against the state, through resuscitating the Defence (Emergency) Regulations 1945 which contravene the Fourth Geneva Convention.

Israeli also uses direct force. Besides the army, Israel arms its settlers who view the Palestinians as there on sufferance; settlers, like soldiers, use violence with virtual impunity, shooting people dead and beating up others. Those Palestinians arrested are often beaten or tortured. After an enquiry (Landau) in 1987 the state limited the level of torture to 'a moderate amount of force' and 'non-violent psychological pressure', becoming the only UN member formally to sanction torture. A handful of prisoners have subsequently died under interrogation.

Seizing and settling the land

Israel integrated the territories while marginalizing its inhabitants. It wanted the land and the water. It confiscated land as it had done inside Israel. By the early 1990s it had acquired about 40 per cent of the Gaza Strip and over 60 per cent of the West Bank for exclusive Jewish use. A small proportion was acquired by private purchase, itself an illegality. Arab East Jerusalem was ringed with residential blocks to prevent its reunification with the rest of the West Bank, to confine its Palestinian population and to achieve demographic preponderance. Israel was assisted by the US government.

The discriminatory system is seen at its extreme in Gaza. By 1992, 16 Jewish settlements, inhabited by 3,500 people occupied 5,560 acres of land, while eight refugee camps, with a population of approximately 300,000 people, were confined to 1,375 acres.

Israel seems intent on segmenting the OPT into pockets of Arab population concentration, thereby retaining effective sovereignty even if it delegates control of these territories. Furthermore, contrary to international law, Israel has integrated the OPT's water resources into its own national system. Twenty-five per cent of Israel's water consumption already originated in the West Bank. However, intent on guaranteeing its own water security, Israel also froze Palestinian consumption until 2010. No such limits were placed on Jewish settlers who, per head, use almost three times as much domestically. These figures rise to 13 times as much consumption in the West Bank and seven times as much in Gaza for agriculture.

The Palestinian economy: agriculture, industry and labour

Loss of land, restricted water use and limited access to markets are three reasons for the inability of Palestinians to expand their agriculture. Israel wanted to remove competition and to create a rural proletariat dependent on the Israeli economy for employment. It reduced Gaza's citrus business, by restricting the planting of new stock and by preventing the export of Gaza citrus to European markets. Israeli goods were plentiful throughout the OPT, but quotas prevented Palestinian farmers from exporting to Israel.

The industrial sector declined from 1967. By 1986 it accounted for 10 and seven per cent of Gazan and West Bank Gross Domestic Product (GDP) respectively. It

remained basic and small-scale, the average West Bank enterprise employing only four people, and 90 per cent of concerns in Gaza employing fewer than eight people. Manufacturers and investors are frustrated by constraints devised to prevent competition, including limitations on credit facilities.

The labour force soon became dependent on the Israeli economy. Israel introduced an *apartheid* system without having to formalize it, for the Palestinians had separate geographical and political status. All it required was to forbid Arabs of the OPT from staying overnight inside Israel, and to issue work permits to control the flow of labour. By the late 1980s one third of the Palestinian labour force of about 300,000 was working in Israel, and several thousand more, desperate for employment, worked in the construction and maintenance of Jewish settlements in the OPT. Thus, like other colonized peoples, the Palestinians contributed to their own dispossession.

Many skilled workers sought work abroad. During the 1970s one third of the labour force was in the Gulf. Migrants had to return every three years in order not to forfeit their right to live in their native land. From 1983 the Gulf economies started to contract; many people lost their jobs and returned. The 1990–1 Gulf crisis destroyed the Palestinian presence in Kuwait, and so ended virtually all the remittances which had helped maintain the Palestinian standard of living.

Palestinians subsidized Israel and its military occupation through taxation. Through the export of goods to a captive market, Israel was able to make the occupation profitable.

An evolving resistance, 1967–87

For the first four of five years after the 1967 war it seemed doubtful whether the PLO could gain a sizeable following in the OPT. Israel obviously wished to deny a foothold, but so too did Jordan, which still hoped to regain the West Bank through international diplomacy. But after its eviction from Jordan in 1971 the PLO decided to compete politically in the West Bank. In the period 1973–5 its influence swept through the territories, enhanced by international recognition.

In spite of their support for the PLO, the inhabitants of the territories were critical of help from ‘outside’. They opposed the offer of limited autonomy made by Israel during the Camp David Accord of 1979, and strongly discouraged Arafat from exploring it. Many watched uneasily as the PLO and Jordan unsuccessfully attempted a joint initiative to rescue the territories between 1984 and 1986. Most no longer wanted Jordan to have any hand in their future, and hoped the PLO would stand firm on the essential principles for self-determination.

The popular movement

While Palestinian factions operated covertly inside the OPT, each had its own overt organizations to mobilize people. These tended to operate on instructions

from outside, competing to gain control of cultural and professional associations, student bodies and sports clubs. Yet nothing was more important to liberation than the creation of bonds across a society which, in 1967, was far from homogeneous. Even by the early 1980s when the urban population was largely nationalist, the rural population tended to be preoccupied with day-to-day matters.

From the late 1970s a popular movement was created to mobilize the masses and to displace Israeli institutions with Palestinian ones. Professionals began to recognize how Israeli institutional control, traditional social attitudes and also foreign remittances (from the Gulf, the PLO and well-intentioned foreign voluntary agencies) all reinforced a state of dependency.

In the late 1970s a number of university educated women formed Women’s Working Committees with revolutionary intent. They eschewed the patronage of the older charitable associations and mobilized women across the social spectrum, forming committees in camps and villages. These identified their priorities and received support in achieving their aims: the provision of day care centres for children so that mothers could go to work; literacy classes, because a large proportion of adult women were illiterate, along with domestic food processing and sewing workshops. Women discovered power through these activities, learnt the revolutionary implications of operating on a democratic basis and acquired a political self-confidence (with regard to gender) scarcely dreamt of.

In 1979 several professionals formed a new health system based upon the community creating its own infrastructure to deal with the problems it faced. Thus the Union of Palestinian Medical Relief Committees (UPMRC) offered health services to villages and refugee communities on condition these organized their own committees to decide their health priorities and provide local support for a clinic. From barely 10 volunteer professionals in 1979, there were over 700 serving 50,000 patients a decade later. Like the women’s committees, UPMRC’s approach helped people discover the power of democracy and organization at the grassroots level. Similar developments occurred in agriculture, and locally-formed committees sought other ways to achieve cooperative action. Power thus shifted to the ‘popular movement’. Although largely ignored by the outside world, this movement prepared the ground for those living under occupation to shape their destiny.

The *intifada*

By 1986, Israel, Jordan and the USA were offering financial inducements to the OPT’s population in order to undermine popular steadfastness. This coincided with the toughest crackdown (incidentally, by Yitzhak Rabin) since 1972, an unprecedented phase of arrests, expulsions and house demolitions. With the PLO wholly impotent, the people took matters into their own hands.

A popular uprising ignited after a traffic accident in December 1987. Within hours there were demonstrations and riots across the territories. Through the popular movement the entire population was mobilized within days. For months afterwards stone-throwing youths defied Israeli

firepower on the streets. It was a defining moment. For the first time the Palestinians had acted as a nation.

Defence Minister Rabin ordered the army to use 'might, power and beatings' to restore order, and the number of fatalities soared. Those captured were dealt with brutally. Television scenes of Israeli troops and settlers beating and breaking the bones of defenceless Palestinians brought worldwide condemnation. But no state pressurized Israel to conform with international law. By the end of 1991 over 1,000 Palestinians had been killed by shootings, beatings, tear gas or some other means. Over a quarter of those who died were under 16. Another 100,000 suffered serious injuries, while over 15,000 were held without trial for at least six months.³¹ Well over 300 dwellings and other buildings were sealed or demolished, rendering over 2,000 homeless. Israel closed virtually every educational institution in the name of security. Its effect was collectively to punish the youth of Palestine by denying it education for two or, in many cases, for three years.

The Palestinians developed their own clandestine leadership, the Unified National Leadership of the Uprising (UNLU), composed of local representatives of the main factions. Because consumers and workers were profitable to Israel, UNLU encouraged people to withdraw custom, labour and the payment of taxes. Many popular committees, a natural outcome of the popular movement, were established to arrange resistance and coordinate self-help and domestic production. Volunteers provided informal services.

From the outbreak of the *intifada* until spring 1989, it seemed as if the uprising might succeed, but a war of attrition set in. As more leaders were arrested, so leadership and control disintegrated. Local groups began to punish so-called collaborators, and 700 were killed. Israel also slowly coerced people to pay their taxes and water dues. The *intifada* lost momentum. While it failed to shake off Israeli rule, the OPT ceased to be an economic asset and policing became costly.

When the international community had virtually dismissed Palestine as 'yesterday's problem', the *intifada* brought it back to the centre of the Middle East agenda. In November 1988, the PLO publicly accepted Resolution 242, renounced terrorism and recognized the right of Israel to exist, in words dictated by the USA. It was a major climb-down for the PLO, which now relied on the *intifada* as its sole bargaining chip. Yet the USA continued to withhold formal recognition.

The Islamic revival

While the PLO faced an impasse internationally, religious revivalists challenged its authority inside the territories. They had originally been fostered by Israel to oppose the PLO's secular nationalism.³² They worked for a revival of both individual and social commitment to Islam, but in January 1988 a militant movement known by the acronym ' Hamas' joined the *intifada*. Hamas soon commanded one third of Gaza's population and a smaller but substantial following in the West Bank. It opposed any bid by the PLO to compromise or to establish an interim government in part of the territories. It claimed all Palestine as

'placed in trust with Muslims till the end of time', a mirror to the Jewish religious nationalist view of Eretz Yisrael.

Hamas proved more ruthless and efficient than the PLO had ever been and another group, Islamic Jihad, more ruthless yet. Both used attacks on civilians with the same efficiency as Jewish groups prior to Israel's independence.

The 1990s peace process

The Gulf crisis

Iraq's invasion of Kuwait in 1990 posed a dilemma for Palestinians. By 1992 there were 400,000 Palestinians there and many villages were dependent on their remittances. Some Palestinians openly sided with the Iraqis, but most either fled or were mere bystanders. Oblivious to the wider implications and admiring Iraq's defiance of Western hypocrisy, OPT Palestinians openly demonstrated in support of Iraq. The PLO felt obliged to identify with its constituents, and thus with Iraq. Politically and financially this proved disastrous. After Iraq's defeat, Kuwait swiftly revenged itself on its migrant Palestinians with arrests, torture and extrajudicial killings. It restricted employment to 40,000 Palestinians, and remittances to the territories dropped by over 80 per cent. Fewer than 20 per cent of returnees to Jordan and the OPT could find employment.³³ Refugees in Lebanon also felt the loss of jobs and remittances. For years the PLO had depended on governmental and popular contributions from the Gulf. Now, without these, the PLO had to abandon services and institutions to remain solvent.

Beginning the 'peace process'

Now the sole superpower, the USA decided to settle the Arab-Israeli dispute under its own aegis. It applied pressure on Israel to agree to peace discussions but did not require a freeze on settlement construction. Nor did it threaten to suspend its enormous annual aid package to Israel. In order to obtain Israeli cooperation, the USA sidelined the UN.

Israel compounded the impact of the loss of Gulf remittances with a severe reduction in the number of workers allowed into Israel. It also applied harsher conditions on the population and intensified its encroachment on, and seizure of, Arab property especially around Jerusalem. In October 1990 Israeli police shot dead 17 demonstrators in the Haram al-Sharif in Jerusalem; this was the worst day of the occupation.

Under Arab state pressure the PLO reluctantly authorized Palestinian involvement in US-sponsored peace talks in 1991. The decision was controversial, especially in the OPT and Lebanon where it was feared a process of unconditional surrender lay behind the 'peace process'. Israel insisted on screening Palestinian representatives, excluding both the PLO and Jerusalemites. It demanded Palestinian recognition of its right to exist but refused to offer any recognition of Palestinian rights. The USA upheld the Israeli position. These 'Madrid' talks collapsed in June 1993, but they achieved two things for Palestinians. They demonstrated the reasonable nature of Pales-

tinian demands and brought Israel into its first formal negotiation with Palestinians, something it had previously avoided.

Deterioration on the ground

Because of growing international pressure to settle with the Palestinians, Israel moved fast to construct 4,000 dwellings for new Jewish settlers in 22 Arab neighbourhoods. In August 1992 Prime Minister Rabin secured a \$10 billion loan guarantee from the USA to help settle Russian immigrants and also its approval for the 'thickening' of existing OPT settlements with another 50,000 settlers, and the establishment of fresh settlements in East Jerusalem. This implied that the USA was willing to disregard East Jerusalem as occupied territory. By spring 1993 this 'thickening' – in fact the construction of 11,000 dwellings – constituted the biggest building boom in the history of settlement, with the Jewish settlers in East Jerusalem rising from 125,000 to 160,000.³⁴

Rabin had pledged to achieve a deal with the Palestinians and used 'pacification' to achieve his aim. During the first quarter of 1993, 58 Palestinians were killed, another 2,300 injured and over 100 homes were demolished or seriously damaged. In March 1993 he declared the closure of the Gaza Strip and West Bank, cutting them off from Israel and from Arab East Jerusalem. This had devastating economic consequences. The average Gaza income per head fell to \$12 monthly, a decrease of 13 per cent, and a drop of 66 per cent from the pre-*intifada* situation. Exclusion from East Jerusalem became permanent, with serious consequences for the economic and political coherence of the West Bank and those who commuted daily to the city. It also breached Israel's undertaking to allow free access to the holy places of the city.

The Declaration of Principles

Financially and politically impotent, the PLO became desperate to strike a deal. It believed those suffering Rabin's pacification were also desperate for a solution. Yet many of these people were inured to hardship and were less ready to concede principles they considered their birthright. There was frustration at the PLO's apparently endless concessions, its corruption and mismanagement, and the growing dissonance between leaders in the territories and the PLO leadership in Tunis.

The Israeli government's motive was simple. The OPT had become costly to control directly. It made sense to delegate government of the Arab population to the PLO, if it would act under Israeli tutelage. Israel was also driven by its economic interest, now that the territories were no longer profitable. The influx of Russian immigrants from

1989 produced an economic crisis for Israel and brought to a head the debate between those who defended state intervention in the economy and those who favoured economic liberalization. Israel opted for the latter course, but needed unfettered access to Arab, Central and Eastern European and non-aligned markets, most of which observed the Arab boycott. A settlement with the Palestinians was essential to ending this boycott. Finally, after almost half a century, it wanted to end the psychologically attritional effect of the conflict.

Suddenly, in August 1993, it was announced that secret negotiations in Oslo had led to a decision for formal mutual recognition between the PLO and Israel as a prelude to an open-ended autonomy arrangement commencing with limited self-government for Gaza and Jericho. Arafat and Rabin travelled to Washington and formally shook hands on the White House lawn on 13 September. That act marked the most important watershed in Israeli–Palestinian relations since 1948. Israel's recognition of the PLO as representative of the Palestinians reflected a remarkable change in Israeli popular attitude. In 1977 only 2 per cent of the Israeli electorate wanted direct talks with the PLO. By September 1993 that figure had risen to 57 per cent.³⁵

The initial Palestinian reaction was euphoria. An opinion poll indicated that 63 per cent of the Gaza Strip population favoured the accord. The more considered mood, however, was a mixture of relief, anger and regret.

The terms of the Declaration of Principles (DoP) were sufficiently vague to allow a variety of interpretations. They proposed an agreement to recognize mutual and legitimate rights, and to 'achieve a just, lasting and comprehensive peace settlement and historic reconciliation'. To this end it was agreed (Article 1) to establish an interim Palestinian Authority (PA), pending an elected Council for Palestinians in the Gaza Strip and West Bank for a transitional period not exceeding five years, leading to a permanent settlement based on UN Security Council Resolution 242; to hold free and general political elections (Article 3) for the aforementioned Council with international observers, constituting a 'significant interim preparatory step towards the realization of the legitimate rights of the Palestinian people and their just requirements'. This Council's jurisdiction was to cover the Gaza Strip and West Bank – which would be viewed as a single entity (Article 4). A five-year transitional period would begin upon Israeli withdrawal from the Gaza Strip and Jericho area (Article 5). Permanent status negotiations would cover borders, cooperation with neighbours, Jerusalem, refugees, security arrangements and settlements. On the withdrawal of Israeli forces from the Gaza Strip and Jericho area, authority would be transferred to the Palestinians for culture, direct taxation, education, health, social welfare and tourism (Article 6). An interim agreement was to be negotiated to specify the structure of the aforementioned Council and the transfer of powers and responsibilities. This Council would establish relevant authorities for economic growth (Article 7). A Palestinian police force would be established for public order and internal security, but Israel was to retain responsibility for defending against external threats and also for the 'overall security of Israelis [e.g. settlers] for the purpose of safeguarding their internal security and public order' (Article

8). Both parties would jointly review laws and military orders in force in remaining spheres (Article 9). Israeli military forces would be withdrawn from populated areas before Council elections (Article 13). A withdrawal agreement regarding the Gaza Strip and Jericho was to be reached by 13 December 1993 [in fact not concluded until 4 May 1994], and implemented within four months of that agreement. Israel was anxious to be rid of policing Gaza, while Jericho offered the PLO a symbolic foothold in the West Bank.

Some Israelis welcomed the agreement as leading to an end to a morally damaging occupation. For others retention of all Eretz Yisrael/Palestine remained ideologically fundamental.

Those Palestinians who welcomed the agreement argued that it would unmistakably lead towards statehood. Opponents accused Arafat of surrendering every principle on which their struggle was based. Outside Palestine many refugees, particularly in Lebanon, were embittered by an agreement that apparently consigned them to oblivion.

Even among Palestinians who had striven for peace there was dismay at Arafat's acceptance of these conditions, at the undemocratic secrecy of the negotiations and, most of all, at the danger of ending not with an independent state but with a series of cantons under an authoritarian but obedient Palestinian administration. These critics reminded Arafat of the principles sustained at Madrid and now thrown away: explicit Israeli recognition of the Gaza Strip and West Bank as occupied, not merely 'disputed'; the inclusion of Arab Jerusalem within the territorial jurisdiction of self-rule; the subordination of settlers to the jurisdiction of the self-governing authority and a freeze on Jewish settlement. Arafat had failed to obtain any assurance that self-determination would ultimately be recognized; waived internationally recognized Palestinian rights; yielded implicit recognition of Israeli jurisdiction over the territories; and accepted deferment of crucial issues of principle such as the status of East Jerusalem, the fate of the refugees and the Jewish settlements. To those living in the OPT it was clear that Israel was moving fast to consolidate its hold on East Jerusalem and other West Bank settlements.

The travesty of peace

The failure of Israel and the PLO to reach agreements according to the timetable greatly increased Palestinian scepticism and strengthened opponents of the deal. Hamas activists ambushed and killed IDF reservists and settlers, while Israeli troops, settlers and undercover squads killed Palestinians.

Hebron became an epicentre of conflict. Its 100,000 Palestinians were subject to harassment by the 400 armed Jewish settlers in the city and their associates in the nearby settlement of Qiryat Arba. Tension was heightened by the religious dimension, with the Ibrahimi Mosque standing on the traditional site of Abraham's grave. After 1967 Israelis forcibly used the mosque also as a synagogue. Troops were stationed there to ensure the safety of all worshippers, yet in February 1994 Dr Baruch Goldstein entered the mosque and shot dead 29 Muslim worship-

pers. Troops failed to intervene except to shoot another six Palestinians dead, for their orders were never to fire on Jews even if these were killing Palestinians.³⁶

Six weeks later Hamas took revenge, killing 12 Jews in two bomb attacks, suggesting that a peaceful disengagement required a proper separation of the two communities along the Armistice Line as prescribed by international law. Hamas adopted a combination of bomb attacks and political action to force the PLO and Israel to take it into account. Hamas indicated it could abandon its attacks if Israel withdrew completely from the OPT. It also offered cooperation with the PLO, but always positioning itself to drive a harder bargain than Arafat and thus appeal to the majority of Palestinians.

On 4 May 1994 Arafat and Rabin signed a Jericho–Gaza agreement, but their respective constituents' confidence in the peace process had largely evaporated. Israelis felt outraged by Hamas attacks and Arafat's political style. Palestinians began to discover Arafat's failure to read the 'small print' of the DoP. In Gaza and Jericho there was relief that Israeli forces would no longer apply curfews, beat people, storm into homes or vandalize property. But there was no military withdrawal, only a redeployment, Israel remaining in control of Gaza's settlements and access roads, approximately 40 per cent of the whole Strip.

Political progress remained slow. The DoP required free elections within nine months of its coming into force, i.e. by early 1995. But it was only in September that year that an agreement, 'Oslo II', was finally reached. This allowed for an 82-member Palestinian Council, to be elected 22 days after a complete and permanent Israeli withdrawal from Zone A (the towns of Bethlehem, Jenin, Nablus, Qalqilya, Ramallah and Tulkarm) and a temporary one during the election period from the villages of Zone B. Zone A comprised 26 per cent of the population and 4 per cent of the land; Zone B was a patchwork of approximately 30 districts covering 300 villages, comprising 70 per cent of the population and 27 per cent of the land. Zone C comprised the remaining 69 per cent of the land area of the West Bank – areas Israel had already designated 'state land'³⁷ and had expropriated for the benefit of the Jewish state, and on small portions of which it had built its settlements. It was envisaged that the PA would progressively take over administrative responsibilities regarding the population in Zone B, but no timetable was established for full Palestinian control in Zone B. Zone C was not even on the agenda. Far from signalling the true start to self-determination, Oslo II marked the apparent limits of Palestinian autonomy exercised under actual Israeli rule.

A full Israeli evacuation of the six towns was effected at the end of 1995. Hebron remained a bone of contention, Israel being unwilling to remove its 400 settlers from the city centre, or to assign their protection to the PA. In January 1996 the Council election was boycotted by the left and by Hamas leaving the victory to Fatah, and to Arafat and his coterie. The Council proved itself to be moribund and powerless, denied legislative power (under the DoP), and unable to address any of the real burning impediments to peace, for example Jerusalem, the refugees or the settlements.

In the meantime two events threatened to wreck Oslo II. On 4 November 1995 Prime Minister Rabin was assassinated

by a Jew for his 'surrender' of Eretz Yisrael to Palestinians. In October and January Israeli agents assassinated two leaders of Islamic Jihad and Hamas respectively, making more terrorist bombings (and Israeli reprisals) inevitable. The Islamist riposte was swift. Four suicide bombings in late February/early March left 57 Israelis dead. Shimon Peres, who had succeeded Rabin, ordered a closure of the Gaza Strip and West Bank. Closures are enforced in the name of security, but are a vital form of collective punishment for use against recently autonomous areas of the territories. Between May 1994 and March 1996, for example, the Gaza Strip was subject to a total of 300 days of closure at an estimated daily cost of \$5 million and an unemployment rate of 57 per cent. Only 13,000 were able to obtain work permits for Israel, compared with 50,000 who crossed daily before the *intifada*. As Israel's President Chaim Weizmann remarked, 'If we cannot find the needle, we must burn the haystack.'³⁸ A 'security seam' was now proposed along the Armistice Line to keep Palestinians out of Israel, violating the Oslo agreement on open economic borders.

Meanwhile, Labour continued to show its real purpose by the most intensive programme of construction in occupied territory since 1967, in defiance of the spirit of the DoP which included a mutual undertaking to take no steps in the interim to prejudice the final status negotiations on Jerusalem or the settlements. This construction was defended as another 'thickening' of existing settlements, though they were arguably fresh ones. The West Bank (excluding East Jerusalem) settler population increased from 100,000 in 1992 to 145,000 by May 1996.³⁹ Moreover, 26 bypasses were built on 21 sq. km of confiscated land so that Jews could cross the OPT without having to drive through any Arab residential areas.⁴⁰ Labour was presenting Palestinian negotiators with a *fait accompli*.

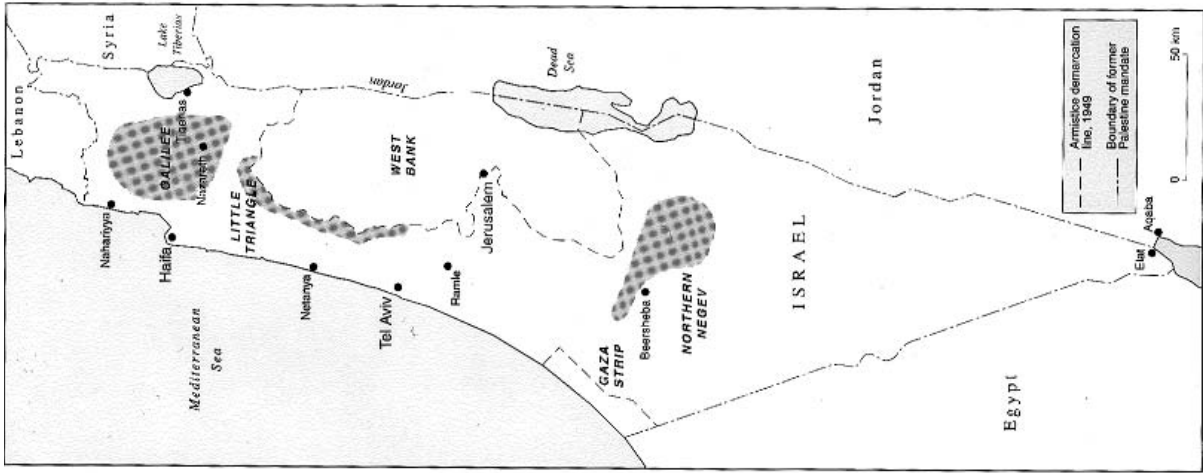
Likud's leader, Benyamin Netanyahu, defeated Peres in the general election of May 1996. Many viewed it as a disaster for the peace process, but there is a danger of exaggerating the differences between Labour and Likud. By their deeds and statements both leaders intended to retain Jerusalem, much of the OPT including the settlements, and to refuse the refugees their right of return. They differed in the degree of self-rule to be extended to the Palestinians, in diplomatic flexibility in the international arena and in Likud's ideological refusal to surrender sovereignty of any part of Eretz Yisrael. There was little of fundamental difference. Rabin had stated his position:

'This is my goal – not to return to the pre-1967 lines but to create two entities. I want a separation between Israel and the Palestinians who reside in the West Bank and the Gaza Strip.'

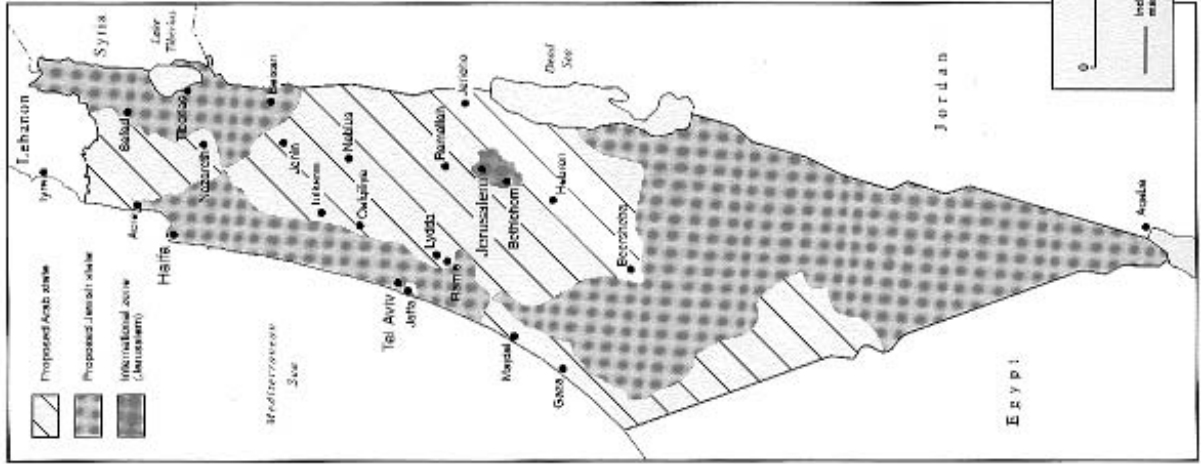
He clarified this by stating that the Palestinians would be confined to 'less than a state'.⁴¹ He called the process *hafra-da*, (separation), the Hebrew equivalent of the Afrikaans word, *apartheid*. He had already indicated his motive in redeployment outside the population areas of the Gaza Strip:

*'I prefer the Palestinians to cope with enforcing order in the Gaza Strip. The Palestinians will be better at it than we were, because they will allow no appeals to the Supreme Court.'*⁴²

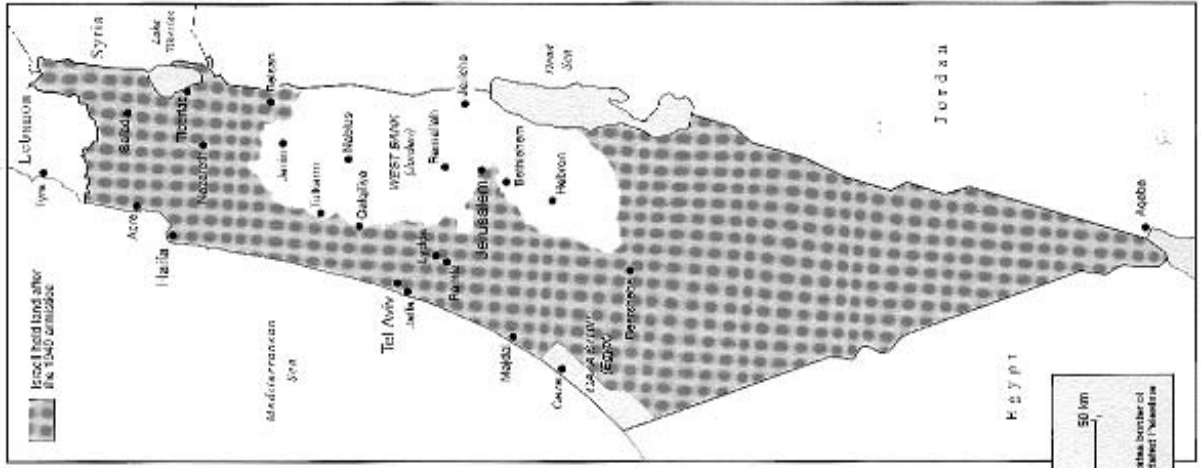
Where the Palestinian Arabs inside Israel are concentrated



UN 1947 partition plan for Palestine

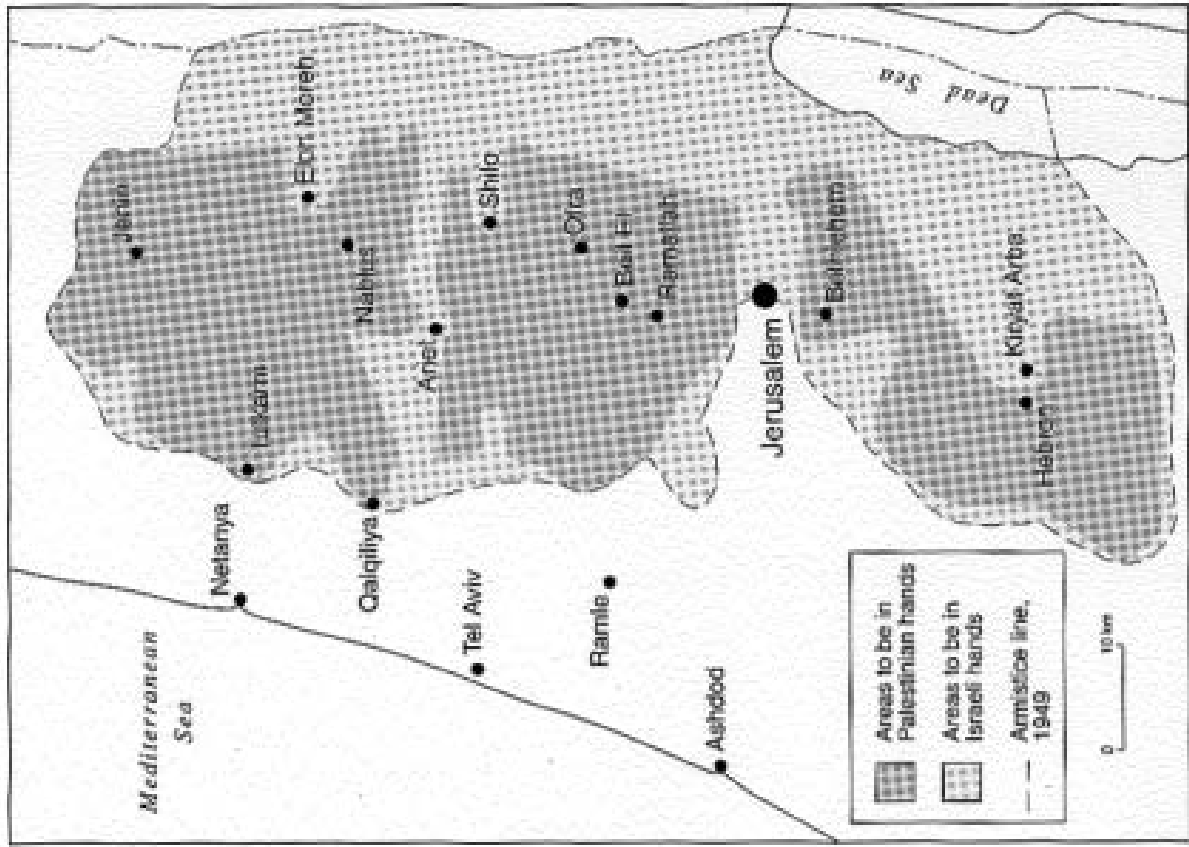


The 1949 Armistice demarcation

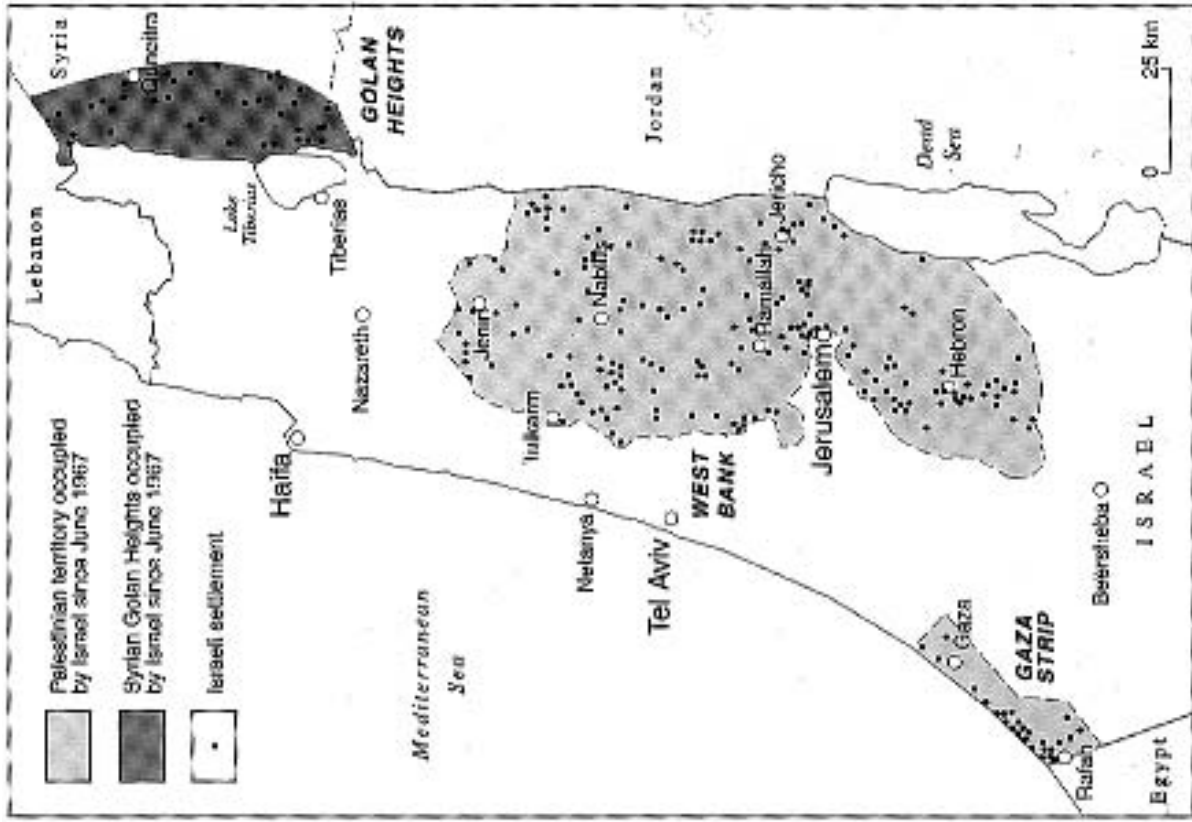


Based on D. Watkins, *The Exceptional Conflict: British Political Parties and the Arab-Israeli Conflict*, London, Council for Advancement of Arab-British Understanding, 1984.

One example of the West Bank cantonization that Palestinians fear



Israeli settlements established in the OPT, 1967-91



Based on Dr Clinton Bailey's map, *Ha'aretz*, 7 May 1993, and *Jerusalem Post*, 18 June 1993

Thus, before Likud acceded to power, Labour appeared already to have laid the road to a homelands solution, the Palestinians policing themselves on behalf of Israel.

Netanyahu's view of peace was that the Palestinians could take it or leave it. He announced a new settlement drive in the OPT, to increase the settlers by 50,000 by the year 2000, establishing eight new settlements between Jerusalem and Jericho (to complete the separation of the north from the south part of the West Bank), and expanding existing settlements. He also pressed ahead with land confiscations around Jerusalem already planned by Labour.⁴³ In September he provoked the most serious three-day period of violence since 1967 by his decision to open the Hasmonean tunnel running close to the Haram al-Sharif in Jerusalem's Old City, leaving 55 Palestinians and 14 Israelis dead.

Likud continued the closure of Arab East Jerusalem to Palestinians of the OPT. By 1996 *de facto* severance of the city from its hinterland had resulted in a 50 per cent decline in trade, 35 per cent unemployment and the progressive relocation of businesses outside the city.⁴⁴ Like Labour, Likud wished to force the Palestinians to establish their functional capital in Ramallah. Likud took the campaign further. From October 1996 Israel began a major review of residency rights in Jerusalem. Whereas it recognized the right of Jews anywhere in the world to come to live in Jerusalem, it viewed the native Arabs as merely 'resident', since they had largely refused to accept Israeli citizenship (on the grounds of its illegality). Because virtually no new Arab housing had been permitted in Jerusalem since 1967, many younger Jerusalemites had been compelled to live outside the municipal boundary. Now Israel began to confiscate residency cards of those not actually living in Jerusalem – a form of permanent exile from the city of their birth. Those marrying non-Jerusalemites found their spouses no longer allowed to reside in the city.⁴⁵ Thousands are now at risk, as a result of this breach of international law.

In December 1996 Likud announced its intention to establish 132 housing units for Jews in Ras al-Amud, a wholly Palestinian quarter with a population of 11,000. Jerusalem Palestinians were not permitted to build higher than two storeys; however, these units, like most Jewish housing in East Jerusalem, were to be four-storey blocks. In March 1997 Israel decided to build another major settlement on the edge of East Jerusalem, this time on the confiscated land of Jabal Abu Ghunaym, which it called Har Homa. Initially it proposed 2,456 housing units, but with the final intention of 6,500 units housing 32,000 settlers. Har Homa plugs the final gap (on the southern side of the city) in the ring of Zionist settlements whereby East Jerusalem is separated from its Arab hinterland. In order to expand Maale Adumim, on Jerusalem's east side, Israel expelled 3,000 bedouin of the Jahhalin tribe who had lived on the site for the preceding 40 years, having been illegally expelled from their ancestral Negev lands in 1950.

Hebron remained a serious flashpoint. According to the DoP schedule, it should have transferred to Palestinian administration in April 1996, but terms were only agreed in January 1997 after an off-duty soldier had fired on the Hebron vegetable market, wounding several people but miraculously not killing anyone. 'I am not insane',

he said after his arrest, 'I wanted to kill Arabs. Hebron is ours forever and I wanted to prevent redeployment from Hebron.'⁴⁶ Israel decided to retain total control of Hebron's commercial centre with its 20,000 Palestinians, on behalf of 400 Jewish settlers. The PA now had total jurisdiction over Zone A, which comprised 5 per cent of the total land area of the West Bank; and responsibility for the provision of education, health and municipal services in Zone B, which comprised 26 per cent of the land area of the West Bank. Meanwhile Israel continued to construct 4,000 housing units in 60 settlements in the West Bank (including East Jerusalem).

Israel demonstrated that the PA did not enjoy full authority even in those areas ceded to it. In May and June 1997 settlers under troop protection seized almost 1,000 acres of land adjacent to the Gush Qatif Bloc in the Gaza Strip. The PA proved impotent.⁴⁷ In fact, Israel has confiscated over 20,000 acres since signing the DoP in 1993,⁴⁸ and more land is threatened.⁴⁹

On 30 July 1997 two bombs killed 15 people in Jerusalem including two suicide bombers – Hamas' expression of the frustration and anger felt in the OPT. Its immediate effect was to drive another nail into the coffin of the peace process. Like previous Palestinian and Israeli outrages, it was further confirmation of the need to reinstate a border between the two communities.

The Palestinian Authority

The PA has so far been profoundly disappointing. Arafat brought 10,000 bureaucrats and guerrillas with him from Tunis, and these quickly earned the dislike of the ordinary people. The failings of the new regime have been many.

Arafat has created a massive public sector of 78,000 employees, almost half of whom are employed in 12 different police and security forces. These have been partly funded by taxation collected by arbitrary police methods. Tax evasion has become widespread because of the perceived illegitimacy of the PA's behaviour.

Yet the main source of PA revenue has been the establishment of both private and public monopolies to control and take a cut from goods entering and leaving Gaza. Even basic commodities such as building materials, fuel and flour are managed by a handful of officials with close ties to the Israeli business and security establishments. Although it might be argued that such an arrangement is necessary to fund the PA, it is fundamentally corrupt since it creates spiralling prices, destroys local enterprises and fosters illegal markets. It also raises questions about how the money should be used. Out of a budget of \$866 million for 1997, it is difficult to defend the President's requirement of \$95 million, or the expenditure of \$248 million on Palestinian security forces. There must be more pressing demands to create a productive economy.

It is hardly surprising that corruption is endemic and immediately apparent in the lavish villas to which Arafat's top aides have become accustomed. As one Gaza merchant recently remarked to the journalist David Hirst:

'We live in amazing, shameful times, but you should know that every revolution has its fighters,

*thinkers and profiteers. Our fighters have been killed, our thinkers assassinated, and all we have left are the profiteers.*⁵⁰

In spring 1997 the PA's General Audit Office reported the misappropriation of \$340 million, nearly half the PA's 1997 budget. In late July a commission of inquiry called for the dismissal of Arafat's entire cabinet, for charges to be made against three ministers and for the appointment of a cabinet composed of appropriately qualified personnel.⁵¹

No such regime can exist by popular consent, and it is hardly surprising that the PA has used arbitrary methods in order to silence its critics. Human rights activists have been harassed or detained⁵² and journalists have been intimidated into exercising a form of self-censorship.⁵³ In addition, the PA has resorted to prolonged political detention, torture and unfair or secret trials. By the end of 1997 no fewer than 18 people had died in PA detention. These themes were the basis of a damning report by Amnesty International in December 1996.⁵⁴

Although the PA must take primary blame for its own human rights abuses, both Israel and the USA must accept partial responsibility for the intense pressure they have exerted on the PA to identify and arrest security suspects and intimidate critics of the peace process.

If it is to become publicly acceptable, the PA must slough off its authoritarian and corrupt behaviour, and adopt transparency and accountability in the way it operates. Since it predates the Palestinian election, it derives its authority originally from Israel (through the DoP) and from the PLO which furnished those who form the PA. The electorate, solely in the Gaza Strip and West Bank, retrospectively confirmed its status, but, in effect, had little choice.

The PA has no legal status internationally. The PLO remains 'the sole legitimate representative of the Palestinian people'. Furthermore, the PA has no authority or right to represent those outside its areas of control, in East Jerusalem and in the diaspora. A process which sidelines half the Palestinian people and leaves them unrepresented risks future challenge.

The economic dimension

Palestine faced independence with a set of extremely unpromising economic circumstances: an almost total absence of industrialization, economic stagnation since 1948, high unemployment, subservience to and almost total dependence on the Israeli economy, in addition to a widespread dependency on remittances. Furthermore, the geographical configuration of the territories, even disregarding Israeli plans to segment them further, militates against development.

In April 1994, Israel and the PA agreed a protocol as the basis for economic relations in the interim period. In effect, it ties both economies together, yet it is anything but equal. Palestine has no say over any part of Israel's economic activities or policies, but Israel has joint discretionary powers regarding Palestine's import of certain goods, ensuring protection of its own economy, and constituting a potential restraint on Palestinian technological development.

The Palestinian economy is bound to be a servant to Israel's economy for various reasons. Since 1967 Israel has reduced the Palestinian economy to near total dependency. Palestinians cannot export independently, since Israel still controls all the outlets. Employment and productivity are almost completely dependent on Israel, through wage labour in Israel and through the growing trend since 1991 of subcontracting work to purpose-built industrial parks in the OPT. Even the Gaza citrus industry has been brought into the Israeli economy. It has been deliberately shrunk by 30 per cent by Israel since 1991, and is now almost entirely tied into the Israeli juice industry.⁵⁵ The territories are Israel's second largest consumer market. Palestine is thus forced to operate at Israeli prices, thereby pricing it out of exporting to the Arab world. It does not enjoy the economic resources to subsidize exports in order to establish itself in the market.

Repeated closures constitute a stranglehold on the Palestinian economy. Closures imposed since 1993 exceed those of the *intifada*, and in 1996 brought about the near collapse of the economies of the territories. In the mid-1980s one third of the Palestinian labour force had found work in Israel. By 1996 this had been reduced to one tenth. Closures also contradict the protocol's undertaking regarding the free flow of goods. Closures increase Palestinian frustration and outbursts of anger, so perpetuating the cycle. Furthermore, closures are so dislocating as to discourage foreign and expatriate Palestinian investment. These two factors may serve Israeli government interests in intensifying dependency and 'security measures', but will leave the OPT impoverished and unstable. Israel seems not to recognize that its own security must in the end be contingent on Palestinian prosperity and relative freedom.

Characteristics, problems and prospects for Palestinian society

Estimated past, current and projected Palestinian populations

Country	1986	1993	1995	2000
INSIDE PALESTINE				
Gaza Strip	650,100	795,000	880,000	1,050,000
West Bank/ East Jerusalem	951,520	1,150,000	1,250,000	1,500,000
Israel (a)	608,200	785,000	810,000	920,000
OUTSIDE PALESTINE				
Jordan	1,398,050	1,850,000	2,170,000	2,597,000
Lebanon	275,000	360,000	395,000	465,000
Syria	242,474	325,000	360,000	410,000
Other Arab states	583,000	450,000	517,000	600,000
Rest of world	400,000	450,000	500,000	550,000
Total	5,108,344	6,165,000	6,882,000	8,092,000

Note

a. In 1996 there were 4.5 million Jewish Israelis.

Half of the population is youthful, aged 15 or less, implying major future growth. By 2010 Palestinians are projected to exceed 13 million, and those in geographical Palestine will outnumber Jews. The birth-rate for Palestinians inside Israel is falling but remains substantially higher than for Jews. The prospect of unremitting population growth, doubling every 20 years or so overall, poses major problems in each political zone, for the PA, Israel, and the governments of states that surround Palestine. These problems range from potential political challenges, through questions of employment and wealth generation, to the ability to provide adequate basic facilities, education, food, health and shelter. The implications of population growth demand serious and urgent study to provide for these future challenges.

Christianity

An estimated 400,000, or 6.7 per cent of all Palestinians, are Christian. Only 50,000 of these live in the OPT, 2.9 per cent of the population there. About 114,000 Christians live in Israel, 13 per cent of the Palestinian community in Israel. There is rapid shrinkage of the West Bank Christian population through emigration, determined essentially by the pressures of Israel's occupation, particularly its closure of Jerusalem to Palestinians outside the city.

Islam

Islam has played an increasingly important part in society since 1980. Regardless of the current but possibly cyclical emphasis on Islamic revival, the percentage of Muslims in the Palestinian nation is growing. There has also been a rediscovery of Islam as a powerful source of identity. Society has generally been moving away from secular liberal values fashionable in the 1960s and 1970s back towards a greater social conservatism. Both the PLO and Hamas have tried to harness this trend, but Hamas has the edge. Qualitatively the Islamic movement has greater commitment, efficiency and integrity than many secular organizations. It stands in contrast to the corruption of the PA. Even Christian Palestinians, who feel apprehensive about the progress of a militant form of Islam, respect Hamas for its adherence to fundamental objectives.

Hamas has reflected and garnered the popular voice of protest, shifting its stance from wholesale rejectionism to a strategy which is willing to live with a progression of piecemeal agreements. Despite its bomb outrages, for example in Tel Aviv and Jerusalem in 1997 (in which at least 19 civilians died), it is simplistic to dismiss Hamas as fanatical. Its ruthlessness is calculated. It seems unwilling to compromise on the principle of eventual total Israeli withdrawal and intends to cause Israeli society pain until it withdraws. It will also strike back whenever Israel hits its leaders. It would lose support if it tried to regain all Palestine. Significantly the Jewish mother of one of the victims of the 4 September 1997 Ben Yahuda Street outrage blamed the government for her daughter's death:

'Our government is guilty, doing their utmost to destroy the peace process ... almost every Palestinian

*family has been hurt by Israel, and they live in squalor and despair. The suicide bombers are our mirror.*⁵⁶

It is rumoured that Hamas may abandon suicide bombings and focus future attacks solely on the security forces. Neither the PA nor Israel can disregard Hamas. The latter, while publicly denouncing it, has covertly negotiated with it. Just as Britain would not admit to years of dialogue with the IRA until recently, so Israel cannot admit a dialogue to its outraged electorate. Yet Hamas can always outflank Arafat, taking a harder line that appeals to the masses, but its power lies in opposition. While Fatah remains a coherent force, it is unlikely Hamas will overtake it as the principle political movement in Palestine.

Women and gender

As elsewhere, women have found it difficult to exercise choice over marriage or occupation. They are more subordinate to family pressure and tradition than men. Many are confined by social custom and the formal requirements of Islamic culture, especially regarding personal status. Many are subject to authoritarian male rule, often dubiously justified in terms of Islam. Those working outside the home have tended to be confined to particular sectors, mainly as kindergarten or primary school teachers or in health. As almost everywhere, they have been denied open access to power. Women who rise to prominence, like the former negotiator and present-day minister Hanan Ashrawi, are the exception. However, many have asserted an independence of mind and spirit, some with encouragement from their husbands.

A basic dilemma of the women's movement has been the conflict of interest between national and women's interests. Logically the two should be complimentary, but that is only possible if male-dominated structures of the national movement take women's rights and aspirations seriously. There is little evidence of this.

Sceptics question how far the women's movement has affected the broad social attitudes among women, let alone among men. Enrolment of female university entrants has fallen. Faced with economic hardship, higher education for daughters is an early casualty. Growing social conservatism may further reduce numbers in the longer term. Yet a growing body of articulate, educated and self-confident women is essential not only to achieving women's full and equal participation in national life, but also in realizing the whole of society's potential.

Many women's fear, that any advance in Muslim conservatism will deny them the social advances they seek, is based on Hamas' desire to preserve the role of the *sharia* (Islamic law) in personal status law, governing child custody, divorce, inheritance, marriage and marital relations, all of which weigh against women. Yet women's opportunity to work may depend more on economic imperatives than on conceded freedom. Only 5 and 15 per cent of those working outside the home in Gaza and the West Bank respectively are women, mainly in government or UNRWA. While 80 per cent of women think they should be entitled to work outside the home, only 50 per cent of men apparently agree.

Children

Children tend to be ignored in the conflict although they form half the population. For a brief period, youths stole centre stage during the *intifada*, but the diplomatic process swept them aside. Many West Bank children grow up in villages where they have freer lifestyles than their urban or refugee camp counterparts. Until the age of nine or 10 they tend to play together without regard for age or sex, but thereafter tend to assume expected gender roles: household tasks for girls, wage labour and possibly stone-throwing for boys.

Long before the *intifada*, virtually all children were exposed to the brutalities of occupation, with both physical and psychiatric responses, most clearly demonstrated in their artwork. Alongside these profoundly damaging characteristics, the conflict has also generated a real sense of group identity.

Palestinian refugee children in Lebanon are exposed, as in Palestine, to violence and hostility from elements of the host country. In Jordan and Syria children grow up learning of their identity but also to be careful in its expression.

Everywhere there is an urgent need to engage Palestinian youth with a vibrant vision for the future. That must include providing realistic opportunities for girls and boys to acquire the skills to play a significant role in building tomorrow's Palestine.

Education

Partly thanks to UNRWA, Palestinians have a reputation for high educational standards and high female school enrolment. Government schools are now largely under Palestinian control in the OPT. Refugee children obtain elementary education at UNRWA schools but in the West Bank go on to government secondary schools. Most schools suffer grossly inadequate facilities; crumbling overcrowded classrooms often coping with two shifts each day. Government education is characterized by low morale, rigidity and poorly trained teachers. A number of vocational training centres exist, of which the best are probably run by UNRWA. There are seven Palestinian universities.

A satisfactory curriculum must be developed to replace Egyptian and Jordanian ones in use since 1948, and teacher training requires a radical overhaul. It will take at least a generation to remedy the damage done by Israeli government policy and practice, particularly its use of school closures as a form of collective punishment.

Health provision

Until recently Palestinians were dependent on an urban-based health provision delivered by the civil administration, UNRWA, voluntary agencies and private clinics and hospitals. Government provision under the Israelis was substantially worse than in Israel or in Jordan. UNRWA services remain overstretched and underfunded. Consequently, clinics run by non-governmental organiza-

tions (NGOs) began to proliferate and by 1993 accounted for 68 per cent of the whole provision.

The infant mortality rate in the West Bank is about 40 per 1,000 live births, although in certain villages this figure more than doubles. Research shows that the infant mortality rate among girls is higher than among boys, a commentary on traditional social values.

There is an urgent need to create an overall policy framework to harmonize and streamline the services available. There is no doubt that with four different kinds of service provision there are areas of duplication, geographically and sectorally. Yet the success of a national health system into which the different networks are brought depends on maximum participation and cooperation of those currently providing the greater part of services in planning and implementation.

Infrastructural development and public services

After 50 years' neglect, infrastructural development is needed urgently. Israel's control and seizure of groundwater in the Gaza Strip and West Bank is a fundamental issue of illegality. Theoretically the average urban water supply in the West Bank is 60 litres per day compared with 137 litres in Jordan, but is actually about half this amount because of loss from the distribution system. Even with increased access to groundwater reserves, there is a real need to explore the means for controlling water consumption and reducing waste. There is also an urgent need to create a proper waste disposal system in Gaza and the West Bank. Services are as basic as in 1967, but have deteriorated because the population has more than doubled since then.

During its occupation Israel developed a road system specifically designed to benefit settlers, bypassing Palestinian population areas. The PA will have to construct a system to meet its own requirements, and transform the telecommunications system to cater for the growth in information technology.

Democracy

Under an authoritarian administration that has sought to curb and control their activities, NGOs have tried to protect their position and external support. They recognize the need for PA coordination but consider their survival as independent associations vital to the growth of an open, democratic society. Many NGOs have suffered a flight of foreign aid money to the PA. Outside donors slowly began to recognize the critical role NGOs would play – whether Palestine would be authoritarian like virtually every other Arab state, or whether it could become a democracy. At the beginning of 1997 an alliance was struck between NGOs and the World Bank for the establishment of a Palestinian NGO Trust Fund to 'support a renaissance and strengthening of the NGO sector'.⁵⁷ This fund has yet to materialize.

Challenges for the international community

The need for international involvement

Ever since 1948 outside powers have to a great extent managed the conflict, sometimes arming the protagonists, and sometimes by reining them in to avoid the conflict spinning out of control. All outside powers recognize the importance of conflict management. They should now accept the imperative of peace management with the international community acting as an 'international umpire', not merely leaving the two protagonists to sort things out alone. There is a lot of talk about 'flexibility' and 'realism' in finding a settlement. No one doubts the need for flexibility to obtain progress. Yet these terms are often diplomatic codewords for expediency, in this case acquiescence to Israeli might, rather than adherence to principle. Expediency will not lead to peace.

In part the present situation is such a mess because of the 'constructive ambiguity' with which mediators have sought the ground on which to compromise. This has obscured the principles vital to coexistence. This was true in Resolution 242 when the phrase 'withdrawal of Israeli armed forces from territories occupied ...' wittingly allowed Israel to interpret the clause as meaning only those territories it felt like withdrawing from. More recently the Oslo Accord obscured the principles of international law regarding occupied territory. Yet these principles are clear, enshrined in the Fourth Geneva Convention and in Resolution 242. The latter, while not a formal Convention, arguably enjoys the force of law because it has enjoyed virtually universal international recognition since its adoption over 30 years ago. The principle of 'the inadmissibility of the acquisition of territory by war' cannot be ducked. Any territorial exchange must be a consequence of a free and fair negotiation, not the product of *force majeure*.

International law is based not merely on moral pieties but on the practicalities of human behaviour and the rules necessary for coexistence. People who know that as far as reasonably possible right has been done, settle for peaceful coexistence. Those who know that their fundamental rights remain violated will not go quietly. That is why the solutions to the problems both in the OPT and inside Israel must be based on accepted international criteria and norms. This can ensure the long-term future of the Jewish people in the Near East.

The danger of doing nothing

So far there is little evidence that the leaders of the international community have the will to ensure adherence to these principles. Without these principles, however, the current process will remain fragile and flawed. Since the PA is essentially a creature of the Oslo Accord, approved under duress retrospectively and only by a minority of the Palestinian people, its legitimacy stands or falls by what it can deliver. If it fails to satisfy the demand and need for meaningful self-determination, it will lose legitimacy.

This is the present prospect. Israel's government is unlikely to defy the majority of its electorate or risk civil war by abandoning settlements, unlikely to cede sovereignty of East Jerusalem, and unlikely to concede Palestinian self-determination in any meaningful sense, only a form of home-rule. The PA faces the dangers of growing impotence and opposition as the people increasingly see it as more the creation of Israel than of themselves. Despair and frustration will probably be expressed through bomb and small arms attacks. Weaponry is more readily available than before Oslo.

The future therefore promises potentially greater bloodshed than ever, with a greater proportion of Jews now bearing the pain and grief. A situation of no-war, no-peace may drag on, possibly for years. Every inadequate deal into which the PA is forced will be undermined by popular reaction and, like other colonial powers, Israel may be forced to concede, inch by inch, unless it opts for 'ethnic cleansing'.

The Palestinians already live a sufficient nightmare to be willing to make major compromises. Israeli Jews have yet to reach that point. Yet other potential dangers to Israel make early resolution of the OPT highly desirable before they also materialize.

With Palestinians now constituting 27 per cent of the population of Israel under the age of five, a major ethnic challenge in the future can hardly be avoided. Can Israel afford an internal Palestinian challenge simultaneous with renewed claims concerning an unfair settlement in the OPT? In such an eventuality Israel might risk its own security, identity and integrity within the 1949 Armistice Line.

However, Israel faces possibly a greater immediate danger within its own Jewish community. Rabin's assassination revealed the rift now existing in society between the religious and nationalist right and the largely secular left. Recent opinion polls indicate that half the Jewish electorate fear polarization may lead to civil war.⁵⁸ If Palestinians still feel they have been left with a homelands solution, or remain thwarted over Jerusalem, Israel may

find itself torn by both an internal Jewish and external Palestinian-Jewish conflict at the same time.

Meanwhile, Israel now faces possibly greater danger from its neighbours than previously. Syria and Iran have both acquired much more sophisticated rocketry than that used by Iraq against Tel Aviv in 1991. Israel could be tempted to launch pre-emptive strikes, as it did against Iraq in 1981. This is a very high risk strategy which could destabilize the whole region. Again, it is vital that the kernel of instability in the Middle East, the Palestine question, be resolved adequately and urgently to create a regional climate of calm.

It is for these reasons that international involvement needs to be intensified.

Areas of concern

US derogation from international consensus

Palestinians deeply resent the USA's longstanding pro-Israeli policy. From 1993 their worst fears were realized as the US government distanced itself from international law and consensus, no longer referring to the territories as 'occupied' – a term which set out clearly the rights and obligations of both Israel and the Palestinians – but as 'disputed'. In December 1993 it formally derogated from the refugees' right of return, recognized in annual UN General Assembly resolutions since 1948, commenting 'such resolutions prejudice the outcome of the ongoing peace process and should be solved by direct negotiations'.⁵⁹ It also instructed UNRWA to address the question of its own demise although no solution to the refugee question was yet in view. In May 1995 it cast its thirtieth pro-Israel veto in the Security Council noting:

[T]his Council is not able and should not seek to try to resolve sensitive issues in the Middle East peace process. That is for the parties who must live with the outcome of these negotiations'.⁶⁰

This is a view that disregards the UN's centrality to the Palestine question since 1947. Since the Oslo Accord (in which it is mentioned), the USA has also quietly dropped reference to Security Council Resolution 242, once its guiding mantra. The preamble highlights 'the inadmissibility of the acquisition of territory by war'. This principle is now inconvenient to the US government since it accepts Israel retaining much of its war gains. Thus it has progressively discarded internationally agreed humanitarian, legal and political responsibility and in effective abandoned international law.

A European responsibility

The Fourth Geneva Convention remains an essential legal baseline for rescuing Palestinian rights. European Union (EU) members have repeatedly affirmed their commitment to its principles to protect human rights in the OPT, but have failed to ensure Israeli compliance, although this

is an incontrovertible responsibility for all contracting parties. A durable peace almost certainly depends on ensuring respect for the content of the Convention.⁶¹

EU member states should ask the USA to uphold international law. Collectively the EU and the USA should persuade Israel that it must progressively come into line with the Convention's requirements or face increasing difficulties and penalties in its relations with the EU (which currently accounts for approximately one third of Israeli exports).

Jerusalem

East Jerusalem is integral to the West Bank, economically, socially and politically. The international community must ensure Israel's respect for the Convention, convincing it to abandon its improper closure, and persuading it that sole Israeli rule of the city is legally unacceptable as well as seriously prejudicing the chances for durable peace. The UN partition resolution provided for Jerusalem to be an international zone, a *corpus separatum*. That is why virtually no state is willing to open an embassy in West Jerusalem, until its status is properly decided. Israel must be persuaded that the administration of Jerusalem must be shared by those who live in the city on an equitable basis and that either both nations or neither should use the city as its capital. In the meantime, the international community should bring pressure to bear on Israel to abandon its methods of denying Palestinians their right to live in Jerusalem, by withdrawing its permit policy forthwith and taking vigorous steps to redress its discriminatory housing programme. The facts speak for themselves. By 1997 there were 165,000 Jewish settlers in the East Jerusalem, equalling the number of Palestinian residents. Since 1967 Israel has subsidized 60,000 housing units for Jews in East Jerusalem compared with only 500 units for Palestinians, the last of which was approved over 20 years ago.⁶² Israel has also demolished Palestinian homes in the city at an average rate of 50 a year. In 1996, 108 construction permits were issued to the entire Palestinian population of 170,000. Yet the community requires 21,000 housing units merely to meet existing needs.⁶³ While comprising one third of the city, Palestinians receive only 7 per cent of municipal funds.⁶⁴

Palestinians will never accept either the *de facto* or *de jure* loss of Jerusalem. They, and the wider Arab and Muslim worlds, will always claim it as the third holiest city of Islam, and as the historic capital of Palestine. A just resolution is vital to peace.

The remaining territories of the West Bank

Two-thirds of Zone C have already been expropriated and designated 'a closed area' by Israel. It is unlikely to return this to Palestinian control without strong international pressure. Without such pressure, the PA will only acquire the remaining third of Zone C, ending up with a patchwork of territories totalling approximately 50 per cent of the Palestinian territories occupied by Israel in 1967. Likud's intention to retain over 50 per cent of the territories was confirmed by the Cabinet conflict over competing withdrawal plans.⁶⁵ Thus approximately 8 million Palestinians, half of whom have no assurance of being able

to return to it, will be left with 15 per cent of geographical Palestine, while 4 million Jewish Israelis retain the rest. Such an arrangement has poor prospects of durability. The Palestinians were left with only one third of Palestine in 1948. They feel they have already lost enough.

Settlers

By mid-1996 there were approximately 150,000 settlers in the West Bank, excluding Jerusalem, and another 3,500 in Gaza, and the numbers are growing. One ambitious Israeli plan calls for the total to reach 500,000 by the year 2000.⁶⁶ A situation has now arisen in which no Israeli government is able to dismantle the settlements without alienating the electorate and triggering open conflict with the settlers and those who support them. No government will risk either. This has now become an intractably difficult problem.

Yet the settlers' presence is illegal. The only grounds on which they can be allowed to remain is in agreement with the PA and, as a matter of principle, under PA law and jurisdiction. A handover to PA jurisdiction may be the only way to persuade most settlers to choose between becoming Palestinian citizens or returning to their own state. Their current status under Israeli law and protection is a form of *apartheid*, and should be publicly acknowledged as such. The legitimate claims of those who held land prior to its confiscation by Israel also need to be addressed.

Water

Israel's thirst for water is well known. It has already seriously depleted its own resources. It takes a greater share of the River Jordan than Jordan or Syria. It also draws heavily from the groundwater reserves of geographical Palestine. Senior Israeli hydrologists have warned that groundwater consumption exceeding replenishment at a current annual rate of 15 per cent invites a 'catastrophe'. Forty per cent of Israel's consumption currently comes from the West Bank. Israel is unlikely to surrender its control of the water resources of the OPT, and this may also affect the amount of territory Israel is willing to cede. Yet, quite apart from the illegal removal of groundwater by Israel, Palestinians are unlikely to accept a consumption limit per head which is vastly less than that of the settlers.

In principle a Palestinian state should have control over its own groundwater. A reasonable alternative would be to share the resources of all geographical Palestine on an equal basis per head under a joint Israeli-Palestinian authority. This would encourage cooperation on water use, control, conservation and recycling. Sole Israeli retention will remain a potential and serious source for conflict.

Boundaries and security

General Assembly Resolution 181 set out clear boundaries for the partition of Palestine. Israel's 1949 armistice agreements defined a new line which in due course came to be accepted as the *de facto* boundary of Israel. Security Council Resolution 242 made two vital principles clear regarding the territories Israel subsequently captured: (i) the inadmissibility of the acquisition of territory by war; (ii) the requirement that Israel withdraws from territories it had

occupied. Israel argues that the wording of the second requirement did not necessarily mean **all** the territories it occupied, but the first principle precludes such sophistry.

The evidence suggests that Labour and Likud intend to retain direct control over approximately half the OPT, and indirect control over the rest. If Israel retains control of the arterial road system, leaving the PA in control of a patchwork of districts reminiscent of the former homelands governments in South Africa, a new militant movement will emerge. Arbitrary retention of parts of the West Bank is unlikely to create the conditions of peace necessary for Israel's future.

Israel's stated requirement, strategic and tactical security, will remain a major consideration of any settlement. Since Palestinians remain at risk from Israeli violence, the security of both parties should be reviewed collectively, with mutual security arrangements which will contribute to confidence building. How this can fully be achieved falls outside this study, but must include removing the Palestinian grievances set out above.

Refugees

Weizmann's plea for Europe's Jews, 'They cannot stay where they are, yet have nowhere to go' has become a *leitmotiv* of the Palestinian diaspora. Yet Israel refuses any responsibility for the refugees, or for its principal role in their predicament. Shortly after the DoP, Israel agreed to discuss certain categories of Palestinians outside Palestine, including those claiming family reunification, possibly as many as 120,000, and those abroad whose re-entry permits had lapsed, probably totalling 100,000. Virtually no progress on these has been made. Before discussing the question of the 1948 refugees, there is the question of the approximately 350,000 displaced by the 1967 war, and their descendants. Consideration of their case and the procedures for their return, is allowed for in the DoP. Yet there has been no progress on this either.

It is difficult to see how or when the question of the 1948 refugees might be tackled. There is enormous apprehension that the refugees will be left languishing in their present predicament of greatly diminished rights and opportunities, or that at best a token number might be allowed back into the territories. The situation of the estimated 380,000 in Lebanon is particularly acute since Lebanon is determined they must go elsewhere.

Palestinians in Israel

As in the territories, Israel has implemented an informal separate development system which allows Jews and Arabs to mingle for work but minimizes intercommunal relations.

Yet Israel's handling of its own Palestinian citizens is central to resolving the Palestine/Israel dilemma. Palestinians in Israel will increasingly impinge upon the state's Jewish identity and psychology. As the proportional balance changes, the question will become unavoidable, perhaps in about 2020 when Palestinians are likely to be 25 per cent of the population, or when they become 40 per cent in the middle of the twenty-first century. The longer the problem of equality and acceptance is ignored, the greater the danger of intercommunal conflict.

A final word

The recommendations are intended to identify what is necessary for a just and stable resolution of the Palestine conflict. None of those relating to the West Bank, Gaza and East Jerusalem would now seem nearly so daunting had the parliamentary democracies resolutely ensured respect for the Fourth Geneva Convention from the outset, in June 1967. A US government telegram, dated September 1967, tellingly demonstrates how far the situation has been permitted to deteriorate since then:

There is growing concern among governments friendly to Israel at indications Israeli objectives may be shifting from original position of seeking

*peace with no repeat no territorial gains toward one of territorial expansion. Israel's refusal to authorize the return of all refugees desiring to resume residence on the West Bank ... and statements by senior Israeli officials quoted in American press give rise to impression that Israeli government may be moving toward policy of seeking security simply by retaining occupied areas rather than by achieving peaceful settlement with the Arabs.*⁶⁷

At the time, the exigences of the Cold War undermined Western resolve. There are no such excuses now. Unless the principles of international law and humanity are restored as the bedrock for a negotiated settlement, there can be little hope of a lasting peace.

Recommendations

The dangers of doing nothing have been set out in the previous section of this Report. In order to achieve a just peace the following steps are recommended:

- 1 The broad principle of symmetry should be established between the two protagonists: that each party requires clearly defined territory over which each is sovereign; that each is entitled to proper security arrangements to minimize violence inflicted by the official forces or citizens of the other party; that each party should exercise full control over its own borders, including the movement of people.
- 2 International norms and law, including UN Security Council Resolution 242 on the inadmissibility of the acquisition of territory by war, and the Fourth Geneva Convention should remain the guiding principles of a just settlement, regarding territory, mutual recognition, and the rule of law.
- 3 Both Israel and the PA must uphold international human rights standards.
- 4 The question of Jerusalem must be resolved by one of two principles: either shared sovereignty over the whole city as presently defined, or alternatively sovereignty divided along the 1949 Armistice Line, but with freedom of movement and a joint municipal administration.
- 5 Israeli Jews who have settled in territory occupied in 1967 should either withdraw or accept Palestinian authority and law.
- 6 The water resources of the River Jordan and the groundwater of geographical Palestine should be

controlled and shared in a manner that is equitable and in compliance with international law.

- 7 The international community must remain closely involved as a facilitator and referee to ensure a just and lasting settlement.
- 8 Signatories to the Fourth Geneva Convention should comply with the obligation under Article 1 to ensure respect for the Convention in all circumstances.
- 9 Regarding the situation for Palestinians inside Israel. Israel should be pressed to:
 - (i) Redefine the state of Israel as the state of all its citizens, and enact a new law of return which offers equal opportunity for both Jews and Arabs who yearn to 'return'. An international commission should consider the question of compensation as provided for under UN General Assembly Resolution 194.
 - (ii) Recognize the Palestinian Arab community as a national minority, and implement the UN Declaration on the Rights of ... Minorities.
 - (iii) Review land expropriations since 1948 with a view to making restitutions where possible.
 - (iv) Cancel the JNF's and Jewish Agency's role as agents for government land management, housing and development, and end all other means of institutional discrimination, allocating resources on the basis of equality regardless of ethnic identity.
 - (v) Allow the equal participation of Palestinian Arabs in all sectors of national life, including senior government posts, regional councils, and employment.

NB: Space restrictions have prevented references from being included on every aspect, issue or statistic included in this new Report. Many of these have been sourced in previous MRG Reports on the Palestinians written by David McDowall and other references to established material may be found in David McDowall's *The Palestinians: The Road to Nationhood*, Minority Rights Publications, London, 1995.

- 1 The terms BCE, Before the Christian Era (akin to BC) and CE, Christian Era (akin to AD) have been used in this Report.
- 2 *The Complete Diaries of Theodor Herzl*, New York, 1960, vol. i, p. 343, quoted in D. Hirst, *The Gun and the Olive Branch*, London, 1977, p. 18.
- 3 The putative Jewish state would have had a slight Arab majority, see McDowall, D., *The Palestinians: The Road to Nationhood*, London, MRG, 1995, note 13.
- 4 Morris, B., *The Birth of the Palestinian Refugee Problem, 1947–1949*, Cambridge, CUP, 1987, p. 159.
- 5 'Out of 475 villages existing before the 1948 war, 385 were razed.' Shahak, I., in U. Davis and N. Mezvinsky, *Documents from Israel 1967–1973*, London, 1975, p. 47.
- 6 This claim, drafted by the Transfer Committee, 'formulated the main line and arguments of Israeli propaganda in the following decades. It denied any Israeli culpability or responsibility for the Arab exodus – denied, in fact, its own members' roles in various areas and contexts. It also strongly advised against any return of the refugees'. Morris, 'Josef Weitz', *1948 and After: Israel and the Palestinians*, Oxford, 1990, pp. 550, 556.
- 7 Lustick, I., *Arabs in the Jewish State*, Austin, 1980, p. 28.
- 8 Flapan, S., *The Birth of Israel: Myths and Realities*, London, 1987, pp. 205–7, p. 210; Morris, *The Birth of the Palestinian Refugee Problem*, *op. cit.*, pp. 263–4, 269.
- 9 Morris, B., *Israel's Border Wars 1949–1956*, Oxford, 1993, p. 135 and McDowall, *op. cit.*, p. 35.
- 10 Following Gamal Abdel Nasser's nationalization of the Suez Canal, Israel colluded with Britain and France to launch an unprovoked attack on Egypt with the intention of bringing about Nasser's downfall.
- 11 Davies, J., *The Evasive Peace*, London, 1970, p. 69.
- 12 Some were driven from their homes after the end of hostilities, see Morris, *The Birth of the Palestinian Refugee Problem*, *op. cit.*, ch. 8.
- 13 At the time it was debated, a proposed amendment describing Israel as 'the state of the Jewish people and of its Arab citizens' was rejected, *Divrei HaKnesset*, 3906, 1985.
- 14 *Middle East International*, no. 336, 21 October 1988.
- 15 *Middle East International*, no. 551, 30 May 1997.
- 16 Four per cent is still privately owned by Palestinians and 4 per cent by Jews. By its charter, the JNF does not sell or lease land to non-Jews.
- 17 Information from the Arab Society for Human Rights (ASHR), June 1997; see also Council for Arab British Understanding (CAABU) Briefing no. 48, *The Plight of Unrecognised Arab Villages in Israel*, December 1997. In 1992 there were 105 'unrecognized' Jewish villages, all served with electricity, public transport, telephones, water and, in some cases, schools.
- 18 For example, it evicted the Tarabin from Wadi Shalala in 1954, moving them to a location south of Beersheba, then forcibly resettled them again. Then it built a Jewish residential area, Omer, close by and now wishes to expel the Tarabin yet again to allow for Omer's expansion. The area falls within the Tarabin's ancestral land. The Tarabin asked to be included in the Omer housing scheme but were refused, author's visit to Tarabin, June 1997.
- 19 Michael, B., in *Yediot Aharonot*, quoted in *Middle East International*, no. 551, 30 May 1997.
- 20 For an example of racist resistance, see Hanegbi, H., 'If they did it to a Jew', *Ma'ariv*, translated in *Middle East International*, no. 555, 25 July 1997.
- 21 In May 1997 police shot a 16-year-old in the head and wounded a 4-year-old in the leg at Abu Kaf. The youth had refused Israeli officials access to his house because they had no authorizing documentation, oral information, Laqiya, June 1997.
- 22 For example, in 1987, Shimon Peres, who had played a central role in establishing Jewish numerical predominance in Galilee in the 1950s and 1960s, said to the Jews of Natzerat Illit, overlooking Nazareth: 'It is your duty to remember: Natzerat Illit is a key town, a key to the gates of action Zionism.' Rabinowitz, D., *Overlooking Nazereth: The Ethnography of Exclusion in Galilee*, Cambridge, 1997, p. 14.
- 23 Article in *Yediot Aharonot*, 12 January 1994, quoted in *News From Within*, April 1994.
- 24 *News From Within*, no. 11, December 1996.
- 25 *News From Within*, no. 9, September 1996.
- 26 Jewish history comprises 25 per cent of the history curriculum in Arab-medium schools, whereas Arab history comprises only 2 per cent of the corresponding curriculum in Hebrew-medium schools, al Haj, M., 'Ethnicity and multicultural education in Israel', summary paper presented at Marmara University, Istanbul, March 1996.
- 27 These include education and employment disadvantage, for example 80 per cent of Palestinian agricultural labour is female, mostly paid below the minimum wage whether in the Arab or Jewish economic sectors. There are also serious problems of forced marriages, child custody and child marriages, family honour killings and questions of personal status under the *sharia*. See Working Group on the Status of Palestinian Women in Israel, *The Status of Palestinian Women Citizens in Israel*, July 1997.
- 28 Eretz Yisrael (Land of Israel) is the Zionist term for the whole of geographical Palestine.
- 29 In 1995 annual percentage growth was 3.8 per cent for Arabs and 2.4 per cent for Jews. Excluding immigrants the figure was 3.1 per cent for Arabs and

- 1.2 per cent for Jews, *Israeli Statistical Abstract*, 1996.
- 30 Refugees as determined by the UN, namely those resident in Palestine for the two years prior to the 1948 war who lost both their homes and their means of livelihood as a result of the conflict. This also includes their descendants.
- 31 Reports from the Palestine Human Rights Information Centre during the *intifada*.
- 32 Shipler, D., *Wounded Spirits in the Promised Land*, New York, 1986, pp. 176–7.
- 33 For further information see Amnesty International sources and the British Refugee Council's *Gulf Newsletters*.
- 34 Palestine Human Rights Information Centre, *Clever Concealment: Jewish Settlement in the Occupied Territories, August 1992–September 1993*, Jerusalem, 1994.
- 35 *Middle East International*, no. 458, 10 September 1993.
- 36 This fact emerged during the subsequent inquiry, *Middle East International*, no. 471, 18 March 1994.
- 37 Israel expropriated all 'state' and *miri* land in the West Bank. *Miri* lands under the Ottoman system ultimately belonged to the sultan (i.e. the state) but were held in individual possession, often for generations. Much Palestinian cultivable land fell into this category.
- 38 *Middle East International*, no. 536, 25 October 1996.
- 39 *Middle East International*, no. 540, 20 December 1996.
- 40 The central highway, Highway 60, connects Arad in the northern Negev with Afula, just to the north of the West Bank. It runs up the 'spine' of the central uplands circumventing Hebron, Jenin, Nablus and Ramallah.
- 41 *Middle East International*, no. 517, 19 January 1996.
- 42 *Middle East International*, no. 549, 2 May 1997.
- 43 *Middle East International*, no. 529, 5 July 1996.
- 44 *Middle East International*, no. 538, 22 November 1996.
- 45 Had Netanyahu been Arab rather than Jewish his seven-year residence abroad and acquisition of US citizenship would have lost him the right to live in Jerusalem.
- 46 *Middle East International*, no. 541, 10 January 1997.
- 47 *Jerusalem Times*, 6 June 1997; *Middle East International*, no. 553, 27 June 1997.
- 48 Palestine Centre for Human Rights, press release, 2 June 1997.
- 49 For example, 2,500 acres/10,000 *dunums* near Qalqilya have been earmarked for confiscation, *Middle East International*, no. 545, 7 March 1997.
- 50 Hirst, D., 'Shameless in Gaza', *The Guardian*, 21 April 1997.
- 51 *The Independent*, 30 July 1997.
- 52 Raji Sourani was held for 16 hours and released without charge on 14 February 1995; Basesm Eid was arrested on 2 January 1996; Iyad al Sarraj has been detained three times in 1995 and 1996; Muhammad Dahman was held for a fortnight in August 1996.
- 53 Two notorious incidents are the arrest and intimidation of Maher al Alami, editor of *Al Quds* in December 1995 for putting coverage of Arafat's Christmas visit to Bethlehem on an inside rather than the front page and Daoud Kuttab was arrested in May 1997 for the live broadcast of a Palestine Legislative Council debate of alleged PA corruption.
- 54 AI Index MDE 15/68/96, by which date at least 10 detainees had died in custody in the preceding two years.
- 55 Usher, G., *Palestine in Crisis: The Struggle for Peace and Political Independence after Oslo*, London, 1995, p. 39.
- 56 *Middle East International*, no. 558, 12 September 1997.
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- 58 According to a Gallup poll, 56 per cent of the Jewish electorate think civil war is close, and only 21 per cent think Israel is still united, *Ma'ariv*, 14 November 1997. An earlier poll indicated that half the secular Jewish electorate thought civil conflict likely, while 15 per cent of all adult Jews thought it was inevitable, *The Independent*, 4 December 1996.
- 59 *Middle East International*, no. 491, 6 January 1995.
- 60 *Middle East International*, no. 500, 26 May 1995.
- 61 Signatories of this Convention agree 'to respect and ensure respect ... in all circumstances' (Article 1). The official International Red Cross Commentary to this article explains: 'The proper working of the system of protection provided by the Convention demands in fact that the Contracting Parties should not be content merely to apply its provisions themselves, but should do everything in their power to ensure that the humanitarian principles underlying the Conventions are applied universally.' There can therefore be no excuse for failure to take action.
- 62 Hodgkins, A., *The Judaization of Jerusalem: Israeli Policies since 1967*, Jerusalem, Passia, 1996, pp. 35, 48.
- 63 *Middle East International*, no. 554, 11 July 1997.
- 64 *Ibid.*
- 65 One plan retains 52 per cent of the West Bank, the other 64 per cent, *The Guardian*, 18 December 1997.
- 66 *Middle East International*, no. 530, 19 July 1996.
- 67 US State Department to Ambassador Barbour, 14 September 1967, quoted in Green, S., *Taking Sides: America's Secret Relations with Militant Israel, 1948–1967*, London, 1984, p. 245.

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www.baraka.org

www.birzeit.edu

www.palnet.com

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www.pna.org

The Palestinians

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