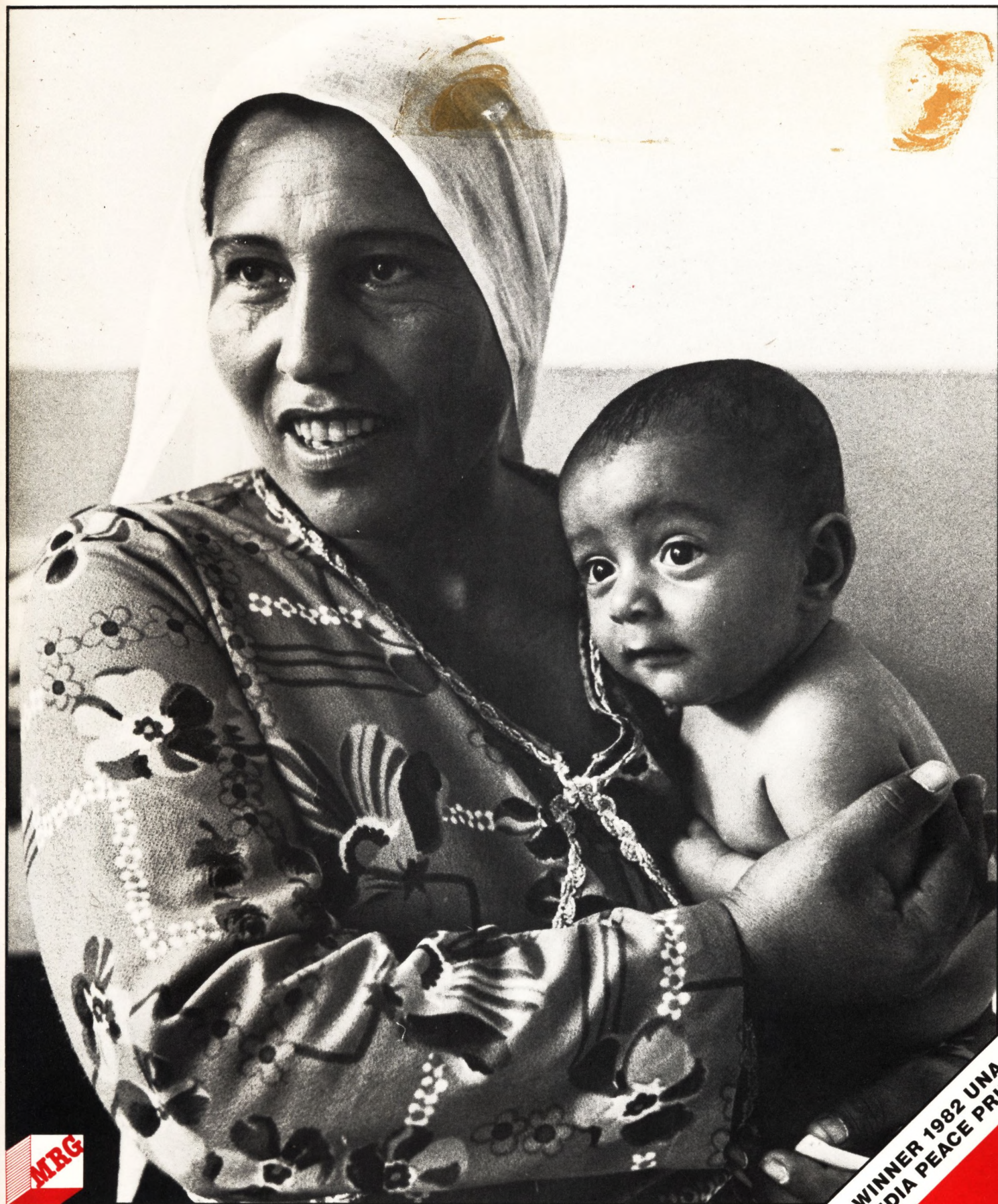


# The Palestinians

The Minority Rights Group **Report No.24**



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## THE MINORITY RIGHTS GROUP

is an international research and information unit registered in Britain as an educational charity under the Charities Act of 1960. Its principal aims are —

- To secure justice for minority or majority groups suffering discrimination, by investigating their situation and publicising the facts as widely as possible, to educate and alert public opinion throughout the world.
- To help prevent, through publicity about violations of human rights, such problems from developing into dangerous and destructive conflicts which, when polarised, are very difficult to resolve; and
- To foster, by its research findings, international understanding of the factors which create prejudiced treatment and group tensions, thus helping to promote the growth of a world conscience regarding human rights.

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# The Palestinians

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He would like to acknowledge with gratitude all those, Palestinians, Israelis and others, who have guided and corrected him during both the research and writing of this report. He is however solely responsible for the views expressed within it.

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*The cover photograph by UNWRA shows a Palestinian refugee mother and child at the Swedish Health Centre in Gaza.*

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The report that follows has been commissioned, and is published, by the Minority Rights Group as a contribution to public understanding of the problem which forms its subject. It does not necessarily represent the collective view of the Group.

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# The Palestinians

by David McDowall

with a Foreword by Dr Claire Palley

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# THE UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS

*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

*Whereas* disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from any fear and want has been proclaimed as the highest aspiration of the common people.

*Whereas* it is essential, if a man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.

*Whereas* it is essential to promote the development of friendly relations between nations.

*Whereas* the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom.

*Whereas* Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

*Whereas* a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.

Now, Therefore,

## THE GENERAL ASSEMBLY proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

*Article 1.* All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

*Article 2.* Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

*Furthermore*, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

*Article 3.* Everyone has the right to life, liberty and security of person.

*Article 4.* No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Article 5.* No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Article 6.* Everyone has the right to recognition everywhere as a person before the law.

*Article 7.* All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

*Article 8.* Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

*Article 9.* No one shall be subjected to arbitrary arrest, detention or exile.

*Article 10.* Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

*Article 11.* (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

*Article 12.* No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

*Article 13.* (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

*Article 14.* (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

*Article 15.* (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

*Article 16.* (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

*Article 17.* (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

*Article 18.* Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

*Article 19.* Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

*Article 20.* (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

*Article 21.* (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

*Article 22.* Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Article 23.* (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interest.

*Article 24.* Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25.* (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

*Article 26.* (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

*Article 27.* (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

*Article 28.* Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

*Article 29.* (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

*Article 30.* Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

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## FOREWORD by Dr Claire Palley

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A major aspect of the Minority Rights Group's work has been investigation of particular minority problems and provision of accurate, and so far as possible objective, accounts of the situation. Naturally protagonists will differ as to whether any MRG Report has got the balance 'right'. Difficulties in attaining a reasonable level of objectivity are multiplied when there is, as here, a 'double minority' problem and a history of bitter strife. Palestinians are the most significant minority in Israel and in many other States where they are refugees, while Israelis are a minority in the Arab world and Jews are in a minority in every country in which they live. Given opportunities, as a persecuted minority, to settle in Palestine, Zionist Jews have taken over much of the country, and have deprived the Palestinian Arab minority of the opportunity of having its own Palestinian State. This situation, one endangering world peace, has resulted from intermittent wars between both groups and their allies. Not surprisingly, no consensus on the history of these events has emerged. Indeed, writers on the bitter 70 year-long dispute about Zionism, the role of the Powers, the establishment of Israel, that State's conduct and the response of the Arab world and the Palestinians, give conflicting accounts of events, place emphases differently and draw radically divergent conclusions from those few facts that can be agreed. In such circumstances not even a comprehensive academic study could put forward definitive judgements: without qualifying any verdict it is impossible to say what is 'the truth'.

However, clarifying the way major protagonists see the issues – their perceptions are real political facts with which they and the world must contend – is a valuable contribution to public understanding. David McDowall, a consultant to aid organizations operating in the Middle East, had already written two MRG Reports on *The Kurds* (No. 23) and *The Lebanon: A Conflict of Minorities* (No. 61) and had participated in rewriting MRG's last Report on *The Palestinians* (No. 24). When he was approached to update *The Palestinians*, McDowall suggested that, given the passage of time and recent availability of historical materials, a new Report, also giving detailed analysis of long-term trends, was required. MRG agreed. McDowall has, from the standpoint of a sympathizer, now produced the following Report, documenting the calamity afflicting the Palestinians and relying as much on Israeli authors as on Palestinian ones. The Report, highlighting the injustices Palestinians suffer and indicating strategies to improve their situation, is written with the passion that one knowledgeable about their plight must feel.

MRG's Council is aware that MRG Reports are on occasions quoted by persons who see these as supportive of their causes. Its Council is also conscious that criticism of Zionism and of Israel can be confused with or characterized as anti-semitism – or even slide over into such an attitude – because Zionism's goal was creation and maintenance of a distinctively Jewish State. Despite such risks, it was decided that publication of the McDowall Report, with its wealth of little-known information and its clear presentation of Palestinian grievances and attitudes, would promote understanding. It should be added that, not unnaturally, each individual Council Member differently evaluates the complex moral questions arising from creation and continuance of the State of Israel and has his own interpretation of the conduct of the parties involved. Accordingly, this Report on *The Palestinians* and this Foreword should not be cited as representing MRG Council's collective opinion. What Council Members share equally is deep distress, and a desire to see an end to the suffering of all involved in this long-running human tragedy.

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### The starting point of the Palestinian problem

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Whatever criticism may be made of Zionism, of its advocates and of Israeli governmental behaviour, it cannot be forgotten that the political doctrine of Zionism evolved in a historic European context at the end of the 19th century. This is not to say that the sufferings of European Jewry should be used as a means of deflecting legitimate criticism of Zionists and of Israeli policy and conduct. Nonetheless, the history explains much. Demand for a homeland in Palestine, from whence Jews had nearly two millennia earlier been dispersed, was conceived of as a rescue operation from pogroms against the persecuted and necessarily rootless Jews of

Eastern Europe and as the only means of giving self-respect to those who, even in the civilized States of Western Europe, faced anti-semitism. Indeed, Western religious intolerance, resulting in anti-semitism, was the root which nourished Jewish nationalism. The latter also gained strength from the promise it held out to religious Jews of fulfilling their long-cherished messianic dream of the Ingathering of the Exiles foretold in the Bible.

It was with these perspectives that the original Zionist leaders, at the zenith of the imperial age before Arab nationalism was well-developed in the Middle East, viewed Palestine. Few perceived this as anything other than a derelict land, sparsely inhabited by Arab nomads and tenants of landlords in Beirut or Damascus. Local Arabs could, Zionists unrealistically believed, be moved, subject to compensation, to other parts of the vast Arab domains in the Middle East. It was easy to fall into such modes of thought in an age of colonialism when the rights of indigenous inhabitants, the claims of peasant tenants and labourers to the land they occupy, the right to economic development, the right of self-determination for all peoples, and the crime of compulsory exchange of populations were concepts which had scarcely been formulated. Indeed, the Peace Settlement in Eastern Europe at the end of the First World War was based on population exchanges under the auspices of the League of Nations. In that context, holding the values they did, early 20th century Zionist leaders failed to reconcile their vision of 'a land without a people for a people with a land', with the bitter reality that building up a Zionist State could only be achieved at the cost of nullifying any natural hope of the Arab people of Palestine to have their own State in their homeland.

At first Zionists, advocating a Jewish National Home, urged territorial concentration of European Jews in Palestine, but after 1921, when there was serious Arab violence against Jewish settlers, Zionists publicly began pressing for their ultimate goal, the establishment of a Jewish nation-State. The Western Powers had acquiesced in the demand for a Jewish National Home as this was consistent with their strategic aims, while Jews settling in Palestine was a convenient alternative to pressure to open their own gates to waves of emigrating Jews from Eastern Europe. The Powers were much more reluctant to see a Jewish State in Palestine, but this outcome was made certain in the early 1930s by the rise of Nazism, accompanied by European Jewry's attempts to escape, and the continuing refusal by Western States to accept Jewish immigration. Despite United Kingdom hostility to the idea, by 1937 it had become evident that the British mandated territory of Palestine would have to be partitioned to create a small Jewish State and an Arab residual State, although British Foreign Office policy-makers with British oil interests in mind vacillated towards a bi-national State. The Zionist claim for partition was much reinforced by an initial rejection by Arab leaders of a democratic secular State, which, although it was subsequently put forward as Arab policy, was soon overshadowed by the outbreak of large-scale violence directed at Jewish settlers, a grave political error which facilitated Zionist claims. The intervening tragedy of the Holocaust made the Powers acquiesce in 1947 in claims to a Zionist State larger than that envisaged by Britain in the late 1930s. Indeed, the price of salving the Western World's conscience and their maintenance of an adamant stand against immigration of Holocaust survivors was (and continues to be) paid by Palestinian Arabs. Unwisely, overrating their power, Arab leaders again erred politically by rejecting a compromise, unjust though the UN Partition Plan was to the Arab people of Palestine.

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### Paradoxes and dilemmas

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Perhaps the greatest paradox is that Zionism, conceived of as a solution to the problems of one of the world's most persecuted minorities by ending Jewish homelessness and landlessness, resulted in the creation of yet another homeless and landless minority, the Arab Palestinians. This was not Zionism's objective, but its increasingly apparent outcome. Ironically, the creation of a Jewish National Home in the shape of the State of Israel did not assure the long-term future of the new State as Jewish. To do this, the Zionist movement still hopes to organize 'the return' to Israel of large numbers of Russian Jews. Yet, at the same time, the right of return is denied to 2.8 million Palestinian Arabs. Zionists justify this refusal by reference to the Arabs' failure to come to the peace table to negotiate a peace treaty after which Arabs could apply to return. Even so, no Israeli leader seriously envisages conceding a right of large-scale Arab return.

In few historical situations are there so many dilemmas and ironies. The Zionist movement's claim that there was a Jewish people entitled to self-determination has certainly resulted in an Israeli people (almost entirely Jewish) and a State of Israel, but it has also turned the Arabs of Palestine into a Palestinian people. Yet, even after the 1967 War when Palestinian nationalism flourished, some Zionist leaders continued to deny that there was a Palestinian people, while to this day leading Israeli politicians refuse to admit the Palestinian people's right to self-determination.

Another poignant irony is that the State of Israel was the end-product of terrorism. For many years violence was Arab-initiated, starting on a large scale in the 1920s, but by the mid-1940s Zionist violence was directed against Britain as mandatory. Finally, Arab violence against Jews, Jewish terrorism against Arabs and Jewish victory in the 1947-49 War (following Arab States' and Palestinian rejection of the UN Partition Plan) led to establishment of the State of Israel. Yet Israeli Governments condemn the defeated side's continued use of similar methods, and fail to recognize that terrorism is the weapon inevitably adopted by the weak in attempting, in accordance with their own example, to forge a new nation-State. Israel now sees herself as acting in self-defence against threatened violence, characterizing as pre-emptive strikes her military actions in 1947-9, 1956 and 1967. Nonetheless, the outcome of each 'defensive action' is that Israel ends up being seen as aggressor and occupier of yet more Arab territory. For many years, except in the case of Egypt, she could not find a Palestinian or Arab enemy both strong enough to – and willing to – make a peace which would stick. In more recent times she has been unable to find one which can, while retaining any self-respect, make peace on the terms that Israel is prepared to contemplate. Israel would have to sacrifice territory and the security gained in four wars. The outcome has been that, while wanting Jewish self-rule and security, Israel has come to rule over others to ensure her security, and fears to surrender conquered territory lest it be used for bases only five miles away from her major cities.

The blame for failure to make peace is not all Israel's. Foreign sympathizers contend that Palestinian leaders in their delphic public statements (often later retracted) and in private conversations have indicated a willingness to make peace and to recognize the fact that a State of Israel exists. However, not even they argue that Palestinians accept the right of an Israeli State to continue in existence. Unfortunately, the failure of popular Palestinian leaders *in practice* to make genuine moves to talk about a compromise and their failure to accept Israel feed Israeli suspicions that Arab and Palestinian intentions are to achieve annihilation of the Israeli State if not in the next war in the one after that.

While the Powers pay lip-service to the need for Middle East peace, they have not hesitated to pour arms into the area, escalating the risks of further war. Arab States, such as Egypt, Jordan and Syria, although in one sense allies of the Palestinians, have in fact been predators at least as concerned with grabbing or reclaiming land from Israel for themselves, as they have been with protecting the Palestinians in 1948-9, 1956, 1967 or 1973. Even the economic aid sent to Palestinians by Arab States has been politically motivated, with funds being directed to their particular protégés in the Palestinian liberation movements and with relatively little being directed to improving the economic potential of Palestinians still in Palestine.

Yet another irony arises from a justification argued by some Israelis. They contend that the movement of Arab and Jewish populations during and following the various wars was a fair population exchange: settlement in Israel of Jews from Arab States, where they faced serious persecution following the 1947-49 War, was a fair exchange for the Palestinian Arabs who had fled during that war. In arguing this they have forgotten that it was largely as a result of World War II Nazi and Russian population transfers that international law has now characterized population transfers as war crimes.

Such contrasts between moral standards and events on the ground pose tremendous dilemmas for Israelis. For example, while the Zionist movement has always advocated democracy, equality and non-discrimination, the technicalities of Israeli law deliberately deny many rights to Palestinian Arab citizens as well as to the Palestinians in Israel's occupied territories. Again, Zionists have attacked prejudice throughout the world, but themselves patronizingly stereotype Arab Palestinians as having a particular

mentality requiring 'firm-handed' treatment. Zionist charities direct their economic aid only to Jewish Israelis, a factor reinforcing differences in economic opportunities between Jews and Arabs and increasing Palestinian resentment. It must be added that Arab Palestinians have by and large refused to exploit even the limited power opportunities offered them by the political and economic system to mitigate their disadvantages, while complaining about the constantly widening gap in living standards between themselves and Jewish Israelis.

Nonetheless, it must be emphasized that Israel is more democratic than any other State in the Middle East; it has an independent and outspoken judiciary; it attempts to investigate abuses by its security forces; it permits internal dissent; it has a relatively free press, sections of which are fiercely critical of policy towards Palestinians and publicize governmental misdeeds (such as certain activities of Shin Bet); and it has an active opposition which argues for policy changes – for example, in June 1987 successfully stopping grants to ex-service university students, which would have discriminated against Arab Palestinians.

### **Goals, principles and competition between two peoples**

The ideals and principles which were an essential aspect of Zionism and the experience of Jewish communities in Europe seem to me to place Israel in a different moral position from other States, imposing upon it even greater duties to ensure non-discrimination and an absence of injustice. Nonetheless, some Israelis argue that the mode of establishing their State should be judged and tolerated in the same way that the creation of most nation-States has historically been accepted. Such Israelis particularly resent the double standards the world applies: Jewish concentration in trade and business and characterizing Jews as capitalist was an aspect of anti-semitism, but when Israeli Jews became labourers they were criticized for displacing Arab workers; when Jews, denied land in Europe, became Israeli farmers, they were criticized for dispossessing Arab farm workers; when Jews, criticized for passivity and resignation in face of persecution, became Israeli soldiers and self-reliant, they were criticized for aggression; when Arab labour was employed in Israel, this was described as capitalist exploitation. Yet such hypocrisy cannot exonerate Israelis and Zionists from conforming to morality and justice. Ancestral suffering and the fate of fellow Jews, taken together with the new opportunities they gained by coming as a minority to Palestine, require them not to fall into expedient ways and themselves to apply double standards. They must examine their consciences – as indeed many Israeli authors (on whom McDowall has relied) have done.

The very principles invoked by Zionism – self-determination and sovereignty for peoples, the legitimacy of States, democracy, equality, non-discrimination, the rights of the individual, and the right to peace – are all principles which can equally be invoked by the Palestinian people whose claims over the same small territorial area compete with those of the Israeli people. Logic would dictate a compromise in a bi-national arrangement, but that was rejected by both sides over half a century ago. Since then, on, as it were, the deathbed of the Mandate, Arab States were prepared in lieu of partition to accept a bi-national secular State as proposed in the UN minority Commission Report. Much later, in 1974, the PLO called for such a State, but this is contradicted by rhetoric in Article 6 of their National Covenant, only recognizing the right of Jews who came to Palestine before 1917 to remain. Such a policy declaration undermines Israeli belief that the PLO genuinely wants a secular bi-national State in which all Jewish Israelis and Palestinian Arabs will equally be citizens and will be treated without discrimination. A few Israeli 'doves' also advocate a bi-national secular State, but they envisage it as consisting only of Israel and as not covering all Palestine because, with a genuine right of return, Jews would be outnumbered.

The alternative of a smaller and democratic Israel with secure and recognized borders and which would in effect still be distinctively Jewish, with only a small Israeli Palestinian population, is a way forward relatively just to all involved, given the fact that a State of Israel has been established. A 'smaller Israel' policy now has support from some leading Israeli politicians, but they are unlikely to concede the 1949 armistice lines as borders, let alone the 1947 lines which might be acceptable to Palestinians and the Arab States. Unfortunately, so far virtually no-one has been prepared to run the risks of taking concrete action or of making firm proposals – Israeli leaders because they mistrust Arab and Palestinian long-

term intentions, and Palestinian and Arab leaders either because they consider making such proposals would constitute political suicide or because their goal is, as Zionists fear, ultimate dissolution of the State of Israel and its replacement by one State for all of Palestine to which all refugees could return.

Absolutist Arab and Palestinian attitudes from the early 1920s, initially about an all-Arab State and subsequently about an all-Palestine State with all refugees returning, have given Israel an alibi against negotiating a peaceful settlement. Many Israelis still feel – and for a long time most Western States accepted their view – that, so long as the Arab world does not recognize even the frontiers planned by the UN in 1947, let alone those of 1949 or 1967, the State of Israel is justified in taking literally threats made to annihilate her and must consider her Palestinian Israelis as a potential fifth column. In the natural desire for self-preservation, just as would be the case with any other State similarly circumstanced, sensibilities have tended to go by the board, so that morals and justice have been subordinated to survival. Too easily, in such a context, can those in control classify situations as ones requiring tough and necessitous military action.

Only a leap of imagination and courageous moves away from the positions adopted so long by the political leaders of both Jewish Israelis and Palestinian Arab peoples can lead to any diminution of the confrontation. Some of the ways they might sensibly move to break the deadlock are canvassed by McDowall, who is, sadly, far from optimistic about the prospects. Admittedly, when one side (the Palestinians) has had inflicted on it a grave injustice, and when the other (the Israelis) sees its survival as in issue, courageous initiatives are not likely to be frequent or enthusiastically regarded. This makes the recent Peres proposal for an international conference, despite its internal political connotations, significant. Important Israeli leaders are at last seriously considering the terms on which self-respecting Arab and Palestinian leaders can talk about peace. Obviously similar consideration is taking place in Arab and Palestinian leadership circles. It is not merely a pious hope that at last two peoples, both of whom have suffered greatly, may find ways of starting to talk, to compromise and to live alongside each other while gradually burying their resentments, rather than eternally insisting to the full on their competing and irreconcilable claims.



**INTRODUCTION**

In the most obvious sense the Palestinians are not a minority, for they outnumber Jewish Israelis: at least 4.9 million Palestinians compared with 3.5 million Jewish Israelis.<sup>1</sup> Nevertheless, there are two senses in which the Palestinians are a minority, and are likely to remain one for some years to come. In 1948 most of them unwillingly left their native land. In 1967 Israel completed its control of all Palestine, wresting the West Bank from Jordan, and the Gaza Strip from Egypt. The consequence of these events rendered the Palestinian people a numerical minority in every country in which they have found themselves, except for the Hashemite Kingdom of Jordan. Over two million Palestinians still live in Palestine under Israeli rule, and of these one million are refugees in their own land.<sup>2</sup> The larger number, over 2.8 million, living beyond Palestine's borders are unable to return.

Palestine is defined, for the purpose of this Report, by the borders defined by the League of Nations Mandate, but excluding the territory east of the river Jordan, known as Transjordan, for which the Mandate made special provision. Not everyone accepts this definition. Some would claim that Transjordan is eastern Palestine, and some that it and part of south-west Syria are part of the land of Israel.

The Palestinians are also a minority in terms of power, even in Jordan where they easily outnumber genuine 'East Bankers', and it is this theme of powerlessness which lies at the centre of this report. Theirs is a story of denied sovereignty, which pervades almost every area of experience, but is most obvious at the political level, since everywhere the Palestinians are subject to rulers who are not Palestinian. Most live under Arab rule, extolled as victims of Western or Zionist imperialism, but also suspected as harbingers of sedition. The Palestinians find the Arab States' hypocrisy hard to bear, for their commitment to their cause has proved ambiguous and their muscle flaccid.

In the international arena the irony for Palestinians is equally bitter. In 1918 the United States paid lip service to the idea of allowing Palestine (as part of the liberated Ottoman territories) an autonomous future,<sup>3</sup> but gave way to British determination to control the region and to develop it through a new group of settlers. Today, the roles are reversed. British support for Palestinian rights falters out of loyalty to US regional interests (which include a commitment to a strong Israel, and opposition to any future political entity in the West Bank that might prove to be a foothold for the Soviet Union) which do not admit Palestinian self-determination.

The powerlessness is also economic, whether in Palestine where thousands of Arabs compete with one another in the early morning markets each day to secure casual jobs from Jewish employers, or in the Gulf where, like other expatriates, Palestinians know their employers have the power not only summarily to dismiss them, but also to expel them from the country.

Socially, too, whether displaced by force of circumstance or dispersed in search of employment, Palestinian society remains uprooted and dislocated. Its identity has been transformed by labour migration, refugee life, and by that process familiar in many other societies whereby rural peasantry becomes a 'township' proletariat.

Even culturally, the Palestinians have the bitter taste of theft of their identity. Seventy years ago the West found it difficult to see Palestine and its Arab inhabitants for themselves. The temptation to see them as an expression of Biblical reality or of the changeless East was too great. Today all Palestine is frequently described as Israel, while tourist brochures depict old Palestinian cities implicitly as Israeli, and Palestinian embroidered work is sold as Israeli handicraft. Church groups still flock to the Holy Land to see Palestine as a function of Biblical reality. Most of them seem oblivious to the current moral and religious issues which pervade Palestine. To discuss such things may seem trivial and emotional, but the scale of dispossession the Palestinians have suffered, when even their identity is taken from them, cannot but be emotional. It is a permanent state of distress in which Palestinians must try to keep a sense of dignity as they make their way in an uncertain and unjust world.

In recent years the sense of powerlessness has intensified with growing Western prejudice against Arabs as a whole and Palestinians in particular. In 1986 the Arab League failed in an attempted legal action against *The Sun* newspaper which published a cartoon in which pigs object to being called Arabs.<sup>4</sup> There was no public outcry as there would quite rightly have been had the target been Jews. This prejudice stems from many factors, a lack of sympathy with, knowledge and understanding of the Arab world, the highly publicized use and abuse of oil wealth, and an increase in Arab terrorism, which has received far more coverage as an outrage in itself rather than as the symptom of a greater malaise.

Anti-Arab prejudice is strong in Britain, and stronger in the United States. In particular, Palestinians as a whole are frequently viewed as terrorists or fanatics bent upon killing Jews, an image successfully legitimized by outrages. As one impassioned Palestinian has written 'the web of racism, cultural stereotypes, political imperialism, dehumanizing ideology holding in the Arab or Muslim is very strong indeed, and it is this web which every Palestinian has come to feel as his uniquely punishing destiny'.<sup>5</sup>

It would be comforting to think that the Palestinian tragedy was drawing to a happy and righteous close, but there is no evidence to suggest that this is so. On the contrary, everything indicates that the ordeal has much, probably most, of its course yet to run. There can be no more central reason than the disempowerment of Palestinian people. This is a significantly different debate from the 'right of return', for that merely begs the question of how and under whose auspices that return might take place, but fails to translate the Palestinian people from aggrieved victims to a responsible and decision-making community in its own future. Until that happens there can hardly be a serious attempt at resolving the conflict.

The ordeal to come, not only for the Palestinians but also for the Israeli people, may still be avoidable, but only if there is a radical change in attitude among both Palestinians and Israeli Jews. One community must find a way to shake off the role of victim, the other that of victor. Only thus can both embrace the primacy of human dignity for both communities. There is no evidence of any such thing happening, certainly not without encouragement from outside. Yet the effect of those outside powers able to influence events in Palestine has already been, accidentally or intentionally, deeply malign. Should one ask or even hope that they exert influence again? If so, it must be to warn more cogently than ever that unless the Palestinians are accorded fundamental rights, Israel's own future will deteriorate into disorder, and possibly into destruction.

Empowerment of the Palestinians is vital to avoid the excesses of despair, and more importantly to confer dignity and oblige responsibility and choice. 'Empowerment' may be an unfamiliar term. In the context in which it is used here it means vesting the Palestinian community with the responsibility and power to manage and advance their own affairs as they think best. It is only when these gifts of responsibility and choice are enjoyed by both Israeli Jews and Palestinian Arabs that peaceful co-existence may be possible. So far there is no evidence that those governments able to influence events in this way have a will to do so, and there is good reason to fear that not only the West, but also some Arab States, wish to transact a Near East settlement which sidesteps genuine Palestinian control over their own future.

Few international disputes are more controversial than that between Palestinian and Israeli. The latter's case is based upon the systematic persecution of Jewry in Europe, and upon the claim that the Jews had the right to a homeland of their own, one where they would not only be safe but could create a nation embodying Jewish values and culture. It was wholly natural that in seeking fulfilment of this dream the Zionist founding fathers should have turned to Palestine, where the Jewish people had once flourished. The Palestinian case is far simpler, that this Zionist dream could not be fulfilled without disastrous impact upon the indigenous population. Each argument has its own logic, and there are hardly any points at which the two arguments mesh. However, the present Report is not about the Zionist case, nor is it about the broad Arab-Israeli conflict as such. It is, as its title implies, about the Palestinian experience, both in the past and present, and about what the future may hold in store. Nevertheless, on account of the sensitivities surrounding the Palestine question, this Report has been extremely difficult to write.<sup>6</sup>



## 19th CENTURY PALESTINE

Today's Palestinians are descended from the earliest recorded inhabitants of the area, who intermarried with later conquerors. Among these were the Philistines (who gave the land its name), the Jews, and the Arabs who conquered Palestine and Syria in the first half of the 7th century AD. After the Arab conquest all Palestinians began to speak Arabic, and most of them eventually accepted the religion of the Arabs, Islam. In 1516 the Ottoman Turks conquered Palestine and administered it through local governors appointed from Istanbul, until its capture by Britain at the end of 1917.

Palestine during the Ottoman period had never been a single administrative unit, although for most of the period it had been part of the *vilayet*, or province, of Syria. Palestine, as defined, was divided into three *sanjaks*, or districts, of Jerusalem (covering virtually all cultivable Palestine south of Tel Aviv – but extending across the Negev only halfway to Aqaba); Nablus, which comprised a central area from the coast eastwards to the Jordan; and Acre, comprising Haifa eastward to Nazareth and Tiberias, and including Safad. A small portion of northern Palestine was part of the *sanjak* of Beirut. From 1887 the *sanjak* of Jerusalem ceased to be part of administrative Syria, and became directly responsible to the Ottoman capital, Istanbul. The following year the remaining *sanjaks* were incorporated in the new *vilayet* of Beirut. However, Palestine as a geographical entity was understood and referred to by Ottoman officials, to mean the area west of the river Jordan, as indeed it was subsequently understood by British administrators, and more vaguely by Arabs and Jews.

Palestinian society, like that of neighbouring areas, is composed of different religious and social communities. 85% of the Palestinians are Sunni Muslim, the vast majority of whom lived in rural areas well into this century. There are also small Shi'i and Druze communities in Galilee, both being the southernmost settlements of more sizeable communities further north. By the end of the 19th century neither group numbered more than about six or seven thousand.

10% of Palestinians are Christian, the majority being equally divided between the Orthodox and Greek Catholic Churches. There are a small number of Roman Catholics and Protestants, as well as a few Armenian Palestinians, either Armenian Orthodox or Catholic. More than half the Christian community has been urban for at least a century, engaged in trade, but Christian villages existed, and continue to exist, in Galilee.

There were also pre-Zionist Jewish communities living in Palestine in the 19th century. Ever since the Roman occupation of Palestine, a small number continued to live in Palestine. By 1881 the Jewish community numbered 25,000, or approximately 6% of the total population of Palestine, and almost constituted a majority in Jerusalem itself.<sup>7</sup> Many of these had come from Eastern Europe to pray and die in the Holy Land.

When Zionist settlers first started to colonize Palestine during the 19th century, the local population was ill equipped to resist such settlement. It had never enjoyed sovereignty of any kind, it had no national sense of identity and no national institutions. It enjoyed neither social nor religious cohesion, and what economic cohesion it did enjoy was as an integral part of greater Syria.<sup>8</sup>

Inasmuch as the people of Palestine had any indigenous leadership, this was divided between the religious hierarchies of the different faiths and sects, and the secular Muslim notable families, which were important as intermediaries between governor and governed. If one can describe these notable families as a quasi-urban leadership, little comparable existed in the countryside where the vast majority (at least 80%) of the people lived as peasant farmers in villages and smaller settlements throughout most of Palestine. The rural economy was based on self-sufficiency, and almost every inhabitant belonged to one of the two or three extended families of the village.

Nomads and semi-nomads formed 5-10% of the Palestine population by the end of the 19th century. These bedouin still belonged to tribal groupings, even in settled areas. Many inhabited the marginal zones, either on the eastern slopes of the central uplands of Palestine, and the Jericho valley, or in the Naqab (Negev) desert, up to Beersheba and Gaza. A number of tribes

lived a mainly village existence cheek by jowl with sedentary farmers. The sense of particularity persists.

The 19th century saw a series of changes in Palestinian life. An increasing number of European visitors began to arrive in the Holy Land. Most came out of religious interest, and some with the ultimate objective of making Palestine a recognized sphere of interest and influence for their country.<sup>9</sup> Other Europeans came, too, eager to see confirmation in the ancient monuments and also in 19th century Palestinian society of what they had read in the Bible. Nowhere, perhaps, was this interest more evident than in Britain, with its strong Bible reading tradition.

One of the absurd but fashionable notions about the East in the 19th century was that it was changeless. In fact it was European pressure which intensified the rate and nature of change taking place. Commercial penetration devastated the traditional local economy, while political pressure constrained the Ottoman empire to reform itself to conform more closely to European views of how a State should be run. The single most important aspect of this reform affecting Palestinian society was land legislation. As a result the actual purchase of land by private citizens became possible. Most land was State land, as it had been for hundreds of years, on which the local peasantry held customary tenure. City notables and merchants, some not even living in Palestine, began to buy those tracts of land put up for sale. Some had previously had responsibility for taxing the inhabitants of particular areas, others were local tribal and clan chiefs who chose to purchase their clan lands. More ominously, from 1867 foreigners were also able to purchase land.<sup>10</sup>

The shift to a money economy which these changes implied (the beginnings of cashcrops, sharecropping and wage labour) made the peasantry more vulnerable to eviction. At a social level the old social ties changed as many chiefs became landlords. Urban families became absentee landlords with no social interest in their peasantry. Not all the purchasers were either Palestinian or Arab. Far from being changeless, Palestine at the end of the 19th century was in unprecedented social and economic ferment.

## THE EARLY ZIONISTS<sup>11</sup>

In 1881 Jewish settlers of a new kind, who had little in common with the old established Jewish communities, began to arrive in Palestine. They called themselves the 'Lovers of Zion'. Unlike the existing Jewish communities, these new settlers were inspired by Jewish nationalism. They were driven by the barbarity of pogroms in eastern Europe, and drawn by a seemingly obvious solution to the problem of their persecution to return to the land of their ancestors and to 'redeem' it. This band of hardy and dedicated settlers established settlements at Petah Tikva, and other sites on the coast, many of them malarial, and in Galilee where the climate was healthier. They called on others from their country of origin to come and redeem the land, their numbers grew and so did their landholdings. As they purchased land, so the inhabitants, many of whom had held tenure for generations, were evicted.<sup>12</sup> By 1914 85,000 settlers constituted 9% of the population, and owned 420,000 dunums (94,000 acres; 1 dunum = 1000 square metres), or 2% of the cultivable land.

In fact relatively few Arabs were evicted or directly affected as a result of these early land purchases. However, there were clashes as a result of cultural misunderstandings, quarrels over common land usage, or attempts by Arab villagers to regain land taken by Arab moneylenders and sold on to new Jewish landlords. Between 1886 and 1914 at least eight of the forty or so Jewish colonies had been attacked by local peasants.<sup>13</sup>

Nevertheless, it was in the towns that Jewish immigration was most seriously felt, for it was here that most Jews settled. Jerusalem's Jewish population almost doubled in the decade 1881-91, from 14,000 to over 25,000.<sup>14</sup> Most of these Jews came from Russia.

It was not long before urban Arabs began to react. They had a number of reasons for apprehension. Muslims were suspicious of these new European settlers as they gave an added foothold to the Great Powers which already interfered in Ottoman affairs. Merchants were uneasy at the prospect of far sharper competition

from settlers with good contacts beyond Palestine. Of these the majority were Christian, and it was therefore inevitable that Christian Arab opposition to Jewish settlement was quite as strong as Muslim opposition. Both groups saw the new wave of immigrants as wholly different in kind from the longer standing Ottoman Jewish community.

In 1891 a number of Arabs sent a telegram to the Grand Vizier asking him to prohibit European Jewish immigration, and to end land purchase by those already in Palestine.<sup>15</sup> On the whole the Ottoman government shared local apprehensions. It was bitterly aware of the way the Powers used every non-Muslim community as a lever to acquire a greater say in the running of the empire. Once again its fears were confirmed. When it ruled that no more European Jews could enter Palestine, the Powers acted together forcing the government to limit the prohibition to immigrants *en masse*, rather than to individuals, which made the prohibition virtually worthless. The Powers also prevented the Ottoman government from introducing a complete ban on European Jewish land purchase.<sup>16</sup> Even where Istanbul was able to stipulate limits, these were eroded locally by official venality, consular interference, and the willingness of some landlords to sell real estate.

The first clear warning of Zionist intentions came from the pen of Rashid Rida, the Syrian Muslim thinker and Arab nationalist. In 1902 he wrote in his journal *al Manar* that the Jews sought national sovereignty in Palestine.<sup>17</sup> One or two others during the next eight years repeated these warnings, but it was only after about 1909 that anti-Jewish feeling began to crystallize as anti-Zionist. Some saw Zionism as a threat locally, in Palestine, others saw it as a threat to the Muslim world. After the growth of Arab nationalism in the last two or three years before 1914, Zionism was interpreted as a threat to the Arab nation also. However, the objectives of ending Jewish immigration and land purchase, already enunciated in 1891, remained the same for the next forty years.

Some Jews undoubtedly had misgivings about the growing hostility of the host population.<sup>18</sup> Most settlers, however, were too bound up in their own pioneering mission to take much notice of the natives.<sup>19</sup> However, some Zionist theorists were neither surprised nor saw anything wrong in moving the native peasantry aside.<sup>20</sup> In any case what they had in mind was to 'create for the Jewish people a home in Palestine secured by public law', and by this they had in mind an eventual Jewish State in Palestine.<sup>21</sup>

By 1914 Zionism was a major political issue in Palestine. Notables, townspeople and peasantry were all well aware of Zionist aims and activities. Arab understanding went well beyond the borders of geographical Palestine because almost half of Palestine came within the administrative purview of Beirut. On the whole the notables kept a sharp distinction between Ottoman and European Jews. Indeed, some were willing to accept European Jewish settlers if they accepted Ottoman citizenship, and all that this implied. Some, while maintaining an anti-Zionist posture, also quietly sold off plots of land to Jewish purchasers. As a class, however, the notables lacked cohesion. Each family tended to work for its own collective interest, preventing the kind of united leadership the Arabs of Palestine needed if they were successfully to resist creeping Jewish settlement. The peasantry, however, had less complex interests to defend, and the most straightforward of these was the freedom to till the soil and graze their livestock as they had done in the past. Consequently, they were more consistent in their opposition to Jewish land appropriation, because they felt the immediate effects. Since the 1880s an increasing number had become landless labourers or sharecroppers, a substantial number of whom were victims of the general economic transformation taking place in Palestine. Many found work on Jewish colonies, but in 1901 the Jewish National Fund (JNF) had been created with the purpose of facilitating the acquisition of land for the Jewish people and the promotion of Jewish labour. The JNF made two important provisions in its work: that all land purchased by the JNF would remain inalienably Jewish, and that only Jews could work on it. Slowly the Zionists started to apply the idea of using solely Jewish labour all over Palestine.

Few, if any, of the inhabitants of Palestine would have called themselves Palestinians in the 19th century. Indeed, by the First World War, it was still essentially a geographical term. However, the threat of Zionism had already produced the first 'Palestinian' utterances. These were explicit in the newspaper *Falastin*, founded

in 1911, which spoke of Palestine as a distinct entity.<sup>22</sup> In 1914 a circular distributed and published in the press, and entitled 'General Summons to Palestinians – Beware of the Zionist Danger' warned that 'The Zionists desire to settle in our country and expel us from it', and was signed anonymously by 'a Palestinian'.<sup>23</sup> After the war such expressions of local nationalism disappeared in the general call for Syrian and Arab independence, but they indicate that Zionism did trigger Palestinian political consciousness at an early stage.

## BRITISH RULE IN PALESTINE<sup>24</sup>

At the end of 1917 British forces advancing from Egypt captured Jerusalem, and in the next few weeks captured the rest of Palestine.

The Palestinians had considerable anxiety about the future, stemming particularly from a number of apparently contradictory and certainly misleading statements by Britain concerning the future of the captured Ottoman territories.<sup>25</sup> Of these statements, the real bombshell came in November 1917, when contents of a letter from the British Foreign Secretary, Arthur Balfour, to Lord Rothschild, subsequently made public, announced that:

'His 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.'

Britain's motive in this extraordinary move to encourage colonization under its own auspices of an already populated land was to secure its political position in Palestine, and demolish the Russian and French stake in Palestine provided for in the Sykes-Picot agreement. Britain's desire for sole control of Palestine was to ensure a buffer between Egypt (and the Suez Canal) and any political entity (European or Muslim controlled) further north.<sup>26</sup>

In spite of this statement the British government also reiterated an assurance it had made previously regarding the liberation of the Arabs, promising them in the clearest possible terms their freedom and the governments of their own choice.<sup>27</sup> It is difficult to believe that British statesmen did not recognize the incompatibility or that they did not anticipate that a Jewish home might ultimately lead to a Jewish State.<sup>28</sup> It was impossible to pretend that Zionists were not crystal clear in their goals.<sup>29</sup> As Lord Curzon wrote of Chaim Weizmann, chief Zionist spokesman, in January 1919:

'He contemplates a Jewish State, a Jewish nation, a subordinate population of Arabs etc., ruled by Jews; the Jews in possession of the fat of the land, and directing the administration.'<sup>30</sup>

It was also difficult to accept Zionist assurances concerning the native population.<sup>31</sup>

Very few Palestinians had expressed any Arab nationalist sentiment before the war. Faced however with an entirely new situation in which the Ottoman empire was swept away, Palestinians joined other Syrians in calling for 'a democratic civil constitutional monarchy on broad decentralized principles, safeguarding the rights of minorities', and opposing Zionist colonization of Palestine.<sup>32</sup> However, expressions of Syrian Arab nationalism were shortlived. On the one hand Palestinian Arabs were uneasy at the greater willingness of Damascene Arabs to consider some kind of compromise with the Zionists if the latter would unite with them in the cause of independence from Britain and France. On the other hand, the French invasion of Syria in 1920 brought to an end the hope that Palestine (or 'southern Syria' as it was sometimes called) might still be incorporated into an independent Syrian Arab State.

Already denied a proper say over their future, the Palestinian community was further undermined by Britain's decision, following previous Ottoman *millet* practice, to treat the Muslims and Christians as separate political communities.

When Britain was awarded the Mandate for Palestine by the League of Nations in 1922, in disregard of its own covenant,<sup>33</sup> the inhabitants found their position was further weakened by the stipulation that a Jewish agency should assist the British authorities to develop Palestine economically.<sup>34</sup> The already existing Zionist Organization (later named the Jewish Agency) was recognized as

this agency. The Palestinian Arabs had no similar organization, or agency in being, and were not invited by the terms of the mandate to create one. The expectation that Jewish colonists would economically develop Palestine logically implied growing Jewish economic power in the country, and it was not long before this expectation started to be fulfilled.<sup>35</sup>

Following widespread disappointment at the abrupt end to an independent Syria, Palestinian notables retreated into a more localist nationalism. Their objection to British mandatory rule was the way this legitimized Zionism in Palestine. Without Zionism, they would far more happily have lived with Britain's imperial concerns. But they saw Zionism, and Britain's part in it, as a mortal attack. This was the political position. It was difficult for the notable families of Palestine to know what to do without any legal structure equivalent to the Jewish Agency to argue their case, particularly as they were unwilling to incorporate themselves in any way that implied recognition of the legality of the mandate, since this implied legality of Jewish settlement. Their logic excluded the possibility of effective political action. Consequently, when Britain held elections for a legislative council in 1923, both Muslim and Christian Arabs boycotted them. The proposed council was to be composed of 10 government appointees, eight Muslims, two Christians and two Jews. The Arab objection was not only a refusal to imply legitimacy to the Zionist aspects of the Mandate. It was also grounded in the fact that the legislative council was not empowered to bring into question any aspect of the Mandate as given by the League of Nations, thus foreclosing the key issue on which Arabs wanted a say in government. By refusing to participate, however, the Arabs forfeited the chance to moderate the effect of Jewish settlement, by bringing pressure to reduce Jewish immigration and land purchases as far as they could. On the other hand, it could be argued that the boycott could have been effective if it had been accompanied by a total boycott of *all* British administration in Palestine.<sup>36</sup> These notable families were divided into two broad groups whose point of view was represented by two rival Jerusalem families, the Hussainis and the Nashashibis. As a result, the energies of the notable families, which could have been devoted to forging a mass national movement, were expended on inter-family rivalries. Whether they opted for armed resistance or for the conciliatory attitude they in fact adopted towards British rule, either would have been far more successful if co-ordinated with, and followed by, the whole population. The failure of the notable class to direct popular anger into effective political action led to inevitable consequences.

Popular anger was expressed in violence. In 1920 a number of Jewish settlements were attacked, and Britain decided to limit Jewish immigration. In 1921 a more serious outburst of anger by an Arab mob in Jaffa led to the deaths of nearly 200 Jews and 120 Arabs. But what the commission of enquiry decided was a spontaneous outburst was seen very differently by the Jewish settlers, who naturally interpreted it as a pogrom similar in motive and kind to those from which they had escaped in Russia. Unwilling to leave their safety in the hands of the authorities, leading Jewish settlers began to organize the self-defence of each settlement.

In 1929 far worse attacks, amounting to massacres, took place on Jews in Jerusalem, Hebron and Safed, three of the four sacred Jewish cities of Palestine. These attacks were significant because they were made on Jewish communities which pre-dated Zionism, and because they were made for religious reasons. Behind the attacks undoubtedly stood the Grand Mufti, al Hajj Amin al Hussaini, and the Supreme Muslim Council of which he was President, though it is difficult to pinpoint the measure of his responsibility precisely.<sup>37</sup> In fact, while most Palestinian Arabs had failed to grasp the arguments concerning Zionism or that newfangled notion 'self-determination', the Mufti skilfully used the Haram al Sharif, on which the Wailing Wall abutted, as a powerful symbol of Palestinian identity. As a result the Arab-Jewish contest in Palestine spilt over into the religious domain, drawing in the Arab and Muslim worlds. It also blurred the distinction that many Arabs had held previously between Zionist and non-Zionist Jews in Palestine, hence the attacks on these old Jewish communities. Since then, the Haram al Shariff and the Wailing Wall have lost none of their emotive appeal for the protagonists.

The events of 1929 proved a turning point in the Palestinian national movement, and British punishment of some perpetrators of the massacres fuelled Arab nationalist opinion further. While

Britain again refused a Palestinian demand for a national government in 1930, it did agree to stop Jewish immigration and ban land transfers, but retreated from these undertakings the following year. Predictably, this vacillation merely heightened both Jewish and Palestinian apprehensions concerning British policy. Meanwhile, Jewish land purchase continued apace,<sup>38</sup> though now purchases tended to be of cultivated land owned by local notables rather than untilled land held by absentees. Inevitably this impinged upon the peasantry far more directly and had a consequent radicalizing effect on them. Finally, in 1936, the peasantry of Palestine rose in revolt in an attempt to drive out both their unwanted rulers and settlers. The revolt was most virulent in those areas where new Jewish agricultural activity was greatest, and around Haifa to which much casual Arab labour had been attracted.<sup>39</sup> It took British troops 18 months to suppress the revolt, and they only succeeded in doing so by ruthless measures, including the sacking of villages, and the summary execution of suspects. Despite accusations of fomenting rebellion, many notables tried to uphold British control and assure their own position under the governing authorities.

It was this popular violence rather than the interventions of notables which finally persuaded Britain, in the form of the Royal (Peel) Commission of 1937 (established to enquire into the causes of the rebellion), to admit the incompatibility of its promises to native and settler. It proposed a partition of Palestine,<sup>40</sup> but the Arab community angrily rejected this. Revived Arab violence led the authorities to rethink the question of partition, in consultation with Arab and Jewish representatives. The key points of the Palestinian Arab negotiating position were: Jewish immigration and land purchases to be stopped; Palestine to be an independent State, connected to Britain by a treaty like Iraq; the recent percentage of Jews to the total population (approximately 30%) not to be surpassed, but Jewish political and civil rights to be safeguarded, with Hebrew to be the official second language in Jewish regions.<sup>41</sup>

The Jews were resolutely opposed to any halt in immigration or abandonment of the idea of partition. Britain favoured a bi-national State solution, one less explicitly 'Arab' than the Arabs wanted but one in which, in response to Arab fears, Jews would not constitute more than one third of the total population. It was therefore prepared to restrict Jewish immigration to a total of 75,000 over five years, and to indicate that as soon as conditions allowed it would begin to form a Palestine government that would eventually acquire sovereignty. This position was made clear in the government White Paper of May 1939.<sup>42</sup>

In view of what was happening in Europe, the White Paper triggered bitter and understandable Jewish hostility. The Palestinian Arab representatives rejected the White Paper also, not because it did not go far enough concerning control of Jewish immigration, because it did not include an explicit and cast-iron commitment to Palestinian independence at the end of the transitional period (now clearly defined by oncoming war between Britain and Germany). Indeed, the Arabs believed that Britain would only promote an all-Palestine government if the Zionists acquiesced, a most unlikely contingency. Undoubtedly this rejection was a miscalculation (of popular Palestinian feeling, let alone the political situation). But it is doubtful whether acceptance would have changed anything. The Holocaust in Europe changed the situation entirely, and neither the Palestinians, nor indeed Britain, were able to resist its implications for Palestine. To the very end of the Palestine mandate, however, Britain wavered between partition and its preferred solution of maintaining the integrity of Palestine, under some kind of trusteeship.<sup>43</sup>

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## THE PARTITION OF PALESTINE

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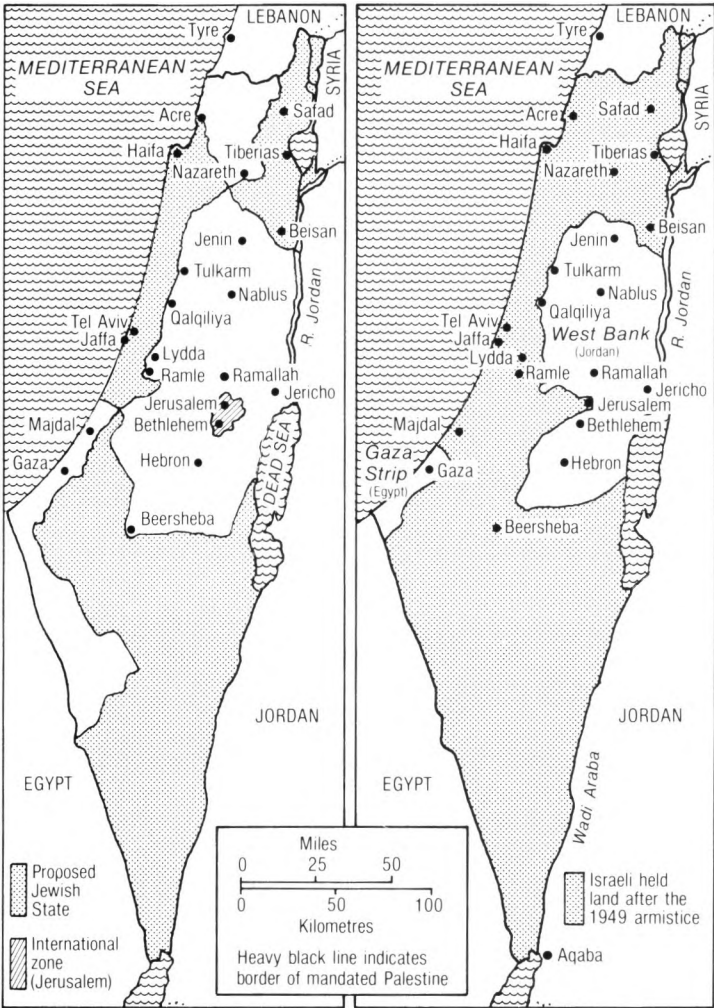
In 1947 Britain decided it could no longer fulfil the promises it had made 30 years earlier and asked the United Nations, as the heir to the League of Nations, to terminate the mandate and take whatever steps it felt necessary to resolve the question of Palestine. By this time the Palestinians were in a much weaker position than they had been before World War II. Whatever capacity they had for guerrilla war had been largely smashed in the rebellion of 1936-38. They also faced an organized Jewish fighting force based upon a



defence force the British had helped to train during the 1936 rebellion and the Jewish brigades which had served in the British army during the war, and they faced efficient Jewish terror organizations which far surpassed their own ability for violence, both in quality and quantity.

Furthermore the extermination of European Jews had driven its survivors in desperate search of refuge to Palestine. It had also wracked Europe and the US with guilt and with a desire to provide a safe haven for the survivors. That sense of guilt was heightened by British attempts to keep their undertaking to limit immigration, by turning back illegal immigrant ships.

UNITED NATIONS PARTITION PLAN FOR PALESTINE 1947 AND THE 1949 ARMISTICE



(From D. Watkins, *The Exceptional Conflict - British Political Parties and the Arab-Israeli Conflict*, 1984)

The Palestinian position was represented by the Arab States, and these proposals had been considered sympathetically by the General Assembly Ad Hoc Sub-Committee 2,

'the basic principle underlying those proposals, and which is in accord with the principles of the UN Charter, is that the future constitution and government of Palestine should be based upon the free consent of the people of that country and must be shaped along democratic lines.'

There was nothing new in this. Far from being a belated attempt to accept secular democracy (as argued in the Foreword), the Palestinian position was a reaffirmation of the democratic State called for (for all greater Syria) in 1919,<sup>45</sup> of 'a representative government in Palestine' called for by the representative Palestinian bodies (the Arab Executive) in 1928, and again (the Higher Arab Committee) in 1939.<sup>46</sup> The maintenance of the geographical integrity of Palestine, and the establishment of a secular democratic State (albeit one in which the Arab two-thirds majority would remain assured) were, and remained guiding political principles of the Palestine Arabs.

The United Nations decided to partition Palestine. The Arabs were faced with the award of 54% of the land area to the proposed Jewish State, despite the fact that the Jewish population was less

than one third of the entire population. In the proposed Jewish State the population would be 50.5% Arab, owning three times as much land as the Jews.<sup>47</sup> In the proposed Arab State the population would be 98.7% Arab, and in the proposed international zone around Jerusalem the population would be 51.4% Arab. In other words, in two of the three proposed sectors the Arabs would be not less than 50%, while in the third they would constitute virtually the entire population. Furthermore, in all Palestine only 6% of the land was Jewish-owned. Given such circumstances the Palestinian Arabs rejected the proposed partition on the grounds that it violated the principle of self-determination adumbrated in the United Nations Charter.

Fighting commenced between Jews and Palestinians well before British withdrawal. The Haganah, the Jewish forces, had foreseen the military struggle and prepared for it. Its 'Dalet Plan' was to consolidate control of Jewish areas and to seize strategic areas allotted to the proposed Arab State before 15 May, a process which would inevitably create a number of homeless people.<sup>48</sup> In fact, by the time Arab armies crossed into Palestine on 15 May Israel had already captured sizeable parts of Palestine allocated to the proposed Arab State, and there were already 300,000 Arab refugees from substantial areas seized by Jewish forces on both sides of the proposed partition line. During subsequent fighting Israel continued to gain territory. When an armistice was agreed in 1949 it controlled 73% of Palestine.

A number of atrocities occurred, both before and after the British evacuation, of which the most notorious occurred at Deir Yassin, just outside Jerusalem.<sup>49</sup> As the Jewish forces advanced a total of 725,000 Arabs abandoned their homes, some because of fear, but most as a result of Jewish military operations. Undoubtedly word of what happened at Deir Yassin contributed to the fear of the populace. Ever since then there has been a hot debate about whether the Palestine refugees were 'driven out' or 'fled', one that usually proves both semantic and sterile. The most authoritative recent Israeli work shows beyond doubt that the Palestinian Arabs abandoned their homes unwillingly under the pressure of events, and that it was Israeli government policy to reduce the Arab population left inside its borders as much as possible.<sup>50</sup> Although it may seem academic today how the Arabs abandoned their homes, it is of crucial importance. The fact that the Arab population abandoned their homes unwillingly removes any moral basis both for the denial of the refugees' right of return, and also for Israel's seizure of 'abandoned' property, which was implicitly justified because of voluntary abandonment by the owners.<sup>51</sup>

The Palestinians who had fled hoped they would be able to return to their homes and villages once the fighting had ended, and this was called for repeatedly by the United Nations.<sup>52</sup> Israel has never responded to this call. In 1950 it passed a Law of Return whereby any Jew anywhere in the world enjoyed an automatic right to settle in Israel. It also proceeded to demolish Arab villages, 386 in all, to make sure there could be no going back.<sup>53</sup> Before long this land was being farmed and lived on by Jews. The homes and villages from which Palestinians had fled became a memory, but a memory which was tenaciously guarded.

THE REFUGEES

The refugees fled with what they could carry. Altogether they numbered approximately 725,000, according to UN estimates. These finally found refuge in the following countries, where their numbers have almost trebled after nearly forty years:

Country	1948	1985*
Lebanon	100,000	263,599
Syria	75,000	244,626 +
Jordan (East Bank)	70,000	799,724 + **
West Bank	280,000	357,704
Gaza	190,000	427,892
Total	725,000	2,093,545

\* The 1985 figures are UNRWA's, those of 1948 a UN estimate.

† These figures do not include a further 210,000 in Jordan, and 125,000 in Syria not recognized as refugees, but who have remained 'displaced' as a result of the war in 1967.

\*\* This figure includes 355,022 refugees (and their descendants) who were displaced from the West Bank or Gaza Strip during or after the 1967 war.

The refugees were vulnerable, removed from their habitat, disorientated, without political rights, and dependent on the goodwill of their neighbours and the local authority. The vast majority were peasant farmers, few of whom had travelled beyond their neighbourhood. They found a mixed reception, partly reflecting the enormous strain put on the countries of reception. In Lebanon the refugees constituted one tenth of the total population. In West Bank and East Bank of Jordan they were virtually half. Tensions were further heightened by the social composition of Lebanon, with its large and sensitive Christian element, and in Jordan by its bedouin-dominated culture.

After two years, in the absence of any immediate prospective return to their homes, the United Nations proposed the establishment of an agency to provide for refugee needs with a three-yearly mandate until a solution to the refugee problem was found. This agency, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), was established in 1950, and has remained in operation ever since. Its first task was to provide food for the refugees, and although over the years the numbers eligible for, or needing, food aid declined, the ration card became an emotive symbol of refugee status. UNRWA assisted refugees to build more permanent (cinder block) shelters than the tents originally provided, and throughout the region permanent refugee camps sprang up. Only a third of the refugee population ever lived in these camps, and many of the others endured worse conditions outside. Overcrowded from the outset, population density has increased with the natural population growth, having a serious effect on camp health. UNRWA's efforts to control and prevent major communicable diseases are a triumph against adverse circumstances.<sup>54</sup>

UNRWA's most important contribution, however, has been in the field of education, since this provides the refugees with the most important asset they can have. In 1950, 35,000 children were enrolled, a figure which had grown to over 360,000 by 1986, due both to natural increase and to progressive enrolment of girls, to equal that of boys.

From the early 1950s, in response to the growing oil industry in the Gulf, UNRWA commenced vocational and teacher training for a limited number of refugees. By 1986 33,000 artisans, technicians and professionals had graduated from eight centres, and were able to contribute both to the economic progress of the region and also substantially to the wellbeing of their family in camp or slum.<sup>55</sup> However, with the deep recession in the oil industry it is unlikely that many future graduates will be able to find employment in the Gulf.

The weakness of UNRWA is that its mandate does not include development, something which would have implied refugees taking charge of their own affairs. However, in pursuance of its mandate UNRWA occupies a quasi-governmental role for the refugees under the direction of a cadre of international UN officials. Barely a single Palestinian has been promoted into this senior cadre, on the grounds that this would open the Agency to accusations that its political probity could no longer be trusted. The 17,000 Palestinian employees (of whom 10,000 are teachers) remain under the overall direction of people who are not Palestinians. The consequence has been to deny Palestinians even the management of relief for their plight. Furthermore, there is something collectively numbing about the provision of welfare on such a massive scale. Thus, along with substantial and sometimes excellent material and intellectual benefits, UNRWA also brought a new form of dependency, one intended to be benign but with damaging effects. The sensitive among UNRWA's senior administrators are acutely aware of the painfulness of the dilemma. It is easier to administer the Agency's services in an orderly authoritative way than to seek the progressive empowerment of refugee communities. Moreover, no one can deny the dangers implicit in the latter course, of a politicization of agency work, and thus the danger of enraging host governments. Whether the failure to tackle this fundamental problem is UNRWA's or the General Assembly's (since UNRWA carries out its will) is academic. The crucial point is the

need for the international community to address this issue, not in terms of three-yearly mandates (on the fiction that the situation is a temporary one), but in terms of the *actual* semi-permanence of the refugee communities.

Consequently far more necessary today than the material quality of UNRWA services is the enhancement of the human qualities of this refugee community, going beyond education and vocational training, into the more dangerous waters of encouraging the community to organize itself economically and socially. Such things are extremely difficult to achieve, but for the health of refugee society it is important that they are tried.

Contributions to the UNRWA's annual budget are voluntary, and only 65 out of over 150 member States of the UN actually contribute. Almost all the sum is given by the US, the EEC members, Scandinavia and Japan. The US currently (1985) provides \$75 million, roughly one third of UNRWA's budget. However, since the United States denies Palestinians the right to self-determination it is not clear whether it welcomes UNRWA except as an anaesthetic to the refugee problem.

Neither UNRWA nor UNHCR is responsible for the legal protection of the refugees. Host governments provide travel documents, giving them control over the refugees. In Lebanon since 1982 endangered refugees have often been refused travel documents. Neither UNRWA nor UNHCR wishes to shoulder the problem of legal protection, but as the refugee population grows the problem itself will increase in all the host countries.

The question of physical protection is more serious, but beyond the competence of either UNHCR or UNRWA. In the Occupied Territories Israel's refusal to apply the Fourth Geneva Convention (see below) leaves Palestinians vulnerable. In the chaos of Lebanon Palestinians have been the main victims of violence since 1975.

The indefinite nature of the refugee situation creates its own uncertainties. There is absolutely no prospect of these refugee communities disappearing. Sheer numbers, let alone the political situation, make this impossible. These communities are a permanent part of the Middle Eastern scene, and even if a Palestinian State were one day established in Palestine, substantial numbers of Palestinians would stay where they now find themselves.

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## 1948-67: THE RUMP OF PALESTINE

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In 1948, as in 1917, it was the military forces physically on the ground rather than international agreements which decided who would rule Palestine. Transjordanian forces were in control of most of Arab Palestine, and clearly intended to retain their hold.

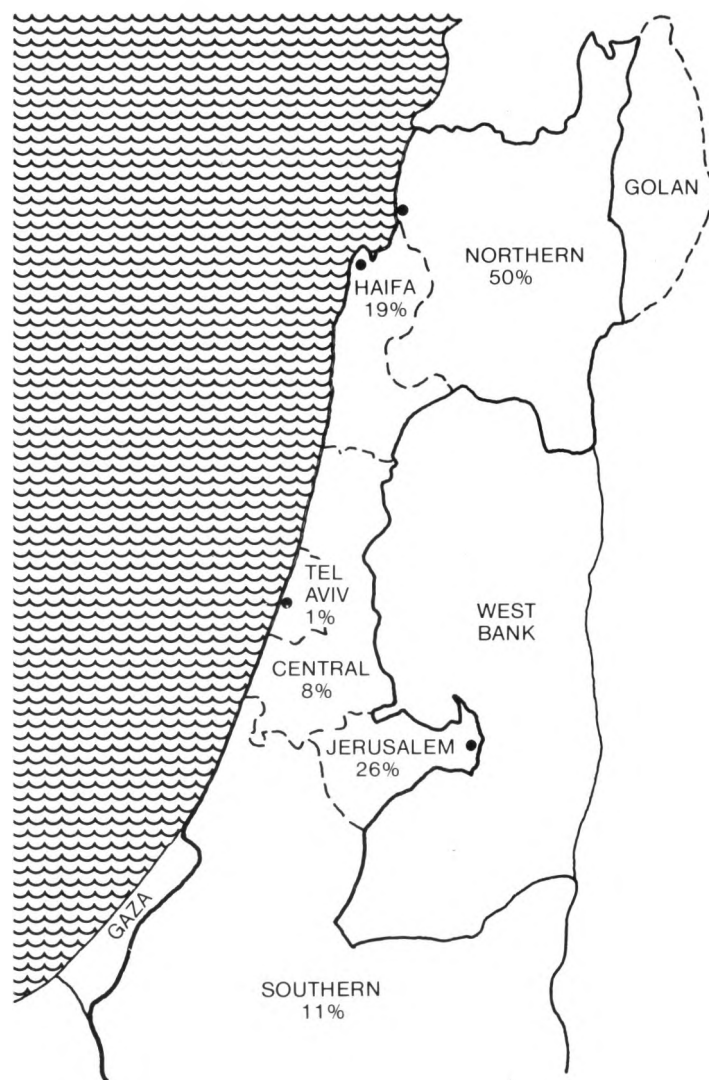
Egypt, however, wished to contain Transjordanian ambitions, and in mid-1948 established a Government of All Palestine, based in Gaza but with authority in Egyptian-occupied southern Palestine, which included Hebron and surrounding villages. But in late 1948 Israeli forces drove southwards across the Naqab (Negev) to Eilat, thrusting back Egyptian troops, separating Hebron from Gaza, and eliminating Arab control over most of southern Palestine. On the Mediterranean side of Israel's thrust, the Egyptian army only managed to hold a thin coastal strip of Palestine, 45 km long, and 6-10 km wide, including the ancient town of Gaza. This 'Gaza Strip' became and remained notorious for deprivation and overcrowding. The resident population of 80,000 found itself swamped by the influx of 190,000 refugees. Effective control and authority was vested in the Egyptian military occupation, and the Palestine Government ceased to exist.

In November 1956 Israel invaded and occupied the Gaza Strip in the course of its campaign against Egypt (in collusion with France and Britain). When Israel withdrew under US pressure in March 1957 it was seen as a great victory for Nasser personally and for Arab nationalism. Before 1956 large numbers of residents in Gaza had remained destitute, dependant on international relief. From 1957 new vigour was injected into the economy when Egypt opened Eastern European markets to citrus production, which quickly expanded citrus groves from 6000 to 70,000 dunums.<sup>56</sup> The economy further improved when Egypt made Gaza a tax-free port, attracting thousands of Egyptian holidaymakers able to purchase smuggled goods unavailable at home.

In the 'West Bank', as the truncated hinterland of Jerusalem became known, Amir Abdullah of Transjordan moved fast to legitimize his hold. With his troops actually controlling the West Bank, the notable class bowed to the inevitable, and gave him their support in December 1948. By the formal annexation and the creation of the 'Hashemite Kingdom of Jordan' which took place in April 1950, the State was transformed. Its population of 450,000 almost trebled to 1,280,000, of whom just over half a million were refugees, either in West Bank or in East Bank. Whatever the Hashemite monarchy had gained in territory and power it had permanently lost in stability. In order to retain economic and political power among its supporters, the monarchy favoured the economic development of the East rather than the West Bank.<sup>57</sup> West Bank notables supporting the Hashemites were rewarded.<sup>58</sup> It is unlikely that the majority of Palestinians welcomed rule by a régime which was not Palestinian, which disarmed Palestinians, which recognized the partition of Palestine and which suppressed Palestinian identity by incorporating the Arab remnant into the Kingdom of Jordan. From 1948 until 1967 the Jordanian government suppressed Palestinian nationalist expression, imprisoning dissidents and 'infiltrators' (more often than not those who were trying to return home). For a while it seemed, certainly to a number of middle class and notable Palestinians, that it might be possible to transform Jordan into a constitutional monarchy, following the formulation of a constitution and the enfranchisement of Palestinian Jordanians, but these hopes were frustrated.

By 1967 Palestinians in both East and West Bank Jordan had learnt to accept the limitations of Palestinian expression under Jordanian rule. The majority of Palestinians had had little interest in the kind of constitutional monarchy for which the growing Jordanian middle class had been striving. Without skills, the camp refugees relied on restitution of their homes and a livelihood. Yet this is precisely what Jordan could not conceivably offer, partly because it had agreed a *status quo* with Israel, and partly because the Jordanian economy could not absorb this large peasant population.

Consequently it was in the refugee camps that more radical ideas took root, amongst them the notion that the Arab regimes which had so badly failed them would have to be overthrown before Palestine could be regained. In Jordan many in the camps looked forward to the overthrow of the Hashemite monarchy. These radical elements did not find expression until after the June '67 war.



#### PALESTINIANS IN ISRAEL

Percentage by District 1986  
(Estimated)

(Credit: David McDowall)

#### PALESTINIAN ISRAELIS<sup>59</sup>

By 1986 there were about 680,000 Palestinians living inside Israel's 1949 boundaries and another 122,000 Palestinians in East Jerusalem unwillingly and illegally incorporated into the Israeli State, approximately 18% of the entire Israeli population.

When the armistice was signed between Israel and her neighbours in 1949 approximately 160,000 Palestinians found themselves inside the new and enlarged Jewish State. Most were in the areas captured from the putative Arab State, in Galilee, and in the 'Little Triangle' a populous strip of farmland west of Tulkarm and Qalqiliya, ceded to Israel by Transjordan. These areas immediately came under strict military administration until 1966.<sup>60</sup> The Arab population inside Israel was disorientated and weakened by the catastrophe of 1948. It was overwhelmingly rural in composition, since most urban Arabs had fled and the leadership that might have been given by the urban notables and professionals simply did not exist. This has made Israel's task of containing and controlling the community, politically and economically, far easier.

Israel probably underestimated the number of Arabs left and its likely growth by natural increase. It was busy achieving the 'ingathering' of Jews from post-war Europe and from the Arab world, and was coping with the severe economic and social challenges of this and the continued state of hostility with its neighbours. Jewish immigration following Arab expulsion reduced the Arab proportion from 25% of the population to less than 11%. At the time there seemed little for Israel to worry about.

Israel set about 'redeeming' the land by the transfer of most Arab land into Jewish control. This was done partly to allocate land to immigrants, for the agriculture and industry which would hopefully sustain them. However, stripping the Arab community of an

independent economic power base, and thinning out Arab population concentrations also ensured Jewish control of every facet of the State's existence. As soon as it was able, the new State took over the allocation of Arab land, and regularized this in the 1950 Law of Absentees. This legitimized the transfer of land not only from those driven out of the Jewish State, but also from those thousands of people who had been displaced internally. Indeed, remaining (and subsequently Israeli) Arabs lost 40% of their land under the absentee property policy.<sup>61</sup>

In addition, under the same Law of Absentees, the State confiscated the assets of the Muslim *waqf*, endowments of land and property belonging to the Islamic community. This included hundreds of thousands of dunams of agricultural land, large tracts of urban estate and thousands of houses, businesses and shops, almost all of which were placed by the Custodian of Absentees at the disposal of new Jewish immigrants. Mosques and other specifically religious buildings were excepted and are still regarded as *waqf* assets. In 1946 the *waqf* properties had accounted for one tenth of all land in Palestine, as well as 70% of all shops in some Arab cities.<sup>62</sup> Consequently the seizure was a severe blow to any hopes the surviving Arab community might have had of an autonomous economic sector of its own. State treatment of *waqf* estate contrasted with its respect for Jewish National Fund lands.

Israel also required of its Arab citizens proof of ownership in the form of certificates issued by the British mandatory authority. Since this exercise had never been completed, Israel was able to declare as State land most of the remaining Arab-held lands.<sup>63</sup> Furthermore, the military government in Arab areas cordoned off



many areas for security reasons. Other areas it confiscated under Ottoman law, for going out of cultivation for three successive years. Denial by the military authority of access to land did not exempt owner or tenant from forfeiture once it fell out of cultivation. All Palestinian communities were subject to land seizures.<sup>64</sup>

State land was made over to chosen agents, of which the Jewish National Fund is by far the most powerful. It effectively has at its disposal all State lands, through the creation of the Israel Land Administration (jointly administered by JNF and the Ministry of Agriculture), and the Land Development Authority (JNF having exclusive responsibility for land development). These two bodies develop, lease and administer 92% of Israel's land area. Even where the JNF does not exercise direct control, the Zionist-JNF principle of inalienability (from the Jewish people) has been applied to all State land holdings.<sup>65</sup> Given the JNF mandate to serve solely the interest of the Jewish people in tenure and employment, Israel chose an agent which by definition would deny use of this land to its Arab citizens.

Israel's seizure of Arab land is not yet over. Since the mid-1970s, the State has taken more Arab land in Galilee.<sup>66</sup> The West Galilee Regional Authority has expropriated 200,000 dunums of land belonging to 20 Arab villages with a total combined population of 85,000. By 1986 it had only been able to put 300 settlers onto this land, merely to hold it whilst awaiting new immigrants.<sup>67</sup> In demographic terms this programme has not been a success. 75% of Jewish settlement housing units in Galilee lie empty,<sup>68</sup> particularly in Carmiel and Upper Nazareth. In summer 1986 those responsible for the Judaization of Galilee admitted that despite all efforts to maintain Jewish predominance, 50.5% of the population was now Arab.<sup>69</sup>

Without two-thirds of their lands but with a fourfold increase in numbers since 1948, the Palestinian Israelis have rapidly changed from peasantry into a rural proletariat. With neither their own industries, nor the leadership, technical capabilities or capital to build these, this proletariat had become subordinate to the Jewish economy. Although Arab land holdings still represent 20% of crop areas, they receive only 2% of the water allocated for agriculture,<sup>70</sup> and do not benefit from the subsidies and capital input enjoyed in the Jewish sector. There are a number of reasons for these startling facts. Almost all the Arab agricultural lands in the valley and the coastal plain have been transferred to Jewish control. Consequently it is less surprising that while 43.3% of land cultivated by Jews is irrigated, only 7.6% of land cultivated by Arabs is irrigated. The disparity also reflects the almost complete lack of institutional infrastructure among Arab farmers compared with Jewish ones. Finally, Arabs are in a weaker position to obtain benefits from government and semi-official institutions. However such factors are explained, the end result is that a considerable gap in wellbeing exists between Jewish and Arab farmers.<sup>71</sup>

Very few industries are sited in Arab areas, let alone actually owned by Arabs. Contrary to popular belief, before 1947 there was quite a high level of Arab industry and enterprise, significantly higher than in neighbouring Arab countries, particularly in the processing of agricultural products and metal work. However, these and other entrepreneurial activities were concentrated in Haifa, Jaffa and Acre, all lost in 1948. Thus the Arab community left inside Israel was bereft of any industry of its own. For the Arab villagers it would be manifestly both socially and economically desirable to be able to work in factories close to where they live. Ever since 1948, however, the Histadrut, the Israeli trade union, has rejected industrialization of the Arab sector, except to a very limited extent. The government views the issue as political rather than economic, and for this reason clearly does not welcome Arab industrialization.<sup>72</sup> Furthermore, whereas the Jewish economic sector benefits substantially from remittances from Diaspora Jewry, the Arab sector may not receive funds from 'enemy' Arab sources, for example from the Gulf States. Arab villagers find themselves in a situation where they have few employment opportunities locally, but also are not free to live elsewhere. This is partly because so much housing, being held by JNF, may not be occupied by non-Jews, but also because outside current Arab population concentrations, Palestinians feel they are unwelcome and expect to be harassed. Consequently, approximately half the Palestinian Israeli workforce commutes to work daily, getting up between 4.30 and 6.00 a.m., to travel to their place of work often more than 50 kilometres away, returning late to eat and sleep before the morrow brings the same regime. This regime strengthens

control, discouraging the growth of community solidarity as people are too exhausted by the rigours of daily life to have time to nourish the community. Arabs bitterly refer to their villages and homes as 'hotels', where they sleep in between commuting and working. In any case Arab workers remain submissive to the will of the Jewish majority, because employment depends on the goodwill of their Jewish employer.

The Arab areas of Israel predominate amongst the most under-developed areas of the country. The Israeli government assigns funds for the development but the line demarcating priority development areas from those of secondary importance frequently follows the line between Jewish and Arab areas to the benefit of the former.<sup>73</sup>

Palestinian Israelis are also excluded from full participation as Israeli citizens, with the exception of Druzes and a small number of bedouin, because they do no military service. This is an essential qualification for advancement in business, industry or administration either in the public or private sector, and consequently Palestinian Israelis can only have low expectations in employment. In any case, for an Arab to hold a position of authority over a Jew would be unusual, since 76% of Jews are unwilling to accept an Arab boss.<sup>74</sup> Failure to do military service also penalizes Arab entitlement to welfare.<sup>75</sup>

It would be wrong to assume that Arabs are as poor as in 1948 in material terms. Their standard of living is probably higher than in neighbouring States, but it is significantly lower than that of Jews, probably about 40% lower,<sup>76</sup> and more importantly it is the result of wage earning. The government has ensured that the capital asset of land has been taken away, in real terms making the Palestinian population a good deal poorer than in 1948, and has also ensured that no independent economic base is able to flourish.

Palestinians are disadvantaged from childhood onwards. Although some progress has been made towards improving education for Arabs, the provision is far inferior to that provided for Jews. 67% of students attend classes of between 30 and 50 pupils, compared with only 45% in the Jewish sector.<sup>77</sup> At the intermediate and secondary levels, despite the high drop-out rate, the actual student/teacher ratio at these levels is 16:1 compared with 8:1 for Jews.<sup>78</sup> Teaching is one of the few careers open to educated Arabs, but the government reduced Arab teacher training intake by half between 1975 and the early 80s.<sup>79</sup> So far the government has refused to allow the foundation of an Arab university.

In the Ministry of Education, as with almost every other Israeli ministry, Arab affairs are segregated in a separate department, and subject to a Jewish rather than an Arab director, thus ensuring State control.

The dual system whereby Jews and Arabs receive different levels of treatment is stark at the level of local government, housing and civic amenities. Of the 112 Arab towns and villages only two have central sewage systems, while all Jewish population centres of over 5000 people have a central sewage system. In the Jewish sector it is almost standard policy for local councils to obtain approval for their master plan and empowered to issue building permits to individuals. In the Arab sector, until 1976 over 90% of Arab localities were without master plans, and without the authority to issue building permits. In the absence of this authority, permits can only be obtained on a piecemeal or individual basis, and the authorities can give or withhold this, not in the interests of development but in the interests of coercion.<sup>80</sup> As a result, with a fourfold population increase since 1948, Arabs have built thousands of unlicensed buildings, by 1977 an estimated 24,000, frequently on 'State' land.<sup>81</sup> Many of these illegal homes have been bulldozed by the authorities.

A comparison of the housing provision for Jews and for Arabs adds a poignant commentary to Israel's housing policies. According to a recent survey 72% of Arabs suffer from overcrowding, i.e. two or more persons per room, compared with only 22% of Jews.<sup>82</sup> In 1983 29% of Arabs lived three or more to a room, compared with 1.2% of Jews. On average Arab households are twice as densely populated as Jewish ones.<sup>83</sup>

In addition there has been a conscious State policy to reduce the number of urban Arabs, particularly in mixed cities. In 1951 12% of Arabs were described as urban, but this figure fell to 9% by 1976. The process continues. For example, it has been official policy to reduce the Arab population of Acre from 25% to 6%.<sup>84</sup>

The State also controls Palestinians through factionalism. It has endeavoured to win control of Muslim, Christian and Druze religious leadership, but its only real success has been with the latter, and to a lesser extent with the bedouin community. The Druzes are a longstanding rural community in Galilee and Carmel. Because of traditionally difficult relations between Sunni Muslim and Druze, the State was able to detach the Druzes from other Palestinians by offering them separate status, treatment, and a number of benefits.<sup>85</sup> To secure their position further with the authorities against their Muslim neighbours, the Druze leadership sought and obtained permission for Druze men to be conscripted into the army from 1956. This has sown further enmity between the Druzes and other Palestinians since they are frequently used for internal control, in Israeli Arab areas and also in Gaza and the West Bank, where they have a reputation for brutality.

During the early years, 1948-66, Labour Alignment governments used the military government to build up a network of clients throughout the Arab community, when permits were required for travel to work, and for housing, etc. Permit recipients knew that employment depended upon their 'good behaviour'. Many were enrolled as informers on their neighbours, or as party workers, supporting the 'Arab list' which the Labour party built up in Arab areas. *Mukhtars* were appointed from the traditional extended family structures, the *hamulas*, in villages. Labour was not alone. Other political parties, and even the State trade union, the Histadrut, engaged in competing for the support of sectors of the Arab population. At the time of election mukhtars and others have been expected to deliver the votes of their hamulas, and ballot papers sometimes suitably marked in order to check whether hamulas had fulfilled their side of the bargain.<sup>86</sup> In spite of the present decline of the hamula system, the Israeli establishment has found new ways of controlling the political views of the younger semi-professional class, through control of housing permits and job prospects.

Although Israel has been adept in the use of these control mechanisms, it has also used overt violence and repression. The military government, 1948-66, is the most obvious example. A massacre at Kafr Qasim on 29 October 1956 has had a profoundly damaging effect on Arab-Jewish relations. It merits narration here because of this effect, which stems as much from State treatment of the culprits as from the event itself. A curfew was enforced at short notice on a number of Arab villages. Its purpose was to ensure the tranquillity of the border with Jordan while Israeli forces invaded Sinai. Troops were ordered to shoot dead all those disobeying the curfew. Kafr Qasim was one of the villages, but since most of the inhabitants were outside the village at work, there was no possibility of their being aware of the measure. Forty-nine villagers, including women and children, were killed as they returned home. In most cases these victims were met by troops, who ordered them to get down from the lorries or mule carts in which they were travelling and shot them, having first verified that these were indeed villagers of Kafr Qasim.

There were expressions of outrage by Israelis and the international community, and a court martial was held, lasting almost two years. Two officers were found guilty of killing 43 citizens and were sentenced to 17 and 15 years imprisonment respectively. An NCO was also sentenced to 15 years, and other ranks received lighter sentences for killing a smaller number of civilians. Although premeditated murder normally incurs a sentence of life imprisonment, the Supreme Military Court reduced the sentences which it considered 'harsh'. Further reductions of the sentences by the Head of State, and by review bodies so reduced the sentences that all these convicted men were free three and a half years after the massacre. In September 1960, barely four years after the killings, one of the two men found guilty of the killing of 43 villagers, was offered employment by the Ramla Municipality to work as 'Officer responsible for Arab affairs in the city'. In its judgement, the Court found a superior officer not standing trial 'indisputably responsible' for what happened through the detailed orders he gave his subordinates. However, when he was eventually brought to trial he was found guilty of a 'merely technical' error, and fined one Israeli piastre.<sup>87</sup>

It is not difficult to imagine how the Arab community must have felt after the actual killings, and particularly after the sentences had been so drastically reduced. It is unlikely it felt that the State had taken adequate steps to deter further violence against it. Since then, State treatment of other perpetrators or would-be perpetrators of

violence against Arabs has not increased Arab confidence in State protection of its interests. On Land Day, in March 1976, six Arab demonstrators were shot dead by security forces.

These two events, Kafr Qasim and Land Day, have been easily the two most notable acts of violence, but a few individual civilians have also been shot dead in other incidents, for example when forcibly moving a bedouin encampment. These individual incidents have tended to pass scarcely noticed. One must ask whether the use of State forces in a similar manner against Jewish citizens would not precipitate a major national debate.

Then there is the question of day to day violence. Arabs staying out late in Israeli towns and cities expect to be harassed by the police. Complaints of being beaten up, either in the street or at a police station, are not infrequent.

Israel invokes the Defence (Emergency) Regulations 1945 (see below) to detain at home or in their home town or in prison those who it views as endangering the security of the State. These regulations effectively allow the indefinite arrest of suspects without any need to bring them to court.<sup>88</sup>

It is hardly surprising that the Palestinian Israeli community does not feel at all reconciled to the Israeli State in its Zionist form. More remarkable, however, is Palestinian ambivalence in response to this systematic discrimination, reflected in the field of politics by the larger number of floating voters who seem undecided where their loyalties lie from one election to another. One fifth of the voting electorate is still held in thrall by the old ties of kinship, skilfully handled by Labour and to a lesser extent by the National Religious Party and by Herut. These are the 'docile' Arabs whose subservience was consolidated in the days of military government.

Other Palestinian Israelis fall into two broad categories, those who accept membership of the Israeli State but want a genuinely equal share in it, and those who refuse the legitimacy of the Israeli State altogether, and consequently are unable to work within the parliamentary system. Because a specifically Arab party is forbidden, the former category is mainly represented by the Communist Party, *Rakah*, the most substantial and longstanding party of loyal Arab protest. It views itself as non-Zionist, but loyal to the Israeli State. In the 1977 election there was a major swing to the Communist Party, away from Labour. This may have reflected alleged corruption in the latter's relations with the Arab community, or it may have reflected a reaction to the events of Land Day, one year earlier. It supports self-determination for the Palestinians of the West Bank and the Gaza Strip. For *Rakah*, as for the State, Palestinians and Palestinian Israelis are defined and distinguished, one from the other, by the 1949 'Green' armistice line. In the 1984 election another party was formed, the Progressive List for Peace (PLP), also aiming at the same constituency, but hoping to attract a broader following of Arabs and Jews who might not wish to vote Communist. Perhaps inevitably there has been considerable friction between *Rakah* and this new party which the former sees as trying to poach in its own parish. It is open to doubt whether PLP has much of a future, since it is widely criticized as lacking any consistent ideology.

Beyond *Rakah* and PLP are the opponents of the Israeli State. These find no parliamentary opportunity for their opposition to the Israeli State, and have expressed themselves in extra-parliamentary activity. In the late 1950s the main protest group was *Al Ard* (the Earth), but it was banned in 1965. In 1969 a new group was formed, *Abna al Balad* (Sons of the Village). Like *al Ard*, *Abna al Balad* is nationalist, but its emphasis is Palestinian rather than Arab, and its inspiration, as the date of its creation implies, lies in the resurgence of Palestinian nationalism after the 1967 war. It split into two factions over whether members should participate in the 1984 election. One faction favoured supporting *Rakah*, whilst the other decided that to vote at all implied recognition of the State's legitimacy. It now seems unlikely that *Abna al Balad* will recover from this collapse, although a smaller group, *al Ansar*, is trying to continue *Abna al Balad*'s work. Druze youth, too, questioned the position of their community in the order of things, and particularly their obligation for military service. Some of these, with the support of *Rakah*, formed the Movement for the Druze Initiative, and raised the level of support to about 6000, or roughly 10% of the Druze community.

The Arab minority has expressed itself in other fora, also. In 1975 the heads of Arab local councils formed a National Committee to co-ordinate their efforts to secure a better deal in civic matters. It is

indicative of the difficulties of their struggle that it took a decade to obtain an interview with an Israeli prime minister, and there has been only marginal improvement in the provision of services. By far the most important of the extra-parliamentary pressure groups is the Committee for the Defence of Arab Lands. Founded in 1975, it rapidly achieved a wide following so that it was able to organize the Land Day protest of 1976. Today over 80% of Palestinian Israelis recognize its authority in their community aspirations. However, it remains a single issue movement, and this limits its political usefulness to the Arab community.

At present the Palestinian community remains remarkably docile, bearing in mind its history of exclusion and discrimination. It is unlikely to remain so forever. As the first generation hands over to younger men and women the question of identity is likely to become more rather than less important. Since 1967 that identity has been increasingly expressed as Palestinian. Today, while most Palestinian Israelis still accept the definition of 'Israeli', Israeli descriptions of them as 'non-Jewish' or 'Arab' are less acceptable, and over half of them now feel that the term 'Palestinian' describes them well.<sup>89</sup> It is extremely difficult to gauge Palestinian Israeli attitudes accurately, because of the effective policies of fragmentation conducted by the Israeli State. However, it would seem at least half the community does not recognize the legitimacy of the Israeli State, and well over three quarters view Zionism as intrinsically discriminatory.<sup>90</sup> But it is far harder to quantify what these feelings mean in terms of alternatives.

After forty years probably over half the Palestinian Israelis feel almost as much Israeli as they do Palestinian, despite everything. Some find significance in the open borders between Israel and West Bank as the catalyst for change in Israeli Arab attitudes. This may be so, but of equal significance is the paucity of contacts across the Green Line. Beyond Palestinian national rhetoric is the problem of sharply different experience and status for more than a generation.

However, any official complacency concerning Arab ambivalence must take into account the remarkably steady and high rate of Arab population increase at almost 4%, a level higher than the population increase in either the West Bank or Gaza. In 1976 this was measured at 3.8% compared with 1.8% for Jews, who also face falling immigration and rising emigration.<sup>91</sup> Almost 50% of Palestinian Israelis are under 15 years of age. Today the Arab proportion of the total population has risen to 18% and may well be over 20% by 1995.<sup>92</sup> In fifteen years' time they will be making themselves heard with far greater self-confidence, and possibly greater anger than their parents did. By 2010 the Palestinian Israeli population may constitute almost 30% of the whole, a level viewed by many Jews as making the Jewish State no longer viable. How will the Israeli State respond?

## THE PALESTINIAN POLITICAL AND ARMED STRUGGLE<sup>93</sup>

In 1967 Israel routed opposing Arab armies, seizing large areas including the West Bank and Gaza Strip. This proved almost as great a disaster for the Palestinians as 1948 had been. Large numbers of Palestinians fled villages or refugee camps, particularly those on the floor of the Jordan valley whence they could flee across the river. Altogether 355,000 crossed the bridge to the East Bank of the Jordan. The victims were housed in emergency camps in Jordan and Syria, which like their predecessor camps of '48, rapidly took on a permanence never intended.

Until 1967 at least some Palestinians had been able to live in part of their homeland under Arab, if not Palestinian, rule. After 1967 all Palestine was subject to Israeli rule. Israel's Labour Government accepted Security Council Resolution 242 in November (which enunciated the inadmissibility of acquisition of territory by war) but subsequently made clear that its interpretation of 'withdrawal of Israeli forces from territories of recent conflict' did not mean *all* these territories. Israel had already illegally annexed East Jerusalem (see below *Israel's Occupation – The Law* for the legal argument).

However, the defeat of 1967 also gave Palestinians their first real opportunity to empower themselves politically. During the years 1948–67 groups of Palestinians had already come to the conclusion that only the Palestinians could put Palestine first, and thereby

recover it. By far the most important group was *Fatah*, led by Yasir Arafat. Its idea of subordinating political disagreement to the question of 'Return' had immense appeal to the refugees, and made *Fatah* a broad church able to withstand an enormous amount of internal disagreement.

Conscious of growing Palestinian and Arab criticism of the lack of progress on the question of Palestine, Egypt had led a move within the Arab League to form the 'Palestine Liberation Organization' in 1964. It was to be a means of 'organizing the Palestinian people and enabling them to play their role in the liberation of their country and their self-determination'.<sup>94</sup> It is highly questionable how much freedom the Arab States wished the PLO to have. At first, *Fatah* took care neither to oppose it, nor to allow itself to become identified with it. *Fatah* grew dramatically after the 1967 war, following its stand against a strong Israeli reprisal on Karamah village in 1968, when recruits flocked to join it. Consequently, in 1969 *Fatah* acquired control of the Executive Committee of the PLO, with Arafat elected as Chairman, a position he has continued to hold.

Arafat and *Fatah* have dominated the PLO, indeed almost become the PLO since 1969. Nevertheless, from the outset of its dominance in the PLO, *Fatah* has faced formidable obstacles, many of which have thwarted its efforts to address its fundamental task of liberating Palestine. These difficulties have included the control and direction of its own rapidly expanding forces, the overall guidance of the PLO, relations with other groups, and with Arab host countries, and finally its relations with those outside the region most able to influence the course of events in Palestine.

*Fatah* was faced by several other groups with a radically different view of things. Of these the most formidable was George Habash's Popular Front for the Liberation of Palestine (PFLP). The PFLP's first public statement made clear its implicit threat both to *Fatah* and to Arab regimes: 'The only weapon left in the hands of the people . . . is revolutionary violence'.<sup>95</sup> PFLP has only intermittently held a seat on the PLO Executive Committee, because of its disagreements with *Fatah*. It has also been susceptible to internal dissent. In 1968 Ahmed Jibril broke away in disagreement with Habash, to form the PFLP-General Command. Early in 1969 another group of left-wing members of PFLP broke away under the leadership of Nayef Hawatmeh, to form the Democratic Front for the Liberation of Palestine (DFLP). Subject to harassment of all kinds from the PFLP, they were able to secede thanks to the intervention of *Fatah*.

These groups, and others sponsored by Arab States, did not make Arafat's new task as PLO Chairman any easier. For a brief moment in 1968, in the weeks following Karamah, Arafat could probably have excluded the other groups from the PLO, and possibly absorbed some by military means thus achieving a single authority and voice within the movement. Arafat and his colleagues chose instead to confirm the PLO as an umbrella organization. They have paid heavily for this decision, repeatedly drawn into conflict with host countries, and with each other.

In spite of *Fatah*'s principle of non-intervention in internal Arab affairs, the presence of large numbers of 'fedayeen' (as they became known in Arabic) was bound to affect relations with the host governments. Of these Jordan and Lebanon were the most vulnerable. Jordan on account of the large Palestinian population, and Lebanon on account of its political fragility. In both countries Arafat tried to avoid clashes, but *Fatah*'s neutrality was compromised by the more aggressively political groups. In Jordan the tensions ultimately provoked a showdown, in which Jordanian troops drove the fedayeen out of the country in 1970–71. Perhaps 3000 Palestinians, military and civilian, died in the struggle.<sup>96</sup>

In Lebanon the Palestinian movement enjoyed popularity with the downtrodden, the Shi'ite villagers of south Lebanon, and the large Sunni and Shi'ite slum population of Beirut and other towns. Many of the political establishment were Arab nationalists who believed it their duty to support the armed struggle against Israel. However, the Palestinian presence had a radicalizing effect on a delicately balanced confessional system. The dominant Maronite community felt increasingly threatened by the challenge of the Palestinians and the Lebanese Arab nationalists. It was particularly angry over the Cairo Agreement of 1969, whereby the State ceded control of the refugee camps to the PLO, and sanctioned PLO operations against Israel. Progress towards civil war was accelerated by the radical Palestinian guerrilla groups which found themselves increasingly



confronting Maronite Kata'ib forces. When the Kata'ib sacked the refugee camps of East Beirut in early 1976, Fatah joined the fray.

The PLO's foremost objective had been to regain Palestine, and it was obvious by the early 1970s that it could not achieve this by guerrilla tactics, let alone by conventional war. Inside the PLO some argued that they must keep their sights on the liberation of all Palestine, while others advocated a State of their own in the areas of Palestine occupied by Israel in 1967. The DFLP was the first to call publicly for a two-State solution, in early 1974, calling for a Palestinian mini-State. Later that year the PNC propounded a ten point programme, of which the most relevant clauses affirmed 'The PLO will struggle . . . to establish . . . sovereignty on every part of Palestinian land to be liberated' an indication of a willingness to compromise.<sup>97</sup> As early as 1968 Fatah had advocated a secular democratic State in Palestine for both Jews and Arabs (but did not bring itself to call specifically for a Palestinian State in West Bank and Gaza until 1977).<sup>98</sup> However, the PFLP and some other groups, notably PFLP-GC, formed a 'Rejection Front', rejecting any compromise with the 'Zionist entity'. During the next four years, the Rejection Front, amongst which Fatah renegades under the leadership of Sabri Banna (Abu Nidal) proved the most damaging, did what they could to disrupt the PLO political initiative. The Rejection Front was a failure, and petered out in 1978. But Abu Nidal's group managed to kill several of the PLO's most able diplomats who were doing much to advance dialogue in the world arena.

This opposition notwithstanding, Arafat and the PLO forged ahead on a remarkable tide of success in 1974. In October, the PLO was hailed for the first time by the Arab League States in Rabat as the 'sole legitimate representative of the Palestinian people'. King Husain of Jordan was obliged to abandon his claim to the West Bank and support, verbally at least, the legitimacy of the PLO. A month later Arafat was on the rostrum at the UN General Assembly calling for the return of the Palestinian people out of exile, and for a democratic State for Jews, Christians and Muslims. 'When we speak of our common hopes for the Palestine of the future', Arafat declared, 'we include in our perspective all Jews now living in Palestine who choose to live with us there in peace and without discrimination . . . that we might live together in a framework of a just peace in our democratic Palestine.' This statement was discounted by sceptics (see for example the Foreword to this Report) as a contradiction of the Palestine National Charter which calls for an end to the 'Zionist entity' and states (Article 6) 'The Jews who had normally resided in Palestine until the beginning of the Zionist invasion will be considered Palestinians.' There is, of course, another interpretation, that the PLO was willing to move beyond Article 6 and would recognize the legitimacy of all Jews resident in Palestine if Israel would recognize the same legitimacy for the Palestinian people, including the refugees outside Palestine. Arafat's statement echoed the calls made by the Palestinian leadership from 1919 onwards for a secular democratic state. In response to Arafat's speech the General Assembly accorded the PLO 'Observer Status'.

The PLO, however, soon discovered the diplomatic path to be a bitter one. Following the October 1973 war Sadat had insisted that if the PLO wanted a voice in the proposed renewal of the Geneva Conference it had to accept Resolution 242. Within the PLO this requirement caused and continues to cause immense stress. After much internal debate it decided it could not accept a resolution which failed to mention anything about Palestinian rights. Indeed, from the PLO point of view, Resolution 242's talk of respect for international borders legitimized Israel and Jordan but offered nothing for the Palestinian people. To accept Resolution 242 in a vacuum, argued the PLO, would be to deny the fundamental right to self-determination. In 1975 the United States and Israel reached a formal agreement whereby the United States 'will not recognize or negotiate with the PLO so long as the PLO does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338'.<sup>99</sup> This agreement has proved brutally damaging to any peace process.

Thwarted with the key participants in any settlement, the United States and Israel, the PLO devoted much energy in the 1970s to widening its base internationally. By the end of the decade it enjoyed recognition through most of the Third World, and had established a dialogue with several Western European States. But such gains were merely stepping stones, as PLO strategists recognized, towards negotiation with the United States. During the

second half of 1977 it seemed as if that breakthrough was tantalizingly near. However, President Sadat's journey to Jerusalem in November threw awry all the carefully laid plans for an international conference in Geneva. The Camp David Agreement, the consequence of Sadat's initiative, proved one of the heaviest blows the PLO has had to bear. It removed Egypt from the strategic *status quo*, and freed Israel to invade Lebanon with impunity in 1978 and in 1982 (to destroy the PLO and impose Israeli order on Lebanon), and to deal one by one with Jordan and Syria. Although Israel failed in these aims, Palestinians hold Egypt's Sadat to a great extent responsible for the ordeal they have undergone since 1978.

As important, the Camp David Agreement threw away the Palestinian claim to self-determination in favour of an autonomy plan for the West Bank and Gaza, legitimized by Egypt, Israel and the United States. Whilst it can have no validity without Palestinian acceptance, it nevertheless ties the United States by international agreement to a solution wholly inimicable to Palestinian interests. Israel demonstrated its own interpretation of the Camp David accords by seizing and settling as much of the Occupied Territories as the economy could bear.

If there were any benefits for the Palestinians from the Camp David Agreement, these lay in Arab unanimity of condemnation, the political and financial support given to the PLO to carry on its struggle, and the degree of unity Camp David produced among Palestinians, both guerrilla groups outside Palestine, and the people under occupation within, to resist any erosion of their right to self-determination.

In the meantime the Israeli-Palestinian conflict had exploded with an attack by Fatah commandos on Israel's coastal highway in March 1978 in which 37 civilians were killed. In response Israel invaded Lebanon in order to remove the PLO from south Lebanon, but failed to corner its quarry, although it displaced over 250,000 people, killed at least 700 people and destroyed many homes. Israel withdrew under strong United States pressure, and UN Security Council Resolution 425 authorized a United Nations Interim Force in Lebanon (UNIFIL) to prevent border violations from either side. Israel thwarted this purpose by deploying its own surrogate Lebanese militia along parts of the border.

The PLO's acceptance of UNIFIL's role was significant as its first implicit acceptance of a ceasefire with Israel.<sup>100</sup> In July 1981, after a heavy Israeli air attack on a Beirut suburb in which almost 300 died, the PLO engaged in yet another ceasefire with Israel brokered this time by the United States. The PLO was well aware that Israel felt frustrated by the poor rewards of the 1978 invasion, and was working towards a more comprehensive operation in which the PLO could expect to be squeezed between Israeli forces in the south and the Kata'ib and Lebanese Forces in the north. Once again the PLO demonstrated its ability to respect the ceasefire, which it broke ten months later, only after a massive Israeli air raid on refugee camps and targets in Beirut on 4 June 1982. This air raid was Israel's first response to the attempted assassination of the Israeli ambassador to London by members of Abu Nidal's splinter group. Two days later Israel invaded Lebanon. This time its forces moved much faster than in 1978, leapfrogging troops by sea and air to prevent Palestinian retreat or dispersal out of the camps and into the countryside. Within four days Israeli forces had reached West Beirut, which it began to besiege in co-operation with the rightist Lebanese Forces. Behind them they left a trail of destruction, with Ein el Hilweh camp, then home to 60,000 people, 75% destroyed. Israeli troops marched off their captives with scant regard for the requirements of either the Third or Fourth Geneva Conventions.<sup>101</sup>

In Beirut, Israel hoped finally to vanquish the PLO, to remove it not only as a military and political participant in the Middle East conflict, but more importantly as a focus of leadership for the Palestinians under occupation. But each time Israeli troops attempted to advance through Beirut's suburbs they were driven back by the high casualty cost of any advance and the skill of the Palestinian defence. After 67 days, during which 5000 Beirutis died and another 11,000 were seriously wounded,<sup>102</sup> an agreement was finally reached whereby the PLO was able to leave Beirut. The terms were not those the PLO had sought, since it hoped to extract from the United States an agreement to talk with the PLO, or at the very least recognition of the Palestinian right to self-determination. Like Israel, however, the United States was determined to rule the

PLO out of the political process, and consequently refused any concession of this kind.<sup>103</sup> Israel undertook not to enter West Beirut and, at Arafat's insistence, the United States gave a formal undertaking guaranteeing the security of Palestinian civilians under international forces. These undertakings were not adhered to and the US Marines left Beirut prematurely. Following President-elect Bashir Gemayel's assassination on 14 September, Israeli troops entered West Beirut. Having encircled Sabra/Shatila area to prevent the residents from leaving, Israel sent its Lebanese Forces/Kata'ib allies into the camp area on the evening of 16 September to clear out any 'terrorists'. Here these forces committed indiscriminate massacre until ordered out of the area by Israel on 18 September, following the first international reports of killings. How many died is unknown, but the total was probably approximately 2000, including women, children and even babies. Many died in a most terrible manner.

No one who knew the area and the Kata'ib's notorious record for excesses, could possibly believe that those responsible for allowing the Kata'ib into the area, could have done so without being aware of the probable consequences.<sup>104</sup> The massacre was a tremendous moral and political blow to the PLO leadership. Arafat had to face his own troops, many of whom had lost family and friends in Shatila because he had trusted United States promises.

Deprived now of military options, the PLO leadership had no choice but to pursue whatever diplomatic avenues seemed open. President Reagan had announced a comprehensive peace plan for the Middle East which included the idea of Palestinian autonomy on the West Bank and in Gaza in association with Jordan. While this was rejected outright by Israel, the PLO cautiously announced that the plan was not wholly devoid of merit. The Arab States and the PLO responded to Reagan's plan with one of their own 'the Fez Plan', which implicitly recognized the State of Israel but also called for a Palestinian State in West Bank and the Gaza Strip, and for recognition of the PLO.<sup>105</sup> The Fez Plan was rejected by Israel.

The PLO entered its most testing phase so far, bereft of its military option, and with slim diplomatic possibilities. Egypt had already forfeited its role in the Arab arena through Camp David. The other Arab States had all abandoned the PLO to its fate. Iraq was committed to a major war with Iran. Jordan, in spite of a cautious reconciliation with the PLO in the late 1970s, seemed unwilling to champion the PLO's cause. Arafat found himself facing Syria alone, with no other country against which Syria could be played off. Syria could claim it was the only Arab State actually fulfilling its 'historic mission' of confronting Zionism. Furthermore it now controlled those PLO troops stationed in the Biqa'a valley. Syria wished to acquire control of the PLO apparatus, something which Arafat had successfully prevented any Arab regime from doing so far. In early 1983 Arafat, unwilling to surrender the PLO to Syrian control turned to the only feasible diplomatic option: negotiations with Jordan for a joint response to the Reagan Plan, in which both Jordan and the PLO were encouraged by Egypt, hoping to edge its way back into the Arab fold.

In the Syrian controlled Biqa'a two Fatah leaders had already declared rebellion against Arafat. Syria now exploited the rebellion for its own purposes. It was gravely alarmed by the idea of a Jordanian-PLO peace initiative, recognizing that if Arafat and Husain talked peace with Washington, the United States would be able to ignore Syria, a possibility it could not afford to risk. In summer 1983 Syria and the Fatah rebels drove Fatah 'loyalists' out of the Biqa'a and into the refugee camps of Tripoli. By this time the rebels had been joined by Ahmad Jibril's PFLP-GC and by units of the Palestine Liberation Army (effectively part of the Syrian army), to form the Palestine National Alliance. In the autumn they besieged Tripoli. However, Syria's determination to destroy Arafat in Tripoli rallied international Palestinian opinion around him, as well as creating misgivings among other Arab States which feared the Syrian-sponsored alternatives to Arafat. Arab world pressure enabled a truce whereby Arafat was able to evacuate Tripoli with his 4000 troops in November, confirmed as leader of the PLO and with a far freer hand to reopen negotiations with King Husain.

By mid-1984, however, the Palestine movement was split three ways, between those loyal to the PLO Chairman, Yasir Arafat; the rebels, 'the National Alliance' (or 'National Salvation Front'), inside Syria's orbit who called for his removal; and a third grouping, the Democratic Alliance (the DFLP, the Palestine

Communist Party and the Palestine Liberation Front) which criticized Arafat for his unilateral actions, called for greater democracy but did not wish to see Syria dominate the PLO.

The PLO defied Syria, and its Palestine National Alliance, by convening the Palestine National Council (PNC) meeting in Amman in November 1984. Although many felt it was rigged, the PNC gave Arafat a mandate to explore King Husain's recent proposal for joint Palestinian/Jordanian moves using Resolution 242 as a framework which established the principle of exchanging land for peace. The National Alliance and the PFLP denounced the PNC meeting as illegal.

PLO negotiations with Jordan for a joint initiative produced a framework for co-operation in early 1985. This framework for joint Jordanian-Palestinian negotiations with Israel was significant because it omitted any mention of armed struggle, and called for an international conference, pledging acceptance of all UN resolutions, and specifically Security Council resolutions, as the basis for negotiation. Implicitly this included Resolution 242, and by extension implied recognition of Israel's existence. However, Israel and the United States rejected the agreement arguing that there was no question of independent Palestinian statehood, nor direct PLO participation in peace talks. The agreement was likewise condemned by Syria and its Palestinian allies as a betrayal. The Soviet Union also did not welcome the possibility of negotiations which excluded itself and its ally, Syria, from participation.

During the summer Jordan struggled to persuade the United States to moderate its stance, but the US Congress merely reinforced its agreement with Israel with its own law detailing three conditions necessary before the administration could lawfully deal with the PLO: it must recognize Israel's *right* to exist (something quite different from recognition of existence), accept Resolutions 242 and 338, and finally renounce terror. No encouragement was given by the United States to either Jordan or the PLO for this initiative, let alone the hope of any substantial progress with Israel. During the autumn of 1985 a series of incidents destroyed any last hope that the initiative had any life left in it. Palestinian terrorist attacks in Larnaca and on the ship *Achille Lauro*, and the international disgust these prompted, destroyed any chance that the United States might reconsider its hard line on the PLO. These outrages were the acts of those Palestinians determined to shipwreck the PLO-Jordanian initiative. More damagingly, they indicated that Arafat did not control PLO forces sufficiently to be credible as negotiator for the Palestinian people. After the Larnaca killings, Israel bombed the PLO headquarters in Tunis killing both Palestinians and Tunisians, demonstrating that it, too, was prepared to flout international norms of behaviour.

In London the planned meeting between the British Foreign Secretary and two eminent Palestinians ended in fiasco when the British government unsuccessfully demanded that the price of the meeting was recognition of Israeli legitimacy and the renunciation of violence. These demands reflected the outlook of the government, which at that time insisted on similar strictures with regard to the African National Congress in its struggle against South Africa. It may also have reflected the Prime Minister's own publicly stated relationship with Israel.<sup>106</sup> The British government may have also hoped to play a part in encouraging the PLO and the United States to edge more closely together, but it wholly misjudged the degree to which the PLO could move further than it already had done. The fiasco was all the greater because the PLO delegate who refused to give these assurances was a man of unimpeachable honour who had never himself borne arms, never encouraged others to do so, and had been arbitrarily removed from office as Mayor of Halhoul (in the West Bank) and been forcibly (and illegally) deported by Israel in 1980.

There was little surprise when the Jordanian-PLO accord finally collapsed in February 1986. In the Western world the PLO was seen as unreasonable over Resolution 242 and recognition of Israel. Less apparent was Jordan's reluctance to see self-determination for the Palestinians take place in the West Bank. Husain wanted any Palestinian entity in the West Bank to be either part of his kingdom or federated in such a way that he was indisputably head of State. This was also the position of the United States. Perhaps Husain and the US genuinely believed that the PLO accepted that by the 1985 accord there could be no separate Palestinian State.

The issue of self-determination rather than Resolution 242 lies at the heart of the PLO-Jordanian collapse. Arafat was under considerable internal pressure, not only from the various dissident factions of the PLO but also within the 'loyalist' camp. He could only move forward if he could demonstrate the solid gain of US recognition of Palestinian rights. When the PLO asked Washington for a statement recognizing Palestinian self-determination in return for recognition of all United Nations resolutions, including Security Council Resolutions 242 and 338, it was rebuffed.<sup>107</sup> The impasse over recognition of Resolution 242 lay in PLO determination that this could only be done as long as the other UN resolutions on Palestine were also recognized, while the United States' purpose was deliberately to exclude all resolutions on Palestine *except* Resolution 242, thus not to admit the Palestinian right to self-determination (explicitly stated in other resolutions).

With US encouragement, Jordan started its search for an alternative Palestinian partner in the search for peace, implicitly one that would accept that a Palestinian State was not part of the deal. However, for the rest of 1986 the West Bank and Gaza were swept by a tide of pro-Arafat and anti-Husain feeling.

By the end of 1986 the PLO faced a gloomy prospect, with the split between loyalist and pro-Syrian factions looking permanent. Then, quite suddenly, there were signs of rapprochement, resulting from the ferocity of Syrian-sponsored attacks by Amal on the refugee camps in Lebanon, and by Israel's 'Iron Fist' clamp down in the Occupied Territories. Different factions on the ground closed ranks against common enemies, and the leadership found itself under pressure to follow suit. It was a telling example of the way in which grassroots Palestinians can still exert influence on their leadership.

An 18th Palestine National Congress was convened in Algiers in April 1987, with four Damascus-based groups, including the DFLP, the Communist Party and the PFLP attending, in spite of Syria's displeasure. In the course of the deliberations, the post-1982 alignments were brought to an end, as the PLO formally renounced the February 1985 accord with Jordan, and indicated that as far as the PLO was concerned the US-led peace process was dead. It reaffirmed its rejection of Resolution 242 in isolation from other resolutions on Palestine, and reaffirmed that its relations with Egypt would depend on Egypt's stance on the Camp David accords. In short, the PLO successfully defied the three Arab States most desirous of acquiring control of the PLO, Syria, Jordan and Egypt. While Jordan and Egypt faced great risks in the Arab world if they pursued peace without the PLO, so also Syria found it would run great risks if it continued its assault by proxy on the refugee camps. For the first time, too, members of the Palestine Communist Party, which formally recognizes Israel, were voted onto the PLO executive.

It is still too early to tell whether the PLO's regained unity is sufficiently robust to withstand the buffeting it is bound to undergo. It still lacks a secure power base for its headquarters, largely squeezed out of Tunis, and with no current alternative except Baghdad. Baghdad is too distant from Palestine, and Iraq is beset by its war with Iran and is obliged to Jordan and Egypt for their support. Furthermore, Iraq remains Syria's most bitter Arab enemy. All these factors are bound to make Baghdad an uncomfortable venue for the PLO.

The rejection of the US-Jordanian peace process brings the PLO closer to the Syrian position, but this has been achieved in the context of a reaffirmation of Palestinian independence, rather than of Syrian patronage. Furthermore, Syria is bound to resent the way in which the PLO has successfully thwarted it in Beirut. So it is unlikely that Hafiz al Asad and Yasir Arafat will be reconciled, except perhaps as a political cosmetic.

The PLO has more time today to look back at the errors of the past fifteen or so years. For outsiders one of the most discouraging features of the whole conflict has been the lamentable presentation by the PLO of its case. Indeed, those moments when international sympathy has reached a climax have been less the result of PLO efforts than the product of Israeli ones – be it 19,000 deaths<sup>108</sup> in Lebanon or the shooting of individual civilians in Gaza and the West Bank. Its most notable failure has been in the use of violence. From the moment Fatah was ejected from the West Bank (1968) it was clear that armed struggle could do little more than revive morale. The unwillingness of West Bankers to provide the 'water' in which the guerrillas could 'swim' destroyed the validity of

guerrilla theory. By the early seventies this was already clear, yet, at a time when any diplomatic initiative depended on persuading Israeli opinion that the PLO was not bent upon implacable revenge, the latter was unable to stop almost every PLO constituent group from committing terrorist outrages. Popular opinion in Israel and in the West has been naturally disgusted by these acts, and is no longer interested (if ever it was) in which particular group has committed the latest outrage. The outrage itself is sufficient to incriminate the PLO internationally, and to cast doubt on its ability to keep its house in order.

In spite of its reunification, the future of the PLO must remain in doubt. It no longer has, if it ever had, a credible military role, and its political role outside Arab ranks depends very much on the influence the Soviet Union is able to bring in any peace conference proposal to ensure the PLO has equal, rather than junior, status with other participants. That in turn will depend on whether and when Israel decides that if it wants peace the PLO can no longer be ignored. Arafat's greatest fear has always been, and remains, the inadvertent betrayal of the Palestinian cause. The bottom line of that cause is the right to self-determination, and that must mean the right to create a Palestinian State. When he broke with Husain he was, in effect, refusing to cross that line.

Such a State can only be in Palestine, which is precisely where, despite their criticisms, the PLO's most stalwart supporters live. Ultimately, it is difficult to escape the conclusion that after years of building bases in Jordan, in Lebanon and in cultivating support in Arab capitals, the PLO may finally be discovering that its real strength lies neither in playing politics with duplicitous superpowers, nor with the Arab States, nor yet again in its guerrilla capacity, but lies in the dogged day-by-day steadfastness of those under occupation. For all the machinations of outsiders and all their apparent power, the negotiation of a settlement in Palestine depends upon the willingness of the inhabitants, Palestinians as much as Israeli Jews, to live with it. Herein lies the real power of the PLO. A long haul lies ahead.

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## ISRAEL'S OCCUPATION OF THE WEST BANK AND GAZA STRIP

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### The law<sup>109</sup>

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Israel's occupation of captured territories, in theory, is circumscribed by international law, as framed in the Hague Convention of 1907 and the (Fourth) Geneva Convention of 1949. Israel disregards the validity of both, the former because it is not a signatory, and the latter because it views the West Bank and Gaza as disputed rather than occupied territory. No other State agrees with this position. Whilst refusing to be bound legally by these conventions Israel claims to uphold their humanitarian provisions.<sup>110</sup> It maintains that only customary law and not treaty law (i.e. the two conventions cited), are binding. Palestinians would argue that Israel's rigorous application of law has two aims, to protect its troops and progressively to dispossess the inhabitants by quasi-legal means.

The occupation system of law rests on Ottoman law, British occupation and mandate law, Jordanian law, Egyptian administrative orders (Gaza) and military orders of the Israeli occupation. Israel's military authority has now issued over 1100 military orders in the West Bank and over 835 orders in Gaza, amending and effectively changing the body of Jordanian and Egyptian law previously exercised in the Occupied Territories.<sup>111</sup> In order to control and punish the population Israel uses draconian security laws introduced by the British Mandate. These allow collective punishment, arbitrary deportation and indefinite preventative detention (without the need to bring formal charges), demolition of homes on suspicion (i.e. prior to, and regardless of, subsequent conviction) and other measures forbidden by the Fourth Geneva Convention. These Defence 'Emergency' Regulations of 1945 were revoked over twenty four hours before the end of the British Mandate, and were never part of the Jordanian body of law. There would consequently seem to be no legal basis for their use either in the Occupied Territories, or inside Israel itself.<sup>112</sup>

Israel administers the law through a number of courts. The local (Jordanian or Egyptian) courts have jurisdiction in practice only

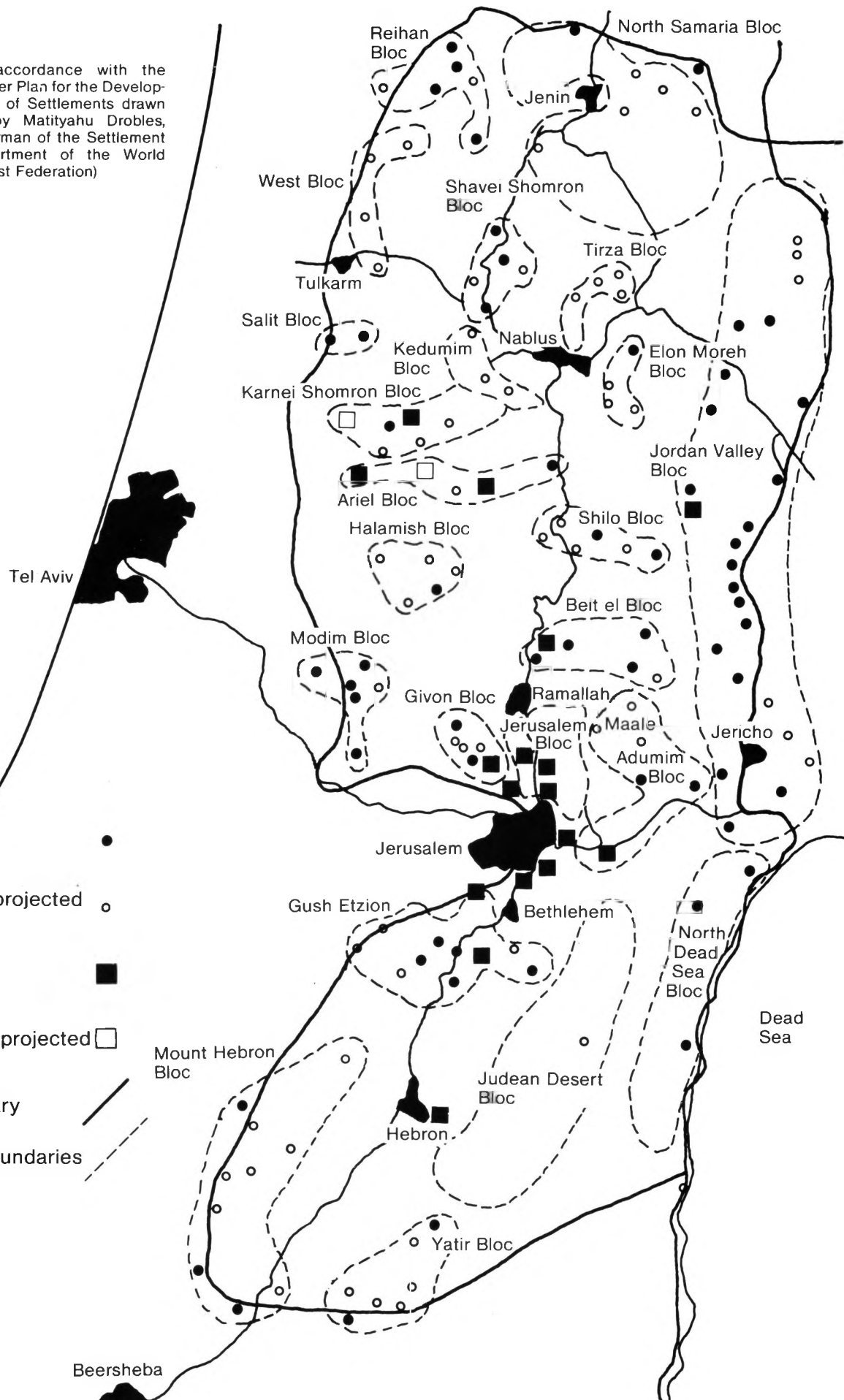


# ISRAELI SETTLEMENTS OF THE WEST BANK, 1981

(In accordance with the Master Plan for the Development of Settlements drawn up by Matityahu Drobles, Chairman of the Settlement Department of the World Zionist Federation)

## LEGEND

- Rural settlements ●
- Rural settlements projected 1980-85 ○
- Urban settlements ■
- Urban settlements projected 1980-85 □
- West Bank boundary —
- Settlement bloc boundaries - - -



(Adapted from *Journal of Palestine Studies*, No 41, Autumn 1981)

over resident Palestinians and, according to a leading law practitioner, 'inefficiency and corruption continue to characterize the state of the local courts'.<sup>113</sup> Appointments in these courts are made, according to the Israeli officer responsible, on political grounds,<sup>114</sup> destroying at a blow the independence of the judiciary. The second system, the military courts and tribunals, unlike local courts, enjoy the assured co-operation of the police. Under international law military courts may be established to try cases which involve the security of the occupying power. Israel has extended the jurisdiction of these courts, to include land cases, and they are empowered to define what is 'State land'. Plaintiffs have no court appeal, only an Objections Committee, which is also composed of military officers which is able to recommend, but lacks jurisdictional authority.<sup>115</sup> A third system operates through Israeli civilian courts in the Occupied Territories, as a legal system for settlers. In theory an Israeli settler could appear before the local (Jordanian) court, but in practice this does not happen.<sup>116</sup> Finally, Palestinians have recourse to the Israeli High Court in some cases. The expense of this is so high, and the expectation of success so low, it is very seldom resorted to.<sup>117</sup>

## The practice

**1. Politics:** There have been two distinct periods of Israeli policy in the territories occupied in 1967, that of the Labour Alignment, 1967-77, and that of Likud 1977-84. Under coalition government since 1984, the gap between the policies of these administrations has narrowed, as Labour accepted the achievements of the Likud period, and as Likud itself discovered the economic limitations to its expensive 'redemption' policy. Labour's attitude after 1967 was pragmatic, and rooted in security considerations. Although it viewed all Palestine as *Eretz Israel* ('the land of Israel') calling the Occupied Territories 'the Administered Areas of Judaea, Samaria and Gaza', it was prepared to consider ceding some of the territory captured as long as it retained physical and military control of the Jordan valley, and the strategic watershed of the Central Uplands. Likud, by contrast, considered all Palestine immutably as *Eretz Israel* and to yield any of it as tantamount to a betrayal of Zionism. Consequently it embarked upon a widespread settlement scheme designed to redeem most of the land outside Arab population concentrations. In practice the difference between the two administrations has been a good deal less sharp, and the present narrowing of the gap reflects a shift to the right by the majority middle ground of Israeli popular feeling. Both parties think in terms of Arab autonomous areas, for Likud completely under Israeli control, for Labour the inhabitants of these areas being under Jordanian control.

There has also been a powerful Israeli consensus on three points which no government dare abandon: no return of the Occupied Territories in their entirety; no Palestinian self-determination, and no negotiation with the PLO. Neither party has been willing to countenance the growth of any kind of Palestinian independence – be it political or economic.

These things were not unforeseen by Palestinians. Many predicted in 1967 that there would be no withdrawal, but rather a replay of what happened in Galilee. The international community has tended to dismiss these jeremiahs, believing Israel is motivated less by territorial ambition than legitimate concern for security. Nothing is more dispiriting to Palestinians than the impression of normality imbibed by visitors to the Holy Land, or the focus on individual Israeli excesses, as if once these things were put right, the occupation would somehow be indefinitely tolerable.

By contesting Jordan's sovereignty over the West Bank whilst recognizing the inhabitants as Jordanian citizens, Israel has reduced the legal status of Palestinians to that of resident aliens with fewer rights both in theory and in practice than Jewish settlers.<sup>118</sup>

**2. Administration:** By Jordanian and Egyptian law, Israel is free to choose and dismiss whom it pleases, and at first was content to allow the old municipalities to continue in office. In 1976 the Labour Party allowed municipal elections to take place in the West Bank, hoping this would produce administrators friendly to Jordan rather than the PLO, but it was disappointed as nationalists almost completely displaced the old regime. Over the next five years the military government removed some of the mayors from office. Some were bombed and maimed by Jewish terrorists, others were

deported. In 1981 Likud established a 'Civil Administration', ostensibly to introduce the 'self-governing institutions' provided for in the Camp David Agreement, alongside its Military Administration. This arrangement has no legality internationally. Most people were unwilling to co-operate with what they saw as a ploy to perpetuate the reality of military occupation behind the cosmetic of self-government. In 1981/82 most surviving West Bank mayors were deposed and Israel implemented direct military rule. The military authority has progressively handed over non-security aspects of government to the Civil Administration, intensifying the integration of the Territories into Israel.

Israel has been frustrated by the unwillingness of Palestinians to co-operate with the Civil Administration. It has unsuccessfully tried to build collaborationist power centres, known as Village Leagues, to contest local loyalties through carrot and stick tactics (provision and withholding of services, permits etc.). In 1985 Israel reached an agreement with Jordan (and indirectly with the PLO) over the appointment of a Palestinian mayor in Nablus. But he was assassinated four months later, probably by members of the PFLP. Whilst his funeral became the occasion for a vehement pro-PLO and anti-Jordanian demonstration, it seems that a large segment of Palestinian opinion was ambivalent towards the assassination. Although the man himself had been a respected figure, Palestinians feared other candidates would put themselves forward as mayors, and become accomplices of Israel's plan for autonomy.

Overlapping the Palestinian municipalities is an entirely separate administrative structure applying only to Jews, based on Israeli municipal legislation. It is, like the system of law itself, the formal institution of separate development for Jews and Arabs, to advance the interests of one ethnic group to the detriment of the other.

Israel does not allow any political organization or institution to operate throughout the Territories. The National Guidance Committee, formed in 1978 in response to the dangers of the Camp David Accord, was soon declared illegal and its members placed under town or house arrest (see below). It is inevitable that almost any kind of social, economic or cultural organization is a response to the suffocating circumstances of occupation. In Gaza the only trade unions allowed are those which functioned before 1967. They are not allowed to recruit new members, and may only meet in the presence of an Israeli official. In the West Bank a number of small locally based unions have proliferated since the late seventies. They represent different strains and competitions of ideology within the PLO and Communist Party. Some have been harassed, and the party rivalries within the larger General Federation of Trade Unions skilfully exploited by the authorities.<sup>119</sup>

The Arab press is subject to the military censor, who deletes on average about 20% of the whole,<sup>120</sup> but forbids these spaces to be left blank. Most newspapers and journals are published in East Jerusalem, where they are subject to Israeli rather than military regulations, and are unable to distribute in the West Bank and Gaza without a permit, the issue of which is frequently withheld. Publications which in the opinion of the authorities reflect the thinking or, or are funded by, a hostile organization are liable to be closed. Nevertheless, the press provides the main vehicle for the formation and discussion of Palestinian political opinion.

**3. Israeli settlements and land seizures:** According to Article 49 of the Fourth Geneva Convention 'The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.' However, this is what Israel has done since 1967. Arab East Jerusalem was ringed with residential blocks with both the function and appearance of fortresses, to prevent any future secession by the 120,000 Palestinians living in there. In the rest of the West Bank Labour constructed two belts of settlements, running north-south, one on the floor of the Jordan valley, and a second on the eastern escarpment of the central uplands. When Likud won the 1977 election it embarked upon a wider programme of settlements, to integrate the West Bank fully into Greater Israel so that it could never be detached, and to divide the Palestinian people.

Following the 1978 Camp David accord Israel renewed its efforts to settle the Territories in order to preordain the course of the proposed 'self-governing' Palestinian authorities. The master plan, drawn up by the World Zionist Organization, sought to surround each Arab town with settlements which would prevent any expansion.<sup>121</sup>

In the early years of Likud's settlement programme the leading settlers were members of Gush Emunim, who were driven by religious purpose to redeem the land. Many of them were recent immigrants to Israel, many from the United States. Even they had to be attracted by financial inducements. By 1982 the pattern had begun to change, and a new type of settlement sprang up, especially in the more accessible west parts of the West Bank. These were dormitory settlements from which it was easy to commute to work in Israel's main population centres. At last the threatened influx of large numbers seemed possible. No one could describe the presence of Gush Emunim settlers as 'normality', but commuters were different, and the transformation of swathes of the West Bank into dormitory areas carries far greater dangers of normalizing the settlements.

The Israeli authorities have a number of different legal means of seizing land, although in reality they comprise one system and one purpose.<sup>122</sup> So far, the Israeli State has seized about 52% of the total land area of the West Bank, and approximately 40% of the Gaza Strip. Furthermore it has developed a network of roads designed to serve Israeli settlers needs but avoid Arab areas, taking Arab land in order to achieve this. These land seizures are probably sufficient now for Israel's needs: integration of the land into Greater Israel, and the virtual impossibility of returning seized areas.

Perhaps the most significant feature of these measures is the way in which the State and the public interest are defined as Jewish and not Palestinian. Once declared a State possession, these lands automatically become part of the Jewish patrimony. Almost all of them are administered either formally or effectively by the Jewish National Fund, and become legally inalienable from the Jewish people in perpetuity. In the West Bank and Gaza, where Palestinians number 1.4 million compared with no more than 60,000 Jewish settlers (excluding East Jerusalem) the interpretation of State and public benefit in exclusively Jewish terms is clearly discriminatory. In Gaza the disparity seems even greater on account of the extreme density of population. While eighteen Israeli settlements, inhabited by 2150 persons occupy 22,250 dunams of land, eight refugee camps, with a population of 236,000, occupy 5500 dunams.<sup>123</sup>

Palestinians do not have freedom on those lands still left to them. Building prohibitions apply to Palestinians, but not to Israeli settlements which generally enjoy exempt status. Even within the Arab municipalities, generally the only areas left where building can take place, restrictions are tight. The Palestinians, despite population growth, are being bottled up, but no overall development plan by Arab municipalities is permitted.

**4. Israel's water policy**<sup>124</sup>: Israel has also taken control of the water resources of the Occupied Territories, because 25% of Israel's total water consumption originates east of the 1949 Armistice 'Green' Line. The water allocation available for Palestinian agriculture is frozen at 90-100 million cubic metres annually until the year 2010. The amount of water available to Jewish settlers, on the other hand, is planned to increase by more than 100% during the 1980s. By 1990 the amount of water available for 30 agricultural settlements will be only one third less than that available for 400 Palestinian villages. In 1982 Arab per capita domestic consumption was estimated at 35 cubic metres yearly in towns and 15 cubic metres in villages. By 2010 these will gradually increase to 60 and 35 cubic metres respectively. The assumed level of Jewish consumption is 90 cubic metres.

Overall, in the West Bank, including both agricultural and domestic use, a Jewish settler enjoys approximately nine times as much water as a Palestinian. In the Gaza Strip the disparity of treatment is even greater. A combined agricultural and domestic consumption for the average Israeli settler is something between 14-28,000 cubic metres, while for the average Gazan it is 200 cubic metres.<sup>125</sup>

**5. Palestinian agriculture**: In addition to the disadvantages of land seizure and water restrictions, the authorities have also arranged for Israeli subsidized agricultural produce to be freely marketed in the Occupied Territories, without any comparable reciprocal arrangement for Palestinian produce. Agriculture has always been, and remains, the most important part of the Palestinian economy. Until the early 1980s productivity steadily increased in spite of the loss of manpower, as labourers found they could earn more as casual labourers. This increase was the result of improved

cultivation techniques, agricultural technology and mechanization. The value of the West Bank's produce reached a peak in 1982 of \$320 million but from 1983 started to decline. In part this is due to poor weather conditions, particularly in 1984, but it is also a result of the recession in agriculture in Israel. Whilst Israeli farmers are cushioned against recession by substantial subsidies, no similar arrangement exists for Palestinian farmers.

In Gaza the single most important product is citrus fruit. Until 1980 it accounted for 50% of the value of agricultural output, and 70% of Gaza's exports in the mid-1970s. This high output was the result of major planting prior to 1967. In the late 1970s citrus yields began to decline below 1967 levels. This was the result of Israeli restrictions on citriculture. It was forbidden to plant new trees or to replace barren ones. In 1984 a new order made it possible to plant fruit trees only with a permit. Permits, however, have proved extremely difficult to obtain, on occasions taking five years or more. There is even greater concern over the problem of marketing. Before 1967 Gaza sold produce to Western Europe, but Israel stopped this competition with its own market in 1967. Gaza continued exporting to several Eastern European countries and in the mid-1970s to Iran but both these outlets have dried up. A small amount of trade with Eastern Europe continues on a barter basis. Gaza is left depending on export to a declining market in Jordan and the Arab world, facing high transport costs, spoilage, and substantial loss through fraud in Amman. Because of the agricultural recession and the unauthorized marketing of Palestinian produce in Israel, the authorities introduced strict production quotas from 1984 for Palestinian farmers according to seasonal supply and demand forecasts.

**6. Palestinian industry**: The Occupied Territories have never had a large industrial sector, but since 1967 it has been shrinking. Today it accounts for only 7% of the West Bank's GDP,<sup>126</sup> and only 10% in Gaza.<sup>127</sup> Most Palestinian industry existed in the region lost in 1948.

The size of most ventures is pitifully small. In the West Bank the average industrial plant employs four people,<sup>128</sup> in Gaza over 90% of plants employ under eight persons.<sup>129</sup> What growth there has been since 1967 has been in the number of small enterprises, not in terms of infrastructure to produce a more sophisticated range of artefacts. The bulk of turnover is from processing agricultural products, olive oil, soap, fruit, tobacco, liquid margarine, etc. Another large sector of domestic industry includes furniture production, textiles, leather and the provision of building materials for Israeli construction firms. To a great extent Palestinian industry depends on Israeli custom and is subject to it.

Palestinian industrial endeavour is unable to compete with Israeli products as many Israeli products are subsidized, and the government places obstacles in the way of any Arab product likely to compete with them in the market place. This is particularly true of agricultural produce (both inside Israel's area of control and outside it in foreign markets), but is true in other spheres. The clearest example is that of the quota system applied to Palestinian agricultural products so that they will not compete with Israeli produce. In the case of citrus fruit, the prohibition to plant new trees has left Palestinian growers with trees that bear diminishing sized fruits which are harder to market, particularly since all Palestinian produce exported through Israel is subjected to Israeli standards. In order to sidestep this problem Gaza citrus producers wished to establish a canning plant but were unable to obtain a permit to do so. It should be noted that Palestinian producers face constraints and obstacles of similar dimensions in Jordan. Another obvious constraint has been Israel's refusal to allow Palestinian credit facilities, except small scale ones that offer no challenge to the Israeli banks established in the Occupied Territories. These Israeli banks offer loans (in instable Israeli currency) subject to the approval of the Military government, subject to Israeli law (in spite of taking place outside the confines of the Israeli State) and subject to protracted procedures before the loan is granted. All in all, in the words of Meron Benvenisti,

'Under the conditions of the 1980s, foreign trade of the West Bank is squeezed between the Israeli hammer and the Jordanian anvil. The terms of trade which they dictate not only fail to encourage growth and consolidation of an independent Palestinian economic sector, they also perpetuate its dependence and backwardness.'<sup>130</sup>

**7. Workers for Greater Israel**: Over one third of the Palestinian labour force of about 230,000 work in Israel, whilst several thousand work on Israeli settlements in the territories themselves.

This policy, commenced in 1968, has both political and economic advantages for Israel. It increases Palestinian dependency on Israel, and it provides the Israeli economy with a cheap and captive labour force. Israel tries to control the number of Palestinian workers entering Israel each day, but less than half the 90,000 workers who cross the Green Line daily are registered through the government Employment Service. Many workers are easily exploited by unscrupulous employers, and none of them (with the exception of East Jerusalem workers) are eligible for membership of the Histadrut, the Israeli trade union organization, and thus have no institution to represent their interest. On average Palestinians expect to receive about half – sometimes more, sometimes less – than an Israeli counterpart would expect.

It is illegal for workers from the Occupied Territories to sleep overnight inside Israel. However, because of the long work and travel hours involved, many workers do stay overnight, usually in insanitary sleeping conditions. They run the risk of being caught and fined. Even during the time they are legally allowed to be inside Israel (from 4 am to 1 pm daily) workers are reportedly searched, arrested or harassed on average twice a week.<sup>131</sup>

Because they are cheap, Arabs are unlikely to be displaced by Jewish workers, even in times of unemployment. They will work for less, and employers put profit margins before community solidarity. About half of the Palestinian labour force works in construction, while the remainder work on agricultural settlements, or do menial services like washing up in restaurants.

Skilled and qualified Palestinians have even greater problems finding employment. Probably over half of those employed have had to find work outside their professions (usually in unskilled work), whilst many others remain unemployed. Many are tempted to seek employment outside the territories, reducing the educated leadership of the community. In the heyday of Gulf expansion in the 1970s perhaps as many as one third of the Occupied Territories labour force found employment elsewhere in the Arab world. All these migrant workers had to return to the territories at least once every three years, or Israel would declare their right to return forfeit. In 1983 this escape route started to close, and by 1985 more workers were returning to the territories jobless, than leaving to work in the Gulf. This has immediate implications for the large number of families dependent on remittances from the Gulf, and for the longer term demographic and social stability of the territories.

**8. Israel's control and finance:** Two important reports on the West Bank and the Gaza Strip<sup>132</sup> show that Israel's occupation of the West Bank and the Gaza Strip has been a profitable venture. The military government is largely funded by taxation and levies, including the income tax of Palestinians employed in Israel. By the early 1980s both in the West Bank and the Gaza Strip it enjoyed a surplus, making the occupation of net benefit to Israel to the order of at least \$40 million annually, possibly amounting to \$700 million over 19 years for the West Bank alone.<sup>133</sup> A similar level of annual net transfer is estimated for Gaza.<sup>134</sup>

**9. Health conditions:** Health care in the Occupied Territories is rudimentary. Most health facilities are located in towns while 70% of the population is rural. There is no tertiary health facility. Although the combined population of the West Bank and Gaza is equivalent to one third of the Israeli population, it has one fifth of the number of hospitals, and one tenth the number of hospital beds. In the West Bank and Gaza there are only six doctors per 10,000 people, compared with 29 per 10,000 in Israel. It is not as if there were insufficient qualified personnel, for in 1986 there were 200 unemployed doctors in the West Bank and 120 in Gaza. It is the result of inadequate financing, and the fact that the health service is controlled by an authority which does not have the wellbeing of the subject population as its priority. Although there is no formal reason why per capita health expenditure in the Occupied Territories and inside Israel itself should be of the same order, the discrepancy (given the progressive economic integration of the two zones) is striking: per capita health expenditure in the West Bank is only 8% of that inside Israel.<sup>135</sup> In such circumstances it is not surprising that 27% of patients examined by a voluntary network of mobile clinics were being physically examined for the first time in their lives (even though some had been attending government or UNRWA clinics).<sup>136</sup>

The infant mortality rate (IMR) among the refugee population is about 36 per thousand in the West Bank, far better than the non-refugee Palestinian IMR (official Israeli statistics use a working

estimate of 70:1000), an indication that government services are considerably inferior to those of UNRWA. The IMR for female babies is significantly higher than among male babies, reflecting more longstanding social problems for Palestinian society than solely the inadequacy of health services.

Palestinians suffer acute overcrowding and poor sanitation, and consequently a high rate of gastroenteric, respiratory and infectious diseases.<sup>137</sup> The Occupied Territories combine rich and poor country health problems, with a substantially increasing rate of heart disease since 1967, the product of stifling psychological as well as physical circumstances in which Palestinians now live.

**10. Education:** The most notable features of education in the Occupied Territories are its irrelevance to the situation in which Palestinians find themselves, and the inability of Palestinians to change it.

Israel inherited responsibility for two different curricula in 1967, Egyptian in Gaza and Jordanian in the West Bank, which it has continued to administer. There are three educational systems in operation – government, UNRWA and private – accounting in the West Bank for 77%, 14% and 9% respectively of pupil enrolment, and in Gaza, for 43%, 54% (reflecting Gaza's overwhelming refugee character) and 3%. It is only in the private system, available mainly to wealthier families, that Palestinians have any control at all over the education their children get.

The attempt to educate Palestinians formally suffers major constraints. As time passes, the relevance of Jordanian and Egyptian curricula diminishes. Furthermore, on account of the economic pressure to find work as quickly as possible, traditional pressures on some girls to stay at home (or go out to work), and the lack of prospects for the educated, there is a 50% drop-out rate in the compulsory cycle up to the age of 14,<sup>138</sup> and only one third complete the secondary cycle.

No education system can ignore the political context in which it operates, nor the political ideas expressed by young people approaching maturity. Inevitably, therefore, educational institutions are flashpoints of conflict with the authorities. For demonstrating or stone throwing, students are sometimes subject to brutal treatment, and their parents to heavy fines. Expulsion from school, or banishment to attend school in a distant place on account of a nationalist misdemeanour is a well known form of official punishment.<sup>139</sup> It is, however, at university level that most conflict between Palestinian aspirations and Israeli control takes place.<sup>140</sup> There are eight colleges and universities in the West Bank and Gaza, of which the most important both academically and nationally is Bir Zeit. (The other two leading universities are Bethlehem (Vatican funded) and al Najah, in Nablus: an Islamic University was established in Gaza in 1978 mainly with Saudi money.) All these private institutions have been subject to official harassment, and most of them to frequent closure. Bir Zeit has been closed by the authorities usually for two months every two years since the 1970s. Under such conditions it is immensely difficult to maintain academic standards.

In addition to the difficulties faced by the institutions themselves, individual students experience repeated harassment, violence and on occasions death at the hand of the security forces. (For example, one student was shot dead by troops storming Bir Zeit campus on 21 November 1984, and two were shot dead during a demonstration on 4 December 1986, followed by two schoolchildren who were shot dead during the next three days.)

**11. Coercion, violence and punishment<sup>141</sup>:** Inevitably Israel can only enforce its system of government in the Occupied Territories by methods of coercion and punishment. Ever since 1967 Israel has used violent and coercive means to enforce its will, sometimes in the face of Palestinian violence, but frequently not. Curfews and closures are a semi-permanent feature of life, with some villages falling under 12 or 20 hour curfew for weeks on end. However, they are used not to contain a security threat but as collective punishment after the event.

Control on the streets is exerted by roadblocks, patrols and finally by the use of the gun. Many shootings have occurred during demonstrations, even though it is strictly forbidden to open fire to disperse demonstrations and also to fire on children. Armed settlers have often been able to use violence with impunity, and the authorities have turned a blind eye.<sup>142</sup> In 1982, troops and settlers shot dead 35 Palestinian civilians including children.



In 1985 the authorities intensified repression to a level not seen since the first years of occupation, including the demolition of homes of those *suspected* of security offences, *prior* to being charged or tried. Quite apart from the assumption of guilt before trial, the demolitions punish the other family members, young and old, male and female, as much as the suspect. In 1985-86 a total of 73 homes, housing more than 440 inhabitants, have been demolished, or wholly or partially sealed.<sup>143</sup>

The authorities also revived administrative detention in 1985 after a five year lapse,<sup>144</sup> under which the authorities can detain suspects indefinitely without trial. It may also hold people under house or town arrest for an indefinite period.<sup>145</sup> These measures are used in particular to isolate and render impotent those who, in the view of the authorities, are a focus for nationalist sentiment. Those it imprisons are subject to maltreatment and torture, as reported by many internationally respected organizations. As a final sanction, Israel deports those it does not want, contravening Article 49 of the 1949 (IVth) Geneva Convention. It has done this to elected mayors as well as to convicted terrorists. Within the twelve months commencing August 1985 Israel deported 35 Palestinians.<sup>146</sup>

Finally, there is the question of the reunification of families separated between the Occupied Territories and elsewhere. Israel is reluctant to allow spouses and children into the territories since this increases the number of Palestinians. Nevertheless, in the early 1980s, an average of 900 to 1200 permits per year were issued. In 1985 the authorities drastically reduced the number to 300. In 1986 there were an estimated 10,000 applicants awaiting a permit.<sup>147</sup>

## THE PALESTINIAN RESPONSE TO OCCUPATION

If the PLO outside has felt embattled both by foes and ambivalent allies, the Palestinian people under occupation have felt the shackles of circumstance even more keenly. The failure of the PLO to achieve their liberation, and the remorseless encroachment of the Israelis demands stoicism. In so many respects options seem fewer than those of Palestinians living on Arab-controlled soil. But this feeling has been largely illusory. As the years slipped by, the mood of the Occupied Territories moved from hope of an early settlement, into depression as it was slowly recognized that their existence on Palestinian soil was the most important factor in the whole national struggle.

A process of political maturity has been taking place since 1967. At first people were stunned, and followed the lead of the pro-Jordanian civil establishment in shunning the efforts of Fatah to build a local resistance movement. West Bankers had already been cowed by 19 years of Jordanian secret police repression. Israel encouraged acquiescence by summary deportation of those most openly opposed to it. Gazans resisted the occupation for four years, mainly under the leadership of the PFLP, until defeated in 1971-2.

Hopes both in the West Bank and in Gaza for an early political solution died with the collapse of the peace efforts of US Secretary of State Rogers in 1971, and by King Husain's destruction of the PLO infrastructure in Jordan, 1970-71. However, it was on the removal of such illusions that Palestinian political maturity has been built. Following the events of 1970-71, the Palestinians of the Occupied Territories turned away *en masse* from the Jordanian option, to support the PLO. They have never seriously wavered since then. In 1974 mass demonstrations of support took place in the territories in support of the Rabat decision to recognize the PLO as sole legitimate representative of the Palestinians. In the 1976 municipal elections in the West Bank the *ancien régime* of pro-Jordanian mayors and municipal councils were swept away almost in their entirety, as a new breed of younger nationalists took their place. In Gaza the Israeli-appointed mayor, a veteran ally of Jordan, started to support the PLO.

However, the optimism of 1976 was soon replaced by the sober realities of the 1977 Likud government which explicitly worked for the total integration of the territories into Israel's economy, and by the Sadat initiative a few months later. Both in Gaza and the West Bank the attempted introduction of self-governing institutions following Camp David met with opposition among civic and other leaders. A new National Guidance Committee was formed to strengthen resolve against the Civil Administration, but it was not

long before Israel moved against it. Some, like Mayors Milhem (Halhoul) and Qawasmeh (Hebron) were deported (May 1980), whilst others were placed under town or house arrest. In late 1981 the NGC was declared illegal and surviving members were dismissed from office for refusing to co-operate with the Civil Administration, or were placed under house arrest. Although the life of the NGC was short-lived, the population under occupation responded to the 'steadfastness' of the leadership, even after it was removed. When Israel sponsored its quisling system of Village Leagues in 1980<sup>148</sup> to by-pass the nationalist leadership, almost everyone shunned it.

The political perspective of the territories changed as a result of Israeli efforts to impose Civil Administration. As local leaders were removed from office, and as Israel attempted to destroy the PLO in Beirut in 1982, the resistance increasingly became a popular movement rather than something led from above.

This shift in gravity has important implications not only for Israel but also for the other contestants including the PLO, which can count on popular loyalty but cannot interpret this as unquestioning obedience. As this mass movement gathers weight, the PLO will have to listen carefully. For it is clear that living still in Palestine, confronting the Israelis daily, the people of the territories speak with an unassailable authority. They, if any, are the ones who will speak face to face with the Israelis, and their position now authenticates the PLO far more than any other PLO constituency. That can surely be only for the good of all parties.

Outside the region it is easy to see this mass movement's clearest and most dangerous enemy as being the occupier. Inside Palestine, however, there is also great concern that Jordan will conspire with Israel to perpetuate Palestinian impotence. During the PLO-Jordanian accord of 1985 not only was there little expectation of it succeeding, but genuine fear lest the PLO allow a formula that gave Jordan actual sovereignty over them. In spite of some Palestinians who would benefit from the restoration of Hashemite control, the majority believe they would be trading one occupier for another, with the danger that it would seem to the outside world that the Palestine problem was being solved.<sup>149</sup>

Since the collapse of the accord the nature of Jordan's interest has become far clearer. Palestinians, trying to travel to Amman have experienced harassment. Many have experienced problems over renewal of travel or other documents. These measures are seen as punishment, and inducement to some to act as informers for Jordanian intelligence. For the older generation it is reminiscent of the bullying relationship Amman had with the West Bank before 1967.

Recent announcements by Jordan of taking steps, with United States' financial help, to improve the 'quality of life' with a proposed budget of \$1.2 billion for a five year period have been met with the deepest suspicion. The phrase itself, coined by US Secretary of State George Schultz, is ripe with implications of intensified dependency on outside patronage. There is the profoundest apprehension concerning announcements of the opening of a branch of the Amman-Cairo Bank in Nablus under a joint Israeli-Jordanian agreement. It is seen by many as an instrument of credit to empower the friends of Jordan, and to deny credit to Palestinian nationalists. Most Palestinians take no pleasure in the Israeli-Jordanian agreement on the appointment in October 1986 of mayors for Hebron, Ramallah and El Bireh. Many will view it as further evidence of an Israeli-Jordanian collaboration to impose political and economic 'pacifiers' on the territories.<sup>150</sup>

The Arab purchase of Palestinian loyalty is not a new experience. From 1978 onwards Arab 'steadfastness' money was channelled through a Joint Jordanian-PLO Committee in Amman. Applicants for funds were screened by Jordanian intelligence, attempts were deliberately made – apparently with PLO connivance – to undermine leftist groups, like some of the trade unions.<sup>151</sup> Joint Committee money has had a divisive effect, as even the right-wing of the PLO has begun to recognize.<sup>152</sup>

Palestinians also face the constraints implicit in the way in which Western countries seek to pursue their diplomacy. Thus, while Palestinians welcomed Prime Minister Thatcher's call for municipal elections in May 1986, they were dismayed that she should also call for an alternative leadership to that of the PLO. She is not alone in this desire to create a 'moderate' Palestinian leadership, although it is important to bear in mind that the term 'moderate' defines the outlook of the user rather than the subject of the term. It

is seen by Palestinians as dovetailing into the Israel-Jordan axis. As they argue, when a Begin or Shamir with a terrorist record becomes Prime Minister of Israel, no one for a moment supposes that the Palestinians can insist on negotiating with a 'moderate' Israeli instead. Indeed, it would be an absurd and undemocratic position to adopt. Palestinians must deal with whomsoever Israel chooses as its leader. Pressure to make Palestinians choose an 'acceptable' leadership to replace the PLO is undemocratic, mischievous and in the long run short-sighted. The greater the pressures on the Palestinians to abandon the PLO the more likely they are to affirm its leadership.

There is likewise encouragement, by some diplomats, for Palestinians to 'take a chance', on the ground that if they do not they risk losing even what they have left. This implies that they should either settle for autonomy, or for recognizing Israel's legitimacy. Even if there were anything on offer, Palestinians believe that recognition of Israel's legitimacy (as opposed to its *de facto* existence) before negotiation, destroys the opening negotiating position of their own claim to a State in Palestine. What possible reason could Israel have to negotiate once its own legitimacy, within *undefined* borders, was already assured? *De jure* recognition, Palestinians argue, can only be reciprocal, and only possible once the Palestinian claim to a State is addressed.

However, there is nothing on offer. Indeed, whilst diplomatic efforts still persist despite their declining credibility, there is a growing acceptance in the territories that there is no foreseeable end to the occupation because neither Likud nor Labour, nor yet the United States, has any intention of allowing self-determination.

One of the more serious symptoms of the extremity of the situation has been the random attacks on Israeli soldiers and settlers. These are not the work of guerrilla groups as hitherto. They are the work of individuals filled with despair and hate. After 19 years of occupation, the new generation is more willing to use violence than its predecessor.

For the vast majority, however, the prospect of occupation for their lifetime presents an enormous challenge. They can choose to quit, or they can choose to stay. If they do stay they must create strategies for hanging on to their self-respect in humiliating circumstances.

How is that to be done? The state of mind required is well described by one practitioner:

'Long before Arab politicians defined *sumud* (steadfastness) as a pan-Arab objective it had been practised by every man, woman and child here struggling on his or her own to learn to cope with, and resist, the pressures of living as a member of a conquered people. *Sumud* is watching your home turned into a prison. You, *samid*, choose to stay in that prison because it is your home, and because you fear if you leave, your jailer will not allow you to return. Living like this, you must constantly resist the twin temptations of either acquiescing in the jailer's plan in numb despair, or becoming crazed by consuming hatred for your jailer and yourself, the prisoner. It is from this personal basis that *sumud*, for us, in contrast with the politicians outside, is developing from an all-encompassing form of life into a form of resistance that unites the Palestinians living under Israeli occupation.'<sup>153</sup>

Since there is no process of political empowerment in prospect, Palestinians are forced to think of other means whereby they can achieve small areas of control over their own lives. Self-reliance, rather than dependency – be it on friend or foe – must be the objective of the community's efforts in development. It may be that the areas of possibility are strictly limited, but a community trapped between the oppression of a military occupation which seizes and settles much of the land and the vitality-sapping bounty of friends must strive above all things for self-respect, itself a thoroughly worthwhile objective.

Until the mid-1980s, Palestinians saw the economic challenge as one of survival until the occupation ended. The consequence has been damaging. Quite apart from the obvious handicaps of Israeli economic activity, the Palestinians have to face the consequences of the help they have received from family and friends abroad. The greater proportion of family remittances has been invested in unproductive areas of personal consumption, the construction of a new family home, or some other area that generates neither productivity nor wealth. Little by little many families under occupation have grown to rely on and expect these remittances.

One of the most damaging features of external assistance has been the way in which it has unconsciously shifted people's sense of priority away from the quality of human resources to the quantity of

financial ones. Schools, universities, hospitals and charitable societies have developed programmes that rely on regular remittances from outside. Those that have planned within the constraints of what they can genuinely rely on or can control are exceptional, as are those which have had a lower key contingency plan for continued operation when external sources cease to flow. Today at least one university, Bir Zeit, has faced the danger of insolvency as external donations have fallen away, and has had the damaging ordeal of a long strike by faculty. Other institutions face similar straits. Do they need another generous handout to rescue them, or do they need to scale down to the means and willingness of the local community?

This is an extremely painful debate, not least because similar recipient institutions in other countries can reasonably count on governmental grants derived from mandatory taxation for their funding. This option does not exist in the territories.

This issue has now become the focus of serious discussion among voluntary agencies working in the area.<sup>154</sup> The dilemma and difficulties are well exemplified in the case of Zbeidat, an extremely poor village in the north Jordan valley. With financial grants from voluntary agencies and from the East Bank, drip irrigation was introduced to improve productivity. For a while all seemed to go well, productivity improved by several hundred per cent, and as material conditions improved enthusiastic agencies helped with the costs of other facilities to improve the quality of life. The signs of cash surplus in the village began to express themselves in improvements to the shacks villagers live in, and the appearance of electrical goods. Problems, however, were not far away.

'Nothing was more important to the economic health of Zbeidat than a reliable water supply. The primary income generator for the village was their superb vegetable harvest, which depended totally on irrigation. In September of 1984 the village pump broke down just before the beginning of the new planting season. The people could not or would not find the resources within the village to replace the pump. Dependency had paralyzed them.'<sup>155</sup>

A new pump was provided by other agencies. The story may well be repeated when the replacement pump finally breaks down.

The conclusion some would draw is that Zbeidat farmers should have taken loans on normal terms rather than grants, since this would have left them responsible for the consequences and therefore willing to take the risks and commitment essential to success. In this context the notion of 'entrepreneurship' does not mean simply free enterprise, but the willingness and ability of groups of people, village co-operatives or whatever, to take the calculated risks necessary for any successful economic venture. In this case had the villagers themselves taken the risk, they would have had faith in the venture they were undertaking, would have remained in control from the outset, responsible for the money they borrowed, and thus with incentive to ensure it could be repaid.<sup>156</sup> (It has also, in retrospect, been recognized that if the agencies had not introduced drip irrigation it would not have been long before landlords introduced it for their tenant farmers on an entrepreneurial basis, themselves.)

Unfortunately research into the case of Zbeidat revealed other problems.<sup>157</sup> In the same year of the pump crisis, the villagers experienced the worst season in living memory. The harvest had been extremely poor for climatic reasons, but more importantly the farmers had had a disastrous time marketing their produce both in the Israeli and Jordanian markets. The upshot was a return to peasant indebtedness on an unprecedented scale.

The crisis revealed that the question of disempowerment is neither solely the product of military occupation, nor solely the failure of entrepreneurship (in its broadest sense). The majority of farmers are sharecroppers, normally giving 50% of their produce to their landlord. In most cases the landlord is also the commission agent who purchases produce wholesale, auctions it in the local market, and may box it and transport it, to Amman for example, an operation which requires friendly relations with Amman and the ability to complete the necessary paperwork. Most commission agents are also the main dealers in seeds, fertilizers and equipment. It is not easy to refuse to purchase from a man who happens to be landlord and, or, commission agent with the power to dictate sale price and markets for produce. 26% of all farmers in the Jordan valley rely on one Nablus merchant family as commission agent. This family controls most of the transport facility to Amman and enjoys cordial relations with the Hashemite monarchy.

Palestinian peasant farmers face problems similar to those in other parts of the Third World. Development requires social transformation and land tenure transformation, and these mesh with political empowerment. In the Palestinian context both Israel and Jordan find the landlord class useful as a means of control.

West of the Jordan valley lie the central uplands, with their comparatively more prosperous dry upland farms. Traditionally this area has grown wheat, olives and grapes. Traditionally the community was a subsistence one, only eating fresh produce in season, relying on barter and local manufacture. Ever since the development of the coastal ports and coastal region there has been an increasing pattern of seasonal work in the highlands combined with casual labour in the coastal region. This habit was broken in 1948 but increased to unprecedented proportions from the early 1970s, when soaring prices started to transform the rural economy, and its work force. Increasingly farmers have abandoned wheat production to grow olives, which require little regular attention, so that they can also labour in the Israeli sector. Some have actually allowed their land to go out of production because farming pays less than can be earned labouring in the Israeli sector. How, under such circumstances, can the community remain on the land? Some argue that farmers must be persuaded to work towards the self-reliance of a subsistence economy. As in the Jordan valley, in order to make this at all attractive, landholding patterns need to be changed, something that cannot be done under Israeli occupation.

Those who argue along such lines believe that the basis of regeneration must lie in social change rather than economic development. Indeed, they accuse not only the Israeli economy but also the UN and voluntary agencies of reinforcing a capital-based economy in which the small farmers, the majority, lose whatever control they once had. The advocates of social change point out that the entrepreneurial spirit quickly leads to the pursuit of personal prosperity at the expense of the community as a whole (a view challenged by its advocates, who stress the need is for community rather than individual entrepreneurial activity). They call for grass-roots action to preserve the environment and to develop it as the local community collectively thinks best, and they want to break the old mentality of individual or family interest, and replace it with a new vision of co-operation. According to this thinking, outside agencies should offer no money, except for research into understanding the environment and giving the expert or technical advice that the community may require. At its extreme it advocates a return to the simplicity of a subsistence economy. It is not easy to see this realistically taking place.

Many agricultural experts would argue that Palestinian farmers must strive to achieve greater freedom by diversification, in production, in cash sources, and wherever possible in markets. Perhaps most important of all, their future well-being depends on their ability to unite in co-operative purchase and marketing of goods which will break the hold of the middleman. Such measures are not easy, since they are bound to be opposed by those who will lose by them, but they are probably essential to any significant improvement in poor farmer status.

How can external agencies act without the damaging consequences already seen? One must accept that most lessons are learnt from mistakes. The hardest lesson of all has been that however (well or badly) a local group may manage its affairs, it is truly fatal for an external agency merely to substitute its own supposed skills. The temptation can be great, but ultimately only the projects where the local community takes power and responsibility for its own fate can have any chance of long-term value. Against Zbeidat, too, there are examples where the combination of a capital input from outside and of local collective management and labour can prove highly successful. The key question is where the initiative lies.

There is a more obvious need for external help in the social sphere, where services rather than wealth are the end product. Ironically, it is here that the growth of new forms of self-reliance are most clearly evident. Since the mid-1970s a number of local organizations have emerged. These are quite distinct from the traditional pattern of charitable societies, which have required official registration, have been urban-based, and run by an urban middle class hierarchy.

Perhaps the most important of these committees are those run by and for women.<sup>158</sup> The importance of women in the national struggle scarcely requires elaboration, for they carry the burden of nurturing the next generation, and remaining in their villages and refugee camps they have the opportunity whilst their husbands

engage in day labour in Israel to forge new structures as occupation destroys the old social infrastructure. Three of these, reflecting the political outlook of the PFLP, DFLP and CP, are highly similar in their basic philosophy to empower women where they happen to be. In part these constitute a challenge to the PLO, and particularly to Fatah. They also constitute a challenge to Israel as they work to foster local and largely autonomous committees in village, factory or refugee camp. Their activities are designed to enable women to play a fuller part in the community, through literacy programmes, vocational training, economic and cultural activities. One of their most important areas of activity is in kindergarten work. While this was originally conceived as a way to free women to earn a living, it obviously has an immense importance of its own. A fourth group, imitative but less effective than the other three relates its identity to Fatah. This weakness reflects Fatah's lack of ideology beyond the 'Return', and its longstanding avoidance of feminist issues, a stark contrast with the other three parties which hold strong convictions about the kind of Palestinian society they deem to be desirable. Nothing is more damaging to these women's committees than the intense rivalry and hostility which exists between them. This assumed serious proportions after the PLO split of 1983, but stems more profoundly from their motivation, which has been primarily political rather than developmental. However understandable the conflict of ideology may be (and it is sometimes a cover for other loyalty conflicts), a national movement of this kind can scarcely afford these rivalries.

There has been growing concern among Palestinians about the educational situation in the West Bank. In the opinion of two prominent local educationists 'Not only has the quality of school teaching deteriorated drastically since the June War of 1967, but it has become evident that education in the West Bank, in general, is becoming more dissociated from employment opportunities and irrelevant to the present needs and future aspirations of the society.'<sup>159</sup> The occupying authority administers, but does not plan and does not wish Palestinians to do so. Universities are prevented from upgrading the quality of education in government schools, and consequently any initiatives to create new models of school education must take place in private schools. As innovators themselves recognize, private schools are hardly the best place to start. However, all around them are seemingly insuperable barriers. Whoever controls politics and the economy, controls education, and whoever controls education controls development. Palestinian educators plan in relative impotence with no prospect either of educational or political emancipation. All they can hope for is that they can develop a model of excellence which one day affects what happens in public education.

Outside the formal education structure, however, considerable challenges exist for universities in making themselves relevant to the development needs of the community. These challenges demand extra-mural work, as for example in Bir Zeit's community health programme, close liaison and dialogue with all those concerned with developing the community, both inside and outside the university system. The greatest challenge for the universities is to persuade the community, and particularly the university student intake, that formal degree courses must be relevant to community needs, or radically altered to become so. It is commonsense that the community needs relevant intellectual leadership able to play a practical role in economic and community development. It likewise makes no sense at all for the universities to produce degree holders whose skills are so irrelevant that they must either find employment outside their speciality or emigrate. A number of small research centres have begun to look at these kinds of problems and to seek the most fruitful avenues of pursuit.

Far more evident progress with such problems has been achieved in the field of health. There has been a dramatic expansion of voluntary work seeking to supplement the inadequate existing services with one specifically targetted at serving the poorer rural community and, if one includes the refugee camps, a similar percentage in Gaza. Starting in 1979, 150 volunteer qualified personnel were involved by 1983, and by 1985 this had increased to 600, treating 40,000 patients in 235 mobile clinics and 163 localities.<sup>160</sup> Like the women's movement, the new health movement is based on regional committees which work closely with the community on agreed priorities and objectives. Unlike the women's committees, however, it has deliberately recruited personnel regardless of their political loyalties, a decision which produces its own internal stress. Beyond its own intrinsic value, this

network is enabling the Palestinian community to take charge of its health needs, and to choose its own priorities, rather than accepting those of the Civil Administration.

In an atmosphere where many well-wishers throw money at any project in the Occupied Territories these committees are exceptional in accepting minimal funding from outside the local community.

However, for every effort at empowerment there are others which reinforce dependency. In 1985 US AID budgeted \$6 million (apart from the aid it may channel through Israel and Jordan) for use through American voluntary agencies to improve the quality of life in the Occupied Territories. Release of US funds is subject to approval by the military government despite its clearly inimicable intentions, and despite the clearest Israeli statements:

'There will be no development initiated by the Israel government, and no permits will be given for expanding agriculture or industry, which may compete with the State of Israel.'<sup>161</sup>

No empowerment of Palestinians is in Israel's perceived interest. Consequently these funds are directed towards social improvements, ones which tend to increase dependency, or reward those groups which eschew national solidarity. The difficulties these American voluntary agencies face is whether to resist the enticement of handling large sums of money, which confer enormous powers of patronage and distort local expectations, or whether to work more modestly, uncompromised by the political intentions of the US and Israeli governments.

In November 1986 the European Community has announced that it will accord the Palestinians of the Occupied Territories the same favourable trade conditions enjoyed by Israel and Jordan. This is most welcome, since access to European markets is a vital enabling process for the marketing, and therefore production, of agricultural products. But it needs to be borne in mind that Israel will not tolerate any competition.<sup>162</sup> If, therefore, the European Community really wishes to provide access, it must also monitor Israeli and Jordanian interference with this intended access, and apply the same access to European markets for these two countries which they allow the Palestinians sandwiched between them.

## PALESTINIANS IN THE ARAB WORLD

Although Palestinians found refuge or employment in every Arab country after 1948, their relationship with these countries has always been ambiguous. This ambiguity stems from the large numbers in some countries, the generally higher standard of education of Palestinians which threatened prospects for local people, and most importantly the far higher level of political awareness of the Palestinians. No Arab government welcomes potential political dissidents.

In some respects the Palestinians found a safe haven. However, in Lebanon Palestinians, who represented 10% of the total population, faced a far more hostile climate, and were treated legally as foreigners, frequently suffering popular hostility or disdain, as they tried to find a living and a place to live. From 1968, for about five years they enjoyed popularity with the Shi'ite community, but this did not outlive Israeli reprisal raids on Shi'ite villages, and in any case, popularity with Shi'ites was offset by growing hostility in the Maronite community during the same period. From the very first days Palestinians found work permits, social security rights and free movement severely curtailed. In 1969 the PLO-Lebanese (Cairo) Agreement achieved some of these things, but following the Israeli invasion of Lebanon in 1982 the government once again restricted certain areas of activities to Lebanese only, confining foreigners to menial jobs. As a result of these restrictions most Palestinians have worked in the black market, at wages below those officially sanctioned. During the years of PLO ascendancy in Lebanon the lives of ordinary refugees improved enormously. For twelve years they had far greater freedom for employment, living in Lebanon on equal terms with the Lebanese, and enjoying the welfare and benefits of Palestinian institutions. However, ultimately Lebanese-Palestinian relations were polarized by the power of the PLO in south Lebanon from 1968-82, and by the part it played in the Lebanese civil war (see *MRG Report No. 61*). After 1982 first the Christian Lebanese Forces, and then Shi'i Amal, took advantage of Palestinian weakness to attack Palestinian targets. With the PLO attempt to rebuild a power base in the camps of south Lebanon, the refugee population is confronted by a determined

attempt by Amal to destroy those camps lying within the areas it considers its own fiefdom: the southern suburbs of Beirut, and the environs of Tyre. It is a critical struggle. If Amal prevails, there will be a new humanitarian crisis in which many refugees will probably be killed, and up to 80,000 will be displaced. Where would they go?

For many Palestinians the Gulf States offered the chance to earn a reasonable living, and to sustain families still in Palestine or in the refugee camps surrounding it. Today there are over 500,000 Palestinians, working or living as dependents, in the Gulf (see *MRG Report No. 68 Migrant Workers in the Gulf*). Of these about half are in Kuwait. However, while Palestine's neighbours accepted refugees collectively, the Arab Gulf countries grant admission on an individual basis, contingent upon a work permit. All Gulf States are nervous about the presence of a large expatriate work force. The work permit requirement makes the Palestinian worker vulnerable to his employer, who effectively has the means of deporting him. Although throughout the Gulf this stricture is applied to all non-nationals, the effect is felt particularly acutely by Palestinians on account of their refugee and stateless situation. However, it is in the political sphere that relations between Palestinians and their Gulf hosts are most sensitive. On the one hand Kuwait and other Gulf countries have welcomed co-operation with the PLO. On the other, many Palestinians have felt bitterly critical of the way in which the Gulf States have frittered their vital assets away on irrelevant weaponry and other forms of conspicuous consumption. Above all, they resent the way the Gulf States have failed to back the Palestine cause vigorously, by sharper use of the oil weapon (before it was blunted), by the withdrawal of investments in the United States and US companies, and in other ways. Some wish to see the present regimes overthrown, a view shared by some other Arab workers in the Gulf. From about 1977 onwards, the Gulf States nervously started to watch their Palestinians more closely than before.

Of all the Arab 'host' countries, however, Jordan is most closely bound to the fate of Palestine. With over half its population of Palestinian origin, Jordan has found itself caught between immensely powerful forces which threaten eventually to destroy the Hashemite monarchy. So far King Husain has handled these crises with consummate skill. The June 1967 war was a catastrophe for the Hashemite monarchy from which it was fortunate to recover. Jordan became immensely vulnerable to Palestinian nationalism, as its civil war, 1970-71, indicates. Even though Husain successfully defeated the PLO, his right to the West Bank had been fatally called into question.

The Rabat decision of 1974 contained a real danger for Jordan, that the East Bank Palestinian majority would clamour for integration with any new Palestinian State, spelling the end of the Hashemite monarchy. Like Israel, therefore, the Jordanian State cannot really welcome the empowerment of the Palestinian people. On the other hand there lies the nightmare possibility that Israel might drive much of the West Bank population over the bridge. In these circumstances, also, the Jordanian monarchy could hardly survive. Consequently Husain shares with Israeli Labour politicians a common aim, to contain the people of the West Bank and Gaza within a framework which will satisfy some Palestinian demands but still ensure Jordanian or Israeli control. Although Israel's Labour Party would like to hand over responsibility for the Palestinians to Jordan, the latter could not accept this without PLO blessing. Even if Israel did offer Jordan sovereignty, and even if the PLO conceded this, it is doubtful whether Jordan would accept. The King knows that the West Bankers are hostile to him, and the return of the West Bank would hardly be worth the increased instability. In such circumstances the *status quo* is preferable to both Jordan and to Israel.

Yet it is the East Bank, if anywhere outside Palestine, that Palestinians have been most likely to integrate with their host community. The fact is that the general expectation, not merely among Jews but almost universally, that diaspora Palestinians would soon merge with the local population never had any prospect of fulfilment. In almost every country where there is a sizeable Palestinian community, and certainly among Arab ones, the Palestinians have formed strong formal and informal bonds of solidarity. Palestinians forty years on still prefer to fraternize with each other than with the host population. Whether this seems desirable or not, it is a powerful indication that the diaspora is unlikely to abandon its identity in the long term. Dispossession has institutionalized its sense of identity.



## FUTURE PROSPECTS

It is possible to disagree over the recent history of Palestine, and some may disagree with the version given here. Some may also dispute the present condition of the Palestinian people, either inside Palestine or beyond, although this is harder to do. The daily realities are observable to those who wish to see for themselves. Hardest of all is to disagree over the constraints and factors with which both Palestinians and Jewish Israelis must face the future.

The future prospects for the Palestinian people are exceptionally bleak. There is nowhere where adult Palestinians, within their lifetime, can realistically look forward to any substantial improvement in their situation.

In the Gulf the serious economic downturn is likely to persist, not only reducing job opportunities but more importantly stopping off traditional escape routes for those with skills currently stuck in the slums and camps of the Near East. This means greater unemployment, and therefore greater distress and tension in Jordan, the West Bank and Gaza, and in Lebanon.

In Jordan the problem is made more acute by the large Palestinian population, and by the sensitivity of Jordan to events in the West Bank. The likely short-term consequence is tighter surveillance of the camps. In the longer term the viability of the State and the future of the Hashemite monarchy must be in considerable doubt.

In Lebanon Palestinians continue to face great physical danger. This partly stems from the return of armed elements to the camps, and the determination of Syria and its ally Amal to remove this presence. In addition it is because Syria is determined to thwart the PLO challenge to its pre-eminence in Lebanese affairs. But it also stems from the deep antipathy between the Palestinians and those who believe they have suffered on account of their presence, today particularly those Shi'ites who support Amal. From October 1986 to February 1987 Amal besieged Shatila and Burj al Barajneh camps in Beirut and Rashidiyeh camp south of Tyre. Thousands of other refugees fled or were evicted from their homes in Tyre City and its other two camps, Burj al Shemali and al Bass. By the beginning of February the approximate 20,000 inhabitants of Burj al Barajneh were starving. As a result of international pressure Syria forced Amal to allow a temporary suspension of the siege. But with the arrival of 6000 Syrian troops in Beirut later in the month the future of the Palestinian camps and those who lived in them must remain deeply uncertain.

The Palestinians in these areas have nowhere else to go, and the fate of the 2.8 million diaspora Palestinians has slipped from the international agenda. In the long term, if not the short, they are bound to be the cause of friction, as their numbers grow in the countries they inhabit. There is no serious discussion of where they will go. Israel has no intention of allowing them back into Palestine. Far from making them accept their circumstances the sense of frustration will provide fertile ground for the spawning of more radical groups.

There must be particular uncertainty concerning the long-term future of the PLO. If it is unable to pursue either a military or diplomatic option, its influence may shrink, and possibly even wither. Whether or not the PLO does have a future lies primarily in the relevance the PLO is able to achieve for those under occupation. The prospect of a PLO disintegration may seem a welcome possibility to some. However, it would be mistaken to assume that a void would be left behind. New groups would fill the vacuum left by the PLO, groups with whom it would be unlikely that the West could do business, precisely because the latter refused to negotiate seriously with the PLO.

Central to the fate of the Palestinian people as a whole must be the fate of the population in Palestine. Occupation has become normality, and normality suggests no urgency. There seems to be an international acceptance of the *status quo*, an acceptance that there will be no self-determination for the Palestinians of the Occupied Territories. This acceptance, too, carries great dangers.

Indeed, the greatest failure of the European Community's Near East policy has been its failure to persuade the United States to recognize the Palestinian right to self-determination, and to accept that this rather than attempted understandings between Jordan and Israel must form the basis of any solution. It stems from a European

reluctance to upset allies and friends, particularly ones that appear intransigent. The result has been an almost irreversible decline in the chance of a peaceful solution.

This failure to establish the Palestinian right to self-determination as a basic principle beyond dispute among the Western allies, leaves it unrealistic to foresee any resolution of the conflict resulting from Western initiatives. What must still be hoped for, however, is a far more modest objective, though even this is beyond what Western countries are currently willing to do. This is the matter of observance of the law, and in particular the 1949 (Fourth) Geneva Convention. Article I of this convention states 'The High Contracting Parties undertake to respect and ensure respect for the present Convention in all circumstances.' The Commentary to Article I points out that the Convention will only have the force intended if the Contracting Parties "do everything in their power to ensure that the humanitarian principles underlying the Conventions are applied universally".

This is not the place for setting out a legal argument. Suffice it to say that since 1967 many of the Parties to the Convention have repeatedly censured Israel for breaches of this law. These censures, however, have failed almost completely in their intention to restrain Israel from transforming the status of the land and its people (in reality if not in law). In short, censure as a method has failed. The challenge to the European Community and to the United States, is whether they are now sufficiently concerned to uphold the rule of law to apply greater pressure, ostracism or sanction if need be. There is currently a stark contrast between the West's willingness to prosecute its efforts to eradicate terrorism, and its willingness to fulfil its obligations with regard to those Conventions to which it is party.

Some may consider this an extreme line of argument or even a partisan position, but impartial application of the law remains the final recourse of civilized society. In this particular context, it must be a matter for almost universal regret that a stronger line was not taken immediately following the 1967 War to persuade Israel that any breach of international law protecting the territories under occupation would incur severe deterrent penalties. If such steps had been taken, two of the principal obstacles to a peace settlement based upon the internationally recognized demarcation line, Israel's annexation of East Jerusalem, and the Jewish settlement of the territories, might not exist today. Instead of being hostage to the political right and to the realities of economic integration of occupied territory into the Israeli State, the Israeli government and electorate would today have had a freer hand to negotiate a mutually acceptable settlement.

Far from being wise after the event, these were the predictable consequences of a reluctance to insist on law observance, even if this involved high political cost. Israel correctly and understandably interpreted censure as falling short of impeding its policies. The Western betrayal is not only of the victims involved but of the very basis on which international law must be founded, the willingness of the international community to enforce international law with the same vigour individual States are willing to apply to domestic law. It is now very late (but not too late) for these principles to be applied first to stop further deterioration, and then to seek Israel's co-operation in bringing reality back in line with international law. It requires courage to fulfil the commitments to principle which the Western signatories have already made.

On the face of things the Palestinian people seem to be the losers and the Israelis the winners. In the longer run the outcome is less certain, except that the situation is bound to become more rather than less dangerous for everyone. While Palestinians have limited choice, it is less clear that they are in a position of total weakness.

Through its victory in June 1967 Israel radically changed its relationship with its neighbours, and with the Palestinian people. Until 1967 Israel and the Arab States had successfully contained Palestinian activism. The recovery of Palestine, whatever the rhetoric, was low on the Arab world agenda of priorities, and a *modus vivendi* between Israel and the Arab States, except for Israel's Sinai campaign in 1956, more or less existed. After 1967 the Arab world could no longer continue in this way, because of the lands Israel had occupied (which extended beyond Palestine), and because its political consciousness was profoundly affected by the degree of its defeat. Consequently the 1967 victory committed Israel to an unprecedented and unremitting conflict with the Arab world and with the Palestinian people in particular. There has been

little chance of a *modus vivendi* since then (except in the very first few months after the war when a dramatic gesture by Israel might have led to a settlement).

For Israel the immediate cost of its victory in 1967 can be seen in the economic consequences. It has had to spend an increasing proportion of its budget on defence, with the consequence that since 1974 per capita economic growth has almost ceased, and it now depends substantially on United States economic and military assistance.<sup>163</sup> Despite the sacrifice, Israel is far from assured that it has defeated the Arab threat. Syria is as formidable a foe as ever. Socially and politically, also, Israel's victory has slowly wrought unwelcome results. Many are now disturbed by the moral impact on the nation of keeping subject a recalcitrant population in the Occupied Territories and it has become a matter for frequent discussion in the Hebrew press. At the political level, the question of what to do with these territories has intensified polarization between left and right, threatening further damage to the fabric of the nation in the future.

Yet Israel's greatest danger lies within the territory it now controls, the inexorable growth of the total number of Palestinians it rules. By the year 2010 Jews will be outnumbered by resident Palestinian Arabs in Israel, the West Bank and the Gaza Strip. The demand for political and civil rights is bound to become more insistent, and it is extremely unlikely that the Palestinians will settle for anything short of self-determination. Although Israel can afford to disregard the claim to enfranchisement in the territories for a considerable period, the lid cannot be held down for ever. Ultimately the demand will have to be responded to.

However, no Israeli government would find it easy to solve the problem by granting independence to the West Bank and Gaza. Apart from anything else, it fears that this would trigger a strong secessionist movement among Israeli Palestinians, a fact more immediately recognized by the political right than the left. It would face a most formidable task persuading the Jewish electorate of the need to let go of the territories, and it would also have the greatest difficulty in disentangling the two economies, Jewish and Arab. The settlers have warned that any dismantling of their settlements will precipitate civil war. Such warnings have to be taken seriously.

There is a more frightening possibility, one that has spurred Jordan in its urgent search for a *modus vivendi* with Israel. This possibility is that the hard men of Israel will decide that the only solution is to drive the Arabs out, as was done in 1948. It is a possibility every Palestinian living in Palestine is acutely aware of. He knows that one day his fate may well be the same as the fate of the 1948 generation. On that occasion, however, the expulsion was carried out in the fog of war, with few international observers and no television cameras. It was also carried out in a situation where there was overwhelming international sympathy for the Jewish people. It is doubtful that Israel could create similar conditions again, even in the event of war with Jordan or Syria and the application of military censorship, since such a war would take place on the edge of greater Israel.

If, however, such an exercise were attempted, the consequences would be catastrophic. No mass expulsion could be achieved without exemplary massacre to persuade the Palestinians to abandon their homeland. It is unlikely that an Israeli government would initiate such a move, but it is likely that a determined armed group would seek to pre-empt the government and escalate events in such a way as to undermine governmental control. Events such as these would trigger major internal conflict within Israeli society between those who believed in the necessity of expulsion and those who rejected such acts. Israel might be irremediably split. One may also speculate on the effect of thousands, indeed hundreds of thousands, of Palestinians being driven across the Jordan. It is difficult to believe that the Hashemite monarchy would survive, or that Syria would not intervene to establish order in Transjordan and possibly to reincorporate the area into greater Syria. If that were to occur an internally divided Israel would face its most dangerous external enemy along all its border save in the south. In such circumstances there could be no prospect of any peace settlement. Israel and Syria would be locked into a terminal struggle.

Such speculation makes self-determination for the Palestinians of the West Bank and Gaza appear a far more attractive option, indeed an urgent option for almost everyone. Respected Israeli

academics and politicians have argued strongly for this solution, in spite of its current unpopularity.<sup>164</sup>

At the moment Labour and its allies cleave to the hope that Jordan will accept responsibility for some parts of the West Bank and Gaza, and in this Labour probably would enjoy the support of about half the Israeli electorate.<sup>165</sup> In other words, it is an electorally feasible proposition. However, it is increasingly clear that Jordan cannot accept some parts of the territories, nor yet even all of them without the support of the PLO and the Palestinian inhabitants of the Occupied Territories, and both of these are adamant that self-determination must be assured in the longer term if not immediately. It is unlikely they will retreat from this stance.

Today perhaps 5%<sup>166</sup> of Jewish Israelis would welcome a political settlement with international guarantees involving the surrender of the Occupied Territories to the Palestinian people. However, they would insist that such a settlement must be full and final, with 'no mad colonel suddenly demanding the return of Jaffa'.<sup>167</sup> But no such guarantee can be made. It is questionable whether two thirds of those who inhabit Gaza, the most densely inhabited slum in the world, would abandon their right of return, let alone those of the diaspora. It is still possible, perhaps, for an arrangement to be reached, based on an adjusted 1949 Armistice Line, but it would have to take into account not only Israeli security concerns but also whether the crowded refugee population in Gaza should have more room so as to be willing to accept a political settlement and abandon their right of return. Secondly, such a solution would have to resolve the question of the refugee camps around the Middle East, for the PLO would be unable to transact a full and final settlement that did not take the refugee population into account. Compensation is unlikely to be enough, since most refugees (except the prosperous ones) would prefer to live in Palestine than in their present and sometimes physically dangerous circumstances. This too, might necessitate a border adjustment. Finally, such a solution must allow for a Mediterranean port for a Palestinian State, presumably at Gaza, with free road access across from the West Bank.

If Israel is to be tempted to think in such terms, the PLO will itself have to make a far clearer statement than hitherto. This does not mean accepting Resolution 242 in isolation, which was relevant in 1967 but is no longer so today. Nor does it mean that the PLO need abandon its claim to all Palestine. It can make the same distinction Israelis make between the Israeli State and Eretz Israel, an agreed reciprocity of the distinction between State of Israel/State of Palestine and Land of Israel/Palestine. Furthermore, it can give force to that distinction by stating that in the event of a political settlement for the Occupied Territories (inclusive of agreed border adjustments meeting both Israeli and Palestinian needs), it would wholly renounce the use of war against that part of Palestine in which the Israeli State existed, and would accept UN supervisory forces inside a Palestinian State to ensure this. Its hope for the ultimate reintegration of all Palestine must be rooted in the democratic process inside Israel, and it would advance its standing internationally if this were made clear. It would also be desirable if it publicly confirmed that it accepted that all Jews already resident inside Israel's State border had the right to continue to live in that part of Palestine. Much of this the PLO has in a piecemeal way already said or implied, but it needs to re-state these things as an explicit package that can be less easily disregarded.

It may well be felt in Israeli circles that granting self-determination to the territories is a final fall-back position. There is no guarantee that this option will remain attractive to the Palestinians. Until 1974 the Palestinian people had resolutely rejected any partition of Palestine, both before 1948 and subsequently. Even after 1974, whilst the PLO accepted and worked for the idea of retrieving the Occupied Territories as a Palestinian State it never abandoned the hope of a united, secular and democratic State in all Palestine (in much the same way as the Republic of Ireland still looks forward to the reintegration of Ulster).

With Israel's apparent closure of any possibility of Palestinian self-determination, the PLO and those under occupation are bound to review their position. They will probably assume that there is no settlement in prospect for the foreseeable future, certainly before the end of the century. By that time the demographic change in balance between Arab and Jew in Palestine may encourage Palestinian policy thinkers to reconsider whether the West Bank

and Gaza are sufficient, or whether the moment has come to increase their demands. As time passes Israel's own Palestinian community grows both in numbers and in political awareness. The Palestinian national movement might no longer be able to ignore its demands, and therefore be unable to negotiate anything short of the destiny of all Palestine.

Such thinking may be fanciful in current circumstances, but may no longer seem so by the year 2000. At the moment Israel's Palestinian population, despite its support for Palestinian self-determination in the West Bank and Gaza, still accepts its own future to be as part of Israel. Today this population is 18% of Israel. An increasing part of northern Israel is becoming substantially Palestinian. As the head of one Jewish council in Galilee recently observed, the main objection to Israel hanging on to Judea and Samaria (the West Bank) is that it will lead to a bi-national State. In time the demographic change in Galilee could result in a similar dilemma in north Israel.<sup>168</sup> On present growth rates it can reasonably be expected that by the year 2000 Arab Israelis will be roughly 25% of the total population, and 30% soon after, since 30% of Israelis currently under 15 years of age are Arab. First they will become a majority in northern Israel, then they will begin to form large communities in Israeli cities as it becomes progressively harder to confine them to their villages.

It is a measure of the success of Israel's policies of control that the two Palestinian communities, in Israel and in the Occupied Territories, still feel separate, with different concerns and different futures. But this policy is unlikely to succeed for ever as Arab Israelis, denied a fair share in national life, look towards their Palestinian identity as the foundation for their future.

The political debate has so far centred on the fate of the Occupied Territories, but this is now virtually redundant since Israel seems set on continued control of them, and the indefinite disenfranchisement of their inhabitants. With huge optimism, one could argue that Israel may yet act urgently and energetically to slough off the Occupied Territories. Once it has done so it still faces its own Palestinian citizens inside Israel's borders, perhaps the most profound challenge of all. So far Israel has not embraced its Arabs and (unless the Arab birth rate changes) faces the possibility of a recalcitrant population that could outnumber Jews by the middle of the 21st century. That may seem far away now, but the programme of positive discrimination to draw Arabs truly into the fabric of

Israeli society on equal terms is a long process that will take at least two generations. An increasing number of leading Israelis seem aware of this problem, though they still see it primarily in economic or social terms. This view may currently be justified, but it is bound to become political if the problem is not solved soon. For example, it is unlikely that Palestinian Israelis will continue to accept the Law of Return, unless it is extended to include Palestinians now outside Palestine as well as Jews. One straw in the wind indicating the difficulties ahead is the question of 'Area 9', a 65,000 dunum area in Central Galilee. These lands, used by neighbouring Arab villages, were appropriated by the British in 1944. Of these 65,000 dunums, 12,000 were released in August 1986, and of this proportion 2500 dunums have been returned to their Arab owners. The remaining 9500 dunums of land are designated 'State' property, implying it will now more probably become available to Jews rather than Arabs. Even so, Arab Affairs Minister Ezer Weizman's action sparked off recriminations within the coalition government.<sup>169</sup>

Can popular Jewish attitudes to their current minority of Arabs change? At the root of the problem lies the understandable Jewish apprehension of living on genuinely equal terms with their Arab co-nationals. The precedents, whether one chooses the analogy of Northern Ireland or of South Africa, are not encouraging. As the Palestinian population grows, the real challenge for Jewish Israelis lies in the choice they will have to make, whether the State of Israel will be Jewish or democratic once it can no longer be both.

For the international community the challenge is also considerable. The Palestine problem stems from international interference earlier this century and the consequences must remain an international responsibility. The choice is stark. It can allow the affairs of Palestine to disintegrate, as will naturally occur, until there is civil conflict, with the danger that either the Palestinians or the Jews are finally and totally driven from the land. Or it can affirm that no peace between Jew and Palestinian is possible unless it is grounded on equality of rights and opportunities, and on a *direct* agreement between Palestinians and Jewish Israelis on how to order the political affairs of Palestine, and if this means partition, the borders that partition can now most equitably take. For this to happen there must be a shift away from inter-State diplomacy and a move towards inter-community diplomacy between the Jewish Israeli and Palestinian peoples.

## **Appendix:**

### **THE PALESTINE LIBERATION ORGANIZATION (PLO)**

The PLO is composed of different groups, all aiming at the recovery of Palestinian land and the establishment of a State, but they disagree on a number of issues of which the most important is whether or not to achieve their aim by negotiation (implying compromise, i.e. the West Bank and Gaza) or solely by armed struggle.

The **Palestine National Charter** defines basic PLO objectives, declaring the partition of 1947 illegal, calling for the liberation of all Palestine, the elimination of the Zionist presence, and the establishment of a Palestinian State.

#### **PALESTINIAN INSTITUTIONS:**

**Palestine National Council (PNC)** is the Palestine parliament, about 400 selected (in the absence of electoral possibility) from the guerrilla groups and from the Palestinian diaspora. It aims to meet annually, but between 1982 and 1987 it only met in 1983 and 1984, reflecting the internal divisions it hopes were healed at the 18th PNC held in April 1987.

**Central Council** created in 1973 to link the PNC and Executive Committee more effectively. It has been especially important for organizations not represented on the executive committee of the PLO.

**Executive Committee** is responsible for implementing PNC decisions. It is, and always has been, dominated by the largest group, Fatah, and is chaired by its head, Yasir Arafat. There are 14 members, although at present there are three seats vacant.

**Palestine Liberation Army PLA** is the PLO's regular army. In practice, however, the contingents of the PLA are dependent upon, and therefore controlled by, host States. Total strength probably no more than 6000.

**Palestine National Fund** finances the PLO. Funds derive from official Arab government payments and taxes levied on Palestinian workers in the Gulf.

**Samed** was originally established to help families of those killed in action. It runs vocational training and production centres and has become a profit-making organization. Its main infrastructure was in Lebanon and was destroyed by Israel in 1982. However it operates in all Arab countries where there is a substantial Palestinian community.

**Palestine Red Crescent Society (PRCS)** provides health and medical services. Most of its hospitals and centres in Lebanon were destroyed by Israel in 1982, but it continues to operate in the camps in Lebanon.

**Institute of Social Affairs and Welfare** provides medical, legal, financial and educational help for families of those killed, wounded or imprisoned for Palestine.

**United Information Council** operates the **Palestine News Agency** (Wafa), and broadcasts Voices of Palestine from several Arab countries.

**PLO Research Centre** was located in Beirut, where its archives were plundered when Israeli troops entered Beirut. Israel has now returned these archives as part of a prisoner exchange, but the centre itself has to be re-established elsewhere.

**General Union of Palestinian Workers (GUPW)** has branches in each country where there is a substantial Palestinian community. It is concerned with labour relations and social problems. There are separate unions for women, students, teachers, doctors, lawyers and journalists.

#### **MILITARY ORGANISATIONS:**

**Fatah**, the palindromic acronym of **Harakat al Tahrir al Filastiniyya** (the Palestinian National Liberation Movement), is the largest guerrilla group. It claims the right to Palestinian Statehood according to the UN charter, and implementation of UN resolutions on Palestine, implying it accepts the UN partition plan. Certainly since 1974 it has pursued the idea of a State in the West Bank and Gaza. Although its main activity has been guerrilla war against Israel, following eviction from Jordan in 1971, a small group, Black September, was responsible for

the murder of Israeli athletes at the Olympics, Munich 1972, but was closed down in 1974. Fatah carried out the March 1978 raid which led to the first Israeli invasion of Lebanon. In 1983 Fatah split, though the rebel splinter is of decreasing importance.

**As Saiqa** is pro-Syrian Baathists and is effectively controlled by Syria. It is the cornerstone of the anti-Arafat faction of the Palestinian movement.

**Popular Front for the Liberation of Palestine (PFLP)**, established by George Habash, sees the conflict in socialist terms, and the Palestine problem as a function of Western imperialism. It believes Palestine can only be recovered by armed struggle to free the whole region of pro-Western regimes. Although it claims to represent the working classes, its support has always been strongest among intellectuals and professionals. The PFLP became notorious for its hijacking of international aircraft from 1968 to 1972, and the killing of 27 people at Lod airport in 1972. In 1972 the PFLP renounced such operations, but has been compromised by terror operations since then done in PFLP's name by those who disagreed with the decision. After 1983 it joined the pro-Syrian National Alliance which called for concessions by Fatah for more democracy in PLO decision making. It seemed much less willing to reach agreement with Fatah than either the DFLP or CP, but in fact joined these two in achieving reconciliation with Fatah at the 18th PNC.

**Democratic Front for the Liberation of Palestine (DFLP)**, founded by Naif Hawatmeh, who withdrew from PFLP in 1969. DFLP is 'harder left' than PFLP though this has meant it was the first to accept publicly the right of Jews to have their own State in Palestine (alongside an Arab one), but like Fatah with an ultimate objective of a popular democratic State for all inhabitants of Palestine. Despite the clear ideological gulf, it has always maintained good relations with Fatah, and after the 1983 split it distanced itself from both sides, but worked as middleman to achieve reconciliation in PLO ranks. DFLP has always opposed terrorism outside the area, but it was responsible for the attack on Ma'alot in north Israel in 1974 when 24 were killed. In 1983 it broke with Fatah, forming the Democratic Alliance. But it remained anxious to settle its differences with Fatah, and bring the PFLP back within the fold also, an aim successfully achieved at the 18th PNC.

**Popular Front for the Liberation of Palestine - General Command (PFLP-GC)** formed in 1968 by Ahmed Jibril leaving PFLP. It believes that Palestine can only be recovered by armed struggle. PFLP-GC is a member of the Syrian-backed National Alliance opposition to Arafat since 1973. It achieved a notable coup by releasing two Israeli prisoners of war in 1975, in return for a major release of Palestinian prisoners in Israel. Jibril and other members of PFLP-GC have lost their place on the PNC because of their opposition to Arafat and the 17th PNC in November 1984.

Other groups include the **Palestine Liberation Front (PLF)**, a split from PFLP-GC, which is supported by Iraq. It split following the attendance of 17th PNC by some of its ranks; the **Arab Liberation Front (ALF)**, a small group sponsored by Iraqi Ba'ath Party; **Palestine Popular Struggle Front (PPSF)**, another small group in the pro-Syrian National Alliance; **Fatah Revolutionary Council (Black June Organization)** is perhaps the most notorious group, led by Sabri al Banna (Abu Nidal). Currently based in Syria, it is a dissident group outside the PLO, composed of those who left Fatah in 1976 in opposition to its political initiative implying compromise. It aims to destroy any PLO diplomatic initiatives. It has assassinated PLO representatives in London, Kuwait and Paris, and Issam Sartawi in 1983. It also claimed responsibility for the assassination attempt on the Israeli ambassador in London, triggering the Israeli invasion of Lebanon in 1982. It was almost certainly responsible for the Rome and Vienna airport terrorist attacks in 1985.

#### **POLITICAL PARTIES**

**The Palestinian Communist Party (CP)** was formed in 1982 as an offshoot from the Jordanian CP. It has a strong following in the Occupied Territories, and in Lebanon. Unlike the other groups, however, it has no military arm and it openly recognizes Israel. Like the DFLP, the CP belonged to the Democratic Alliance Front, but joined the reconciliation process finally fulfilled at the 18th PNC.



## FOOTNOTES

<sup>1</sup> The comparison may seem to be unfair, and more equitably made with all Jews. However, against all Jews one would have to compare all Muslims or all Arabs, an obviously pointless exercise. The comparison made is between all Jewish residents of Palestine (i.e. Israelis) and all those Arabs who either still reside in Palestine, or those and their descendants who, as a result of the Arab-Jewish conflict in Palestine, no longer live there.

An estimate of the Palestinian population in 1986\*

### Inside Palestine

Israel†	650,000
West Bank†	890,000
Gaza Strip	500,000
Total inside Palestine	2,040,000

### Outside Palestine

Jordan	1,200,000
Lebanon	360,000
Syria	250,000
Egypt	50,000
Algeria	10,000
Libya†	15,000
Iraq	70,000
Kuwait	300,000
Saudi Arabia	200,000
Remaining Gulf States	75,000
USA, Europe, Latin America	350,000
Total outside Palestine	2,880,000
Estimated total Palestinian population	4,920,000

\* Estimating the Palestinian population is extremely difficult to do outside Palestine itself, since those in the diaspora travel on travel documents issued by the host country. Jordan's Palestinians, for example, whether from the East Bank or from Palestine are, of course, recorded as Jordanian. The figures used here are based upon Israeli and PLO Statistical abstracts for 1982, updated by myself on known population growth rates for the West Bank (2.4%), Gaza (3.1%) and Israel (3.8%). I have assumed a growth rate in Jordan of 2%. Beyond, in other countries it is impossible to know migratory patterns and current figures with certainty. The ones here are based upon PLO, *Palestinian Statistical Abstract*, Damascus, 1982, and the US Department of State, *Palestinian Fact Sheet*, Washington, 1982. However, I am entirely responsible for interpreting them for 1986.

† The Palestinian population of East Jerusalem has been included as part of the West Bank, as it is regarded by international law.

<sup>2</sup> Technically, of course, this cannot be. It results from the Armistice Line of 1949 dividing Palestine into three: Israel, the Gaza Strip and the West Bank.

<sup>3</sup> See footnote 18.

<sup>4</sup> *The Sun* newspaper, London, 15 May 1986.

<sup>5</sup> Edward W. Said, *Orientalism*, London 1978, p 27.

<sup>6</sup> This Report is far more heavily footnoted than originally intended, specifically required by MRG's Council to substantiate matters which have proved of great sensitivity and which might otherwise have been discounted as not grounded in fact. Readers may care to compare the rigour required of this Report compared with that required, for example, of MRG's *Israel's Oriental Immigrants and Druzes* (No. 12).

<sup>7</sup> Amos Elon, *The Israelis, Founders and Sons*, Pelican, London, 1983, p 90.

<sup>8</sup> I take as the definition of greater Syria, that given by the general Syrian Congress of 1919: the area from the Taurus mountains in the north, to Rafa on the Mediterranean coast, across to Aqaba, thence to al Jauf in the south east, and on the eastern boundary the Khabur and Euphrates rivers. For the social and economic status of Palestine in the 19th century, and particularly the way in which the coastal area was already changing, and the way northern Palestine was drawn into the economic orbit of Beirut, see E.R.J. Owen (ed) *Studies in the Economic and Social History of Palestine in the Nineteenth and Twentieth Centuries*, Oxford 1982.

<sup>9</sup> D. Hopwood, *The Russian Presence in Syria and Palestine, 1843-1914*, Oxford, 1969.

<sup>10</sup> Pamela Ann Smith, *Palestine and the Palestinians, 1876-1983*, Beckenham, Kent, 1984, p 11.

<sup>11</sup> Easily the most important source for early Zionist interaction with the indigenous Arab population is Neville J. Mandel, *The Arabs and Zionism before World War I*, London 1976. Also valuable is Yaacov Ro'i, *The Zionist Attitude to the Arabs 1908-1914*, in E. Kedourie and S. Haim (ed), *Palestine and Israel in the 19th and 20th centuries*, London 1982.

<sup>12</sup> The largest single purchase was from the absentee Sursock family, which lived in Beirut, of about 100,000 dunums of land in the vale of Esdraelon. 8000 peasants were subsequently displaced, and 22 villages evacuated. Smith, *op. cit.*, p 33.

<sup>13</sup> Rosemary Sayigh, *Palestinians: from peasants to revolutionaries*, London, 1979, p 12, Martin Gilbert, *The Arab-Israeli Conflict*, London, 1984.

<sup>14</sup> G. H. Dalman, 'Gegenwärtiger Bestand der jüdischen Colonien in Palestina' in *Zeitschrift des deutschen Palaestin-Vereins*, vol.xvi (1893), pp 193-201, cited by Mandel, *op. cit.*, p 38.

<sup>15</sup> Mandel, *op. cit.*, p 39.

<sup>16</sup> Mandel, *op. cit.*, pp 7-31.

<sup>17</sup> Mandel, *op. cit.*, p 46.

<sup>18</sup> See for example the warning of the Jewish writer, Achad Ha'am, quoted by Elon, *op. cit.*, p 172.

<sup>19</sup> As the Palestine correspondent of the Zionist newspaper *Ha'Olam* noted in 1911: 'We forgot altogether that there are Arabs in Palestine, and discovered them only in recent years... We paid no attention to them; we never even tried to find friends among them.' *Ha'Olam* vol 5 (1911) quoted in Gilmour, D., 'Dispossessed: The Ordeal of the Palestinians', London 1980, p 38, and by Moshe Pearlman, *Chapters of Arab-Jewish Diplomacy, Jewish Social Studies*, Vol 5 (1944).

<sup>20</sup> In his diary, which was not published for 26 years after his death in 1904, Theodore Herzl, the founding father of Zionism, wrote that the settlers in Palestine should 'try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own country'. *The Complete Diaries of Theodore Herzl*, New York, 1960, Vol I, p 343, quoted in Hirst, *The Gun and the Olive Branch*, London, 1977, p 18. In 1901 Herzl unsuccessfully attempted to persuade the Ottoman authorities in Istanbul to grant a charter for the establishment of a Jewish Ottoman Colonization Association in Palestine. Article 3 of the draft charter would have granted the Jews the right to transfer the native population (Adolf Bohm, *Die Zionistische Bewegung*, Berlin and Jerusalem, 1935, Vol I, p 706) to alternative sites outside Palestine, subject to payment of full compensation and assistance with their establishment.

<sup>21</sup> The use of the word *heimstatte* or homeland in the 1897 Zionist declaration was a deliberate one to avoid provoking the Ottoman authorities, though the originator of the word was quite clear in his own mind as to its meaning, see Hirst, *op. cit.*, p 20, quoting from Max Nordau's writings.

<sup>22</sup> Mandel, *op. cit.*, pp 128.

<sup>23</sup> *Ibid.*, p 220.

<sup>24</sup> Easily the most important sources for the Palestinian Arab response to British rule in Palestine, 1918-39, are the two books by Yehoshua Porath, *The Emergence of the Palestinian-Arab National Movement, 1918-29*, London 1974, and *The Palestinian Arab National Movement, 1929-39*, London 1977.

In 1915 Britain had made a vague promise of independence to the Arabs subject to a number of modifications, one of which was that 'the two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo cannot be said to be purely Arab, and should be excluded from the limits demanded'. Any examination of the map of the area shows this area to be north of Palestine. In 1917, a secret understanding between Britain and France, the Sykes-Picot Agreement of 1916, became public knowledge, indicating that Lebanon and Syria would fall under French, and most of Iraq under British control, whilst Palestine would be under 'international control'.

<sup>26</sup> See Mayir Verite, 'The Balfour Declaration and its Makers' in E. Kedourie and S. Haim, *op. cit.*

<sup>27</sup> The text may be found in George Antonius, *The Arab Awakening*, London 1938, Appendix E. The promise was intended as a sop to the Twelfth of US President Woodrow Wilson's 'Fourteen Points', of January 1918, which propounded 'The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty but the other nationalities which are under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity for autonomous development.'

<sup>28</sup> In fact within 12 months of the end of the war Balfour himself noted: 'Zionism, be it right or wrong, good or bad, is rooted in age-long tradition, in present needs, in future hopes, of far profounder import than the desires and prejudices of the 700,000 Arabs who now inhabit that ancient land.' Balfour to Curzon, 11.8.19 in Doreen Ingrams, *Palestine Papers 1917-1922, Seeds of Conflict*, London 1972, p 73.

<sup>29</sup> 'The Jews must possess Palestine as the Arabs are to possess Arabia, or the Poles Poland' wrote Israel Zangwill in 1919, Israel Zangwill, *Before the Peace Conference, Asia*, New York, 1919, reprinted in Israel Zangwill, *Speeches, Articles and Letters*, London 1937, p 342. Zangwill was a particularly interesting man. He had coined the damaging slogan 'A land without a people waiting for a people without a land' in 1901, but having visited Palestine and seen for himself that it was inhabited, he was arguing by 1905 that the establishment of a

- Jewish State where it could be assured was more important than the uncertainty of a Jewish State in Palestine, which was Herzl's 'fixed goal'. (*Speeches*, pp210, 263). He bitterly attacked the Balfour Declaration as falling short of an explicit promise of a Jewish State, and denounced those Zionists who accepted it. (*Ibid.*, pp331-338). However, as indicated above, by the time of the Peace Conference, Zangwill had again put his weight fully behind the argument for a Jewish State in Palestine.
- <sup>30</sup> Curzon's memorandum of 26 January 1919, in Ingrams, *op. cit.*, p58.
- <sup>31</sup> Ever since the early years of the century, Zionists had been trying to reassure the Arab population about their motives. Undoubtedly many of these were sincere, even if unrealistic. In the years following the Balfour Declaration, however, Zionists were making contradictory statements concerning their ambitions in Palestine, and how these might affect the indigenous population. Perhaps the clearest example of these was given by Chaim Weizmann himself. On 8 May 1918 he addressed various Muslim, Christian and Jewish community leaders in the government serai in Jaffa 'I have come specially to remove the misunderstanding that had arisen between the Jewish community on the one hand and the Moslem and Christian communities on the other . . . It is not our objective to seize control of the higher policy of the province of Palestine. Nor has it ever been our objective to turn anyone out of his property . . . Less than a year later Weizmann, who had already played a key role in soliciting the Balfour Declaration, demanded at the Paris Peace Conference, circumstances in which it would be 'possible to send into Palestine 70 to 80,000 Jews annually. The Association would require to have permission to build Jewish schools, where Hebrew would be taught, and in that way to build up gradually a nationality which would be as Jewish as the French nation was French and the British nation British. Later on, when the Jews formed the large majority, they would be ripe to establish such a Government as would answer to the state of the development of the country and to their ideals . . .' (W. Khalidi, *From Haven to Conquest*, Beirut 1971, p189-90).
- <sup>32</sup> The full text of the memorandum of July 1919 of the General Syrian Congress in Damascus presented to the American (King-Crane) Commission of Inquiry may be found in *King Crane Commission E(3)*, quoted in George Antonius, *op. cit.*, Appendix H. The Commission also put its finger on a key factor which has led to five major wars between the Israel State and its neighbours, and which will doubtless lead to more: 'It is to be noted that the feeling against the Zionist programme is not confined to Palestine, but shared generally by the people throughout Syria . . . Only two requests – those for a united Syria and for independence – had larger support.'
- <sup>33</sup> *League of Nations Covenant, Article XXII(4)* reads as follows: 'Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. *The wishes of the inhabitants must be a principal consideration* [my emphasis] in the selection of the Mandatory.'
- <sup>34</sup> The relevant articles are 4 and 11, and the whole text may be found in Ingrams, *op. cit.*, pp177-183.
- <sup>35</sup> For example see Beatrice Stewart Erskine, *Palestine of the Arabs*, London 1935, pp69-119; see also for statistical evidence of growing Jewish economic control, Elia Zuriel, *The Palestinians in Israel, A study in internal colonialism*, London 1979, pp54-59. There had been rapid Arab industrialization, for example, between 1918-28 there were 1373 new Arab-owned enterprises. These represented 60% of the total number of enterprises established in that period, but it must be remembered that they tended to be significantly smaller scale than Jewish enterprises (see Fred Gottheil, Arab Immigration into Pre-State Israel, 1922-31, in Kedouri & Haim, *op. cit.*, p147, quoting Horowitz & Hinden, *Economic Survey of Palestine*, Tel Aviv 1938, p208 and S. Himadeh, *The Economic Organization of Palestine*, Beirut, 1938, p230). Jewish-owned enterprises were vastly more substantial, by 1928 employing 75% of the entire industrial workforce, many of them Arabs (Gottheil, *op. cit.*, p147 citing Grunwald, 'The Industrialization of the Near East', *Bulletin of the Palestine Economic Society*, Feb 1934, vol 6, No 3, pp78-79). While this may have acted as a magnet for labour, both from the Palestinian hinterland and further afield, it was also bound to heighten the sense of ethnic 'take-over' by Jews in an Arab society.
- <sup>36</sup> see for a full discussion Y. Porath, *The Emergence of the Palestinian-Arab Movement*, pp150-158.
- <sup>37</sup> The ostensible reason for the attacks was the long-running dispute over the Wailing Wall, and Jewish access to it. It was a matter of the greatest religious sensitivity, and both sides were vigilant in pressing what they considered their rights in the matter. Indeed, both sides had credible and reasonable cases to defend. The Mufti skilfully used Muslim tensions to build up his own position of leadership in Palestinian national affairs. For a full account see Y. Porath, *The Emergence of the Palestinian-Arab National Movement*, pp258-273.
- <sup>38</sup> 'The result of the purchase of land in Palestine by the Jewish National Fund', as an official British report in 1930 observed, 'has been that land has been extra-territorialized. It ceases to be land from which the Arab can gain any advantage either now or at any time in the future. Not only can he never hope to lease or to cultivate it, but by the stringent provisions of the lease of the JNF he is deprived for ever from employment on that land.' Erskine, *op. cit.*, p103, quoting from the Hope-Simpson Report of 1930.
- <sup>39</sup> It might be assumed that the number of peasants driven off their land had reached cataclysmic proportions. This was clearly not so. But the effect of those who were inevitably heightened by the general economic transformation taking place from a subsistence economy to a capital one. Jewish economic activity might have been the main stimulus for this change but it was not the only one (see footnote 35). Likewise, Jews, though undoubtedly the most significant category both in number and in social, economic and political terms were not the only immigrants. One study of Arab immigration during the years 1922-31 into the area that became Israel accounted for 39% of the total increase of the Arab population of the area, though for the area that became West Bank, the figure is far lower, reflecting the respective levels of economic activity between the coastal area and the plain (Gottheil, in Kedourie & Haim, *op. cit.*, p150).
- <sup>40</sup> This offered the Jews a coastal enclave running from south of Jaffa to the Lebanese border, and including all the Galilee. A corridor including Jerusalem and Jaffa was to remain under permanent British control while the rest of Palestine was to remain Arab. Apart from Galilee, where Arabs were still a majority, the Partition a good deal more accurately reflected the demographic pattern in Palestine than the plan later adopted.
- <sup>41</sup> Y. Porath, *The Palestinian Arab National Movement*, pp283-84).
- <sup>42</sup> *Ibid.*, pp284-294.
- <sup>43</sup> A useful explanation of not only British but also US vacillation between the options of partition and trusteeship right up to April 1948 is provided by Roger Louis and Robert Stookey (eds) *The End of the Palestine Mandate*, London 1986. What remains clear is that the issue hinged more on British strategic interests, US desire to reduce these, and the Zionist lobby in the US, than the perceived interests of either Arabs or Jews in Palestine.
- <sup>44</sup> Binationalism not Partition. UN Ad Hoc Subcommittee 2 report, 11 November 1947 (A/AC 14/32 and Add I) reprinted in Khalidi, *op. cit.*, p687.
- <sup>45</sup> See above, *British Rule in Palestine*, page )), and footnote 32.
- <sup>46</sup> See Porath, *The Emergence of the Arab National Movement*, pp253-4, and *The Palestine Arab National Movement*, pp283-291.
- <sup>47</sup> The figures used by the United Nations Special Committee on Palestine (UNSCOP) were rounded (see *United Nations Special Committee on Palestine*, Document A/364 of 3 Sept 1947). On page 54 it states below the statistical data 'In addition there will be 90,000 bedouin in the Jewish State'. It is clear that the bedouin were not really counted in the process of demarcating the proposed States, since the opening section on population (page 11 footnote 1) comments 'no account is taken of them (i.e. bedouin) in the statistics of this chapter'. The Naqab desert, mainly populated by these bedouin, was awarded to the proposed Jewish State. If the afterword of 90,000 bedouin is added to the statistical data of sedentary Arabs, it brings the total Arab population to 497,000 compared with 498,000 Jews. However, UNSCOP also underestimated the number of bedouins who would fall inside the proposed Jewish State by 15,000. United Nations, *Ad Hoc Committee on the Palestine Question*, Document A/AC. 14/32 of 11 November, 1947, Appendix I, Annex I (page 304) gives the following figures for 31.12.46:
- |                        |                |              |
|------------------------|----------------|--------------|
| Proposed Jewish State: | 509,780 Arabs, | 499,020 Jews |
| Proposed Arab State:   | 749,010 Arabs, | 9,520 Jews   |
| City of Jerusalem:     | 105,540 Arabs, | 99,690 Jews  |
- These figures are much more exact. They include 127,000 bedouin, of whom 92,000 living in the Beersheba region (presumably UNSCOP's 90,000 bedouin) and another 13,000 living in northern Palestine, would fall within the proposed Jewish State. 22,000 bedouin only would fall inside the proposed Arab State. I have incorporated this breakdown into the table above. Pages 306-7 of the *Ad Hoc Committee Report* indicates that the estimate for the bedouin population resulted from a painstaking exercise. No more accurate figures could have existed.
- <sup>48</sup> N. Lorch, *The Edge of the Sword: Israel's War of Independence, 1947-49*, London 1961, pp87-89.
- <sup>49</sup> I had not originally intended to give an account of the massacre at Deir Yassin, but do so at the request of one of MRG's Council. This massacre occurred when members of Irgun Zvai Leumi and Lehi (the so-called Stern Gang), both Jewish right wing terrorist organizations, attacked this village on the western outskirts of Jerusalem on 9 April, four weeks before the Israeli declaration of independence. The Haganah gave its reluctant agreement to the operation. Deir Yassin had already made a pact with the nearest Jewish settlement that it would not harbour any Arab forces. The massacre has been explained by the breakdown of loudspeakers used by the Irgun to tell the inhabitants to

flee, and by the loss of four of its men killed by the villagers during the assault. Two hundred and fifty four villagers, many of them women and children were killed, some in a terrible manner. Some survivors were paraded through the streets of Jerusalem and then forced to cross over to the Arab-held part of the city. The Jewish Agency strongly denounced the action. Three days later (12 April) Arab forces took revenge, ambushing a Jewish medical convoy, and seventy seven doctors and nurses were killed. Deir Yassin had a considerably demoralizing effect. According to Israeli military intelligence 'Action at Deir Yassin, especially, greatly affected the thinking of the Arab... which can be described as a decisive accelerating factor' (see Benny Morris, *The Causes and Character of the Arab Exodus from Palestine*, *Middle Eastern Studies*, Vol. 22, No. 1, Jan 86, p9). See also the first independent eyewitness account by Jde Reynier, Head of the Red Cross delegation in Palestine in W. Khalidi, *From Haven to Conquest*, Beirut 1971, pp 761-766; the version given by Irgun leader, Menachem Begin, *The Revolt*, London 1979, pp 162-165, which denies a massacre took place, and also the accounts given by Christopher Sykes, *Crossroads to Israel*, London, 1965, pp 416-418, Nicholad Bethell, *The Palestine Triangle*, London 1979, pp 354-355; D. Kurzman, *Genesis 1948*, New York 1970, pp 138 *et seq*; see also David Gilmour, *The 1948 Arab Exodus*, *Middle East International*, 21 November 1986, which cites the evidence of a Haganah intelligence officer in the area who says he was refused permission to warn the inhabitants to leave the village before the Irgun attacked.

The question of how many atrocities occurred during the 1948 struggle for Palestine is naturally a highly sensitive issue. Indeed, it is because this part of the present report has been challenged that it is necessary to say more than originally intended. Atrocities occurred in Galilee and in southern Palestine, but it is impossible to know how many. Clearly they were on a sufficient scale that the troubled Minister of Agriculture, Aharon Cizling, was moved to say 'Now Jews too have behaved like Nazis and my entire being has been shaken... Obviously we have to conceal these actions from the public, and I agree that we should not reveal that we are investigating them. But they must be investigated' (Minutes of Israeli cabinet meeting, 11.17.48, Kibbutz Meuhad Archive, sect. 9, container 9 file 1, cited by Tom Segev, *1949 - The First Israelis*, New York 1986, p26). See also Nafez Nazzal, *The Palestinian Exodus from Galilee 1948*, Beirut 1978. Nazzal interviewed refugees from 32 towns and villages representing 14% of the total number of Arab villages or towns in Galilee. Nazzal's account cites at least six events that could be described as atrocities. See for another in Galilee, Elias Chacour, *Blood Brothers*, Eastbourne 1985, pp 36-53. In southern Palestine there were cases, too, of which the worst occurred at Duwayma on 28/29 October 1948 where at least 100 and possibly as many as 580 died (according to the village mukhtar's outstanding list of persons who went missing during this event); see *Davar*, 6.9.79, *al Fajr*, 31.8.84 (carrying a resume of an article published the preceding week by an Israeli journalist in the Hebrew language *Hadashot*).

<sup>50</sup> Palestinians have always said that they were driven out of Palestine by force. The Zionist version is that they left of their own volition, some through fear, some because Arab broadcasts had told them to, and some to avoid the fighting. In fact no such broadcasts seem to have occurred, (see Erskine Childers, *The Spectator*, London, May 1961) and recently accessible Israeli military intelligence reports from the time now show beyond doubt that an estimated 70% of those who fled in the decisive period of fighting up to June 1948, did so as a result of Jewish military action and para-military action, see Benny Morris, *The Causes and Character of the Arab Exodus from Palestine: the Israel Defence Forces Intelligence Branch Analysis of June 1948*, in *Middle Eastern Studies*, Vol. 22, No 1 of January 1986, pp 5-19. Furthermore, after initial attack and counter-attack between Arab and Jewish farmers, an Israeli policy was initiated to prevent Arab villagers, both in the battle area and behind Jewish lines, from harvesting the summer and winter crops of 1948. This policy, which denied villagers their food source, was an extra incentive to flight, see Benny Morris, *The Harvest of 1948 and the Creation of the Palestine Refugee Problem*, in *The Middle East Journal*, vol. 40, no. 4 Autumn 1986. In another article (Operation Dani and the Palestinian exodus from Lydda and Ramle in 1948, *Middle East Journal*, vol. 40, no. 1 Winter 1986), Morris gives a detailed description of the expulsion of up to 70,000 Palestinians (almost 10% of the total refugee population) from Lydda and Ramle. In Lydda the bloodshed 'amounted to a largescale massacre' (page 94). David Ben Gurion himself authorized these expulsions, but while some other Israeli ministers were opposed to this act, Morris considers it was 'a coalition government whose policy, albeit undeclared and indirect, was to reduce as much as possible the Arab minority which would be left in the country and to make sure that as few refugees as possible would return' (page 104).

<sup>51</sup> In 1950 Israel passed a law which made all the property and land from which Palestinians had fled belong to the State of Israel.

<sup>52</sup> On 11 December 1948 the General Assembly passed Resolution 194 resolving 'that 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 loss or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible'.

<sup>53</sup> Tawfiq Zayyad, *The Arabs in Israel*, in (ed) J. Zogby, *Perspectives on Palestinian Arabs and Israeli Jews*, Wilmett, Illinois, 1977, p50.

<sup>54</sup> A measure of the success of UNRWA's efforts was the reduction of infant mortality among refugees in the West Bank from 173 deaths per thousand live births in the early 1950s to roughly 36 per thousand by 1986.

<sup>55</sup> UNRWA, *Briefing Document*, Vienna, May 1986.

<sup>56</sup> Locke & Stewart, *Bantustan Gaza*, London, 1985, p20.

<sup>57</sup> By 1967, after 19 years of Hashemite rule the industrial sector of the West Bank had not only shrunk from 12% to 9% of the gross domestic product, but was now smaller than in any neighbouring Arab area, and particularly in comparison with industry in the East Bank, see Roger Owen, *Economic History of Palestine under the Mandate, 1918-48*, a paper given at the Welfare Association International Symposium, Oxford, January 1986.

<sup>58</sup> Smith, *op. cit.*, p95.

<sup>59</sup> This section relies heavily on the following two sources: Ian Lustick, *Arabs in the Jewish State*, University of Texas, Austin and London, 1980, and Sammy Smooha, *The Orientation and Politicization of the Arab Minority in Israel*, Haifa, 1984.

<sup>60</sup> See for a full account of the Military Government, Sabri Jiryis, *The Arabs in Israel, 1948-66*, Beirut, 1968.

<sup>61</sup> Lustick, *op. cit.*, p60.

<sup>62</sup> Lustick, *op. cit.*, pp 59, 189-90.

<sup>63</sup> The British authorities had started to document land holdings, but by cruel irony, they had concentrated on disputed areas between Jews and Arabs, leaving purely Arab areas to be dealt with as a less urgent matter.

<sup>64</sup> On average each Arab village in 1948 had 9136 dunums. In 1974 this average, as a result of land seizure, had fallen to 2000 dunums (Tawfiq Zayyad, *op. cit.*, p 50). In the Negev the bedouin who had roamed freely and cultivated as much as 2.2 million dunums lost almost all their land and were herded into reservations, the largest of which is east of Beersheba (Lustick, *op. cit.*, p 57). As late as 1959 bedouin were still being expelled into Jordan and Egypt, and between 1977-80 900 bedouin settlements were forcibly moved, resulting in some bloodshed (Ghazi Falah, *How Israel controls the bedouin in Israel*, in *Journal of Palestine Studies*, No 54, Winter 1985). Even the Druze community which the new regime successfully separated from the rest of the Palestinian community, lost sizeable areas of land.

<sup>65</sup> Lustick, *op. cit.*, pp 99, 107-8.

<sup>66</sup> 58 Jewish settlements (established between 1977-81), see (ed) Alexandre Scholch, *Palestinians over the Green Line*, London 1984, p15.

<sup>67</sup> Personal communication from Sec. Committee for Defence of Arab Lands.

<sup>68</sup> Meron Benvenisti, *1986 Report: demographic, economic, legal, social and political developments in the West Bank*, The West Bank Data Base Project, Jerusalem, 1986, p 46.

<sup>69</sup> *Jerusalem Post*, 25 May 1986.

<sup>70</sup> Lustick, *op. cit.*, p 167.

<sup>71</sup> Lustick, *op. cit.*, p 166.

<sup>72</sup> Lustick, *op. cit.*, pp 183-4.

<sup>73</sup> For example the line runs between Upper Nazareth (Jewish) and old Nazareth (Arab), although the two are adjacent to one another, and although Arab Nazareth with a population of 45,000 is bereft of any modern industry, (*Ibid.*, p21; Zayyad, *op. cit.*, p 50). See also data in Lustick, *op. cit.*, p 192.

<sup>74</sup> Smooha, *op. cit.*, p 78.

<sup>75</sup> By the Discharged Soldiers Law, family welfare grants allocated according to family size are given only to the families of discharged soldiers.

<sup>76</sup> Reflecting conservatively the difference in average wages. Some would claim the difference to be substantially greater.

<sup>77</sup> Welfare Association, fact sheet on health, Geneva, 1985.

<sup>78</sup> *Ibid.*

<sup>79</sup> Sami Khalil Mar'i, *The Future of Palestinian Education in Israel*, *Journal of Palestine Studies*, No 54, Winter 1985, p 57.

<sup>80</sup> Lustick, *op. cit.*, pp 194-5.

<sup>81</sup> *Ibid.*, p 195.

<sup>82</sup> Smooha, *op. cit.*, p 81.

<sup>83</sup> *Statistical Abstract for Israel*, 1984.

<sup>84</sup> Acre is an interesting example, since the attractive old city where these Arabs live is also a hotbed of political activity. The authorities have refused permits to allow these inhabitants to carry out any repairs on these historic homes, and have offered inducements to persuade Arab inhabitants to settle outside Acre, in the township of al Makr. When a

house becomes structurally dangerous the family is compelled to leave. The Palestinian belief that the government intends to restore old Acre and its houses as a tourist attraction bereft of its indigenous inhabitants seems well founded. The Palestinian community had repeatedly stressed its desire for Arab housing projects outside the walls of the Old Town but adjacent to it. However, although thousands of housing units had been built in Acre up to 1973, the government had allotted only 40 new units to Arab residents. Furthermore, the government has not accepted the offer of the *waqf* to fund housing improvements in Acre. In fact, a master plan for the city drawn up in 1971 proposes to establish an Arab quarter on an unspecified site (in fact al Makr) in the Arab rural area beyond the boundaries of the city. The proposal 'foresees merely 4000 Arabs within the present boundaries of the city in 1985... the Arab population would be thus reduced from more than a quarter in 1971 to about 6% in 1985. Lustick, *op. cit.*, pp 131-2, 190, and citing Erik Cohen, *Integration vs. Separation in the Planning of a Mixed Jewish-Arab City in Israel*, Jerusalem 1973.

<sup>85</sup> In 1974, for example, per capita grants to Druze villages were still three times higher than to other, non-Druze, but 'co-operative' Arab villages. Zureik, *op. cit.*, p 174. For a serious study of the Druze community in Israel, see Gabriel Ben-Dor, 'Intellectuals in Israeli Druze Society', Kedourie & Haim, *op. cit.*, pp 229-254, although it should be borne in mind that the field work for the study was carried out in 1970-71 and may not reflect current attitudes.

<sup>86</sup> Lustick, *op. cit.*, p 139.

<sup>87</sup> For a full account, see Jiryis, *op. cit.*, chapter 3.

<sup>88</sup> Between 1980-84 the State detained 24 Israeli Arabs, some of them merely members of the Communist Party (Rakah). By 1986 one Israeli Arab, Salih Baransi, with a long record of non-violent opposition to the State, had enjoyed only two years of freedom since 1948.

<sup>89</sup> Smootha, *op. cit.*, p 48.

<sup>90</sup> *Ibid.*, p 101; Ha'aretz, 8.6.79, quoted in Gilmour, *op. cit.*, p 109.

<sup>91</sup> Lustick, *op. cit.*, p 249.

<sup>92</sup> *Ibid.*

<sup>93</sup> I have relied heavily on Helena Cobban, *The Palestine Liberation Organisation*, London 1984, for this section.

<sup>94</sup> *Malaff watha'iq filastin*, vol 2, Cairo, nd, p 1273, quoted in Cobban, *op. cit.*, p 29.

<sup>95</sup> *International Documents on Palestine*, 1967, quoted in Cobban, p 143.

<sup>96</sup> Cobban, *op. cit.*, p 52.

<sup>97</sup> Cobban, *op. cit.*, p 62 citing *International Documents on Palestine*, Beirut 1974, pp 449.

<sup>98</sup> *Ibid.*, p 156.

<sup>99</sup> *International Documents*, 1975 quoted in Cobban, *op. cit.*, p 67. Resolution 338 relates to respect for and a return to international borders following the war of October 1973.

<sup>100</sup> Cobban, *op. cit.*, p 96

<sup>101</sup> See Amnesty International, American Friends Service Committee, (see AFSC, *Lebanon - Towards Legal Order and Respect for Human Rights*, 10 August 1983, p 24), and other neutral agency reports. See also *Israel in Lebanon, Report of the International Commission to enquire into reported violations of international law by Israel during its invasion of Lebanon*, London 1983, p 16.

<sup>102</sup> Lebanese police statistics issued at the end of August 1982.

<sup>103</sup> Rashid Khalidi, *Under Siege, PLO Decision Making during the 1982 War*, New York 1986 is quite the best account of the siege, drawing uniquely on internal PLO documents to which the author had access. He gives an authoritative account of the diplomatic struggle that took place.

<sup>104</sup> Following a popular outcry, the Israeli government agreed to hold a Commission of Enquiry. The (Kahan) Commission's report did much to restore Israeli and international confidence in Israeli democracy. As one Israeli critic, Uri Avneri, wrote, the three members of the commission 'brought honour to Israeli democracy and the rule of law' (*Israeli Mirror* No 642 citing *Ha'olam Ha'zeh* 16.2.83). But in its opening paragraphs the Kahan Report revealed a lack of objectivity, referring to all para-military groups, both Christian and Muslim, in neutral terms with the sole exception of the PLO forces who are termed 'terrorists' (a label possibly applicable to that small handful guilty of such operations, but hardly appropriate to a uniformed force of 15,000 men). It also implied that the Lebanese Government and Army bore indirect responsibility because they did not agree to co-operate in Israel's violation of the city. We do not know why the Commission did not point out instead that the legally correct procedure of Israeli authorities wishing to uphold law and order would have been to offer to the Lebanese government Israeli troops to act under Lebanese direction. Even had Lebanon spurned such an offer, Israel would then have properly discharged its claim to humanitarian concern. In fact, the report established that Defence Minister Ariel Sharon had instructed on 15 Sept 'Only one element, and that is the IDF (Israel Defence Force) shall command the forces in the area. For the operation in the

camps the Phalangists should be sent in.' On the evening of 16 Sept, Chief of Staff Raphael Eitan 'informed the Phalangist commanders that their men would have to take part in the operation and go in where they were told, that early that evening they would begin to fight and would enter the camps and would enter the extremity of Sabra... the Phalangists would go in there 'with their own methods'... (*Kahan Commission Report*, Jerusalem Post edition 9.2.83, pp 6-7). The report accepted the justification for entry into West Beirut 'to preserve quiet... otherwise there might have been pogroms'. Yet there was only one group of people likely to commit 'pogroms', namely the Lebanese Forces/Phalangists, none of whom had access to West Beirut (which was still being lightly defended by the Sunni Murabitun militia) and who had been at war with its inhabitants since 1975. There was also one distinct community which the Phalangists hated beyond all others in West Beirut: the Palestinian refugee community. All this was well known to the Israeli commanders involved, as the report bears out. Nevertheless, these commanders introduced the Phalangists not only into West Beirut, but into the very refugee camps. The Commission did not seriously question why, given reports of 2000 terrorists at large, only 150 Phalangists of admitted poor fighting quality should enter the camps. It is for such reasons that Uri Avneri and others found the report's finding that the Israeli commanders bore 'indirect responsibility' so strange. 'When you put a poisonous snake into a cradle', Avneri continued, 'and the baby dies of snake bites, there is no need to prove that the person who let in the snake wanted the baby to die. He who denies the intention bears the burden of proof.' The Kahan report is well worth reading, both for the valuable and important evidence it collated, and for the questions that it failed either to ask or to answer. The punishments were light. After a brief spell out of office, Ariel Sharon is currently Industry & Commerce Minister, his chances of leading the Likud at a future date still intact. Raphael Eitan was not disciplined, since he was nearing retirement. He is now active in the right wing Tehiya party.

<sup>105</sup> The Fez Plan called for (Art 1) 'The withdrawal of Israel from all Arab territories occupied in 1967 including Arab Jerusalem', (Art 5) 'Placing the West Bank and Gaza Strip under the control of the United Nations for a transitory period not exceeding a few months' and (Art 7) 'The Security Council guarantees peace among all States of the region including the independent Palestinian State'.

<sup>106</sup> In May 1984 Margaret Thatcher accepted the presidency of a London branch of the Conservative Friends of Israel. It is customary for British politicians to resign such positions on taking Ministerial office.

<sup>107</sup> Alan Hart, *The Conspiracy against Arafat's PLO*, *Middle East International*, 27 June 1986.

<sup>108</sup> Lebanese police statistics at the end of August 1982 gave a figure of 17,825 killed, to which must be added those killed in Sabra/Shatila, conservatively estimated by Israeli intelligence sources as between 700 and 800.

<sup>109</sup> My main references for this section are Raja Shehadeh, *Occupier's Law: Israel and the West Bank*, Washington 1985, Benvenisti, *op. cit.*, Sara Roy, *The Gaza Strip Survey*, West Bank Data Base Project, Jerusalem, 1986.

<sup>110</sup> At first Israel recognized its obligations under international law but this recognition was rescinded in October 1967, see Military Order No 3 of 7 June 1967, Article 35, quoted in Kassem, *op. cit.*, p 26.

<sup>111</sup> Kassem, *op. cit.*, p 30.

<sup>112</sup> The argument and Israel's position are well set out in Andre Rosenthal, *The 1945 Defence Regulations: Valid Law in the West Bank?*, unpublished paper, February 1984. See also Emma Playfair, *Administrative Detention in the Occupied West Bank*, Law in the Service of Man, Ramallah, 1986, an invaluable guide to this practice.

<sup>113</sup> Shehadeh, *op. cit.*, p 79.

<sup>114</sup> *Ibid.*, p 77.

<sup>115</sup> *Ibid.*, pp 84-90.

<sup>116</sup> *Ibid.*, pp 90-95.

<sup>117</sup> *Ibid.*, pp 98-99.

<sup>118</sup> *Ibid.*, p 106.

<sup>119</sup> see Joost Hiltermann, *The Emerging Trade Union Movement in West Bank*, *MERIP Reports*, Oct-Dec 1985.

<sup>120</sup> Report by Danny Rubinstein of Davar in *Israel Journalists' Yearbook*, 1984.

<sup>121</sup> See also settlements map, p 19. It is immensely difficult to keep track of Israeli settlement and land seizure. Nevertheless, by 1982 there were an estimated 204 which had been established in East Jerusalem, West Bank and the Gaza Strip, whilst according to press reports another 63 settlements were in mind for construction, United Nations, *Israeli Settlements in Gaza and the West Bank*, New York 1984.

<sup>122</sup> It has applied the Israeli Law of Absentee Property (although it has no legal validity in the West Bank) to sequester the lands and property of all those who fled in 1967, as it had done 20 years earlier inside Israel. In the Jordan valley it was also able to take over Jordanian government land. Elsewhere, Israel seized land for military purposes, excluded unauthorized persons (i.e. those who had customarily farmed the land)



- from access, and then converted it into state land. So far a total of 1.7 million dunums have been declared state lands under the Ottoman Land Code. By handing custodianship to the JNF the Israeli state makes that land inalienable from the Jewish people, a principle operating from before the creation of the Jewish state. Under Jordanian law land can be expropriated for public use. This law has been used for the construction of highways linking settlements, but avoiding Arab population centres, see Aziz, Fuad, and Raja Shehadeh, *Israeli Proposed Road Plan for the West Bank, A Question for the International Court of Justice*, Law in the Service of Man, Ramallah, 1984.
- <sup>123</sup> Another 3500 additional dunums allocated for refugee rehousing projects by the military administration does not vitiate the point, *Jerusalem Post*, 26 May 1986.
- <sup>124</sup> This section is based on Benvenisti, *op. cit.*, pp 20-22, and Uri Davies, Antonia El Maks, John Richardson, Israel's Water Policies, in *Journal of Palestine Studies*, No 34, Winter 1980.
- <sup>125</sup> Roy, *op. cit.*, p 51.
- <sup>126</sup> Benvenisti, *op. cit.*, p 10.
- <sup>127</sup> Roy, *op. cit.*, p 58.
- <sup>128</sup> Benvenisti, *op. cit.*, p 10.
- <sup>129</sup> Roy, *op. cit.*, p 59.
- <sup>130</sup> quoted from M. Benvenisti *The West Bank Handbook*, Jerusalem 1986, p 96; see also his 1986 Report, pp 10-11. Roy, *op. cit.*, p 45, Brian van Arkadie, *Benefits and Burdens - A report on the West Bank and Gaza Strip Economies since 1967*, New York and Washington, 1977, pp 77-79 and particularly pp 88-91. Sarah Graham Brown, The Economic consequences of Occupation, in Aruri (ed) *Occupation - Israel over Palestine*, London 1984, p 188, and M.W. Khouja and P.G. Sadler, *Review of the economic conditions of the Palestinian people in the occupied Arab territories*, UNCTAD Doc TD/B/870 of 26.8.1981, Chapters VII & VIII. For a specific example of obstruction with regard to the shipment of 5000 tonnes tomatoes to Norway see the *Financial Times*, 4 March 1987, see also *Middle East International*, No 294, 20.2.87.
- <sup>131</sup> Benvenisti, *op. cit.*, p 13.
- <sup>132</sup> Benvenisti and Roy, *op. cit.*
- <sup>133</sup> Benvenisti, *op. cit.*, p 19. This figure would seem to exclude Israel's direct burden in maintaining troops for the defence and control of the territories.
- <sup>134</sup> Roy, *op. cit.*, p 76.
- <sup>135</sup> Benvenisti, *op. cit.*, p 15 citing 1982 health figures.
- <sup>136</sup> Union of Medical Relief Committees.
- <sup>137</sup> In 1984 42% of reported infant deaths were due to gastro-intestinal infections, Ministry of Health of Israel, *Review of Health Services in Judea, Samaria and Gaza, 1985-86*, Jerusalem 1986, p 74; in 1984 38% of the West Bank population lived three or more to a room, *ibid.* p 48; in 1983 56% of the population did not have running water in their dwelling, *ibid.*, p 49.
- <sup>138</sup> Sarah Graham Brown, *Education, Repression and Liberation: Palestinians*, WUS, London 1984, p 68.
- <sup>139</sup> Each year, at the time when secondary level students sit their *tawjihi* (matriculation) exams Israeli troops are liable to arrest youths to prevent them sitting their exams. See Sarah Graham Brown, *op. cit.*, p 74.
- <sup>140</sup> The best source for a legal view on Palestinian higher education under occupation is Adam Roberts, Boel Joergensen, Frank Newman, *Academic Freedom under Israeli Military Occupation*, WUS/ICJ London and Geneva 1984.
- <sup>141</sup> The literature on human rights violations is encyclopaedic, but the following provide enough: Raja Shehadeh, *Occupier's Law - Israel and the West Bank*, Washington 1985; Palestine Human Rights Campaign, *Israeli Settler Violence in the Occupied Territories, 1980-84*, Chicago 1985; *The Karp Report*, (as cited above); National Lawyers Guild, *Treatment of Palestinians in Israeli Occupied West Bank and Gaza*, New York 1978; Amnesty International special reports in 1979 and 1986, and *Annual Reports*; World Council of Churches, *In their own words - Human rights violations in the West Bank*, (affidavits collected by Law in the Service of Man), Geneva 1983; Emma Playfair, *Administrative Detention in the occupied West Bank*, Law in the Service of Man, Ramallah, 1986.
- <sup>142</sup> See the official Israeli *Karp Report*, reprinted by the Institute of Palestine Studies, Washington, 1984.
- <sup>143</sup> Israel justifies demolitions under the Defence (Emergency) Regulations 1945, but these contravene the Fourth Geneva Convention both as wilful destruction of property and as collective punishment. In the first 15 years of occupation Israel claims to have demolished 1265 homes, but the practice declined in the late 1970s until its revival in 1985. When a plea was made to the Israeli High Court in March 1986 that the demolition of three suspects' homes was a form of collective punishment, the court rejected the argument that demolition was collective punishment stating that if that were the case 'it would only be possible to punish a terrorist who lives alone'. The bankruptcy of such an argument needs no elaboration. When the military authorities also apprehended Jewish terrorist suspects, and subsequently convicted them, it did not demolish their homes. On the contrary, almost all those Jewish terrorists convicted received either a Presidential pardon, or early release from prison. See Al Haqq/LSM, *Demolition and Sealing of Houses in the Occupied West Bank*, Ramallah, 1986.
- <sup>144</sup> See Emma Playfair, *op. cit.*
- <sup>145</sup> Amnesty International, *Town Arrest Orders in Israel and the Occupied Territories*, London, 2 October 1984.
- <sup>146</sup> British Refugee Council, *West Bank and Gaza Project*, Bulletin No 1, July 1986.
- <sup>147</sup> *Jewish Chronicle*, 15 August 1986.
- <sup>148</sup> The first village league was established in 1978, but the *Village League Movement* did not emerge until 1980, see Salim Tamari, 'In League with Zion: Israel's search for a native pillar', *Journal of Palestine Studies*, vol XII, no 4, Summer 1983.
- <sup>149</sup> The sceptical, and later hostile, mood in the Occupied Territories may be traced in *Middle East International*, nos 255, 261, 262, 265, 270.
- <sup>150</sup> For further background on the West Bank and Gaza reaction to Jordanian and US moves towards economic improvement see *Middle East International* Nos 278, 279, 281, 287, 288, 292 and 293. See also *The Guardian*, 3 Oct 1986 and 9 Jan 1987.
- <sup>151</sup> Joost Hiltermann, *op. cit.*
- <sup>152</sup> Hillel Frisch, Corrupting the Revolt, in the *Jerusalem Post*, 12 Sept 1984.
- <sup>153</sup> Raja Shehadeh, *The Third Way*, London 1982, p viii.
- <sup>154</sup> I am particularly indebted to Harold Dick's *A Strategy for Economic Development under Prolonged Occupation: Empowerment and Entrepreneurship*, a paper given at the Welfare Association International Symposium, Jan 1986.
- <sup>155</sup> *Ibid.*
- <sup>156</sup> *Ibid.*
- <sup>157</sup> Alex Pollock, *Aspects of Poverty and Underdevelopment in the Northern Sector of the Jordan Valley*, Arab Thought Forum, Jerusalem, nd. See also Salim Tamari and Rita Giacaman, *Zbeidat, the social impact of drip irrigation on a Palestinian peasant community in the Jordan valley*, Birzeit University 1980.
- <sup>158</sup> It is difficult to obtain information on these committees except by oral enquiry, on which this paragraph is based. However, two written sources, both by Rita Giacaman, are of value. *Palestinian Women and development in the Occupied West Bank*, mimeograph, Birzeit University, (1983) and 'Health and Underdevelopment in the Occupied Territories: a theoretical framework' in *Birzeit Research Review*, No 3, Spring 1986. See also Joost R. Hiltermann, 'Organizing under occupation', in *Middle East International*, no 296, 20 March 1987.
- <sup>159</sup> Khalil Mahshi and Yacoub Qumsiya, *Education for awareness and involvement*, mimeograph, July 1985.
- <sup>160</sup> Union of Medical Relief Committees *Annual Report*, and M. Barghouti, R. Giacaman, and C. Smith, *The Medical Relief Committee - a model for mobilisation*, Ramallah, Jan 1986.
- <sup>161</sup> Yitzak Rabin, Minister of Defence, quoted in Dick, *op. cit.*
- <sup>162</sup> *Jerusalem Post*, 31 August 1986.
- <sup>163</sup> Mark Heller, *A Palestinian State: the Implications for Israel*, Harvard University Press, Cambridge, Mass., 1983, p 8.
- <sup>164</sup> Mark Heller's book is a good example of a cogent Israeli argument for self-determination. See also (ed) Alouph Hareven, *Can the Palestinian Problem be solved - Israeli Positions*, Jerusalem, 1983. An interesting feature is the way right wing Israelis are far more aware of the danger of Israeli Arabs wishing to assert themselves than are leftists, who tend to suggest that once the West Bank and Gaza have self-determination the Israeli Arabs will feel far more contented. Rightists who argue that on the contrary, this would excite greater demands, seem far more plausible to me.
- <sup>165</sup> Opinion polls carried out by Maariv in November 1985, March 1986 and 12 May 1987 show fairly static attitudes. Only 4.4% expressed a willingness to evacuate all West Bank captured in 1967 in exchange for peace; 15.4% were willing to evacuate everything except East Jerusalem; 32% were willing to forgo certain parts of West Bank; 46.4% were unwilling to make any concessions; 61.8% were unwilling to cede any settlements, of whom two-thirds wanted the settlement programme to continue.
- <sup>166</sup> The figure of 5% being willing to consider ceding the territories to the Palestinian people (rather than to Jordan) is only an optimistic guess.
- <sup>167</sup> The remark of a Jewish peace worker to the author.
- <sup>168</sup> *Jerusalem Post*, 23 May 1986.
- <sup>169</sup> See *News from within*, 26 August 1986.



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