



SECRETARIAT GENERAL  
THE LEAGUE OF ARAB STATES

# ISRAELI SETTLEMENTS

IN THE OCCUPIED ARAB TERRITORIES  
AN INTERNATIONAL SYMPOSIUM

Israeli Settlements in the Occupied Arab Territories. A Collection of paper studies presented to the International Symposium on Israeli Settlements in the Occupied Arab Territories organized by the Secretariat General of the League Of Arab States ( Department of Palestine Affairs ) held in Washington D.C., 22-24 April 1985.

The views expressed in the various statements and papers contained in this volume are those of the contributors and do not necessarily reflect the views of the League of Arab States.

DS  
127  
.96  
03  
I58  
1985  
C.2

909399/  
1150203

© The League of Arab States

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the Copyright owner.

Published and distributed by **DAR AL-AFAQ AL-JADIDAH**

# THE ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES

*A Collection of Paper Studies  
Presented to the International Symposium  
on Israeli Settlements in the Occupied  
Arab Territories*

THE LIBRARY  
KING FAHD UNIVERSITY OF PETROLEUM & MINERALS  
DHAHRAN - 31261, SAUDI ARABIA



# TABLE OF CONTENTS

## Chapter 1

● Speech of Mr. Sean Mac Bride .....	13
● Statement of Mr. Chedli Klibi .....	15
● Speech of Dr. Bruno Kreisky .....	23
● Speech of Rev. Jessie Jackson .....	37
● Speech of Lord Hugh Caradon .....	43
● Statement of Ambassador Khwaja Wasiuddin .....	47

## Chapter 2

Paper study of HRH Crown Prince Hassan of Jordan .....	53
--	----

## Chapter 3

### Panel I

“Israeli Settlements in the Occupied Arab Territories 1967 - 1984 :  
Overview and Historical Perspective”

Author : Dr. William Harris .....	63
Discussants : Professor David H. Ott. ....	73
Mr. Donald Will. ....	81

## Chapter 4

### Panel II

“Goals, Means and Patterns of Israeli Settlements in the Occupied  
Arab Territories”.

Author : Professor M. S. Agwani .....	91
Discussants : Dr. Ann Lesch .....	107
Mr. Mohammad Milhem .....	117

## Chapter 5

### Panel III

“Jerusalem : Israeli Concepts, Policies and Practices”.

Author : Mr. Henry Cattan .....	123
Discussants : Dr. Elmer Berger .....	143
Professor Saeeduddin Ahmad Dar .....	155
Dr. Mahdi Abdul - Hadi .....	163

## Chapter 6

### Panel IV

“Attitudes of Israeli Socio - Economic Forces towards the Question of  
Settlements”

Author : Professor Edward Witten .....	201
Discussants : Professor Mark Tessler .....	211
Professor Dan Tschirgi .....	233

## **Chapter 7**

### **Panel V**

“ Economics of Israeli Settlements in the Occupied Arab Territories ”.

Author : Dr. Ibrahim Oweiss .....	249
Discussants : Professor Timothy Niblock .....	269
Mr. Manabu Shimizu .....	277

## **Chapter 8**

### **Panel VI**

“ Palestinian Resistance to Israeli Settlements.”

Author : Dr. Kenneth Lewan .....	289
Discussants : Mr. Claude Bourdet .....	303
Professor John Ruedy .....	311

## **Chapter 9**

### **Panel VII**

“ The Status of Israeli Settlements on the West Bank under International Law and in International Forums ”.

Author : Dr. Richard Falk .....	317
Discussants : Professors Sally V. Mallison and Thomas Mallison .....	327
Dr. Oki - Ooko - Ombaka .....	337

## **Chapter 10**

### **Panel VIII**

“ The Impact of Israeli Settlements on Peace Efforts : Present and Future ”

Author : Professor Lorne Kenny .....	343
Discussants : Dr. Charlotte Teuber .....	355
Mr. Merle Thorpe Jr. ....	363

## **Chapter 11**

- Report on the International Symposium on Israeli Settlements in the Occupied Arab Territories ..... 377
- Speech of Ambassador Dean Brown ..... 393
- Closing - up Speech of Dr. Clovis Maksoud ..... 399

## **Chapter 12**

- Photographs and Maps ..... 403

## **Appendixes :**

- List of Names of Participants ..... 432
- List of Governmental and Non - Governmental Organizations ..... 433

# CHAPTER / 1



## **ACKNOWLEDGEMENTS**

**I** would like to express my sincere gratitude and appreciation for all the efforts that had been exerted to ensure the successful accomplishment of the International Symposium on the Israeli Settlements in the Occupied Arab Territories that was held in Washington, D. C., in April 1985. In particular I should like to pay tribute to Dr. Abdel-Salam Dajani, the Executive Coordinator, who offered his professional help and experience in the organization of the Symposium, and who provided the Department with his invaluable knowledge in this field.

We, in the Department of Palestine Affairs, are deeply grateful to Professor Saadeddine Ibrahim, who acted as the rapporteur of the Symposium. Prof. Ibrahim, Dr. Anis Sayegh along with Dr. Dajani joined Mr. Jamil Mattar and myself in the Ad Hoc Committee which specified the themes of the Symposium, the steps to be taken as well as the list of the scholars, prominent figures, Governmental and Non-Governmental Organizations who participated or attended. Their contribution helped, no doubt, in the achievements of the Symposium. We also view in appreciation the organizational part played in Washington by Mrs. Malea Abdel-Rahman, the Assistant Coordinator. I need not mention the devotion showed by my colleagues in the Department and the sincere cooperation of our Washington Office staff, who were but doing their duty upon which we look proudly.

Needless to say that the prominent figures who attended and participated in the work of the Symposium had enriched the academic contribution and emphasized the political aspect of this problem. Those who came all the way from New Zealand, Japan, India, Pakistan, Kenya, Austria, Finland, Norway, Sweden, Ireland, France, England, Germany, Switzerland, Belgium, Canada and several Arab countries, came out of their deep conviction in the just cause of the people of Palestine and as a part of their dedication to the cause of peace. To all of them I say « thank you ».

**Muhammad H. El-Farra**

Under-Secretary-General  
for Palestine Affairs  
The League of Arab States



# INTRODUCTION

**T**he symposium is being convened at a time of crisis in the Middle East, due to events that threaten local, regional and international repercussions difficult to predict.

Although there are various developments in some parts of the Middle East, concentration on the question of the Israeli Settlements in the Occupied Territories, with all the dangers it poses, stems from the basic fact that the greatest threat to peace in the region lurks in the expansionist settlement policy, which is carried out through the proliferation of new settlements and expanding existing ones.

These settlements represent more than buildings. They are, first and foremost, an expression of an expansionist design with three basic objectives:

The first is the annexation of more Arab lands, with what that involves in terms of displacement of the inhabitants, expropriation of property and the repression practised continuously in the occupied areas, and the subsequent demographic changes there.

The second aim of Israel's expansionist plan is to preempt any attempt to affirm the rights of the Palestinian people, foremost among them the right of self-determination in their own land. Thus, the original, long-term objective of proliferating the settlements is to eliminate the Palestinians, as a people with recognized national rights, from the political map of the region.

The third objective of the expansion is to use the settlement issue as a means of foiling any political solution that does not concede full Israeli sovereignty over the Occupied Territories. Israel is saying, in effect, through the settlement question, that it will accept nothing less than surrender, even though it insists on calling this surrender « peace » .

**Chedli KLIBI**

Secretary General  
League of Arab States



---

# STATEMENT OF H. E. Mr. SEAN Mac BRIDE IN THE OPENING SESSION OF THE SYMPOSIUM



*Sean Mac BRIDE*

*Excellencies, Ladies and Gentlemen,*

It is my honour and privilege to welcome you here to this Symposium on Israeli Settlements in the Occupied Arab Territories.

The Symposium has been convened by the League of Arab States. The League of Arab States comprises some twenty-two different States in the world and represents some hundred and seventy-five million people.

It is one of these Regional Organizations that came into existence during and following the process of decolonization resulting from World War II. We have had other similar regional organizations, such as the Council of Europe, such as the Organization of American States and the Organization of the African States. It is my privilege as one of the founders of the Council of Europe, which also comprises twenty-two different states, to preside at this International Symposium. I do not propose to make a detailed statement, but I think that there are two or three things that I should say to put the Symposium in focus and to open up the main issues we have to deal with.

There are probably few ethnic groups other than the Jewish people, the African blacks and the Irish, who have suffered more than the Arabs have suffered at the hands of their oppressors. I felt that those of us who had been involved in the struggles of these people or had been involved in the application of the will of law, have a duty to expose the systematic persecution of the Palestinian people and the Arabs who are living in the Occupied Territories. Systematically and brutally they have been deprived of their homeland, and efforts have been made to destroy their ancient heritage and culture. The transfer of Jerusalem to an international authority must be ensured to enable free access and to ensure the preservation of this historic city for the benefit of all religions and all cultures. One of the salient features of the present world situation arises from the deliberate floating of the decisions of the United Nations. Even when those decisions have been reached unanimously by the Security Council, such as resolution 446, which was adopted in May 1979. Since that resolution was adopted, Israel has illegally taken possession of over 30% of the total area of the West Bank. We all have a duty to support the United Nations and to support the Arab Nation in its efforts to secure justice in that portion of the world. Whether it be the Palestinians, the Namibians, the Africans, the Irish people, all the right-thinking people of Israel and the mass of freedom-loving citizens of this great United States of America, we all have the duty to hurry to secure to the friends of justice the proper application of the will of law.

Now this is a symposium which is dealing with a specific topic. I would like to ask you to confine yourselves to the issues that are dealt with in the papers and to limit your speeches to reasonable proportions. I think nobody should speak for more than ten minutes. Once speakers speak for more than ten minutes, people cease to listen to them carefully. They should be able to say anything in ten minutes.

I have sitting with me on the platform first of all to my right, His Excellency Chedli Klibi, and next to him on my right is Dr. Muhammad El-Farra, Under-Secretary General of the Arab League, and on my left we are very fortunate in having Ambassador Wassiuddin of Bangladesh who represents the United Nations and who is Vice-President of the General Assembly of the United Nations, and on my left we have the Rapporteur of the Symposium, Dr. Saaduddine Ibrahim.

I should mention one of our distinguished guests who is Jessie Jackson because he does represent, to my mind, the biggest and the most important section of the population of the United States. It is my honour and pleasure to pass the floor to His Excellency the Secretary General, Mr. Chedli Klibi.

---

**STATEMENT OF H. E. Mr. CHEDLI KLIBI  
SECRETARY GENERAL OF THE LEAGUE OF  
ARAB STATES AT THE OPENING SESSION OF  
THE SYMPOSIUM**



***Chedli KLIBI***  
*Secretary General  
League of Arab States*

**I** would like to thank the United States for enabling us to hold this Symposium in this great capital city. I also would like to express my thanks to the United Nations Organization and its Specialized Agencies, to the Organization of the Islamic Conference, the Organization of African Unity and all the Non-Governmental Organizations represented here.

Permit me to express my appreciation, as well, to the distinguished participants, both statesmen and academics, who so graciously supported the Symposium by their presence with us today, and who will lend their valuable contribution to the deliberations of the Symposium.

***Ladies and Gentlemen,***

The Symposium is being convened at a time of crisis in the Middle East, due

to events that threaten local, regional and international repercussions difficult to predict.

Although there are various developments in some parts of the Middle East, concentration on the question of the Israeli settlements in the Occupied Territories, with all the dangers it poses, stems from the basic fact that the greatest threat to peace in the region lurks in the expansionist settlement policy, which Israel is carrying out through the proliferation of new settlements and expanding existing ones.

These settlements, as you know, represent more than buildings. They are, first and foremost, an expression of an expansionist design with three basic objectives:

The first is the annexation of more Arab lands, with what that involves in terms of displacement of the inhabitants, expropriation of property and the repression practised continuously in the occupied areas, and the subsequent demographic changes there.

The second aim of Israel's expansionist plan is to preempt any attempt to affirm the rights of the Palestinian people, foremost among them the right of self-determination in their own land. Thus, the original, long-term objective of proliferating the settlements is to eliminate the Palestinians, as a people with recognized national rights, from the political map of the region.

The third objective of the expansion is to use the settlement issue as a means of foiling any political solution that does not concede full Israeli sovereignty over the Occupied Territories. Israel is saying, in effect, through the settlement question, that it will accept nothing less than surrender, even though it insists on calling this surrender « peace ».

Thus, the idea behind this Symposium is to emphasize the dangers posed by the settlement policy, not only to the region, but to international peace and security.

Faced with this reality, it is imperative to alert the international community to these dangers, and to ask it to undertake its responsibilities to prevent this phenomenon from becoming a permanent threat to international security and peace.

Israel's refusal to abide by the resolutions of the United Nations, and especially of the Security Council, is extremely serious, because it paves the way for the primacy of the law of the jungle. We resort to the United Nations to express our preference for the peace option, affirmed by the Fez Summit Conference within the framework of the Arab consensus.

*Ladies and Gentlemen,*

A word about the Golan Heights:

Is there in our contemporary world a state that forcibly moves its citizens into the territory of another state, builds settlements and towns within the borders of that state, mobilizes the citizens of foreign countries to live in these settlements, receives contributions from supporters abroad to expand its colonization of the neighboring state's territory, issues postal stamps for the settlements in these lands, arranges tours of the occupied lands for leading politicians, journalists and artists, and brings representatives of leading institutions and organizations to plan and finance even more settlements in the Occupied Territories ?

*Ladies and Gentlemen,*

Our view of the settlements has convinced all countries, with a very few exceptions.

We cite here not only the resolutions approved by the massive majority of the members of the United Nations General Assembly, or the positions of the permanent members, save one, of the Security Council. We refer especially to the attitudes of the states closest to the United States in values, friendship and interests, meaning the states of Western Europe.

In the Venice Declaration of 1980, these states expressed their conviction that the Israeli settlements constituted a serious obstacle to peace and that the settlements, along with the attendant demographic and other changes in the Occupied Territories, were illegal under international law.

These states affirmed again, in the Brussels Declaration of 1983, that the Israeli settlements contravened international law and constituted a mounting obstacle in the path of peace.

The position of the United States on this matter has been inconsistent. The settlements were considered illegal under the Carter Administration. Then, during President Reagan's first term, they became merely an « obstacle to peace ». Now, they are neither.

The U.S. Administration's practice of ignoring the settlement activity and the expropriation of land in the Occupied Territories, as well as the violations of international law by the Israeli forces in South Lebanon, causes deep concern among all friends of the American people, especially in our Arab Nation, who admire the American people's vitality and their faith in justice, freedom and equality. American support, frequently manifested in the use of the U.S. veto to nullify Security Council resolutions condemning, or even censuring Israel, has provided the Zionist state with a shield that enables it to

ignore the international Organization and its resolutions. This support was also an inducement for Israel to continue its aggression against the Arab countries.

Of even greater concern is the fact that the United States, which has coupled its diplomatic backing for Israel with generous military and economic assistance, has in recent years increased the quantity and improved the quality of its aid. For the first time in the relationship between the two sides, the United States has taken the initiative not only to double the volume of assistance, but to transform it entirely into grants that do not have to be repaid.

And for the first time also, the United States and Israel concluded the Strategic Cooperation Agreement, with all that such an accord involves in terms of supporting Israel and its aggressive policies.

And that is not all. We are now a few weeks away from the implementation of the Free Trade Agreement between the United States and Israel, originally conceived as a way to salvage Israel's economy. This agreement, undoubtedly, will enable Israel to continue its policy of expansion and annexation, instead of economic assistance being a factor for pressuring Israel to halt its policy of aggression and to abide by the international will.

Finally, the United States has invited Israel to participate in the research for the Strategic Defence Initiative, known as «Star Wars», thus permitting Israel to learn the most secret and advanced American military technology.

Despite our continuous efforts to establish the best possible relations of understanding and cooperation with the United States, based on common interests and values, we believe that this American attitude could hinder the dialogue aimed at the realization of a comprehensive and just peace in our region.

We regret that the most that the United States is insisting upon currently in regard to the Arab-Israeli conflict is to ask the Arab side for so-called direct negotiations. Those who know the imbalance of power and the extent of Israel's intransigence realize that the negotiating table is simply a place for dictating Israeli conditions.

Our greatest fear is for Israel's expansionist design to be imposed also on South Lebanon, where Israel is seeking through devious means to achieve the aims it failed to gain by war. We mean the seizure of the waters of South Lebanon and carving out an area to be falsely called a security zone.

We also regret in this context the silence, bordering on disinterest, of the U.S. Administration towards the events in South Lebanon, including the violations of international law and the aggressive actions aimed at destroying

efforts for national conciliation to rescue Lebanon from the bloody tragedy it has lived through for ten years.

*Ladies and Gentlemen,*

Experience has shown that the expectations of the U. S. Administration for an Arab-Israeli settlement have not pushed peace closer to realization. The region is in the grip of the worst possible crisis, and if we examine the roots of the existing problems and conflicts, we see that they all stem from one fundamental issue. This leads us to say, and to repeat, that unless the basic problem is resolved in a manner guaranteeing the right of the Palestinian people to self-determination in their own land, we cannot expect the region to escape continuous struggle.

*Ladies and Gentlemen,*

When we speak of Israeli settlement and colonization in the Occupied Territories, we naturally think of the Palestinian countryside. But the first victim of Zionist colonialism was Jerusalem.

Israel likes to talk about the unification of Jerusalem, but:

Jerusalem was not unified.

Jerusalem was occupied.

East Jerusalem was annexed to West Jerusalem by military force.

Zionist colonialism entered the West Bank through Jerusalem. And the first Israeli action after June 11, 1967, was to demolish the buildings of Sidi Boumedienne, which had sheltered thousands of pilgrims from North Africa.

Jerusalem remained for fourteen centuries a symbol of the coexistence of the three monotheistic religions and their adherents.

Today, however, there is no such coexistence under the Israeli occupation.

Would you not agree that Jerusalem would be the right venue for turning the principle of coexistence into reality for all the states of the region, including the Palestinian state, which logically should have its capital in Jerusalem?

Peace begins and ends in Jerusalem.

*Ladies and Gentlemen,*

The position of the Arab States, including the Palestinian side, on the issue of peace is absolutely clear. It was expressed, with unique and historic unanimity, at the Fez Summit Conference of September, 1982.

The Fez Summit resolutions confirmed freedom of worship and of the

practice of religious rites for all sects in the Holy Places. They also consented to have the West Bank and Gaza Strip come under United Nations supervision during a short transitional period. The Summit also agreed that the Security Council should provide peace guarantees for all the States of the region, and to insure the implementation of those principles.

In return, the Arab States demanded the withdrawal of Israel from all the Arab territories occupied in 1967, including Jerusalem, and the removal of the effects of the military occupation.

They also affirmed the right of the Palestinian people to self-determination and to the exercise of their inalienable national rights, under the leadership of the Palestine Liberation Organization, their sole legitimate representative, with compensation for those who do not wish to return.

The Summit Conference, furthermore, stressed the establishment of the independent Palestinian State, with Jerusalem as its capital.

*Ladies and Gentlemen,*

It has been said that the Fez resolutions need explanation and clarification.

Of course! Has any of us heard of a political or diplomatic document, dealing with as delicate an issue as the Palestinian question, that did not require further explanation?

What is important is not only the content of the document, but its import, as a whole, and what it reveals about the intentions of its authors, in comparison with the attitudes of other parties, or even with the previous positions of the same side.

Given that, it would be difficult for the impartial observer to deny that the Fez resolutions constitute a bold, collective and constructive Arab step towards a peaceful, comprehensive, permanent and secure settlement, and that these historic resolutions deserve, especially from the United States, a response of equal level.

*Ladies and Gentlemen,*

I would like to end my remarks with an emphasis on three realities, which the members of the League of Arab States consider fundamental:

The first reality is that the Fez Plan mentioned previously is a constant that has not been disputed or doubted by the member states, which often disagree on other lesser matters. We hope that our friends, especially in the West, do not doubt the capacity of the Arab States to reach agreement, and not credit propaganda portraying our States as too disunited to achieve collective action.

The second reality of which we would like to remind our friends in the United States is that the Arab region is of great importance, as they well know, and that it is strange for a superpower like the United States to narrow its friendships to the point of considering Israel the only ally in a region extending from the extreme west of North Africa to the Land Between the Two Rivers, an area bordering four seas of vital importance to international peace and security.

The third point I want to make, clearly and objectively, is that there are now positive elements that may facilitate a permanent peaceful settlement, and that it would be extremely dangerous for the region if these opportunities are not exploited for the achievement of a comprehensive peace, based not on the balance of power, but on the rights of nations. These rights are linked to the achievement of a permanent peace, which would not endure unless based on persuasion and peace of mind.



---

## SPEECH GIVEN BY Dr. BRUNO KREISKY AT THE BANQUET OF THE SYMPOSIUM

**Dr. Bruno KREISKY**  
*Former Chancellor of Austria*



**I**n the *International Herald Tribune* of April 2 this year, I found a report from Jerusalem, based on the *West Bank Data Base Project*, which should be believed to be the most extensive study ever made of Israeli land expropriation policies in the West Bank, that was released on Sunday.

The study warned that Israeli policies have been designed to create a « dual system » for the benefit of Israelis, and to leave the territory's 800,000 Palestinian residents isolated in « a patchwork of hostile regions, alienated and severed » from each other.

« The Israelis, by imposing direct control over half of the West Bank, have actually created two spatially segregated regions, ethnically divided, separate and unequal », the report said. The report also noted that the long Israeli occupation of the West Bank has helped to almost completely reverse the historic pattern of land ownership in what was the British Mandate of Palestine until the creation of Israel in 1948 .

« Thirty-eight years ago, in 1947, the Jews possessed less than 10 percent of the total land of mandatory Palestine », it said. « Now, the Arabs ( including

the Arab citizens of Israel ) are left in possession of 15 percent of that land ».

The *West Bank Data Base Project* is an independent research organization that monitors the growth of the Jewish presence in the West Bank. It is headed by Meron Benvenisti, a professional city planner and former deputy mayor of Jerusalem, and is funded by grants from the Ford and Rockefeller Foundations.

The study documents the methods Israel has used to seize land in the West Bank, including the take-over of property abandoned by its owners, the « compulsory purchase » of land for public purposes and the closure of vast tracts for military use.

However, the most important land expropriation method used by Israel was developed in 1979 under the government of Menachem Begin, the former Prime Minister. Under the provisions of a law dating back to the Ottoman Empire, Israel declared that West Bank territory that was not being cultivated and had not been legally registered with Jordanian authorities before 1967 was « state land », with the burden of proving otherwise left to the Arab claimants.

According to the study, this method allowed Israel in a single stroke to triple the amount of « state land » in the West Bank, to a total of 537,500 acres. The study estimated that 425,000 acres of this land has already been formally taken over by Israel, with the remainder still to be processed through a series of government declarations and appeals by Arab claimants that are almost never successful.

Mr. Benvenisti said on Sunday that he expected critics to dispute many of his conclusions, but he said the findings on the extent of Israeli land seizure in the West Bank were all based on official documents and not subject to challenge.

Some years ago, Crown Prince Hassan of Jordan showed me a similarly impressive study which demonstrates Zionist expansionism. You, who have come here to deal with this question and, at the same time, to alert the American public once more about this development, are very well aware of what this means.

Therefore, I need not lecture you on the consequences of this expansionism for the very existence of the Palestinian people. I consider it imperative that these issues be studied in depth at a special symposium and that the attention of the world public be drawn to them.

People do not even realize that attempts are being made to thwart one of the central objectives of Palestinian policy, namely the creation of an independent Palestinian State. It is argued that there is no territory still available today for such a state. Thus the aforementioned statistical facts are obstacles on the way to any «comprehensive solution».

The U.S. President, Mr. Reagan, rejects the Israeli settlement policy, although his Administration has not yet succeeded in getting the Israeli government to accept this approach. Anyway, no solutions may be expected from the Israeli Government with its current composition.

This issue is not only very critical from the perspective of international law; what is more: it even concerns a crass violation of the principles of international law. As someone who has spent many years of his life in politics and who has always been deeply committed, I ask myself what can and must be done, and what conclusion must be drawn from the current situation.

It is not enough for us simply to content ourselves with playing the role of historians and merely interpreting these political events. Nor must we confine ourselves to accepting the present state of affairs; rather, we must speak out for what is desirable.

And here we are not only concerned with safeguarding the legitimate rights of the Palestinian people, but also with the need to implement the principle of the Palestinian people's right to self-determination. What can be done today, realistically speaking?

It took a long time for the political leaders of the world to realize the importance of the Middle East problem for world peace. It was only on account of the war in Lebanon that the great powers became aware of how dangerous the situation is, not only for this part of the world but also for themselves.

The other day I saw a late-night film in the United States on the American military effort in Lebanon. What the American public was shown of the expedition of the U.S. Marines was like scenes from a genuine war movie. Pictures of American soldiers who had died in action alternated with excerpts from speeches by President Reagan that were in utter contrast with the scenes shown.

The withdrawal of the former colonial powers' military units had become indispensable in the interest of easing tensions. Indeed, I had at all times made it perfectly clear that I considered the deployment of these troops a major strategic, political and psychological mistake.

War is something terrible, but all those who have ever witnessed a civil war, and I am among them, are convinced that civil war is the most terrible experience that can be imagined. And it is such a civil war that has most tragically raged in Lebanon for years.

But what has this war in Lebanon really meant for the rest of the world? I certainly cannot draw a perfectly complete picture of the situation, but what I am going to say will, I hope, be sufficiently clear: this war is the product of a

multitude of problems. For one thing, it is a civil war again and again engendering deadly hatred among the people of Lebanon.

In addition, various foreign powers are trying to gain influence on the various hostile factions, giving the civil war in Lebanon a new dimension. As Israeli troops invaded the country the situation was further exacerbated.

Those who plead, as I do, for the inclusion of the Soviet Union in the peace efforts are often confronted with the argument that the Soviet Union has no business in that region. Others feel that the same holds for the United States. Both sides fail to see reality: first of all, the weaponry used in the area has been supplied by the two super-powers and, more importantly, each of the states involved in the conflict is backed by one of the superpowers.

The Soviet Union is an ally of Syria and the United States an ally of Israel. Those who reject the participation of the two superpowers in the efforts to appease the region bury their heads in the sand. The actions of the two protagonists, Syria and Israel, are not easy to predict and either side is reluctant to accept arguments that are at variance with their own views.

Accordingly, in the event of a direct confrontation between the two countries their powerful friends would face a most difficult situation. And this is exactly what the superpowers want to avoid. Hence, their interests are analogous, if not identical. At this point I should like to open an historical parenthesis.

If we look at the way the two world wars started we see that neither of them began with a direct and immediate confrontation between the big powers. Rather, the areas of conflict were outside their national territories.

The First World War broke out – as is well-documented – because the so-called Austrian War Party ( backed by the German Emperor ) had hoped to stabilize the situation in Austria-Hungary by waging a « minor war » with Serbia. The authors of the famous Austrian ultimatum to Serbia didn't think that they would in this way trigger off a world war. And before World War II Czechoslovakia's allies ought to have been prompted already by the Czechoslovak crisis to honour their alliance commitments rather than back out from them through the Munich Agreement of 1938. Had they realized their responsibility and acted accordingly, they would probably have spared us the Second World War.

Chamberlain's and Daladier's capitulation in Munich not only did not prevent World War II but – as we know today – actually helped Hitler to remain in power. Today we know that if the Western powers had not capitulated in Munich, the German General Staff would have tried to overthrow Hitler.

The Second World War started with Germany's attack on Poland, which, unexpectedly for Hitler, caused France and England to declare war on Germany. Thus, both world wars had their origins in secondary areas.

The history of the two world wars suggests that a third one – which I hope we will be spared – would probably not break out as a consequence of a direct confrontation between the two superpowers. And here I should like to reflect briefly on Europe.

I should like to refer to what may be called the European paradox. There is no reason whatsoever for a war between European countries. I remember that when I was a young man there was a permanent discussion going on about the next war between Germany and France, which would give rise to a new world war.

In today's Europe there is no reason for such a war, but in spite of this fact we have today on that continent the biggest accumulation of arms – highly sophisticated arms – on both sides of the demarcation line between East and West. This fact as such is a threat to peace.

There is a feeling of restlessness, above all among the young generation, about the capability of the governments to guarantee them a peaceful future. There is a widespread fear of nuclear war. It could well be, then, that a trouble-spot outside Europe might give rise to a world wide military confrontation between the superpowers.

So, in trying to analyse the political situation of today I think we ought to clearly understand at least some of these aspects. And now for the question of where to look for the roots of the problem of the Middle East. Without any doubt they are to be found in the unresolved Palestinian question.

The war between Iran and Iraq is an entirely different matter and has quite different causes. More than ten years ago, President Bourguiba of Tunisia, for whom I have the highest regard, explained to me in Geneva why he would be ready to recognize the existence of Israel.

The U.N. resolution had laid the foundation for the State of Israel, but at the same time for a second state, «the Palestinian State» as he – Bourguiba – chose to call it.

The Resolution adopted on the report of the Ad Hoc Committee on the Palestinian Question: termination of mandate, partition and independence « Point 3 ». Independent Arab and Jewish states and the special international regime for the city of Jerusalem.

This, it appeared to me, was a very impressive way of arguing. At that time the idea of an independent Palestinian state had not yet met with the approval of the Arab world it enjoys today on the basis of the Fez Declaration. Permit

me now to explain to you my intentions and my personal involvement in the Middle East problem.

Time and again I have emphasized within the Socialist International that I approve of its interest in Israel and its cooperation with the Israeli Labour Party, but that in my opinion the Socialist International ought at the same time to seek contact with the Arab World, which is of great cultural and economic importance to Europe.

My words went unheard for a long time, and that for many reasons. The Israelis argued that there was no Palestinian people, that there were only Arabs, and Golda Meir stated that with the Arabs she was ready to negotiate at any time. With only few exceptions, the representatives of the other parties and of the Socialist International remained silent.

Having dealt with this question for 30 years, I should like to tell you of my painful experience, which has often made this matter appear to me a truly Sisyphean task, and for several reasons.

- 1) A number of most honourable statesmen of the West were fully aware of their moral responsibility for not having prevented Hitler's and Mussolini's rise to power. And they felt guilty for what had been inflicted upon men and women of the Jewish faith or of Jewish origin.

Accordingly, they often tended to adopt a stance best described by paraphrasing an old English saying: « Right or wrong — we support Israel », This attitude caused many highly respectable politicians with a pronounced sense of justice to pursue a policy which for a long time made it very difficult for me to make the member parties of the Socialist International see me.

- 2) People in Europe and in America were not aware of their own energy problems, which they came to realize only after the petroleum crisis.
- 3) European politicians considered the Middle East problem to be so complicated that they were glad to wash their hands of it and leave it to the United Nations. And it may sound like a commonplace Marxist statement if I say it was not only under the impression of the petroleum crisis of 1973-74 that my renewed proposal to send a fact-finding mission to the Arab countries to explore chances for a peaceful settlement was favourably received on the occasion of a meeting of leading members of the Socialist International in London. It was decided that I should head this fact-finding mission.

I will not go into further detail, but let me say that it was much more than a fascinating journey to a world completely new to me: this mission taught me a great many things that had been a closed book to me before, and, what I

appreciate most, it helped me make friends with quite a few important leaders of the Arab world.

The friendly contacts I had with Sheikh Zayed at that time will always remain an unforgettable and lasting experience. In the report of the fact-finding mission to the Socialist International we concluded that it was only by the establishment of an independent Palestinian state that peaceful conditions, or at least a state of non-belligerency, and ultimately perhaps a state of coexistence could be brought about in this region.

At this point I should also like to mention my encounter with President Assad, who insisted that his hostility to Israel should not be mistaken for an anti-Jewish attitude. Similar statements were made by other leaders. In this context it may be worth noting what I was told in Algeria and later on in Libya.

While these countries had very definite ideas about how the problem should be solved — Col. Ghaddafi, for example, felt that the Jews of Israel would have to return to the countries they had come from — the general view was that a political solution would be acceptable provided that all Palestinians approved of it.

This is what, on one occasion, I called the Boumedienne Doctrine. I had to tell you all this in order to explain how I had come to be so closely involved in the Middle East problem and to assure you that I endeavoured to gain even more profound insights into the matter in subsequent years.

So much for the past. Let us now turn to the present situation. In the long run, all political questions are subject to change and development. There will be times when objective or subjective conditions provide a momentum for change.

So, too, in the Middle East. Before this forum I certainly need not expand on the new subjective conditions created by such events as the rapprochement between King Hussein and Mr. Arafat. Nor do I have to emphasize the problems resulting from the extremely divergent views held by members of the Israeli Government, where subjective factors appear to play a major role.

One new aspect that should not be neglected is the Vienna dialogue between the two superpowers a few weeks ago, when senior officers of the State Department with Assistant Secretary Richard Murphy met a Soviet delegation headed by Ambassador Vladimir Poliakov.

Even though both sides insist that it was nothing but a dialogue, it was one that lasted for many hours and will hopefully be continued, and one that will at least help to clarify the respective points of view. Some time ago, I suggested in Sweden's **Dagens Nyheter**, the largest Scandinavian newspaper, that a U.N. Commission for Lebanon and the Middle East should be established, since I felt there were many new elements worth considering.

And I would like to repeat what I recently said in Paris and again in a speech before the Socialist group of the European Parliament and lately lecturing in Japan, India and the U.S.A. and other countries. Both superpowers must be interested in a stabilization in the Middle East.

Let us only take the case of Lebanon. My personal view is that this question should be dealt with within the framework of the United Nations or within a body under the auspices of this Organization.

But we have to bear in mind that the Middle East problem is, in fact, rooted in the unsolved Palestinian question. Here, too, I believe, a lot can be done today. On the Arab side, there is the so-called Fez Plan of September, 1982, initiated by King Fahd. On the other side, we have the Reagan Plan of September 1, 1982.

And there is the UN resolution No. 242, which was nearly unanimously adopted by the United Nations:

- Expressing continued concern with the grave situation in the Middle East;
- Asking for the withdrawal of Israel's armed forces from territories occupied in the ( 1967 ) conflict;
- Termination of all claims or states of belligerency and respect for the acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries, free from all threats or acts of force;
- Guaranteeing the territorial inviolability and political independence of every state in the area through measures including the establishment of demilitarized zones;
- And requesting the Secretary General to report to the Security Council on the progress of the efforts of the special representative as soon as possible.

And then there is the Brezhnev Declaration. There are similarities between these proposals, and where there are differences I have made my own inquiries and have found that, in fact, there are many parallels. Take, for example, the very important question of the annexation of Arab land.

There are also some divergencies between these proposals that could be discussed. Maybe it will be possible to bridge some gaps. And there will be some issues which cannot be bridged. Here, compromises will — maybe — have to be found.

The Fez Plan calls for the withdrawal of Israel from all territories occupied in 1967, including Jerusalem. The Reagan Plan is based on UN Resolution 242. Essentially, the gap between these two conceptions is not so wide as to render a compromise inconceivable.

As to the question of settlements, the Fez Plan demands that all settlements established since 1967 be razed. The Reagan Plan envisages a process during which no new settlements may be built while existing Israeli settlements should not form extraterritorial outposts.

With regard to the Palestinians, the Fez Plan envisages self-determination under PLO leadership, while the Reagan Plan speaks of legitimate rights and self-determination for the land and the people. Here again, it should not be impossible to bridge the gap.

According to the Fez Plan, there should be an independent state of Palestine, with Jerusalem as its capital, while the Reagan Plan proposes an association with Jordan.

Whereas Reagan's declarations, in principle, always remain within the framework of the comprehensive Camp David Agreements and contain a very precise reference to the American concept of the final status of the West Bank and Gaza Strip ( and regarding which the U.S. would be prepared to take political action ), the Fez Charter contains no reference to Camp David, which is only logical.

Whereas Reagan, in his declaration, claims the absolute need for an Israeli withdrawal from the territories occupied in 1967, conceding, however, that the extent of such a withdrawal would have to be negotiated, the Fez Charter postulates the unconditional withdrawal of Israel from these territories. Both suggested solutions provide for a transitional phase.

The nature of the transition would, however, be very different in each scenario. Reagan pleads for full autonomy which would confer upon the inhabitants of the West Bank and Gaza Strip full personal and territorial sovereignty and considers only some restrictions in maritime law as necessary. The Fez Charter proposes a transitional government by the United Nations, which would be limited in duration. Reagan demands negotiations on the final status of the West Bank and the Gaza Strip.

Nevertheless, he expresses a preference for an association of major portions of the West Bank ( reference to the American ideas concerning the extent of Israel's withdrawal ) with Jordan upon the expiry of the transitional period, as well as for the autonomy of this territory.

The Fez Charter, on the other hand, calls for an independent Palestinian state whose frontiers are not expressly defined. However, conclusions about

the actual delimitation of these frontiers can be drawn from the passage of the Fez Charter: they would circumscribe the entire territory of the West Bank and the Gaza Strip.

Reagan advocates an undivided Jerusalem, but considers negotiations about the city's status necessary. Furthermore, according to Reagan the population of East Jerusalem should be granted the right to elect an autonomy council for the transitional period (reference to the fact that East Jerusalem basically forms part of the territories occupied in 1967).

The Fez Charter demands that the Arab «Al-Quds» be returned to the Arabs, which, it may be presumed, corresponds to East Jerusalem. East Jerusalem is to become the capital of the Palestinian state.

Reagan considers it imperative that settlement be stopped immediately but would press for such a stop, however, only if his overall plan were to be implemented. The Fez Charter insists that all Israeli settlements constructed after 1967 in the Occupied Territories be dissolved.

The Reagan Plan provides for a series of security measures which, though not listed in detail, are to guarantee the implementation of the relevant negotiations. According to Reagan's concept these security measures should be determined in the negotiation process.

The Fez Plan suggests that the U.N. Security Council should act as guarantor for peace among the states located in this region, including the independent state of Palestine. Under the Reagan Plan, the conditions imposed by the U.S. as a prerequisite for the recognition of, and negotiations with; the PLO remain unchanged. Therefore, the recognition of, and negotiation with, the PLO hinge on the PLO's acceptance of Security Council Resolution 242.

The Fez Charter confirms the sole and exclusive right of the PLO to represent the rights and interests of the Palestinian people, which has been repeatedly proclaimed by the Arab side since the Rabat Summit.

The Reagan Plan contains no express references to the right of Palestinians to return to their territories or the right to compensation. In principle, Security Council Resolution No. 242 applies, but it is complemented by the recognition of the legitimate rights of the Palestinian people.

A formulation to this effect could go beyond the Camp David Agreement which speaks of the legitimate interests of the Palestinian people (but confines Palestinian participation).

The Fez Plan does not mention the right to return **expressis verbis**, but it confirms the **imprescriptible** and **inalienable** rights of the Palestinian people and the right to compensation for those Palestinian people who do not wish to

return to their original domicile. Consequently, the unlimited right to return must be assumed as an implicit requirement of the Fez Charter.

Finally, there is the question of the PLO, which the Fez Plan considers to be the legitimate representative of the Palestinian people. On this matter the Reagan Plan is silent. But in view of the present situation in the Palestinian camp, one simply cannot but accept the view that the National Congress, still the most democratic institution existing in the region, should nominate its representatives. Without any doubt, Arafat's position is strong – and he stands as a symbol to the movement – but the movement as such is torn and divided. Even though he is backed by the majority of the Arab countries, we must realistically admit that Syria and Libya are against him.

And we all know what that means. It is my impression, however, that some Palestinians and some of their political leaders would be ready to accept a rift such things happen in political movements – if only the political immobilization of the Palestinian movement could be overcome in this way.

As far as the security of the countries in the region is concerned, the various peace plans clearly make reference to it. I do not foresee any technical or political obstacles in solving these issues in a way satisfactory to both parties, even though I am fully aware of the difficulties to be overcome.

But let me once again come back to the United Nations Commission I mentioned earlier. I can very well imagine that the Israeli government might refuse to take part in it. I can also imagine a certain reluctance on the part of the Americans out of consideration for Israel.

But what I cannot imagine is that the United States would, in the long run, reject such a commission while on the other hand reproaching the United Nations for its lack of efficiency.

Such a solution should take the place of the often-cited formula that all parties involved should talk with each other. Time and again, the problem with negotiations of this kind has been how to make the parties return to the conference table once they had left it out of frustration.

This is where the superpowers come in, where they have to bring their influence to bear on the parties of the conflict. As I have said, I cannot imagine that the United States can maintain a negative attitude in the long run. What is more, I know from experience that U.S. foreign policy has again and again proved most flexible.

Austria's neutrality may serve as an example: originally, John Foster Dulles rejected the idea on moral grounds, but finally it was accepted as specifically formulated to suit Austria's case.

As far as Israel is concerned, I simply cannot imagine that a public so

eminently interested in political questions will, in the long run, be prepared to accept that their problems are being discussed in their absence. The French saying « Les absents ont toujours tort » also holds for Israel.

So, one will have to focus on this question. I think that this, or a similar approach, might in due course provide the basis for fruitful talks. Let me finally come to speak in the wider context of world politics, and let me give you a concrete example.

The talks between Foreign Minister Gromyko and Secretary of State Shultz resulted in an agreement to resume the Geneva negotiations. I have expressed my views on this matter in numerous speeches in the U.S., in India, and before that, in Japan.

To be successful in Geneva, we need a better political climate; we need more confidence - building measures. Of course, there are other problems, too, such as the question of Central America and that of a nuclear - free zone in Europe, and I have referred to these as well.

I believe that a nuclear **cordon sanitaire** across Europe should be useful, if it were established on both sides of the demarcation line, of course. This would not be more than a homeopathic measure, but it would have a highly important symbolic confidence-building effect. What we have to overcome is the present substantive and verbal hostility.

But one of the most important things that should be realized in the Middle East as I am not speaking on behalf of any government, I feel to speak my mind. Thus, I do not hesitate to voice my very personal concern about certain conceptions that might occasionally occupy a predominant place in the minds of some people – are more specifically, certain conceptions concerning the existence of spheres of influence.

Consider the fact that contemporary Germany is divided; its Eastern part belonging to the sphere of influence of the Soviet Union, its Western part to NATO. Consider that Europe, too is divided, its Eastern part belonging to the sphere of influence of the Soviet Union, while its Western part – except for a few non-aligned and neutral countries – belongs to the Western alliance.

Consider that Korea is divided, and that Vietnam would be divided, had its people not risen against such a division. It could very well be that some people might favour the idea of similar spheres of influence emerging also in the Gulf. In view of the fact that Iran and Iraq have been greatly weakened by the war raging between them, such an idea might not be as unrealistic as it may sound.

In the world in which we live, anything may be considered improbable until it has become reality. This, at least, is the lesson I have learned. In my opinion this constitutes yet another reason why a solution of the problem is urgently

needed in order to prevent such ideas before they can take concrete shape. We do live in a polarized world. This means that we are faced not only with two military alliances but, at the same time, with a mounting influence of ideologies. Hence, the urgent need for a Third Force deeply committed to democracy, but to quote the eminent French politician Herriot: « A democracy derives its stability from its permanent development ».

And I might add, its social development. As I stand before you today I should like to present myself to you as an exponent of that **Third Force**.



---

## **SPEECH GIVEN BY Rev. JESSIE JACKSON AT A SPECIAL LUNCHEON OF THE SYMPOSIUM**



*Rev. Jessie JACKSON*

Thank you Dr. Ron Walters for such a kind, affectionate and generous introduction. In your work and commitment to this cause for freedom and justice, all of us are even more obligated because of your service and the sharing. I look forward to our continued relationship in this journey for peace and justice in the world.

Mr. Secretary General, the dais guest, Mr. Sean MacBride, my friend with whom I have had a chance to work all across the world; Mr. Bruno Kreisky, who was my special guest in Chicago not ten days ago and did such an excellent job of informing and inspiring our community; and Mr. Landrum Bolling, a scholar / activist who has invested his life in this drive for fairness; and my friend and brother Ambassador Jouejati from Syria, who was such a key factor in our ability to bring Lt. Robert Goodman back home and to the one person with whom, by virtue of her own courage and providence and the will of God, made the judgement to journey into the camps of Lebanon. Upon seeing what she saw, she became so inspired that she came back and used her access to Andrew Young, with whom we have had a friendship over the years, and challenged him on the matter of courage to speak out and he did. A woman who in substance, triggered the Andrew Young action and the subsequent trips to the Middle East, Jackie Jackson, my wife.

My friend and brother, Clovis Maksoud, who has done such an excellent job of putting this conference together, and to all of you, who in your own way, your prayers, your efforts and your votes, Brother Jim ( Abourezk ) for that campaign of last year, it is good to be with you again today.

I want to speak on the subject of the challenge to break the cycle of pain. It is such a pleasure to be able to share with you in the work of this Symposium today. All of us are keenly aware that this meeting has convened here in Washington during the 40 th anniversary of our reflection upon humanity's victory over fascism in Europe and Japan.

In a few days, I will journey to Germany as I journeyed to the West Bank, as I journeyed to Israel, to the crossroads in South Africa, as in my youth, I journeyed from South Carolina, resisting the laws of apartheid in this country. In my heart I am convinced that peace is possible. That peace is a moral imperative: it is the moral imperative of this hour. For the sake of this planet and its inhabitants, in a world so capable of self-destruction, led by leaders so arrogant with power — we must draw nigh, as the clock of our universe is ticking toward midnight at an accelerated speed. I am keenly aware of the uneasy kinship between the oppressor and the oppressed. Both must stay in the ditch until the stranglehold is broken. Neither can really make progress. There will be no peace on either side of the Jordan until there is justice on both sides of the Jordan.

Forty years later, the victory over fascism prepared the conditions for the founding of the United Nations in San Francisco, in 1945. Forty years later, these two world-significant events provide an appropriate framework for our deliberations in this international forum or symposium on the Israeli settlements in the Occupied Territories.

This specific subject is a critical component of the Middle East mission. It has the virtue and basic character that must be given attention to by the international community, if we are to achieve a just and lasting peace in that region of the world. All the more because the Middle East is a potential flashpoint to nuclear war that could engulf the world in a tragedy of unprecedented scale.

The barbarous, inhumane rule of Nazi Germany brought the attention of the world to the magnitude of the problem or anti-semitism in European culture and institutions. The Jewish victims of Nazi persecution in Europe were directed to seek refuge from a recurrence of the Holocaust experience by settling in the Middle East. Many European governments and the United States, as a matter of public policy, supported this exodus as a solution to the historic problem of anti-semitism in Europe.

The dispossession and victimization of the Palestinian Arab population,

which resulted from this policy, created yet another group of victims. The world has witnessed this cycle of pain and the trauma acts itself out in the Middle East, and has become a pervasive feature of the everyday life for this section of the human family.

I firmly believe that all people who seek peace and justice for the Middle East must direct our energies towards breaking the cycle of pain and help Jews and Arabs alike to overcome the trauma and achieve reconciliation.

We must first recognize and acknowledge that the pain on both sides of the Jordan is real. The laying of a wreath in the cemetery at Bitburg, a reunion with fascism, equating the victims with the victimizers, is painful to Jews. It is real. The violations of Bitburg are connected with the violations at Johannesburg. Black people's pain is real. The massacre at Shatila and Sabra, the innocent and helpless desecration of Lebanon is painful to the Arab people. The pain is real.

Forty years later, we look back upon a war that saw 50 million people killed. This is a terrible price humanity was forced to pay. The military defeat of fascism in Europe and Japan — 50 million people, 20 million Russians, 8 million Germans, 6 million Jews, 5 million Poles, 4 million Japanese, 3 million British, 300,000 Americans, 100,000 Senegalese, and more. Fifty million people died in one phase or another of that tremendous holocaust.

We cannot allow this holocaust to repeat itself in other forms of injustice. Just as we rose to the ethical challenge to fight with all of our might the Third Reich in Germany in 1945, with that same might, we must fight the Fourth Reich in Johannesburg or wherever some radical race with its « superior » philosophy manifests itself in the human family. Our pain, so real, must motivate us to have a quest for creative justice, not retributive justice. We are called on to forgive and redeem and to move on.

The formula for breaking the cycle of pain is embodied basically in the Golden Rule: « Do unto others, as you would have them do unto you ».

Simple declarations — do justice, and love mercy, and walk humbly before God. Fight for human rights, then measure human rights by one yardstick all over the world. This will serve as the moral foundation for a just solution to the problems in the Middle East. Applying the Golden Rule obviously involves a denunciation of all master-race and purer-race notions of superiority that have a kinship with fascism and apartheid.

In this country, the legacy of Black Americans is to know the double standard. For in the Constitution, we are referred to as 3/5 ths human and by inference, our oppressors as 7/5 th human. We could not rest until we had a one-to-one ratio under law. That fundamental ratio, on the West Bank, in Johannesburg, in Germany all around the world is the demand of this hour, a one-to-one ratio.

The Israeli settlements built on military and occupied territory are an impediment to the peace process. First of all, these settlements are a clear violation of international law as set forth in the Geneva Convention. This body of law specifically prohibits the building of any permanent settlements on occupied territory.

Secondly, these settlements are a « de facto » annexation of territories under military occupation. It is estimated by reliable research that 52 % of the West Bank has already been annexed by Israel since 1967. This is clearly in violation of the inalienable rights of the Palestinian inhabitants to exercise self-determination. It is therefore morally wrong.

Thirdly, since these settlements are both legally and morally wrong, it is at least fair to characterize them as institutionalizing a state of war. This obviously is a serious impediment to the peace process and must become a focus of concern for the international community. As we now know, the United States policy regarding this issue in rhetoric opposes these settlements, while in practice finances the building of such settlements through economic and military aid. However, other public opinion is changing on this matter.

During the California primaries, the Democratic Party, in a progressive coalition, including Jewish and Arab-Americans, put this issue to a referendum vote in Berkeley, California. Nearly 30 % of the voters supported a cut in U.S. aid to Israel equal to the amount that Israel spends on the settlements. This was unprecedented. The public debate which took place in connection with this referendum, was a wholesome exercise in political education. It is a sad commentary on the Democratic Party, that during the primaries, there was a resistance to courageously putting forth a peace-with-justice policy for the Middle East. The Berkeley example represents the kind of leadership initiatives that can make a difference.

In the last analysis, leadership quality is the key to solving our U.S. domestic and foreign policy crises. Leadership that has the courage to speak the truth and mold opinion, not just follow opinion polls. Leadership that has the commitment to follow through and build public confidence and a new set of priorities and a new direction consistent with the goals of peace and justice. A good meal applies more than a formula, legalisms and real estate. It takes leadership – a chef with skill, who can stand the heat of the kitchen.

Creating this new generation of progressive leadership, is the greatest challenge facing the Rainbow Coalition. The Rainbow Coalition now moves from the Campaign of 84 to an international organization in 85 and ‘86 and ‘87 and ‘88. The world is a Rainbow. We face new global realities. Without vision and people who perish, a nation cannot stand. America, a great and blessed nation, by Almighty God, is at least 6 % of the world’s population. One-half of all human beings are Asian, 2 billion plus of them are Chinese, one-eighth of

all human beings are African – one fourth of them Nigerian, 22 nations in the Middle East, 116 million people. Our neighbors to the south - South, Central and Latin America who speak Spanish and Portuguese in the main, their neighbors are next door in the Caribbean. Most people in the world are yellow, black or brown, they are poor, non - Christian, and don't speak English.

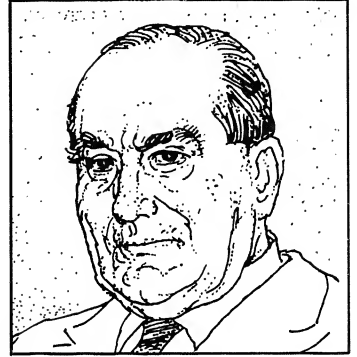
It is the real world we want to address as we go forward, measuring human rights by one yardstick, as we move from the pain principle to the principle of peace and pleasure, let our prayers for peace be comprehensive. Camp David: it is a step in the right direction, but without the Palestinians it became the hole of the doughnut. Jordanian and the PLO initiative was a step in the right direction. But without including Syria, it is one step forward and two steps backwards. Let us be consistent.

Our program remains consistent. With an objective of securing peace and justice in the Middle East, based upon the United States' cooperation with the international community, that program is basically this: We support Palestinian justice, the right to self-determination and state sovereignty among the family of nations of the Middle East. Number two, we support Israel's security within internationally recognized boundaries. Three, we support the right of Lebanon to be free from either pre-emptive strikes, invasion or partition, with territorial integrity protected as a sovereign state. We support normalized ties with the Arab world, including an end to the « no talk » policy toward the Palestine Liberation Organization. We support achievement of a general demilitarisation of the region, to include, by international agreement, curtailing arms transfers to the Middle East and a redirection of military aid to development assistance to help the people of the Middle East improve the quality of life, education, health, housing and development.



---

# SPEECH GIVEN BY LORD HUGH CARADON AT A SPECIAL LUNCHEON OF THE SYMPOSIUM



*By*

*Lord Hugh CARADON*

What I would like to do first today is to congratulate those who have organized the conference we are now attending. I have attended many conferences in my day but never one which was more thoughtfully, more carefully, more brilliantly organized than this one, both in the timing, in the preparation and in the invitation to people who were able to give us authoritative description which discussed a subject that I have known about all my working life, yet I have learnt a lot in these last few days. I would like to say that as a visitor here, I would like to congratulate those who have organized this conference so wonderfully well. It is something which we shall never forget. In the time that we have together before returning to our conference room I would like to tell you how deeply I feel about the subject we are now discussing, I know the area that we speak about better than possibly anyone else in this great company; and when I think of Palestine, I think of Nablus, Qualquilia and many of the villages where the Palestinians lived and where I got to know them and to respect them and to love them. Of all the many great causes in the world in which I am affected, no cause means more to me than the cause of the freedom of the Palestinians. What a wonderful thing it will be if we can make some contribution to enable these people so oppressed, so persecuted so scattered to come back to a homeland of their own where they can take their own decision and their own future and return to the self-respect from which they have been driven. This is a cause which

I believe is as fine a cause as there is anywhere in the world, and if we can contribute to that wonderful cause of the freedom of the Palestinians, then I believe that we shall be performing a service to mankind. By wiping out the shame, the misery of the persecution and the hardships and the suffering which had been inflicted upon these people that I used to know so well when I used to write to their villages, and I think I have written to every village in what they now call Samaria. Yes they are a people worth serving, they have suffered so much that it is well that we should gather together here in Washington, and hear the people who know what they are talking about and strive to do something together which can wipe out the shame of the hardship which had been inflicted on the people of Palestine. Those people who have not been recognized and who have often been disregarded. The press and television seldom do justice to what is required. So we have an opportunity together of doing something we could be proud about in dealing with a people we could be proud of. I wish here to say that my wife and I are very happy indeed that we can come together with you to serve a cause which is as fine a cause as there is in the world. Then I thought I would turn from that first thought of the Palestinian people to the obligation of the International Community. I, as an Englishman, can speak with a sense of responsibility.

The Palestinians have been ill-treated, and they have been abandoned by the great powers of the world including my own country, and it is time that we make up for that shameful record in this country and in mine. I would wish to put it to you that we have the obligation. There had been a lot of talk lately and I have listened to it which was about the necessity for a negotiation between the Israelis on the one hand and the Palestinians on the other. Yes, the responsibility is ours, it is that of the English certainly and the Americans certainly, and it will be the ultimate disgrace if your country and my country refuse to act to remove an evil which has brought so much suffering to so many people. There has also been talk about a world conference on the future of Palestine and the Palestinians, very well do I understand the motive yet? I do not fully agree with this. I think that the international responsibility rests with the Security Council of the United Nations. Surely the body which includes the representatives of my country and your country should feel that it is the obligation, surely, of the Security Council of the United Nations to deal with an evil, to deal with a shame, to deal with an international disgrace. I prefer that to a conference. The Conference is that you come, you speak then you go away. The Security Council does not go away, it retains its responsibility, and my strong feeling would be that it is the duty of the Security Council too long postponed, much too long postponed, to take hold of the situation now and to deal with the just solution which we all seek. Some people believe that all would be well if we could bring together the Palestinians and the Israelis and say the Americans and the Britons. No, it is not good enough. I do not believe that the Israelis and the Arabs could ever come together, I am not criticizing them, but I do not believe that they could ever come together and agree on a total solution. It might mean to argue and disperse and come back again, and meanwhile the suffering continues. I believe it is an absolute obligation of the

international community to take hold of this situation, to consider what the right answer is and then to act upon it. Then one other thought I would want to put to your mind, and it has been very much in our minds as we have been in our conference; it is the central importance of Jerusalem. It is much the most difficult of all the problems that have to be dealt with, but it has got to be dealt with. If there is no solution in Jerusalem there is no peace. How could there be peace in Jerusalem which is now in such suffering and such conflict. It can be done, and I believe that it could be, that Jerusalem could be not the obstacle but the gateway to peace, to understanding, to a relationship between both sides which was productive and which is to the benefit of all. We have spoken together about what could happen in Jerusalem, with an Arab Jerusalem and an Israeli Jerusalem and no barriers between them and freedom of movement from one side to the other which I have known in the past. Jerusalem could be the gateway to a peace, to wipe out all the recollections of misery and suffering, persecution, annexation, to bring two people together to live in future together in happiness. So I believe that this gathering that has been so carefully organized and so well planned has been a service to all mankind and what we have been talking about, and what we have been learning from one another should be communicated especially from this great capital, the beginning of an understanding, a reconciliation, a peace based on justice. So I believe that what we have been doing and what we are trying to do is something well worthwhile and something of which we can be proud.

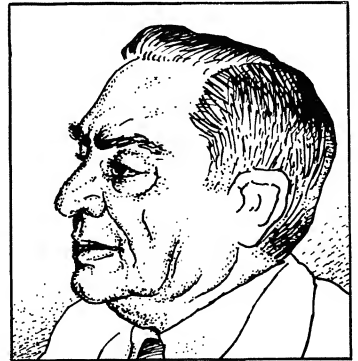


---

**STATEMENT MADE BY H. E. AMBASSADOR  
KHWAJA WASIUDDIN, THE SPECIAL REPRESENTATIVE OF THE PRESIDENT OF THE 39<sup>th</sup>  
SESSION OF THE UNITED NATIONS GENERAL  
ASSEMBLY TO THE SYMPOSIUM**

By

*Ambassador Khwaja WASIUDDIN  
Permanent Representative of Bangladesh  
to the United Nations*



*Mr. Chairman,*

May I, through your distinguished self, convey to His Excellency Mr. Chedli Klibi, Secretary General of the League of Arab States, the profound thanks of His Excellency Mr. Paul Lusaka, President of the 39th Session of the United Nations General Assembly, for inviting him to participate in the International Symposium on Israeli Settlements in the Occupied Territories. It would have been an honour and a pleasure for him to have attended it but unavoidable engagements in New Delhi and Bandung have regrettably prevented him from doing so. He sends his greetings to all of you, the distinguished organizers and participants alike and wishes the Symposium every success in its deliberations.

*Mr. Chairman,*

It is thus my good fortune to have the privilege of having been designated by the President of the United Nations General Assembly as his Special Representative and I offer my profuse thanks to the League of Arab States for the honour they have done me by inviting me to this Symposium. It will afford me the opportunity to listen to and learn from the distinguished participants on the problem of Israeli Settlements in the Occupied Territories, a subject, which has been a major issue before the UN General Assembly for many years.

*Mr. Chairman,*

Israeli Settlements in the Palestinian and other Arab occupied territories are illegal and are definite impediments to the achievement of a comprehensive solution to the Middle East problem. Both the Security Council and the General Assembly have repeatedly affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, is applicable to the occupied territories. The Security Council by its resolution 465 (1980) of 1 March 1980, **inter alia**, has confirmed the applicability of the Convention to the occupied territories. The General Assembly has expressed similar views on a number of occasions and as recently as its 1984 session, it reaffirmed this position by adopting the resolution 39/95 B, of 14 December, 1984, by recorded affirmative votes of 140 to 1 against and three abstentions. But what is more significant is that when a separate vote was taken on the operative paragraph 1 of this resolution, which reads « Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem » was adopted by 143 votes in favour, 1 against and no abstentions.

The only negative vote was cast by Israel, which clearly asserts that all Member States, except Israel, are unanimous about the applicability of the Geneva Convention of 1949 to the Occupied Territories.

*Mr. Chairman,*

At its last session, the UN General Assembly in its resolution 39 / 95 C of 14 December, 1984, expressing grave anxiety and concern at the present serious situation in the occupied Palestinian and other Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the Occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories, stated « strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied territories, including Jerusalem ». The Assembly again in operative paragraph 7 ( d ) of its resolution 39 / 95D of 14

December, 1984, strongly condemned « establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto ». Then on the question of violation of the provisions of the Geneva Convention of 1949, the General Assembly by the operative paragraph 6 of the same resolution stated « declares once more that Israel's grave breaches of that convention are war crimes and an affront to humanity ».

It was not for the first time that at its last session, the General Assembly adopted such resolutions. Similar resolutions were adopted by the Assembly many times in the past. But the Israeli authorities continued to carry out their policy of establishment of illegal settlements in the occupied territories showing utter disregard to views expressed by the World Community at the United Nations. In this respect, let me quote what the Chairman of the Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, Ambassador Nissanka Wijewardane stated in his letter of September 14, 1984 transmitting the report of the Committee to the Secretary General: « The information contained in this report reflects the continuation of the policy of annexation and settlement which the Government of Israel has followed with increasing vigour in the territories occupied in June 1967. Settlements that were established in earlier years have been enlarged and consolidated, new settlements have been established and plans for further settlements have been announced extending into the next century ».

*Mr. Chairman,*

Israel's unrelenting policy of establishing new Settlements in the Occupied Territories, in arrogant defiance of the resolutions of the Security Council as well as those of the General Assembly, creates major impediments towards a comprehensive settlement of the Middle-East problem. It places in jeopardy even the Security Council Resolution 242, which the supporters of Israel contend, spells out the basic elements of a peaceful solution of the problem. It is most unfortunate that some sections of public opinion, particularly in this country, fail to appreciate this fact. This International Symposium can, therefore, play a significant role in placing the whole Middle-East problem in its proper perspective. I am confident that the deliberations of the distinguished leaders and scholars during the next three days will make valuable contributions towards that end.

I wish the Symposium all success.  
Thank you, Mr. Chairman.



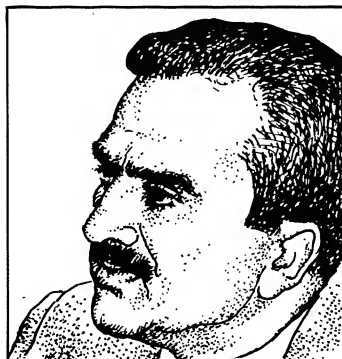
# CHAPTER / 2



---

# ISRAELI COLONIZATION OF THE WEST BANK

By  
*His Royal Highness*  
**Crown Prince Hassan BEN TALAL**  
*Jordan*



The Israeli occupation of the West Bank, the Gaza Strip and Golan Heights is now more than seventeen years old. Since its early days, this occupation has followed a colonization policy aimed at establishing settlements and exploiting every advantage possible in the Occupied Territories. During this period, Israel has extended its control to almost all walks of life, with the objective of controlling the land, the people and their resources. The development of a self-reliant community has been obstructed. In particular, the occupied West Bank has been turned into a dependent entity with inequitable links to Israel. Any signs of developing an integrated, well-balanced community have been stopped. Individual prosperity is acceptable only if achieved in an isolated manner but not as part of a developing community. Industry, agriculture, water and education are under strict control to ensure that the West Bank population remain dependent on Israel for their well-being while Israel benefits from exploiting the area's natural and human resources.

The international community has repeatedly expressed its strong opposition to the Israeli policy of confiscation, colonizing and settling in Arab lands. The US Security Council, in 1979, adopted Resolution 446 which determined that the Israeli policy and practices in establishing settlements in the Occupied Territories had no legal validity and constituted a serious obstruction to achieving a just and lasting peace in the Middle East.

In their Venice Declaration of June 1980, the EEC countries stated that «they are deeply convinced that the Israeli settlements constitute a serious obstacle to the peace process in the Middle East. The Nine consider that these settlements, as well as modifications in population and property in the Occupied Territories, are illegal under international law».

Furthermore, President Reagan in his peace Plan for the Middle East in September 1982 called on Israel to freeze the establishment of settlements, stating that «further settlement activity is in no way necessary for the security of Israel and diminishes the confidence of the Arabs».

Despite clear international opposition, the pace of Israeli colonization of the West Bank has not shown any signs of slowing down. To the contrary, the number of settlements and settlers has increased and the repressive measures have widened, indicating a planned desire to drive out the indigenous Arab population of the Occupied Territories.

Policies and statements of the Israeli leadership have stressed their determination to attain the above objective.

As a matter of fact, former Prime Minister Begin, while in power, repeatedly stated his Government's determination not to dismantle any settlements but to increase its grip on the Arab West Bank. He specifically stated that Israel would demand sovereignty over the Arab West Bank and Gaza at the end of the five-year transition period envisioned by the Camp David Accords<sup>1</sup>. Such intentions, if allowed to take hold, would negate any basis for a meaningful durable peace.

Israel has already annexed Arab East Jerusalem, in clear violation of international law. This has been repeatedly condemned by the UN Security Council and the General Assembly as illegal. The Hague Convention of 1907 and the Fourth Geneva Convention of 1949 clearly stipulate that an occupying power does not acquire sovereignty over the territory occupied.

The Israeli colonization drive has not lost its momentum. Following Security Council Resolution 446 ( May 1979 ) and during the period from May 1979 to May 1984, Israel took possession of an extra 1,300 dunums ( 130,079 hectares ) of Arab land, making the total area seized 2,818,704 dunums ( 281, 870 hectares ), which is 51.2 % of the total area of the West Bank of 5,500,000 dunums ( 550,000 hectares ). Of the total West Bank area, 30.7 % was designated specifically for settlements and alleged security purposes. Some Israeli sources have estimated that Israel has control over 50 % - 60 % of the total West Bank area.<sup>2</sup>

At the end of May 1984, Israel had about 179 settlements in the West Bank, of which 31 were in and around Jerusalem. It is extremely difficult to give an exact number of settlements, as Israel has resorted to several measures which would render such an estimate out of date. Israel is known to have established new

settlements in army camps on the West Bank, thus doing without the approval of the Israeli cabinet.

Although no accurate data exist on the total number of settlers in Israel's ever-increasing colonies, Israeli policy measures indicate that the total number of settlers in the West Bank, including Jerusalem, has risen from 91,000, reported in April 1979, to about 146,000 for 1983. The number of settlers in the West Bank, excluding Jerusalem, was estimated at 36,000 in mid-July 1983.<sup>3</sup> This figure was planned soon to reach 60,000. It is worth noting that the Israeli and Western press usually confine their statistics to settlements on the West Bank excluding Jerusalem. Available figures show that the settlers in and around Jerusalem number more than 110,000. Currently, there are 12,242 housing units in various stages of construction in the settlements of the West Bank, of which 5,006 housing units are inhabited, while 7,236 are in the building stage.<sup>4</sup>

The Israeli government plans to boost the number of settlers in the West Bank, excluding Jerusalem, to 100,000 by 1987 if not sooner. It even expects that by the year 2010 the West Bank will have 1.4 million Jews, along with 1.6 million Arabs.

The Begin government is reported to have allocated about US \$ 600 million to subsidize settlements during 1977 – 1981, often from budgets undisclosed to the public. Further, it has been estimated that about US\$ 1 billion of public money has been spent on settlements during the period from 1977 to 1983.<sup>5</sup>

In 1982, the expenditure on settlements was estimated at IS 5,000 million (about US\$ 200 million). In contrast, only IS 650 million was spent by the Military Government and Municipalities in the West Bank, i.e., about 13 % of the settlement budget.<sup>6</sup> Moreover, a total of US \$ 1 billion is expected to be spent by the end of this decade.<sup>7</sup>

Since the Reagan peace initiative, Israel has intensified its efforts to build new settlements on the West Bank and to attract more settlers. Accordingly, the Israeli government has heavily subsidized settlement housing, which makes apartments there at least two-thirds cheaper than their equivalent in Tel Aviv or Jerusalem. For example a villa in the settlements could be purchased for US \$ 90,000, a third of which is covered by government-financed mortgages and loans. In comparison, a similar home could cost US \$ 250,000 inside Israel proper<sup>8</sup>. Moreover, some of these long-term government loans « are on a never-never basis – as long as one lives there, the loan does not have to be repaid »<sup>9</sup>.

In this context, a new approach has been adopted by Israel. Since August 1983, Israel has started selling land in the West Bank to American Jews. An Israeli official has declared that representatives of the Israeli Government had met with some American Jews in New York to discuss available opportunities to purchase land in the West Bank at US \$ 2,500 — 2,800 per dunum. This measure will have far-reaching implications. On the one hand, it will expedite the process of

controlling the West Bank's land. On the other hand, it will allow non-Israeli Jews to purchase Arab land, since the Israeli Government has not been able to sell land in certain populated Arab areas to the Israelis.

There is no pretension on the part of Israel to confine the role of its settlements to strictly security-related objectives. The Israeli Minister of Industry and Commerce said that there are 229 Israeli industrial plants operating in the West Bank, and another 82 plants are expected to be transferred from Israel to the settlements.<sup>10</sup> Moreover, out of the 179 Jewish settlements on the West Bank, six settlements have been established as industrial sites covering an area of 1260 dunums (126 hectares). Three sites are in the Nablus area, two in Hebron, and one in the Jordan Valley.

These industrial sites will employ about 2500 workers, 70 % of whom will be Jews, and the rest Arabs doing mostly manual and unskilled work. In addition, Israeli policies favour the establishment of capital-intensive industries in the West Bank. This is motivated by the desire not to create job opportunities which could be filled by Arabs. The Israeli government plans to construct, by the year 2010, another fourteen industrial zones in the West Bank on 13,750 dunums (1,375 hectares).<sup>11</sup>

A new policy measure aimed at controlling Arab land has been adopted since the end of 1979. Instead of limiting land-use planning for Jewish settlements, thus leaving open space for Arab growth, the opposite was imposed. Land-use has been severely restricted in Arab areas. Arab towns and villages have been prevented from expanding on their own land, thus making their open space an area controlled by Israel. Sensitive areas, in which Israel has an interest, have been controlled through the new policy of «outline schemes», which would include regulation of Arab land-use, massive road building and infrastructure development in order to ensure complete Israeli control over open space in the West Bank.

A striking example of this approach is the Regional Road Plan Number 50, announced in February 1984.<sup>12</sup> This plan aims at building a new integrated road network to serve Israeli Settlements which are already being served by an adequate network. The real objective seems to be twofold: (a) to lure “suburban” settlers from Israeli metropolitan areas, and (b) to ensure strict control over Arab urban development. This objective will be ensured by building roads of lavish width ranging from 40 meters for local roads to 120 meters for motorways. Moreover, construction and urban development will be frozen in wide ribbons adjacent to the proposed roads. These no-construction zones will range from 70 meters on each side for local roads to 150 meters on each side for motorways. The total land affected by this massive plan will be about 493,000 dunums (49,300 hectares) or about 9 % of the total West Bank area! This plan will have far-reaching negative effects on Arab industrial and agricultural activities in the areas adjacent to the proposed roads.

An important technique of land expropriation that has been adopted by the Israelis is « the use of the old Turkish Land Code to claim for the State uninhabited lands which lie beyond the sound of human voice from the nearest village ». <sup>13</sup> It has been asserted that this technique has increased the proportion of West Bank and Gaza land under Israeli control to about 65 % <sup>14</sup>.

Aside from controlling the land, Israel has been steadily turning the West bank economy into a colonial one, shaped to serve the interests of the occupier. The disorientation of the West Bank economy in favour of Israel continues through several channels, including controlling the finance of projects and social activities, marketing West Bank products and providing raw, intermediate and finished products from the Israeli economy. The following are examples:

### *Trade and economy*

Israel controls the trade of the West Bank through extensive measures aimed at maximizing benefits to Israel. Imports into the West Bank are controlled to ensure that they come from Israeli sources without any entry barriers. Products which might compete with Israeli goods are discouraged from entry to the Israeli economy unless needed. A clear example of this is agricultural produce. There is an increasing tendency for West Bank exports and imports to be handled by Israeli agencies, thereby diverting part of the value added to the Israeli side.

Israel continues to be the major exporter to the West Bank, accounting for 91 % of its imports in the first nine months of 1983 ( Jordan accounted for only 1.2 % ). On the other hand, Israel took 77 % of West Bank exports, while Jordan took 22 % in the same period. This imbalance clearly serves Israel, since it had a trade surplus with the Occupied West Bank in 1982 of about IL 65,285 million ( equivalent to IS 6,258 million), financed in turn by a surplus in the trade of the West Bank with Jordan <sup>15</sup>. In comparison, only IS 650 million (IL 6500 million), or 10% of this surplus, was spent by the Military Government and Municipalities in the West Bank <sup>16</sup>.

Israel raises excise duties on major traditional and non-traditional industries like soap, glass, plastics and textiles. On soap and glass, these duties were raised from 7.5 % to 15 %. In June 1982, Israel raised the value-added tax from 12 % to 15 %, with heavy penalties for delays in payment.

Again, in June 1982, the Israeli Military Occupation authorities issued Regulation 973, which restricts the flow of funds and transfers to the Occupied Territories. Prior permits are required to bring in any amount exceeding US \$ 3000, with full disclosure of sources and uses. Violators are subject to heavy fines and jail sentences. This Regulation was amended at the end of January 1984, restricting the amount to US \$ 2000 only, although there have been recent reports of a possible increase.

In general, conditions under occupation have hampered development of the economy. Investment by the public sector has been negligible. In addition, the lack of a local credit system has inhibited investments by the private sector. Existing enterprises have been discouraged from expanding owing to severe competition by Israeli products, to the extent that some businesses have had to close down.

### *Agriculture*

In addition to expropriation of agricultural land for alleged security purposes, the agricultural sector in the West Bank has been subjected to restrictive Israeli measures as it represents a productive sector offering many job opportunities to West Bankers and symbolizes their attachment to their land. Among the specific measures are:

- a) A new Israeli law was enforced to restrict the total cultivated areas in the Ghor Valley in the West Bank and to restrict the pattern of production. This is to eliminate competition with Israeli agricultural products. Israel has also tried to decrease West Bank areas planted with citrus fruits as they compete with Israeli produce.
- b) Roads to the many settlements have been frequently opened through rich agricultural land, usually through orchards.
- c) Development of this sector has been hampered through controlling water resources and restricting the amount of irrigation water available for Arab land.
- d) Non - resident Arab agricultural workers in the Ghor Valley are prohibited from staying overnight in the valley.

### *Water resources*

Water consumption in the West Bank has not improved under occupation, as Israel controls the use of this vital resource. The use of water for agricultural purposes has remained at the 1967 level.<sup>17</sup> Drilling of irrigation wells has been severely restricted in the West Bank since 1967, while the Israeli Water Company was given permission to drill 30 new wells there. Since 1967, only two new wells for agricultural use have been permitted to the people of the West Bank.<sup>18</sup> The Israeli Water Commission usually tries to show deficits in water availability in Israel, which is used as an argument in support of their claims on the water resources of the West Bank and neighboring areas.

The quantity of water consumed by the Arab population in the West Bank is estimated at 100mcm. In comparison, Jewish settlements consume about 27 mcm, most of it for irrigation.<sup>19</sup> This is expected to increase to 46mcm in the late 1980's. On a per capita basis the Jewish settlers outside Jerusalem consume seven times the amount of water consumed by the Arab inhabitants ( 1,080 cubic meters per annum

vs. 152 cubic meters ). It has been estimated that Israel itself consumes about 40 % of the water originating in the West Bank.<sup>20</sup>

### ***Education***

The educational system faces serious obstacles:

1. Schools and universities where students show any signs of resisting the occupation are closed for indefinite periods. Since 1976, over 32 schools have been punished in this way, as well as all universities.
2. The limited choice of specialization available in universities in the Occupied Territories is shown by a high rate of enrollment in the Humanities and by a lack of specialized schools like Medicine, Agriculture and Engineering.
3. Students are subject to arrest and physical punishment. In many cases, students were shot dead while demonstrating against the occupation.
4. Changes and alterations are regularly introduced into the curricula and textbooks in the Occupied West Bank of Jordan, aimed at weakening Arab culture, heritage and the spirit of resistance to the occupation. Also there are many restrictions on importing library materials. Bir Zeit University is not allowed to subscribe to 50 Arab periodicals even though most of these are available at Israeli universities. There is also an official blacklist of 2,000 books, including some translations from Hebrew.<sup>21</sup>
5. In 1982, Israeli authorities demanded that all professors and lecturers at Arab universities who entered the West Bank with a visitor's permit sign a formal document effectively denouncing the PLO. Otherwise they would be expelled from the territory. This was described by Mr. Shultz, U.S. Secretary of State, as a threat to academic freedom reminiscent of the McCarthy era in the United States during the 1950s<sup>22</sup>.

The above examples illustrate the comprehensive Israeli designs towards the Occupied Territories, which have denied the Arab population the chance to develop as an integrated community with its own social and economic institutions. As a result, migration from the West Bank has reached high levels, estimated at 15,000 – 20,000 a year. Consequently the annual growth rate of the population of the West Bank is less than that of Israel – 1.4 % vs. 2.3 % even though the birth rate is higher on the West Bank.

Israeli settlement policies are expensive and cannot be justified rationally, considering the severe economic crisis facing Israel. But generous US aid seems to relieve Israel from pondering over the real costs of its policies. During the 1970-1974 period, Israel has received about \$ 27 billion. Also, US aid for fiscal year 1985, amounting to \$ 2.6 billion, will all be in grant form. Furthermore, Israeli sources have revealed that they will ask for \$ 3.9 billion from the US in fiscal year 1986. As long as Israel is not pressured by the international community of states to

halt its colonization policies, which are indirectly subsidized by massive US aid, there is little hope that the people under occupation will be able to exercise their basic human rights, including their right to self-determination.

---

## FOOTNOTES

---

- 1 ) *The New York Times*, 4 May 1982.
- 2 ) *The Washington Post*, 12 September 1982.
- 3 ) *The Economist Foreign Report*, July 4, 1983, p.1.
- 4 ) *Time*, 17 January 1983, p.6.
- 5 ) *The Economist Foreign Report*, op. cit.
- 6 ) Meron Benvenisti, *the West Bank and Gaza, Data Base Project, Pilot Study Report 1982*, p. 18.
- 7 ) *The Economist Foreign Report*, op. cit., p.2.
- 8 ) *Time*, December 6, 1982.
- 9 ) M. Benvenisti, op. cit. p. 64
- 10) *Tel Aviv Yedi'ot Aharonot*, 23 February 1983, ( Hebrew ).
- 11) Meron Benvenisti, *The West Bank Data Project, A Survey of Israel's Policies, American Enterprise Institute for Public Policy Research, Washington and London*, p.17.
- 12) An-Najah University " Construction or Destruction ", a study prepared by a team of experts at An-Najah University, Nablus, August 1984, p.1.
- 13) *Christian Science Monitor*, January 19, 1983.
- 14) *Ibid.*
- 15) In December 1982, 1 US\$ = Israeli Lira (Il) 313 or IS 31.3, *Statistical Abstract of Israel*, 1983.
- 16) Benvenisti, *Pilot Report*, op. cit. p. 18.
- 17) Data taken from a report by the Minister of Health of Israel, presented to the World Health Assembly, quoted in the UN General Assembly, *Developments. 27th Session Document SI37/238. 15 June 1982*, p.67.
- 18) *Ibid*, p.6
- 19) M. Benvenisti, *Pilot Report*. op. cit. p. 25.
- 20) S. Stock, "Water and Israel's Occupation Strategy", *Merip Report*, July – August 1983, p.19.
- 21) *Newsweek*, 5 April 1982.
- 22) *The Times*, November, 20, 1982, p. 6.

# CHAPTER / 3



---

# ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES 1967 — 1984 : OVERVIEW AND HISTORICAL PERSPECTIVE

By

**W.W. HARRIS\***

*Fellow at the School of Advanced  
International Studies  
Johns Hopkins University  
U.S.A.*



## **Panel I**

**Chairman: H. E. Mr. Sean Mac Bride**

Israel's settlement policy in the territories occupied in 1967 exhibited features of both continuity and change in relation to the history of Zionism over the preceding century. On the one hand, the ideology and methodology of the past continued in the post 1967 Jewish colonization of the West Bank, the Golan

---

\* R. Harris holds a B.A. in Geography and History and an M.A. in History from Canterbury College, New Zealand; and a Ph. D. in Geography from Durham, the United Kingdom.

He is presently a Rockefeller Foundation International Relations Fellow at the School of Advanced International Studies, the Johns Hopkins University, where he is preparing a forthcoming book on the Arab-Israeli conflict after 1982.

Dr. Harris has extensive previous publications, including a book entitled **Taking Root: Israeli Settlements in the West Bank, the Golan and Gaza-Sinai, 1967-1980**. In preparation is a second book on the Arab-Israeli conflict after the June, 1982 Israeli invasion of Lebanon.

Heights and Gaza-Sinai. Particularly during the period of Labour-dominated coalitions up to 1977 one detects a continuation of the pre-1949 use of agricultural colonization as a political tool, to anchor on the Jewish Yishuv lands considered important for economic and strategic reasons. Thus, in a pragmatic fashion the Israeli *ekumene* would be expanded and new, more topographically convenient defence lines established. On the other hand, the scale of Israel's 1967 conquests, including the seizure of areas central to Jewish history in Palestine — «Judea and Samaria», gave dramatic impetus to a radical and expansionist form of mystical religious nationalism which gradually changed the whole balance of Israeli politics and society. The transformation reached its apotheosis in the seven years of Likud rule between 1977 and 1984, when Jewish colonization of the West Bank became a new phenomenon reflecting a new Israel.

This paper will first analyze the old and new elements in the post 1967 Jewish colonization of the occupied territories. It will then consider the new entity emerging in Western Palestine against a wider background, with Israeli, Arab and Western dimensions, as the colonization both spearheads and reflects a historical dynamic which may have already consigned to the dustbin solutions to the Arab-Israeli conflict posited on the geographical separation of Israeli Jews and Palestinian Arabs.

### *Elements of continuity*

Two primary aspects characterized Israeli settlement policy under Labour-dominated governments after 1967: extensive agricultural settlement in the unpopulated or depopulated «strategic belts» of the Jordan Rift, the Golan Heights and the Sinai, approaches to the Gaza Strip alongside urban colonization in the Jerusalem and Hebron areas. The two expressed major features of Zionist tradition, though the second contained additional potentialities to be discussed in the next section.

Frontier agricultural settlement in the framework of the Kibbutz and Moshav movements combined the old Labour Zionist notions of a «pioneering» return to the land, land anchoring as a prerequisite for political achievement and establishment of forward defence lines for existing settlements. Cases from the pre-state period give good illustrations to these factors. The 188 tower and stockade villages planted in such regions as Upper Galilee and Beisan between 1936 and 1947 provide exemplification of fact creation to secure peripheral tracts of Jewish land purchase, hence also furnishing a base for command of neighbouring territory. As regards defence lines, the resisting power of Kibbutzim in the Gaza area against the Egyptian army in May-June 1948 seemed to prove the efficacy of the «fortress settlement» — a new version of the medieval frontier castle.

The Allon Plan, put forward as early as July 1967, mixed these traditional concepts of pioneering, political anchoring and defence lines in a grand scheme to give Israel an eastern defence wall incorporating the Golan plateau and the Jordan Rift while enclosing densely-settled Palestinian areas on the West Bank highlands, simultaneously regulating Palestinian access to the Arab World and avoiding the absorbing of so many Arabs into the Jewish state. Yigal Allon's scheme reflected a fundamental suspicion and pessimism regarding the future of Arab-Israeli relations, and colonization of the specified territories was viewed as vital: «a security border that is not a state border is not a security border – a state border that is not settled along its length by Jews is not a state border»<sup>1</sup>.

Even the collapse of the Golan settlement structure with the advance of the Syrian army in the first days of the October 1973 War did not shake Allon's ideas. First, the colonization was primarily intended to resist political rather than military pressure for Israeli withdrawal, the political struggle being the decisive issue in the long run. Second, the bulk of the Labour leadership felt that the 1973 Golan Shock arose out of law application of «defence line» logic rather than from bankruptcy of the concept itself. In short, the Golan villages had not been properly armed and the settlement structure would be rehabilitated to rectify this deficiency. «The lesson we learned from the Yom Kippur War was that every single settlement should be fortified as if it were a military fortress. The settlers must be well-organized and well-trained and must be equipped with modern and sophisticated means of self-defence against ground forces»<sup>2</sup>.

As regards lands for settlement programmes based on the Allon Plan, the 1967 refugee exodus proved as convenient for the Israelis as the earlier 1948-49 Palestinian flight. In geographical terms, it was precisely those areas of greatest perceived strategic significance – the Golan and the Jordan Rift – which witnessed the most extensive depopulation.<sup>3</sup>

For the Jordan Rift, the Israeli military government immediately took custody of all government land and «absentee property» and, as in Israel after 1949, these categories provided the main base for Jewish settlement. In land acquisition as in philosophy and method, the «strategic» colonization of the Labour-dominated years 1967-1977 displayed continuity with preceding periods; the principal objective was practical buttressing of the Jewish Yishuv in Palestine, not messianic «land redemption» as an end in itself.

Thus, despite the employment of the familiar instruments of state land, absentee land and land purchase to plant a Jewish settler presence in the new legal setting of «occupied territory», together with imaginative manipulation of «military reserve», Labour-dominated regimes did not launch a concerted campaign to encroach on private Arab tenure in the densely inhabited West Bank highlands. Colonization here demanded a revolutionary new approach to land

seizure and importation of Jewish population. Two very significant exceptions, however, may be cited which indicated a shifting balance between pragmatic and religious nationalist tendencies in Zionism after 1967: the beginnings of substantial urban colonization in the surroundings of Jerusalem and in Hebron.

Whatever the imperative in Zionism toward the Jewish state as a means of integrating the Jewish people among the nations, Jewish history and geography could never be ignored without rendering the whole enterprise meaningless. Consequently from the beginning, the Zionists saw no real alternative to Palestine and similarly, when in 1967 Israel occupied East Jerusalem and Hebron – considered the leading « holy cities » of the Jewish community in Palestine, intense pressures arose for their absorption into the Jewish state.

With East Jerusalem, the Labour Party led the way towards annexation. On 28 June, 1967, the government issued an order under the basic law of the state extending full Israeli law and jurisdiction over the Old City, the newer Arab urban areas and considerable surrounding lands. Backed by a broad national consensus for « unification » of Jerusalem under Israeli sovereignty, the government then embarked on a series of projects to alter the urban landscape and to establish massive Jewish housing estates. Because of annexation, an act not repeated until the Likud extension of Israeli law to the Golan in 1981, private land could be expropriated under Israeli public purposes legislation, by definition not applicable elsewhere in the Occupied Territories. Armed with such freedom of manoeuvre the authorities sequestered at least 30% of the annexed area by 1980 for settlement projects. Meanwhile the Jewish quarter of the Old City was « rounded-out » by evictions and demolitions, the last of 5,500 Palestinian Arab residents departing in March 1980.

The geographical spread of the housing estates clearly expressed the intention to encircle Arab residential areas, restricting their expansion and making their inclusion in any future Palestinian entity almost impossible. Although most Labour politicians did not envisage this exercise being repeated elsewhere on the West Bank, the scale and nature of the activities provided an obvious example. By 1977, the East Jerusalem housing estates contained more than 40,000 Israelis, dwarfing the strategic belt colonization ( 10,000 settlers in the Golan, the Jordan Rift and the Gaza approaches ) and apparently provided a more logical method of rapid, mass settlement to compete with Arab numbers and establish an immovable presence. For the growing ranks of Israelis who took an uncompromising territorial view of the objectives of Zionism after 1967 successful « Upper Nazareth » around Jerusalem could be duplicated all over « Judea-Samaria ». This opinion did not dominate the state apparatus until after 1977, but it achieved its first physical breakthrough much earlier – at Hebron in 1968.

## *Elements of change*

Perhaps the most important trend in the Arab-Israeli conflict through the decade 1967-1977 was a shift in the character of Israel, consecrated by the subsequent seven years of Likud rule. The Six-Day War and its aftermath gave a powerful impetus to a territory-oriented messianic religious element which had not previously been central in the Labour, the revisionist or even the religious streams of Zionism. This element began its rise as an amorphous but widespread feeling that the quick occupation of «Judea-Samaria» encompassed a divine dimension and that the unification of «Western Eretz Israel» should not be surrendered. «This outlook – penetrated the ranks of Mapai, Rafi, Ihud ha Kevutzot Ve ha Kibbutzim, Ha Kibbutz ha Meuhad, and possessed many sympathisers in the Moshav movement. The number not believing in the traditional split between the “fanatical” right and the “progressive” left grew. The attitude concerning extended boundaries, – mockingly considered up to then (1967) to be a concession of the Herut movement, suddenly took hold of many staunch members of the Labour movement»<sup>4</sup>.

By the mid 1970's, the «Whole Land of Israel» urge had developed into full-blown religious fundamentalism amongst a critical segment of the population enjoying extensive popular sympathy, including within the Labour Zionist establishment. Two elements, one in Israel and one in the Arab World, nurtured the trend, each reinforcing the other.

On the one hand, the Israeli conquests stimulated an expansionist ethos ideologically supported by the historical resonance of parts of the Occupied Territories for Jews. The Labour Party, which had the authority to counteract the new ethos in its infancy by making an imaginative peace offer to the Palestinians during the critical first years after 1967, failed miserably to meet the test of statesmanship. Instead, rigidity prevailed while events moved in an unfavourable direction. After 1973, with Labour authority weakened by the October 1973 War and Israel deeply entrenched in the West Bank, the opportunity had passed beyond the realm of practical politics.

For its part, the Arab World responded to the new Israeli challenge with a disastrous mixture of rejectionism, enshrined in the three No's of the 1967 Khartoum summit, and impotence, expressed in violent inter-Arab squabbling. Rejectionism fed Israel's security obsessions and, interpreted by many Israelis as a massive blow to the secular Zionist goal of national normalization, helped ease the way for religio-nationalist fundamentalism. Above all Arab rejectionism aided Israeli public relations in the West, providing a screen behind which colonization, shallow security arguments and land confiscation could flourish unimpeded. At the same time Arab impotence aroused Israeli and western scorn, with the result that the Arabs had no capacity either to

discourage Israeli activities or to induce the West to view a solution considering Palestinian grievances as significant to its own interests.

The attitude that colonization of the West Bank represented a divine duty and that the state of Israel existed solely to implement Jewish settlement in « Judea-Samaria » in preparation for messianic redemption – not for peace with the Arabs and not for integration into the nations – motivated the Group of Seventy who came to squat in Hebron on 10 April 1968. Supposedly, this contradicted the Labour dictum to avoid densely-inhabited Arab fringe, tapped the wider « Whole Land of Israel » feeling referred to above and were able to remain and expand. Interestingly, one of their principal patrons was none other than Yigal Allon, who himself believed in a fundamental Jewish housing estate at Hebron, named Qiryat Arba, attained a population of over 2,000, growing further to c.5000 in the early 1980's and infiltrating an offshoot settlement into the heart of the Arab city.

During the final years of Labour rule, after the October 1973 War, religious-nationalist expansionism, now well entrenched in the previously centrist Mafdal ( National Religious Party ) and in the right wing of the Labour Party as well as in the Likud, became spearheaded by the Gush Emunim ( Block of the Faithful ) settlement movement. Gush Emunim aimed to break the barriers against mass settlement in highland « Samaria », in practice the only part of the West Bank excluded from Labour colonization programmes which by 1977 encompassed 60% of the territory. Boosted by the tide of public opinion drifting towards the Likud and towards a more belligerent outlook on the outside world, Gush Emunim easily defied the divided Labour leadership, establishing several squattings and exploiting the conflict between Rabin, Peres and Allon. As for the Palestinians, they were to be tolerated if they fitted in with the Schemes to seize their lands and segment their population concentrations, but otherwise to be brushed aside.

When Menahem Begin's Likud bloc became the central pillar of a new governing coalition in 1977, the Gush Emunim outlook quickly became the government outlook, only held in check for two years by Moshe Dayan and Ezer Weitzman. The resignation of these Ministers in 1979 / 80 marked the full inauguration of unlimited settlement, co-ordinated by Ariel Sharon and involving revolutionary new emphases in colonization policy. On the matter of land, instead of straining such subterfuges as « military reserve », large areas would simply be declared state land after investigation of title deficiencies. At a stroke, this removed territorial problems for settlement as formal land registration by the British and Jordanians had not been concluded in much of the West Bank core. All cards were stacked against the local villagers.

On the matter of attracting a mass settler wave “ pioneering ” became secondary and the housing market would be manipulated by subsidization to

draw thousands from the coastal plain to new suburban belts in «Judea-Samaria». Begin gleefully discarded the Allon Plan and determined efforts went ahead to plant Jewish towns in the depths of the West bank, the last major rural area in Western Palestine exclusively populated by Arabs,

Through the seven Likud years the Jewish population of the West Bank outside East Jerusalem quadrupled from 7,000 ( 1% of the local Palestinian population ) to over 30,000( 4% of the Palestinian population ) whereas the East Jerusalem Jewish numbers doubled to 80,000, not far behind the Palestinian population of 120,000. Thus, in the West Bank as a whole, Jewish numbers as a proportion of the Arab population rose from c.6.5% in 1977 to c. 12.5% in 1984 – a Jewish presence of a new order of magnitude. Virtually all the Jewish increase was in the midst of major Arab concentrations, a new emphasis in colonization policy.

Jewish colonization, accompanied by extensive land seizure and closure, comprised the most dramatic arm of Likud strategy to absorb the West Bank and Gaza, a strategy which also included judicial changes and economic subordination of the Palestinians. The process produced a new Israel, finally replacing the Jewish state of the 1967 boundaries with a Greater Israel – a bi-national state where 3,435,000 Jews ( 63% ) dominated 2,000,000 Palestinian Arabs ( 37% ). Of course the visible apparatus in the Occupied Territories represented only the physical tip of the iceberg; the far-reaching shift in the Israeli political and ideological balance which underlay this apparatus cemented Greater Israel more firmly than any purely physical index could suggest.

### *Settlement and the Future of Israel*

It is difficult to argue with the proposition that the investment of resources and manpower in Occupied Territories colonization during the Likud period reached a point at which the undoing of the new realities became impossible – that for a reasonable solution of the Arab-Israeli conflict, it is no longer « five minutes to midnight » but « five o'clock in the morning ». Certainly the weight of the Jewish presence and the deep support for it in Israeli public opinion, expanding parallel to expansion of the settlement structure, mean that rolling back the tide would require enormous countervailing pressures, pressures which at present cannot be detected on the remotest horizon. Theoretically nothing is irreversible but for the foreseeable future, it appears that both Israel and its feeble, fractious Arab opposition are prisoners of a historical process driving towards the consolidation of a particularly unpleasant type of bi-national entity in Western Palestine. The Likud has done its work well, though the results promise to be unfortunate for Israelis as well as for Palestinians.

If one rules out a negotiated return to the pre-June 1967 boundaries ,

endlessly debated in international forums, but which no longer bears any relation to events on the ground, in Western Palestine or in the Arab World, Israel faces three paths into the future. The first is to convert Jewish-dominated bi-nationalism into democratic bi-nationalism by offering West Bank / Gaza Palestinians citizenship and the vote. Both major Israeli political blocs, however, regard as anathema a situation in which Arab votes would determine 40% of Knesset seats. The second, openly espoused by Meir Kahane's « Kach » and hinted at by a broader part of the right-wing spectrum, is to induce a large scale shift in the demographic balance. Crudely, this means encouraging an Arab exodus of several hundred thousand persons to Jordan, either by gradual « attrition » or, if opportunity offers, as a more rapid upheaval. Jordan, however, has recently taken steps to block long-term migration to the East Bank and it seems extremely unlikely that any even vaguely responsible Israeli government would involve itself in mass expulsions..

Only the third alternative remains – a projection of the Jewish-dominated bi-national entity into a nastier future. Despite a return of Labour participation in government, hard-line tendencies are entrenched in the Israeli electorate to an extent unknown before the Likud surge in the mid 1970's and the current Labour leadership is neither able nor willing to reverse the process. Shimon Peres is a prisoner of the new Israel embodied in his two-headed Cabinet. Mr. Peres may talk about new approaches to Jordan but against a reality where seventeen years of settlement activity and an apparently immovable Likud veto bind him hand and foot, one can see nothing to negotiate except Jordanian recognition of Greater Israel. The most, even Labour centrists have on offer, amounts to Jordanian re-admission to a few ( Israeli ) selected parts of the West Bank surrounded by Jewish settlements. This would be nothing but trouble for Amman and the Jordanian monarch prudently prefers the existing situation.

For Israel a major consequence of the long period of rule over another people since 1967, combined with the seduction of geographical expansion, has been an erosion of democratic values linked to growing inter - communal intolerance. The emergence since the late 1970's of parties exclusively based on territorial maximalism and on fundamentalist interpretations of Zionism, including Tachiah, Morasha and Kach , well illustrates the phenomenon. Such parties regard Greater Israel as more important than democratic Israel, view Jewish opposition as treason, and take a brazenly racist attitude toward Palestinian Arabs. Together with the post-1977 coalescence of religious and secular fundamentalism represented by the alliance between a radicalized Mafdal and a burgeoning Herut, the inflation of the extreme right marks the political face of Greater Israel, buttressing and buttressed by the comprehensive settlement policy that is its geographical face.

Despite the inevitable strains and antagonisms, amongst Israelis and between Israelis and Palestinian Arabs, it should not be assumed that Greater Israel is

necessarily doomed in any foreseeable future. The South African case, though different in important respects, demonstrates how a determined and well-organized community in a demographic position much inferior to any Israeli Jews are likely to face vis-à-vis Palestinian Arabs, can prevail indefinitely against splintered, disorganized opposition, within or outside the national boundaries.

### *Settlements, the Arabs and the West*

It would be unfair to unload all responsibility for the emergence of Greater Israel after 1967 on tendencies in Zionism and in the Israeli political system, as events in Western Palestine have not occurred in an international vacuum.

The Arab World bears a heavy responsibility for the unfortunate state of affairs created by the early 1980's, particularly because Arab behaviour is the primary reason why the Palestinian issue is not taken seriously in the West. One might ask what the Arab states have been doing during the seventeen years that Israel has been planting and extending settlements in the Occupied Territories. The answer is an extraordinary spectacle of political immaturity; hardly a moment has passed in which a multiplicity of regimes has not been trying to destroy each other or to use the Palestinians against each other. The Arab World has failed totally to make either a serious peace initiative ( like Israel ) or a serious confrontation ( unlike Israel ). The Arab opportunity in the 1970's to use oil power as pressure on Israel via the West was wasted; in the 1980's oil power may be a thing of the past. All this encourages the suspicion that the Arabs really don't care about the Palestinians; one might even argue that some regimes crave a fundamentalist expansionist Israel for their own stability.

The last defence of those resisting an honest analysis of the Arab World's deficiencies in facing Greater Israel and its settlement policies, apart from vague comments about «imperialist» and «Zionist» manipulation (which itself doesn't paint a flattering picture of Arab free will) centres around references to an historical inevitability by which «time is on the Arab side» and the «Zionist entity» will eventually disappear. Irrelevant comparisons with the Crusades usually supplement these references, demonstrating ignorance of the Israeli reality rather than historical wisdom. Here one can only riposte that if the last century in Western Palestine exemplifies «time being on the Arab side», then the Arab World may have to wait geological rather than historical epochs for its expectations to be realized. It is of course possible that Greater Israel will founder on its various problems, but this hardly comes into the category of inevitability, especially when considering such an energetic people as the Jews. If sabotage from the rear and vacuous advice to await a few generations represent the best the Arabs can offer, the Palestinians might be better advised to forget about the Arab World and make an independent approach to the Israelis.

Another burden of responsibility falls on the United States, the only Western factor which counts in the Arab-Israeli dispute. While professing opposition to Israeli settlement policies and promoting fatuous « peace plans », the United States has in fact increasingly bankrolled Jewish colonization of the West Bank, Gaza and the Golan and thereby aided processes which promise future misery for Israelis and Palestinians alike. Without American government subsidization, now annually equivalent to c.12 % of Israel's GNP, the Israeli economy certainly could not support the diversion of \$ 300 - \$500 million per annum into Likud style settlement programmes. American dualism has been based less on the influence of a so-called « Jewish lobby » than on a generally indulgent American attitude towards Israel, perceived as a country resembling and supporting the United States in a hostile region, and on the absence of any practical Arab capacity to influence the United States in a different direction. The Western inclination to conceive the Occupied Territory settlements as temporary rural camps rather than suburban housing complexes has compounded the problem, producing a tendency to see the reversal of the colonization as realistic long after this ceased to be the case. One may also point to the curious predilection, common to Americans and Europeans, for diplomatic schemes and manoeuvres which, because they ignore facts of power on the ground, have never amounted to more than fraudulent exercises in international self-delusion. Even the American-supported peace treaty between Israel and Egypt merely served as cover for the accelerated Israeli absorption of the West Bank and Gaza.

Looking into the future, the author sees no sign of change in the Arab and Western behaviour patterns which have contributed to the evolution of Greater Israel. On the ground, the Jewish settlements should no longer be viewed as important in themselves but as an expression of the new bi-national entity taking shape west of the Jordan – the physical embodiment of a successful historical dynamic which has overridden all opposition. Notwithstanding Israel's Lebanon embarrassments and economic woes, the initiative in the main areas of the Arab-Israeli conflict remains – for better or worse – in Israeli hands. The author suspects that what has been true in the past will also be true for some time yet: as David Ben Gurion once put it « What matters is not what the Goyim say, but what the Jews do » .

---

## FOOTNOTES

---

1 ) Allon in Cohen, Y. *Tokhnit Allon ( the Allon Plan )* Tel aviv, 1973, p. 96.

2 ) Allon to author in Harris, W. W. *Taking Root: Israel Settlement in the West Bank, The Golan and Gaza-Sinai, 1976-1980*, New York, 1980, p. 184.

3 ) *Ibid* p. 15 - 24.

4 ) *Ha-Aretz Weekend Supplement* 11 - 11 - 77 - : 26.

---

# COMMENTARY ON W. W. HARRIS'S ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES 1967 – 1984 : OVERVIEW AND HISTORICAL PERSPECTIVE

By

*David H. OTT*

*Department of Public Law,  
University of Aberdeen , U. K.  
U. S. A.*



**W.** W. Harris's paper on Israeli settlements in historical perspective raises a number of issues that go to the heart of the Palestinian problem in its broadest context and indeed also reach beyond that to general questions about international politics and international law.

On the Palestinian level, the issue of settlements represents not only a threat of physical displacement for the Palestinians living in the Occupied Territories( and one cannot really have any confidence that the fanatical Zionism advocating

---

\* *Mr. Ott holds a B.A in Near Eastern Languages, an M.A. in Middle East Studies from Harvard University, a J.D. from New England School of Law, and an LL.M. from the Harvard Law School.*

*Since 1980, he has taught public international law at Aberdeen University, Scotland. Previously, he spent six years in the West Bank with the Mennonite Central Committee and the Lutheran World Federation. Mr. Ott has written widely on topics of international law and the Middle East.*

displacement will in fact be ultimately rejected in Israel) but also a political challenge which has yet to be met.

Those directly facing the danger in the West Bank and Gaza are obviously under strong pressure to seek their own solutions in their own interests. This could be by a deal with Israel (legally void though that would be), or by organising themselves socially and economically to be better able to resist expulsion or gradual strangulation, or in the last resort by guerrilla warfare on the remarkable model of the Shi'ite resistance in Lebanon.

The alternatives are stark: abandoning their homeland or being ground down by the weight of Israeli expansionism. The idea adumbrated in the Harris paper, that settlements may be taken as a reflection of the development of a « bi-national entity » in Palestine perhaps in theory offers a third possibility whereby long-term demographic changes to the advantage of the Palestinians will allow the development of a democratic, secular state in which both people live in a relationship of equality. But it must be said that this is at best a distant prospect and one which many Israelis would strive to the utmost to prevent.

For Palestinians outside the occupied areas, the position may well appear somewhat different. A solution to the problem of settlement, though important, is presumably not an end in itself but merely an aspect of the larger question of reuniting the Palestinian Diaspora under the protection of a state of its own. Resolving the settlements issue would then go hand in hand with a solution of the refugee problem and the question of the Palestinians' relations as a people with the rest of the international community. Attempts to deal with the settlement issue in isolation could be seen as jeopardizing satisfactory resolution of these larger concerns.

The possibility of these differing interests arising could drive a wedge between the two groups of Palestinians. Indeed, there is some evidence that the Reagan Plan of September, 1982 was intended to do just that.

The development of a « bi-national entity » in Palestine might also tend to draw those Palestinians living under Israeli rule away from their compatriots elsewhere, as happened to some extent with those Palestinians who fell under Israel's sway in 1948.

The Palestinians cannot easily meet this complex challenge by themselves, especially when an overemphasis on settlements tends to obscure the larger problem and the necessity for concerted international efforts to achieve a comprehensive settlement of all outstanding issues.

Such a settlement would, as Harris suggests, require a serious peace initiative from the Arab world, but what constitutes « serious » under the prevailing circumstances is evidently a subject for disagreement. To many, the Fez Summit proposals of 1982 represent just such a serious initiative, offering a comprehensive

and legally sound framework for resolving all the outstanding questions between Israel and the Arab World. If the Fez Plan is considered not to be serious, that judgment is presumably predicated on the conclusion that because Israel and its American backers do not happen to wish a comprehensive peace, any Arab proposal to that end is ridiculous. This would seem to imply that the Arab World must accept the parameters of its room for manoeuvre being set by Israel and the United States – surely a recipe for continued turmoil in the region.

To criticize the Arab states for not having pursued the Fez Plan more vigorously, particularly in Washington, may be more to the point. It must be said, however, that the history of Arab-Israeli peace discussions over the past thirty-seven years suggests that unilateral Arab peace moves can easily be vitiated by the well-tryed Israeli tactic of diplomatic stalling combined with an aggressive and confrontational military posture.

The attempts at achieving a breakthrough in Israeli-Egyptian relations in 1954 - 1955 appear to have been deliberately sabotaged in this way by Israel (as the diaries of Moshe Sharett evidence) and similar tactics were revealed in the handling of President Sadat's 1977 overture, with the 1978 invasion of Lebanon prefiguring the « test » to which the Israeli - Egyptian Peace Treaty was subjected by the 1982 aggression against that country.

The ease with which Israel can convert attempts at comprehensive peace into lopsided partial arrangements that smack of a sell-out suggests that Arab hopes for an end to the conflict always risk becoming nothing more than dangerous delusions.

The doubts and hesitations thus engendered can produce a certain paralysis of will in which the victim cannot stand still but at the same time is unable to move forward. The initiative then remains with the opposing side. Israel's ability to manipulate the psychological dynamics of the Middle East problem in this way must be counted among her greatest successes.

In this light it would appear that only a comprehensive peace plan could be « serious », since only such a plan, resolutely adhered to, would remove the doubts, hesitations, and suspicions (not to speak of mutual recriminations) which have hitherto been exploited by Israel to maintain psychological domination over the peace process.

The Fez Plan provides what is needed in this respect and has the merit also of being perfectly in accord with the requirements of international law and the United Nations Charter.

It is this latter point that takes the Arab - Israeli peace process out of the realm of a strictly regional arrangement and elevates it into a matter of concern for the international community as a whole. There is in fact a reciprocal relationship here: the Arab countries are bound (as are Israel and the United States) by the

obligations of international law and have, as members of the United Nations, a duty to uphold the Charter, while the members of that organisation (and particularly the permanent members of the Security Council) must support efforts to maintain international legality.

The record of the Arab states in this area has on the whole been considerably better than that of Israel and the United States. From the Arab League proposal in 1947 to refer the Palestine question to the International Court of Justice up to the Fez Plan itself, international law has figured prominently in Arab arguments and proposals – and rightly so.

For one of the striking features of the Palestinian conflict from the beginning has been that Israel – founded on the basis of international illegality and therefore compelled to continue illegal activities in order to maintain its position – has been a leading factor in undermining international law over a wide range of issues.

Israel has violated the Charter law restricting the use of force in self-defence and has then attempted to develop a new doctrine to legitimize pre-emptive aggressions. Israel consistently flouts the Charter requirement that UN members must abide by Security Council resolutions. The laws of war limiting the methods and means of warfare, protecting non-combatants, and imposing clear restrictions on the activities of an occupying power in captured territory, are treated by Israel with scarcely-concealed contempt. Israel disregards internationally-accepted human rights law and the principle of self-determination.

The Israeli settlement programme is part of this pattern of illegality. The desire to « create facts » has long been publicly acknowledged, and it implies that the law can be pushed aside by, as Ben Gurion put it, « what the Jews do ». Of course, every violator of the law hopes to achieve this result by a kind of « triumph of the will » over external constraints, but that is no reason for the law-abiding to fall in with such thinking. Indeed, those who uphold the values of international law have a duty to maintain universal standards in the face of such attempts.

Perhaps the primary importance of the Israeli High Court of Justice's decision in the **Elon Moreh Case** in 1979 resided precisely in this: that the judges reaffirmed that the actions of the Israeli government were not reviewable solely in terms of what the government chose to make its policy but were rather subject to a clear and binding external standard. That this affirmation came from within the Israeli system remains highly significant and a cause for some slight optimism, even though the government of Israel subsequently continued its illegal activities on the basis of a dubious misconstruction of international law.

The overall pattern of persistent illegality places Israel in the forefront of efforts to vitiate the effectiveness of international law and thereby weaken the protection that law affords in general. It is therefore hardly surprising that Israel has found itself allied with, or supporting, violators of the law as far apart as the military

junta in Argentina, the dictator of Guatemala, the apartheid regime in South Africa, the Shah of Iran, and so on.

The Israeli settlements programme in the Occupied Territories thus takes its place in a much larger picture and for that reason Arab efforts to maintain international law in the Arab-Israeli problem are potentially of interest and benefit to the international community as a whole.

Yet this aspect of the situation seems to have been almost completely lost sight of in the West, and that this should be so highlights another aspect of the problem that must be borne in mind when assessing the Arab response to the challenge of Israeli expansionism: namely, that the success or failure of that response is often strongly influenced by misperception in the West for which the Arab World is only partly to blame.

The point has been well-made by Prof. Edward Said that in some sense, Western observers have been pre-programmed not to understand the reality of the Arab predicament. And many in the West, even in the legal profession, seem to be pre-programmed also to disregard or minimize the importance of international law as a standard to which states must be held. International law, to some extent, depends for its effectiveness on the realization by statesmen and ordinary citizens that each illegality provides a precedent for the next violation, but many people seem unconcerned by the development of a climate of illegality unless it touches them directly. This is a general failure of moral sensitivity that goes far beyond the issues of the Arab-Israeli conflict.

Having said that, however, one must reaffirm that more could be done by the Arab states, Arabs living in the West, and those sympathetic to the Palestinian case to overcome these problems. The central validity of the Palestinians' legal arguments should be emphasized and the importance of upholding the law by seeking justice for the Palestinians should be stressed. The report of the MacBride Commission's examination of **Israel in Lebanon** showed what can be done in this area. More generally, the Arab «image problem» requires the promotion of a greatly expanded and non-«Orientalist» study of Arab culture and history.

To minimize these possibilities, as many in the Middle East do, either from a self-defeating aloofness that expects the West, without encouragement, to make a spontaneous effort to understand the situation, or from a belief that in the great Superpower rivalry the Arabs can afford to disregard the West, is to miss a chance to promote for the benefit of the Palestinians human sympathies of the kind Zionist propagandists have in the past so expertly cultivated in order to advance their cause where it counts.

Changing attitudes seems particularly important in an area that is often neglected: the relationship of Arabs and Jews outside Israel. The 1982 aggression against Lebanon provoked major divisions in Jewish communities around the

world, and one has the sense that an opening was thereby created for promoting greater Arab-Jewish understanding. Vigorous efforts have been made by the Israeli government to close that gap, and it is not apparent that equally energetic efforts have come from the Arab side to keep it open.

In hindsight, this may come to be seen as one of the great missed opportunities in the long history of the Palestine conflict, but it must be said that to exploit the opportunity would require clear assurances from the Arab side that Jews who responded to these overtures would not thereby be endangering their co-religionists in Israel. In this respect, perhaps, the Fez Plan's diplomatic nuances need to be supplemented by more easily understood formulations.

In general, the need for a positive and dynamic Arab approach to the Palestine issue is highlighted by the sombre conclusion reached by Harris, that the initiative will remain with Israel for the foreseeable future. It is certainly true that any expectations the Arab World might have that Israel would willingly accept a passive role in the Middle East were blasted even in the early years of the state, when, as the Sharett diaries reveal, Ben Gurion, Dayan and others adopted a deliberately provocative and aggressive policy as part of the process of nation-building. An Israel with the ambitions of a regional Superpower is even less likely to sit back and let the Arabs collect themselves.

That Israeli spoiling tactics will succeed is by no means certain, however, given the scale of combined Arab economic and human resources. A determined mobilization of those resources under the banner of a realistic policy for resolving the Palestine dispute appears to offer the possibility for the Arab world to seize the initiative from Israel. But as the experience of Anwar Sadat demonstrated only too clearly, desperate attempts to precipitate change from a position of eager weakness will succeed only in generating justified apprehension in the Arab world with the inevitable dissension and distrust that go with it.

Unfortunately, attuning proclaimed goals to realities has never been easy in the Middle East, particularly when Israel has kept the psychological advantage and used it ruthlessly to manipulate and play upon Arab confusion and uncertainty. Israel's interest in preventing the consolidation of a coherent and sensible Arab Plan for confronting the Zionist challenge is not one the Arab world should promote.

A policy for dealing with Israel based on the Fez Plan and vigorously and factually presented to the Arab peoples and to the world would offer a programme to disentangle the Arab states and the Palestinians from the Israeli net and could be pursued with confidence rather than a fatalistic and divisive expectation of failure.

The problem of the Israeli settlements would pose perhaps the greatest difficulty in implementing an Arab initiative, not least because Israeli policy has deliberately made the settlements an obstacle to any peace the Arab side could reasonably be

expected to accept. But the conclusion that the settlements are immovable is, at the very least, arguable. It ill behoves Israel, which not only prides itself on resettling hundreds of thousands of Jews from the four corners of the world but also has advocated resettlement of over a million Palestinians, to argue that the transfer of some tens of thousands of Jewish colonists out of the West Bank and Gaza is inconceivable. It is simply a question of political will, and the Arab states must bend their efforts to promoting that will in Israel.

The many studies of international negotiating strategy and tactics might usefully be examined in this connection, particularly with their emphasis on creating conditions such that the opposing side will find it easier to agree than to disagree to key proposals. But whereas Israel has attempted to apply a perversion of this technique to its relations with its Arab neighbours by relying on brutal military power to hammer its opponents into submission, the Arab side in any future negotiations must necessarily rely on peaceful means.

But because «peaceful means» implies a willingness to make compromises, while Israel's belligerent approach is, as Noam Chomsky has shown, essentially rejectionist, there is always the risk that accommodation from the Arab side would simply establish the basis for the next escalation of Israel's demands. It is here that the analysis of the experts on negotiating techniques breaks down: their advocacy of step-by-step agreement and «confidence building» measures overlooks this central reality of the Arab-Israeli dispute. From the 1949 Armistice Agreements through the disengagement agreements following the 1973 war and the Egyptian-Israeli Peace Treaty, and up to the 1981 Habib ceasefire in Lebanon, every partial or «interim» accord has simply been taken by Israeli either as establishing a new and irreversible status quo in which Israel has rights and the Arabs have duties or as creating a new situation to be exploited and developed to Israel's immediate political or military advantage rather than in the interest of long-term peace and reconciliation.

In the Arab-Israeli context, therefore, «confidence building» must primarily mean an initial commitment to a comprehensive settlement that leaves no room for further Israeli or Arab demands or complaints and that is based on generally accepted principles of international law. This acknowledgement of the centrality of law could be a crucial element in achieving peace, since it would emphasize the fact that the parties were not «giving in» to hostile claims but were getting and receiving what a consensus of international opinion considered fair and just.

Recognition, peace, self-determination and compensation would be necessary elements in such an agreement, as would a definitive solution to the problem of settlements. As part of a comprehensive peace that solution might just prove one all sides could live with.

---

## **BIBLIOGRAPHY**

---

*The following books are relevant to the arguments developed in this commentary:*

Cattan Henry, **Jerusalem**, London, 1981.

Cattan, Henry, **Palestine and International law** ( 2nd ed. ) .

Chomsky, Noam, **The Fateful Triangle**, London, 1983.

Hirst, David, **The Gun and the Olive Branch** ( 2nd ed. ) London, 1984.

**Israel in Lebanon: The Report of the International Commission to enquire into reported violations of International Law during its invasion of Lebanon.** London, 1983.

Jackson, Elmore, **Middle East Mission**, New York, 1983.

Marantz & Stein ( eds. ), **Peace-making in the Middle East: Problems and Prospects**, London, 1985.

Ott, David H., **Palestine in Perspective: Politics, Human Rights & the West Bank**, London, 1980.

Rokach, Livia, **Israel's Sacred Terrorism**, Belmont, Mass., 1980.

Shiff & Ya'ari, **Israel's Lebanon War**, London, 1985.

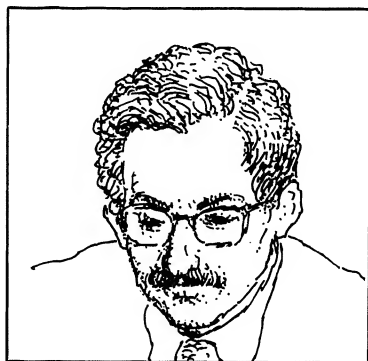
---

# COMMENTARY ON W. W. HARRIS'S PAPER: ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES 1967 – 1984 : OVERVIEW AND HISTORICAL PERSPECTIVE

By

**Donald S. WILL\***

U. S. A.



This commentary concurs with the assessment of the paper under discussion ( by W.W. Harris ) that expansionist religious nationalism has become the driving force of the Israeli settler movement. The author also agrees with Harris in respect to the likelihood that the immediate future will involve the intensifications of oppression and exploitation within the Occupied Territories.

This piece, however, seeks to augment Harris's position with a theoretical framework describing Israel as a settler state. Within this context the author

---

*\* Mr. Will holds a B.A. from Haverford College, Haverford, Pennsylvania, and an M.A. from the University of Denver Graduate School of International Studies. For many years, he was the Resource Coordinator for Middle East Affairs at the United Methodist Office for the United Nations.*

*Mr. Will is presently completing his Ph. D. at the University of Denver. He has published and presented several papers on Zionist settlement policies and on comparative studies of Israel and South Africa, and has travelled extensively in the Middle East.*

attempts to elaborate on the character and implications of the rise of religious nationalism in the settler movement and in Israel itself, noting in particular the theological/ideological components. The subsequent analysis proceeds to bring into question some of the specific assertions in the latter part of Harris's paper. It concludes with a call for further discussion and analysis of the implications of the rise of religious nationalism for the future of both the Palestinian struggle and the cause of a just peace between Arabs and Israelis. In his paper « *Israeli Settlement in the Occupied Territories 1967 - 1984: Overview and Historical Analysis* », W.W. Harris presents this conference with a useful point of departure for discussion. He has correctly identified the key dynamics which have shaped Israeli settlement policy – pragmatic arguments for strategic defense and religio-nationalist expansionism – and accurately characterized the interaction between them. This sound basis has led him to conclusions regarding the present state of affairs in the Arab-Israeli conflict which are as on the mark as they are grim.

By and large, I find myself in agreement with the thrust of his analysis, i.e., religious nationalism has to a great extent supplanted strategic rationales as the chief motivating factor in the settlement process. Consequently, the settler imperatives of the religious right are likely to overwhelm any attempt at territorial compromise which may arise within the Israeli Labor Party, ambivalent in its own intentions and constrained by its governmental alliances.

I am also essentially in agreement with Harris's description of four scenarios for the future: a negotiated return to the pre-June 1967 boundaries; a democratic bi-national solution; further expulsion of Palestinian Arabs; and « projection of the Jewish-dominated bi-national entity into a nastier future ». Harris's rejection of the likelihood of the first option and expectation that the last alternative will prevail echoes the analysis of Meron Benvenisti and others<sup>1</sup>. This does indeed seem true, although I would be less sanguine than Harris about the improbability of mass expulsions – the history of settler movements ( particularly here in the United States ) offers comparable cases of removal conducted by « vaguely responsible » governments.

While I am thus in agreement with the general analysis Harris presents, I do not share some of his specific comments especially regarding the allotment of responsibility for the present situation. Rather than discuss these differences ( as well as further agreement ) in a haphazard manner, I propose to place them within the theoretical framework of settler colonialism with particular attention to the dynamic of religious nationalism which is one of its basic traits. Such theoretical grounding may help us to assess both what were the historical alternatives (whether they truly existed or missed) and what are the remaining policy options at this time.

The Israeli settler movement, while fraught with its particularities, should not be construed as an isolated historical case. In his brief allusion to South Africa,

Harris has already identified another settler society. One could go on to list the United States, Australia, Northern Ireland, Algeria, Rhodesia and Liberia, at the appropriate points in their histories. The varied characteristics of these cases ( and others which might be noted ) offer a spectrum within which the Israeli example easily falls.

I do not, at this time, wish to delve into the theory of the state ( as developed / debated by Poulantzas, Miliband and others ) and its application to peripheral and settler societies<sup>2</sup>. Suffice it to say that such societies may be usefully analyzed in at least three important regards: 1 ) the domestic-political economy; 2 ) the place of such societies within the global political-economic system; and 3 ) the impact of the settler worldview. This commentary focuses on the settler worldview, ideology or civil religion as it impacts the settler movement and the Israeli society at large. Some reference may be made to the two levels of political economy since these categories do not exist in isolation from one another.

Harris's overview acknowledges that there is continuity in the settler process not only prior to 1967 but also prior to 1949, e.g. the « use of agricultural colonization as a political tool ». He also rightly notes that the fusion of religion with nationalism is – in its most explicit form – a post - 1967 phenomenon. It is important to note, however, that the Zionist movement has long had tendencies which may be characterized as « minimalist » and « maximalist », the two terms often, though not always, corresponding with Labor Zionism and Revisionist Zionism. While these streams were basically secular in their programs, it is still obvious that the very selection of Palestine as the site for settlement has its roots in Biblical texts that are religious as well as historical. Similarly, the Herut Party's long-time claim to both banks of the Jordan, and beyond, is founded upon Biblical sources.

In this sense the inseparability of religion and history which characterizes both Judaism and Jewish consciousness ( to many a secular Jew ) unfortunately also provides an essential underpinning for Zionist settler ideology whether in its minimalist or maximalist forms. As I have argued elsewhere, the more overt recognition of this among the maximalists has often provided crucial political leverage in decision-making, particularly in matters pertaining to fundamental questions such as « Who is a Jew » ? in the eyes of the Israeli state<sup>3</sup>. All too often, this link between religion and history has gone unrecognized ( or at least, consciously so ) among Christians and Muslims, leading not only to insensitivity toward Jewish self-understanding but also to the oversight of its relevance as a dynamic which allows the settler movement to mobilize greater support among the Israeli populace than would otherwise be expected. In other words democratic forces in Israel may often find themselves « outgunned » by the maximalists, particularly in the rhetorical and emotional arguments employed to rally popular support.

Judaism, of course, has a countervailing tendency derived from the prophets and their moral assaults on the excesses of the kings. Religion and ideology, however, gain their strength to mobilize from objective conditions. The objective conditions of settler states have historically produced worldviews emphasizing the «choseness» of the settlers over the «uncivilized» nature of the indigenous peoples. European settlers in America dispossessed and committed genocide against Native Americans in the name of «manifest destiny» – the belief that they were predestined to spread west across the continent to the far coast. Afrikaners developed a form of Calvinism where their «selection» justified suppression and segregation of Africans. Similarly it is the historical condition of a settler people which has brought forth an exculpatory religious nationalism in Israel and which within Zionism has led to the ascendancy of religiously militant expansionism over its «secular» or «socialist» forms. Correlative to this is the fact that although Zionism was in most respects an «imported» ideology, related to 19th century European nationalism and colonialism, the key factors determining its present nature are the product of the confrontation – in (and over) the land of Palestine – between Arabs and Jews. Given this theoretical framework, an examination of the religious-nationalism of the contemporary settler movement is warranted.

In his survey of the first ten years of occupation of the West Bank, Harris noted the support the Gush Emunim actually received from Labor Party leaders such as Yigal Allon. Thus in 1979, *Ma'arev* reported that.

The leaders of Gush Emunim have not forgotten the material and moral aid they have received from Yigal Allon,... nor the aid given them by S. Peres,... there would have been no Ofra, the first settlement in Samaria, without his help. Gush Emunim now misses those days. It would like to see Labour in power again and Herut in opposition<sup>4</sup>.

Such a perspective stems in part from the fact that Gush Emunim was in a better position to use the rhetorical and political leverage referred to above against the Labor party than it was against the (also maximalist) Likud. This may explain the support by the likes of Allon and Peres, i.e., their opposition to the maximalist position stemmed more from «pragmatism» than from ideological opposition. They may even have subliminally concurred with the Gush Emunim over the «historical and religious» right to all of Palestine.

Harris notes the spread of religious nationalism beyond the Gush Emunim into the Mefdal (N > R > P), Likud, and the right wing of the Labor Party. The late Professor Uriel Tal (a specialist on European, particularly German, racism) described the roots of the «messianic political stream» as embedded in the religious state education system and some of the religious Zionist youth

movements. He described this «stream» as reminding him «...in its structure if not yet from the content point of view of the Third Reich». In its application of the Biblical treatment of the Amalekites to the Palestinians, Professor Tal Described its implications as genocidal<sup>5</sup>. This analysis leaves little question of the degree to which the settler movement relies upon theological (mis)interpretations as a mobilizing element. However, as Harris relates, these forces are not above using secular means, e.g., manipulation of the housing market, to further their ends.

Turning to the matter of external support for the settlement movement, I must applaud Harris for making two particularly trenchant points. First, the American government support for Israel ( and thereby its indirect subsidization of the settlement process ) is not simply a matter of the « Jewish lobby » but also rests on factors such as military strategy, lack of sufficient Arab or Arab-American ability to countervail Israeli influence, and a shared settler state perception of Israel as an essentially « European » ally besieged by non-Europeans ( most Americans being oblivious to the number of Sephardim in Israel. Harris's second insightful point relates to what he terms the American and European « predilection » for diplomatic schemes which, pursued in ignorance or deliberate neglect of the realities of the Middle East, amount to hollow exercises at best, if not intentional deception.

What Harris did not dwell on is the significant support the settler movement, the Jewish terrorist underground, and patrons of the former ( if not also the latter ) such as Ariel Sharon receive from non-governmental sources in the United States. Indicative of this is the support emanating from the *Jewish Press*, a Brooklyn based Orthodox paper, a longtime ally of the settler movement, for the defense of members of the Jewish terrorist underground<sup>6</sup>. Similarly, queries in Israel as to the source of support necessary for Sharon to conduct his litigation against *Time* led to the identification of several wealthy Jewish businessmen, arms dealers, and notably a sect of Hasidim ( bear in mind that Sharon is not renowned for religious observance )<sup>7</sup>.

Fundamentalist Christians in the United States have also aided and abetted the settler movement. Their eschatological conceptions about the «endtimes» have led them to believe that support for the «ingathering of the Jews» will hasten the second coming of the messiah. Some have gone so far as to promote Temple Mount sects and defend the extremists who plotted an assault on the Mount<sup>8</sup>.

It is not surprising that some of these same forces comprise a religious nationalist tendency here in the United States which is characterized by espousing prayer in public schools, anti-abortion legislation, increased militarism, and general intolerance of religious beliefs other than their own. It is certainly not coincidental that these groups are predominantly white – the heirs of the settler state – and seldom include many minorities who have been victimized by the American settler dynamic.

Harris is also right to have linked the settler phenomenon to the growth of anti-democratic forces in Israel. As Gershom Schoen, the publisher of *Ha'aretz*, has described it in *Foreign Affairs*, these groups are essentially seeking to create a theocracy based upon the Talmud<sup>9</sup>. As this process proceeds, Palestinians will not be alone among the victims. Benvenisti has described the existing system as « *Herrenvolk* democracy » in which the dominant group ( Israeli Jews ) enjoy most of the benefits of democracy at the expense of the dominated group ( Palestinian Arabs )<sup>10</sup>. Should the religious nationalist tendency prevail even Jews who happen to oppose its self-defined imperatives will find themselves increasingly denied what freedoms they now share.

To place this phenomenon once again within the theory of the settler state may now help us to assess historical alternatives and contemporary options. While Harris may justifiably fault the Arab states for divisive politics and often impotent political initiatives, the question which begs to be asked is had they acted differently would Israeli policy have been more forthcoming? The dynamics of a settler state system may lead us to conclude that if the P.L.O and the Arab states had been willing in 1967 to exchange recognition for territory, Israel may well have insisted on the Allon Plan. Had the Arab states gone so far as to agree to that, the religious significance of Hebron may have been broached. Put simply, the Israeli political dynamic may not have permitted a peace based upon territorial compromise — no matter how much some Israelis sincerely desired it.

In making this argument, I do not wish it to be misconstrued as vindicating the shortcomings of Arab diplomacy during this period. Nor do I consider it an excuse for absolute rejectionism or unwillingness to attempt a just peace. I merely intend to raise the observation that structural dynamics may have foiled more creative efforts even had they been employed.

This, essentially, is my primary disagreement with Harris. By presenting his analysis ( much of which I agree with ) in the absence of a theoretical framework he assesses events in a more isolated fashion than they deserve. This is particularly evident in his passing remark about South Africa where he quite explicitly characterizes the liberation movement as a « splintered, disorganized opposition ». His intent may be to comment on the durability of Greater Israel, but his assessment of that durability places undue fault upon the victims. The persistence of apartheid in South Africa stems much more from the strength of its domestic economy and the support given it by the United States, Western Europe — and Israel. In fact, the opposition to apartheid is really quite unified compared with that of other oppressed peoples both historically and in the present. Similarly, the persistence of the Israeli system is indebted to external support from the United States and other foreign sources, public and private ( particularly since its domestic economy is in dire shape — with the notable exception of the arms industry ).

Harris may be right to fault the Arab states for assuming that «time is on the Arab side», but this does not justify his apparent dismissal of «imperialist» manipulation. I would maintain that it is just such U.S. imperialism which has both sustained Israel and effectively disarmed many Arab states by incorporating them into the American economic system and its dependency-breeding military defense apparatus. Recognition of this extremely salient fact amounts to cognizance of a vital factor in Middle East politics. One should not mix structural and individual levels of analysis to construe it as a less than «flattering picture of Arab free will». I must also object to what appears to be a similar juxtaposition of constructs when Harris injects the concept of the Jews as «such an energetic people ».

These caveats before us, the issue today is that if Harris is correct in the thrust of his analysis (as I believe he is); if, indeed, religious nationalism is the driving force behind the settler movement; and if this religious nationalism is furthering the emergence of proto-fascist forces in Israel; then what is to be done to reverse this process ?

Such an analysis lies beyond the scope of this commentary and deserves attention during the discussion period or subsequent panels. Let me merely indicate that the task at hand will require an honest assessment of the present situation, increasing Jewish-Arab collaboration in the cause of justice within Israel and the Occupied Territories, and greater unity and creativity on the part of all the external actors in the conflict.

---

## FOOTNOTES

---

- 1 ) Meron Benvenisti, *The West Bank Data Project*. ( Washington, D.C.: American Enterprise Institute, 1984 ), pp.68-69.
- 2 ) Cf. Nicos Poulantzas, *State, Power, Socialism*. ( London: NLB and Verso, 1980 ). Ralph Miliband, *The State in Capitalist Society*. ( Princeton, N.J. Princeton Univ. Press, 1984 ). *States & Societies*, Ed. David Held, et al. ( New York: New York Univ. Press, 1983 ).
- 3 ) Donald S. Will, « Zionist Settlement Ideology and Its Ramifications for the Palestinian People », *Journal of Palestine Studies* XI:3, Spring, 1982, pp. 37-57.
- 4 ) Yosef Zuriel, *Ma'arev*, March 23, 1979, Cited at more length in Will, *op. cit*, p.39.
- 5 ) Reported in Hanna Kim, *Al Hamishmar*, March 12, 1984. This and other such reports lead to my not easily dismissing the likelihood of expulsion in a time of crisis. Cf. e. g., Dani Rubinstein, *Davar*, July 27, 1984; Gidon Levi, *Ha'aretz*, March 23, 1984.
- 6 ) Walter Ruby, « Friends in Need », *The Jerusalem Post*, International Edition, June 17-24, 1984, p.8.
- 7 ) Oded Granot, *Ma'arev* February 8, 1985; Nahum Barnea, *Koteret Rashit*, December 12 and 26, 1984; Yigal Laviv, *Hadashot*, December 14, 1984.
- 8 ) Louis Rapaport, *Jerusalem Post*, International Edition, June 17-24, 1984; Michael and Barbara Ledeen, « The Temple Mount Plot », *The New Republic*, January 18, 1984, pp. 20 - 23.
- 9 ) Gershom Schocken, « Israel in Election Year 1984 », *Foreign Affairs*, Vol. 63, No. 1, Fall, 1984, pp. 77-92.
- 10 ) Meron Benvenisti, *op. cit*.



# CHAPTER / 4



---

# GOALS, MEANS AND PATTERNS OF ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES

By

**M. S. AGWANI \***

*Professor of West Asian Studies,  
School of International Studies,  
Jawaharlal Nehru University,  
New-Delhi*



## **Panel II**

In the Six-Day War of June 1967, Israel overran 68,658 sq. kms. of Arab territories – over three times its own size. Following the conclusion of the Egypt-Israeli peace treaty in March 1979, Israel pulled out its troops from the Sinai Peninsula. But the most populous of the Occupied Territories, namely the West Bank and Gaza together with the Golan Heights, still remain under Israeli control.

Since 1967, Israel has pursued a two-pronged policy of piecemeal annexation of Occupied Arab Territories, on the one hand, and establishment

---

\* Dr. Agwani holds an M. A. in Political Science from the University of Rajasthan, India, and a Ph. D. in Political Science from the University of Utrecht, the Netherlands.

He is presently a Professor of West Asian Studies and the Rector of Jawaharlal Nehru University, New Delhi, India.

Dr. Agwani is the author of *Politics in the Gulf, Communism in the Arab East, The Lebanese Crisis: 1958*, and over 50 articles on the contemporary Arab World.

of Jewish settlements in these territories, on the other. On 27 June 1967, the Israeli Knesset enacted a law that authorized the Minister of Interior to proclaim enlargement of municipal boundaries and to enforce Israeli laws, jurisdiction and administration in designated parts of the Occupied Territories. On the following day, the Israeli Government took such steps in regard to Arab Jerusalem and its surrounding areas. The Arab municipal structure, educational system, police force, and public services were united with those in Jewish Jerusalem. Over 65,000 citizens of Arab Jerusalem were then arbitrarily declared to be Israeli residents<sup>1</sup>. The Golan Heights met with a similar fate on 14 December 1981 when the Knesset adopted a bill authorizing the government to apply Israeli «law, jurisdiction and administration» to the Syrian territory seized by Israel in the June 1967 war.

Close on the heels of annexation of Arab Jerusalem came the expropriation of 838 acres of the West Bank territory around the city and a plan to settle «a substantial number of Jewish residents» there<sup>2</sup>. Before the end of 1967, another major settlement project called Gush Etzion was started in the southern part of the West Bank. In 1968 came the settlement of Qiryat Arba, next to Hebron. Then followed the semi-official Jewish settlements of Tekoah, Ofra and Qaddum - all of which were sponsored by *Gush Emunim* ( Faith Bloc ), a Jewish religio-political organization zealously committed to the idea of the West Bank being an inseparable part of « the divine-ordained Land of Israel ». By May 1977, when the Likud alliance headed by Menachem Begin wrested power from the Labour Party, a strong settlement movement was already under way<sup>3</sup>. More than 90 settlements had been – or were in the process of being – established. Of these, 25 Jewish settlements were on the Golan Heights, 22 in Gaza and Sinai, 36 on the West Bank, and a dozen residential quarters in and around the Arab Jerusalem region where 10,300 family units had been constructed to house 45 - 50,000 Jewish settlers; those in other settlements accounted for an additional 10,000<sup>4</sup>.

The Likud Government, sharing the enthusiasm of *Gush Emunim* for a settlement drive in the West Bank, designated Ariel Sharon, the Agriculture Minister, as head of the Ministerial Settlement Committee. At the end of Likud's first four-year term in office, Sharon could boast of 44 new settlements in the West Bank<sup>5</sup>. The accelerated pace of settlement programme finds confirmation in the Master Plan for the period 1979 - 1983, drawn up by Matityahu Drobles on behalf of the World Zionist Organization's Department for Rural Settlements. The so - called Drobles plan, announced in October 1978, stipulated 46 new settlements to be inhabited by 16,000 Jewish families at an estimated cost of IL 31 billion. Moreover, it proposed « thickening of the existing settlements and those under construction » for additional 11,000 families at an investment of IL 22 billion<sup>6</sup>.

Early in November 1982, the Israeli Government announced its programme

to build or extend 10 settlements in the West Bank and Gaza during 1983. Michal Dekel, Deputy Agriculture Minister of Israel, explained that these settlements formed part of the government's master plan envisaging 37 new settlements, which would, by 1985, add 80,000 Jews to the 25,000 already settled on the West Bank outside Arab Jerusalem<sup>7</sup>. *Time Magazine* of 17 January 1983 quoted Israeli officials as saying that the number of Jewish settlers in the West Bank, excluding Arab Jerusalem, was expected to reach 100,000 by 1987, "if not sooner". By 2020 A. D., Israel is expected to settle 1.4 million Jews on the West Bank alongside 1.6 million Arabs<sup>8</sup>. In September 1983, William W. Harris put the number of Jewish settlers in the West Bank at approximately 115,000. Of these, 85,000 lived in the vicinity of Arab Jerusalem and 30,000 in the rest of the West Bank<sup>9</sup>. The Settlements on the Gaza Strip accounted for another 900 Jews<sup>10</sup>. Besides, at the time of Israeli annexation of the Golan Heights, some 6,000 Jewish settlers in 31 settlements had already been added to the area's 13,000 indigenous Syrians<sup>11</sup>. The fifteenth report of the United Nations Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories maintains that more than 150 Jewish settlements had been established in the Occupied Territories by August 1983 and over 60 per cent of the land in the West Bank had passed into the hands of Israeli authorities<sup>12</sup>. As already noted, the creation of Jewish settlements in the Occupied Territories entailed substantial investment in resources.

According to a study directed by Meron Benvenisti of the West Bank Data Project in Jerusalem, total public capital investment in civilian projects in the West Bank alone, between 1967 and 1983, was estimated at \$1.5 billion – more than half of which had been spent after the Likud came to power in 1977. This figure did not include the substantial military investment, which remained classified<sup>13</sup>.

## **Goals**

While there has been an ostensible lack of agreement in Israel on preferred goals of state policy in regard to the Occupied Territories the ongoing disagreements relate to form rather than substance. This is evident from the statements and actions of successive Israeli governments and leaders since the June 1967 war. On the first day of the war when Israel launched the so-called pre-emptive strike against Egypt, Prime Minister Levi Eshkol had declared that his country did not seek any territorial aggrandizement. But soon after the Arab military collapse, which enabled Israel to consolidate itself on the Jordan River, Eshkol changed his tune and said, with transparent levity and in an obvious reference to the land and people of the West Bank: « Israel is pleased with the dowry, but not with the bride<sup>14</sup> ».

Eshkol's allegory, however light-hearted, carried an ominous message.

According to one observer, within two months of the June War «several political parties took definite stands against the return of land to the defeated Arabs». Yigal Allon, Minister of Labour in Mapai-led national coalition, declared that Israel's eastern border must be the Jordan River and the Half-way line through the Dead Sea. «This », he asserted, «was a viable frontier with Jordan». He went on to argue that «a permanent Israeli presence by settlement of this region will ensure the nation's security». Moshe Dayan, Defence Minister and a founding-father of the Rafi party, was equally candid. «All the areas we have taken», he proclaimed, «are dear to us». He cited Jewish history and Israeli security as reasons for retaining the Occupied Territories<sup>15</sup>.

About this time, the biblical argument was also trotted out. Israel's Chief Sephardic Rabbi said in answer to a question concerning the status of the Occupied Territories. «The land was promised to us by the Almighty and all the prophets foretold its return to us. Therefore, it is forbidding for any Jew ever to consider returning any part whatsoever of the land of our forefathers ». Only the Arab wing of the bifurcated Communist Party was openly opposed to the retention of the Occupied Territories by Israel. The Left wing Mapam wanted border changes, related to security reasons, to «an absolute minimum». But it, too, favoured the inclusion of Gaza, the ridges of the Golan Heights and Arab Jerusalem within Israel's extended borders<sup>16</sup>.

According to Don Peretz, the general trends in Israel in the aftermath of the June 1967 war favoured some form of «integration» of the Occupied Territories into the Jewish state, the only hitch being «the large Arab population for which their government would be responsible if complete integration of the occupied areas occurs». But Shimon Peres, Secretary General of the Rafi Party, had a solution for that too: he foresaw possibilities of «encouraging Arab migration» from the occupied land<sup>17</sup>.

Since the legal status of Israel's proclaimed goals from the standpoint of international law is outside the scope of this paper it would suffice here to say that these goals clearly infringe on the letter and spirit of established norms of international behaviour. Thus the 1907 Hague Convention Respecting the Laws and Customs of War on Land expressly prohibits annexation «of the whole or part of the occupied territory » by the occupying Power ( Article 47 ); and Article 49 of the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War clearly stipulates that «the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies». Israel's disingenuous plea that it has only «liberated» the territories it occupies because the Jews have a «historical right » to Eretz Israel or that it owes its control of the area to «defensive conquest » has been time and again rejected by international public opinion in general and by the Security Council and General Assembly of the United Nations in particular<sup>18</sup>.

Nonetheless, Israel has persisted in its untenable stand by designating the Occupied Territories as « administered territories ».

It is important to note that successive Israeli governments, both before and since 1977, have alternatively used the security argument and the Biblical plea to support the policy of retaining control on and creating Jewish settlements in the Occupied Territories . During the decade-long Labour rule, settlement policy was governed by the Allon Plan.

The plan was designed to keep 30 per cent of the West Bank permanently under Israeli control, leaving two Arab enclaves north and south of Jerusalem, one totally surrounded by Jewish territory and the other linked to Jordan by a narrow corridor of land<sup>19</sup>. The Arab enclaves could juridically belong to Jordan, subject to the condition that they would remain free of Arab forces. At any rate, Israel would « protect » the entire West Bank « by ringing it with strategically placed military-agricultural settlements »<sup>20</sup>.

At the same time, Israeli Government continued to play up the demand for « secure and agreed frontiers » with its Arab neighbours. On 13 March 1971, the London *Times* published an interview with Mrs. Golda Meir, the then Israeli Prime Minister, in which the latter summed up what Israel meant by « secure » as follows: Israel must maintain its hold on the Jordan Valley; it must retain Sharm al-Shaykh; Arab Jerusalem shall remain part of Israel; and Israel will not come down from the Golan Heights. Having defined the absolute minimum required for security, Mrs. Meir turned to what Israel meant by the term « agreed »: what remained after the above annexations could form the subject of negotiations with the Arab neighbours! Yet the Labour Government seemed inclined to approach the question of creating Jewish settlements in the Occupied Territories with caution. Thus, on the eve of the October 1973 war, when the Labour Party was formulating its « plan for development » in regard to the Occupied Territories for the next five years, the moderates, including Abba Eban and Pinhas Saphir, saw « no objective need to make noisy formulations of long-term settlement goals ». But Moshe Dayan threatened to leave the party « unless commitments were made for an accelerated “ creation of facts ” in the territories ». Hence Israel Galili was asked to draft a document setting out Labour’s settlement policy. The Galili document , published on 23 August 1973, stipulated additional settlements in the Occupied Territories subject, however, to cabinet decisions <sup>21</sup>.

The Labour Government also discouraged Jewish settlements in the northern part of the West Bank; but in the last years of Labour rule it failed to prevent *Gush Emunim* settling at Qaddum, near Nablus. Even before the May 1977 elections, Qaddum was a thriving Jewish outpost complete with teachers posted by the Ministry of Education <sup>22</sup>.

Nor was the Labour leadership altogether averse to citing Biblical authority

in support of continuing Israeli control over the West Bank. Thus, Moshe Dayan was at one with Menachem Begin in equating the West Bank with Judea and Samaria of the Biblical description. In April 1973, Dayan declared that « those who believe that Israel's control of Judea and Samaria is temporary should stop teaching the Bible ». Whereupon Abba Eban retorted that the Labour Party « should stop brandishing the Bible in our political discussion ». He reasoned that « the Bible deals not with geography and place names but also with ideals of peace, social justice and humility ». But, as Eban put it, « the habit of involving the Holy Writ on behalf of territorial claims continued unabated<sup>23</sup> ».

With the advent of the Likud Government in 1977, the political climate in Israel was surcharged with annexationist pronouncements and practice, particularly in regard to the West Bank, Gaza and the Golan Heights. The emphasis now shifted from the supposed security needs of Israel to doctrinal imperatives. Begin had never tired of claiming that historically and geographically « Judea and Samaria are Israeli lands belonging to the Jewish people » and that settlement on these lands was « a right and duty<sup>24</sup> ». Way back in 1948, on the day of Israel's birth, Begin had said: « whoever fails to recognize our right to the entire homeland, does not recognize our right to any of its territories<sup>25</sup> ».

Immediately on winning the 1977 election, and even before assuming the office of Prime Minister, Begin visited Qaddum, which the outgoing Labour Government had declared as an unlawful Jewish settlement, to underscore his determination to pursue an aggressive settlement policy<sup>26</sup>. Thereafter, the Begin Government worked hand in glove with *Gush Emunim* in promoting Jewish settlements « in all parts » of the West Bank and on an enhanced scale<sup>27</sup>.

It is necessary here to make a brief reference to Begin's commitment, under the Camp David Accords on « the Framework of Peace in the Middle East », to « full autonomy » for the Palestinians in the West Bank and Gaza for a five-year transitional period and to determination, through negotiations based on the provisions and principles of the Security Council Resolution 242, of « the final status » of these territories before the end of the transitional period. Even before the ink on the Camp David document had dried, the Likud Government enunciated the astounding doctrine that autonomy should apply to residents and not to land. It further proclaimed that the source of authority for the autonomous territories would continue to be the Israeli Army; that Israel would exercise sovereignty over the state-owned lands accounting for a good part of the Occupied Territories; and that Jewish settlement activities in the Occupied Territories would continue unhindered<sup>28</sup>. Before the autonomy talks with Egypt opened on 25 May 1979, the Begin cabinet resolved that at the end of the five-year transitional period Israel would claim sovereignty over

the West Bank and Gaza <sup>29</sup>. At any rate, Israel's vigorous pursuit of settlement policy in the wake of Egypt's separate peace with Tel Aviv belied President Anwar Sadat's claim that the peace treaty was a major step towards a comprehensive settlement of the Arab-Israeli problem. As the *New York Times* put it « it was as if Israel were trying to show that the peace treaty gave it carte blanche to settle and permanently subjugate the West Bank »<sup>30</sup>. Begin confirmed the point in his address before the Jerusalem session of the World Zionist Congress in December 1982 that « Those who say that we can give up our rights for peace » suffered from « illusion »<sup>31</sup>. All in all, the divergence between the Likud and Labour in regard to the future of the West Bank and Gaza has had to do more with style than content. In the words of Peter Hildrew of *The Guardian*, whereas the Likud stands for « annexation by galloping colonization, Labour offers a seemingly less expansionist proposition, which, when stripped down to essentials, amounts to an « Israeli protectorate that is Jordanian on surface only »<sup>32</sup>.

### *Means*

In the densely populated West Bank and Gaza, Israel has employed a wide range of means to grab Palestinian lands and to undermine the national will and morale of the Palestinians. As for land expropriation, the argument often cited by the Israeli authorities in support of their actions is that all Jewish settlements, whether civilian or military, have been established on “ state lands ” not owned by Arab villagers. The Israeli contention was examined thoroughly, in 1978, by Dr. Paul Quiring of the American Mennonite Central Committee, who had helped organize self-help co-operatives in West Bank villages for some years, and found wanting on both legal and moral counts.

Quiring set out to test the two-fold Israeli claim that the settlements were constructed only on “ state land ” and that they not only did not compete with the indigenous population but existed in harmony with the Arab villages. He examined seven cases of villages besides which Jewish settlements had been established and his findings were checked and cross-checked with the Israeli authorities and the villagers concerned by the London weekly, *Sunday Times* . The broad picture that emerged was that the occupation authorities had been taking advantage of a certain confusion in the 1858 Ottoman Land Law which still prevails in the West Bank and Gaza. It defines five categories of land tenure:

- ( i ) **Mulk Land.** Building plots and gardens in towns and villages fully in the ownership of private citizens ;
- ( ii ) **Miri Land.** Cultivable fields, meadows, pastures and woodlands which together account for two-thirds of the West Bank. Technically, the State retained ownership of **miri** land, but granted saleable and heritable rights of possession to private citizens;

- (iii) **Matruki Land.** Land withdrawn from private use for public purposes such as roads or village-threshing floors;
- (iv) **Mawat Land.** Uncultivable land away from towns and villages. It falls entirely in the public domain;
- (v) **Wakf Land.** A sub-category of **Mulk or Miri Land**, where the use or income of a certain plot had been dedicated in perpetuity to some charitable cause.

The inquiry revealed that when Israel claimed its settlements to have been established on “state land” or “uncultivated land”, it invariably meant **Miri or Mawat** land even though in Jordanian law, which is a continuation of the Ottoman Land Law, **Miri** land is clearly acknowledged to be private. Israel’s second line of argument was that even when villagers claimed plots of land to be private, they frequently could not produce a clear title to them, namely **tapo** or land registry documents. Finally, the Israelis contended that « in the few instances where private land was involved, it was acquired for security purposes, against compensation in accordance with Jordanian as well as international law ».

The *Sunday Times* report established beyond a shadow of doubt that (i) in Beit Furik, in-Nablus district, the villagers lost almost half their farm lands to the Jewish settlement of Mekhora in 1972; (ii) at Tubbas in the Jordan Valley, the Jewish settlement of Nahal Ro’i seized 650 acres of private land; and (iii) the pattern varied little in the rest of the villages examined by Quiring. The Israelis based their claims on the land being « rocky, uncultivated » – which the villagers invariably denied – or on their own security needs taking precedence over the rights of the Palestinian Arabs<sup>33</sup>.

Five years later, William H. Harris of the *Christian Science Monitor* reported that the task of ascertaining what proportion of the West Bank had come under direct Israeli control no longer had much meaning and that the « legal devices, of “state land”, “military reserve”, “absentee property”, “road reserve”, and so on have been refined to a point where virtually all allocations are vulnerable to seizure or closure ». « The favorite device », he observed, « is exploitation of title defects and old Ottoman Land codes to declare village farming terrain “state land” – the villagers are given 30 days to produce full documentation before the bulldozers move in to clear the ground for settlers »<sup>34</sup>.

Besides legal quibbling, Israel has also relied on stringent control of water resources to constrict the Arab agriculturists. A report prepared by the Economics Department of the Royal Scientific Society of Jordan underscores the various measures taken by the Israeli occupation regime « to divert the West Bank water for its own purposes and to inhibit its use by the people of the

territory ». The Palestinians have been forbidden to drill artesian wells close to the 1967 Israel-Jordan borders and cannot do so elsewhere either without the prior permission of the occupation authorities. Besides, the Palestinians can pump out water only in rationed quantities from the existing wells. Meters have been fixed on all such wells to ensure compliance. On the other hand, Israel has dug several new wells in the West Bank for the exclusive use of Jewish settlements. In addition, water is being pumped from Jordan and Yarmuk Rivers to feed these settlements. In several cases, the Israelis have drilled closer to the water source than an existing Arab well, causing the latter to run completely dry.

With an all-round squeeze on water resources the Arabs « no longer have the free use of existing or new water ». A number of things have followed: Arab investment in agriculture has declined and agricultural production has dwindled, forcing the Arab farmers to leave the land <sup>35</sup>.

The dismal prospect arising from the relentless expropriation of Arab land and the tight squeeze on Arab water resources has been exacerbated by denial of elementary human rights to the Palestinian people. While it is not possible here to catalogue Israel's acts of omission in the Occupied Territories mention must be made of the general thrust of its policy on this score. The Israeli administration in the Occupied Territories has been essentially repressive to the point of being insensitive to human rights. Repression is carried out in a variety of ways. In the first place, Palestinians have been often subjected to collective punishment and mass humiliation on the flimsiest pretext. Two examples will suffice to illustrate the point. On 25 May 1980, three large families numbering 32 Arabs – including twenty children and two elderly grand-parents – were driven out of their homes and their houses were cemented up as part of a collective punishment. The families had been punished because a teenage son from each family had been suspected of involvement in a fire bomb attack on an Israeli vehicle – but even before the detained youths had been brought to trial. For four weeks the families slept under canvas without washing or cooking facilities. Only after detailed articles describing the plight of the families appeared in the *Washington Post* and *The Times* (London) did the Israeli authorities relent and the families were permitted to return to their respective homes <sup>36</sup>. Then there is the evidence of Israel Shahak of the League for Human and Civil Rights – an Israel-based organization – who reported in a letter to *The Guardian* the case of the Arabs of a West Bank locality who were made to stand after the arrest in straight rows while soldiers passed and slapped their faces, one by one. « Holocaust », he added, « led through mass humiliation and oppression to extermination, and the Palestinians are now in the same danger » <sup>37</sup>.

Secondly, Israel has made systematic efforts to suppress Palestinian nationalism and wipe out Palestinian leadership in the occupied West Bank

and Gaza. This is evident from the intensified Israeli control on the functioning of the West Bank universities, disbanding of municipal councils and outright deportation of political activists. The occupation regime regards the West Bank universities as « hotbeds » of Palestinian nationalism and have dealt with them in a high-handed fashion. Bir Zeit University, a leading centre of higher education near Ramallah, has been singled out for harassment. Its academic programmes have often been crippled by repeated closures under the orders of military authorities, its routine operations obstructed by holding up book shipments and denial of visas to teachers, and its students exposed to intimidation by official and unofficial agencies. In July 1980, a tight control was imposed on faculty appointments and admission of students in all the four centres of higher education, namely Bir Zeit University, Najah University at Nablus, Bethlehem University and the Islamic Studies Institute at Hebron. Under the new dispensation, the West Bank universities were placed in the same category as secondary schools. All this was patently contrary to the established practice both in Israel and Jordan where universities are academically independent of the ministry of education, let alone the army<sup>38</sup>.

In the fall of 1981, Israel mounted a frontal attack on another segment of national leadership comprising the elected municipal councils and mayors. By an official fiat the functions of the mayors, who had hitherto been responsible for coordinating rural administration in the respective districts with the help of the village heads (*mukhtars*), were transferred to the arbitrarily created village leagues. At the same time, the military administration was replaced by a civil one – an unmistakable step forward towards annexation of the occupied West Bank and Gaza. As was to be expected, the Arab mayors refused to cooperate with the newly established civil administration on the understandable ground that the latter signified a shift from military occupation, under which they could justify instrumental cooperation with Israel, to a more permanent situation where cooperation would have meant granting legitimacy to Israel's presence in the Occupied Territories. Israel retaliated by sacking the Arab mayors of Al-bireh, Ramallah, Jenin, Anabta, Dura, Qalqilya and Deir Dibwan in quick succession. The new structure ushered in the process of direct administration of towns by Israeli officials. Amnon Cohen, a former adviser to the occupation regime, equated the change with « Israel's reconquest of Judea and Samaria<sup>39</sup> ».

Israel has also had recourse to deportation as a means of getting rid of actual or potential leaders of nationalist opinion. Ann Mosely Lesh, on behalf of the American Friends Service Committee, has conducted an extensive research to establish the particulars of persons deported from the Occupied Territories during the period 1967 to 1978. Their number adds up to 1,151. Of these 14 were deported from Sinai, 383 from Gaza and the remaining 754 from the West Bank. The deportees belonged to the political elite ; organizers of protest against the

annexation of Arab Jerusalem ; activists in petitions and strikes against changes in the religious, educational and legal systems ; and mayors, officials and trade union leaders<sup>40</sup>.

Finally, there has been a great deal of unofficial violence practised by zealot organizations like *Gush Emunim*, Meir Kahane's Jewish Defence League and the Greater Israel Movement. Settler vigilante activities, backed up by various organizations committed to permanent absorption of the Occupied Territories into Israel, became « a frequent mid - seventies ». According to one reporter, the incidents included « vandalization of property, physical pressure on Palestinians to leave areas designated for settlement expansion, and violent personal assaults »<sup>41</sup>. Early in June 1980, a series of bomb and grenade attacks by Jewish extremists in the West Bank crippled the two most articulate Palestinian mayors: Bassam Shaka of Nablus lost his legs in a booby-trap explosion that ripped through his car; and Karim Khalaf of Ramallah lost his foot in another explosion.

Curiously enough , much of the settler lawlessness goes unpunished when heavy punishments are used to suppress Palestinian disorders. At Bethlehem University, for instance, nine students were fined \$ 400 each and jailed for three months for raising the Palestinian flag and throwing stones. For similar offences, Bir Zeit University was closed. Meir Mahav of the *Jerusalem Post* wrote about how it felt to watch a television report on Jewish activist settlers invading Arab homes in Hebron. « It does no good », he wrote, « to pretend that the cowardly raid was an “ incident ”. We are rapidly descending, rung by rung, the ladder of evil. The settlements intended to create “ permanent facts on the ground ” breed enduring hatred »<sup>42</sup>.

### *Patterns*

More than seventeen years of Israeli presence in the Occupied Territories, attended by mushroom growth of Jewish settlements, expropriation of Arab land, diversion and control of water resources, and political repression, has woven a bizarre fabric of interactions which is at once annexationist in design, segregationist in spirit and exploitative in practice.

That Israel has annexed the Golan Heights in all but name has already been noted. A similar process is under way in the West Bank and Gaza. The process has evolved in overlapping stages. The first major project launched soon after the June 1967 war was given the name of « Fortress Jerusalem ». In its early phase, the northern and southern approaches to Arab Jerusalem were fortified with Jewish housing estates, thus insulating the city from the rest of the West Bank. By the mid-seventies, the project assumed the dimensions of « Greater Jerusalem » which now reaches from Ramallah in the north to Bethlehem in the south – nearly one-third of the West Bank – and is made out to be an

inseparable part of Israel <sup>43</sup>. In the next stage, settlement construction was expanded west from the post - 1967 Jordan Valley «security belt» to concentrate on the central highlands of the Occupied Territories to Israel. New roads have been constructed and pipelines laid, paying no attention to the border.

In a first-hand report on the West Bank, Leslie Plommer of *The Times* reported that the road networks and the settlements in the West Bank «create a pattern which divides and surrounds Arab towns». More than economic and military control, the settlement programme «is proving the most potent instrument of Israeli consolidation in the West Bank». The pattern cuts the West Bank into «bits and pieces» <sup>44</sup>.

As for Arab-Jewish equation in the Occupied Territories the emerging pattern comes disturbingly close to apartheid. Speaking of the discontinuities between Israel and the Arab territories occupied by it, Abba Eban wrote in the late seventies:

To pass from the area of Israeli law into the realm of military administration is to undertake a voyage of drastic transition... Not for one second in the twenty-four hours of each day do the million of Arabs in the West Bank and Gaza share a common emotional experience, a common dream or vision with Israelis on our side of the line. The territories are Judea and Samaria but this does not make the inhabitants Samaritans or Judeans. There is no sharp and total discontinuity as that which describes the relations between the area of Israeli law and the area of military administration <sup>45</sup>.

The discontinuities become sharper and far more glaring inside the Occupied Territories where the indigenous Arabs are being relentlessly crowded out by the sprawling Jewish settlements.

Reference has been made earlier to the sizeable West Bank area earmarked for the «Greater Jerusalem» project. This area stands “closed” to the Arabs. The pattern is repeated elsewhere in the West Bank where «most of the big urban areas have already been surrounded by Jewish settlements and isolated from one another». *The Time* of 17 January 1983 brought the issue into sharp focus by pointing to a newspaper advertisement in Israel for a new settlement which promised that «a new road will be built that will enable you to reach Tel Aviv without the need to cross any Arab towns and villages». The magazine went on to add that this was central to the whole concept: «the creation of Jewish communities that have nothing in common and little to share with the Arab society around them. The school and shops will be Israeli,

the language Hebrew, and culture and entertainment will be available in the Israeli cities just beyond the Green Line ( 1967 Israel-Jordan border ) which separates Israel from the territory it captured from Jordan in 1967 »<sup>46</sup>. In plain terms, the basic framework of dual society, underpinned by the thousand odd Israeli Military Orders disruptive of Palestinian civic institutions, has already emerged.

Finally, the occupation regime has ushered in a patently unjust economic order in the West Bank and Gaza reminiscent of the most abominable forms of colonialism in modern times. The economic consequences of the first twelve years of Israeli occupation were highlighted by the report of the United Nations inter-agency task force in 1979. The report established that Israeli occupation had brought about fundamental re-orientation of the Palestinian economies of the West Bank And Gaza. The level of capital formation was low and industrial activity had fallen as a percentage of GNP from 8 to 5.4 per cent. Tourism, which used to be a pillar of the economy before the occupation, had declined throughout the West Bank. The trade pattern had also been changed to serve Israeli economic needs. And the share of agriculture in the GNP, the mainstay of the Palestinian economy, fell from 35 per cent before the occupation to 26 per cent in 1976. Complimentary to these findings was the evidence of an International Labor Organization team published the same year. It showed that between 1970 and 1978 the Palestinian work force in the West Bank and Gaza had dropped by 6,000 even though the economically active population had increased by 34,000. During the same period, the number of Palestinians working inside Israel rose from 20,000 to 70,000. Moreover, a good part of their earnings returned to Israel to pay for Israeli exports to the captive economies of the West Bank and Gaza. The report underlined the fact that 90 per cent of the goods imported by the West Bank and Gaza came from Israel<sup>47</sup>.

Recent evidence points to further aggravation of these negative trends. Israel has made the West Bank and Gaza irreversibly dependent on its own economy both in terms of trade and employment. In the unequal relationship that now obtains only Israeli goods flow freely into the West Bank market, turning it into « Israel's biggest single export market ». The West Bank has indeed become Israel's captive market linked to the Israeli customs cordon, with exports and imports strictly controlled through Israeli taxes and regulations<sup>48</sup>. On the other hand, the West Bank has witnessed a decline in its already small industrial sector which is now unable to compete with subsidized Israeli manufactures.

Likewise, the Israeli policy of land expropriation and restrictions on use of water resources has stifled Palestinian agriculture and, in turn, created what Musa Budeiri calls « a free-floating reserve army of labour »<sup>49</sup>. Having already been compelled to sever its ties to the soil and unable to find adequate opportunities of gainful employment this army of unemployed Palestinians is

left with no option but to make its way abroad. During the five-year period from 1975 to 1980, some 90,000 people left the West Bank for jobs in Jordan and elsewhere<sup>50</sup>.

But Israel's treatment of the Palestinian labour represents by far the darkest patch in its exploitative relationship with the Occupied Territories. Thousands of Palestinians work in Israel, commuting every day from villages and towns in the West Bank and Gaza. But Israeli laws prohibit Palestinian workers from staying overnight in Israel. In Gaza where the Israelis have established several factories with the aim of using the plentiful supply of cheap local labour the Tel Aviv Government refuses to enforce Israeli labour legislation. Hence, The Gazans get only a third of the Israeli workers' pay packet. They are required to pay taxes but don't get unemployment pay or old-age pensions<sup>51</sup>.

---

## FOOTNOTES

---

- 1 ) Don Peretz, « Israel's new Arab dilemma » in C.H. Dodd and M.E. Sales, eds., *Israel and the Arab World* ( London, 1970 ), p.223.
- 2 ) Malcolm H. Kerr, « The changing political status of Jerusalem » in Ibrahim Abu-Lughod, ed., *The Transformation of Palestine* ( Evanston, Ill., 1971 ),pp. 364-65.
- 3 ) Shmuel Sandler and Hillel Frisch, *Israel, the Palestinians, and the West Bank: A Study in Intercommunal Conflict*, ( Lexington, Mass., 1983 ), p.132.
- 4 ) Ann Mosely Lesch « Israeli settlements in the Occupied Territories , Autumn 1977, *Journal of Palestine Studies* ( Beirut ) Vol. 7, no. 1 Autumn 1977, pp. 26 - 27
- 5 ) Sandler and Frisch, n°. 3,p.133.
- 6 ) See Text of the' Drobles' Master Plan in the United Nations, Security Council, *Official Records*, 34th year, supplement for October, November and December 1979 (New York, 1982), pp. 19-26.
- 7 ) Edward Walsh, « Israel defies U.S. plea », *International Herald Tribune* (Zurich), 6 November 1982.
- 8 ) *Time*, 17 January 1983,p.4.
- 9 ) William W. Harris, « West Bank colonization: slamming the door on peace », *Christian Science Monitor* ( Boston ), 5 September 1983.
- 10 ) Edward Walsh, « West Bank occupation is seen as irreversible », *International Herald Tribune*, 26 April 1984.
- 11 ) *Time*, 28 December 1981, pp. 16- 17.
- 12 ) United Nations General Assembly, *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories* ( New York, 1983 ), p. 121.
- 13 ) Edward Walsh, n°. 10.
- 14 ) Punyapriya Dasgupta, «West Bank: creeping annexation», *Man & Development* (Chandigarh) Vol. 5, n°. 3, September 1983, p. 39.
- 15 ) Don Peretz, n. 1,pp. 221-22.

- 16 ) *Ibid.*, pp. 222-23.
- 17 ) *Ibid.*, pp. 223-24.
- 18 ) Jan Metzger, Martin Orth and Christian Sterling, ***This Land is Our Land: The West Bank under Israeli Occupation*** ( London, 1983 ) pp. 62-63.
- 19 ) Gwynne Dyer, « *Trouble in the West Bank* », ***Dawn*** ( Karachi ), 13 September 1976.
- 20 ) Janice Terry, « *Israel's policy toward the Arab states* » in Ibrahim Abu-Lughod, ed., ***The Transformation of Palestine*** ( Evanston, ILL., 1971 ), p.352.
- 21 ) Abba Eban, ***An Autobiography*** ( London, 1978 ), pp. 492-93.
- 22 ) ***The Times*** ( London ), 1 March 1977.
- 23 ) Abba Eban, n°. 21, p. 494.
- 24 ) Jan Metzger et al., n°. 18, p. 31.
- 25 ) Menachem Begin, ***the Revolt*** ( New York, 1978 ), revised edition, p. XXIII.
- 26 ) Punyapriya Dasgupta, n°.14, p. 44.
- 27 ) Ariel Sharon quoted in ***Times of India*** ( New Delhi ), 13 June 1979.
- 28 ) Paul Haufmann « *Israel wants to retain army in Gaza, West Bank* », ***Times of India***, 14 February 1979.
- 29 ) ***Times of India***, 24 May 1979.
- 30 ) Anthony Lewis, « *New Israeli settlements mock peace treaty* », ***Times of India***, 8 June 1979. (Reproduced from ***The New York Times***).
- 31 ) ***International Herald Tribune*** ( Paris ), 17 December 1982.
- 32 ) Peter Hildrew, « *Bulldozing settlers along the West Bank'* », ***The Guardian*** ( London ), 17 August 1983, and « *colonizing numbers game* », ***The Guardian***, 18 August 1983.
- 33 ) Dr. Paul Quiring, « *Israeli settlements and Palestinian rights* », ***Middle East International*** ( London ), September 1978, pp. 10-12 and October 1978, pp. 12-15; and Philip Jacobson, « *Who really owns the West Bank Land?* », ***Sunday Times*** ( London ), 1 October 1978.
- 34 ) William W. Harris, n°. 9.
- 35 ) « *Israel and the resources of the West Bank* », ***Journal of Palestine Studies***, vol. 8, n°. 4, Summer 1979, pp.97-99.
- 36 ) ***The Times*** ( London ), 24 June 1980.
- 37 ) See ***The Guardian Weekly*** ( Manchester ), 17 January 1982, p.2.
- 38 ) ***International Herald Tribune*** ( Paris ), 1 August 1980.
- 39 ) Sandler and \*Frisch, n°.3, pp. 151-55.
- 40 ) Ann M. Lesch, « *Israeli deportation of Palestinians from the West Bank and the Gaza Strip, 1967-1978* » ***Journal of Palestine Studies*** vol. B. n°. 2, Winter 1979, pp.101-109.
- 41 ) William W. Harris, n°. 9.
- 42 ) Anthony Lewis, « *Implications of settlement on West Bank* », ***Dawn*** ( Karachi ), 20 June 1979.
- 43 ) Geoffrey Aronson, « *Israel in the occupied lands* », ***International Herald Tribune***, 10 June 1984.
- 44 ) Leslie Plommer, « *Creeping Israeli tentacles hold fast to the West Bank* », ***Statesman*** ( Delhi ), 11 November 1982. Reproduced from ***The Time*** ( London ).
- 45 ) Abba Eban, n°. 21, pp. 608-609.
- 46 ) ***Time***, 17 January 1983, p.7.
- 47 ) Rami G. Khouri, « *Picture of stagnation and depression* », ***Financial Times*** ( London ), 26 July 1979.
- 48 ) Leslie Plommer, n°. 44.

49 ) Musa Budeiri, « *Prophets and loss on the West Bank and Gaza* », *The Guardian* ( London ), 24 March 1982.

50 ) *Ibid.*

51 ) Elfi Pallis, « *Stateless in Gaza* », *The Guardian Weekly*. 7 March 1982.

---

# COMMENTARY ON M. S. AGWANI'S PAPER GOALS, MEANS AND PATTERNS OF ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TER- RITORIES

By

**Ann MOSLEY LESCH \***  
U. S. A.



Professor Agwani has offered a clear concise overview of the main goals, means and patterns of Israeli settlements on the West Bank. He rightly places settlement policy in the context of Israel's overall strategy, stressing that settlements are one part of a multifaceted policy that constricts Palestinian economic and educational life and represses Palestinian political expression and organization.

Recent studies indicate that 42,500 settlers now live on the West Bank,

---

\* Ms. Lesch holds a Bachelor's Degree from Swarthmore College and a Ph. D. in Political Science from Columbia University. She is presently an associate with the Universities Field Staff International in Cairo, Egypt.

Previously, Ms. Lesch headed the American Friends Service Committee office in Jerusalem from 1974-1977 and the Ford Foundation's Middle East Section in New York and Cairo from 1977-1984.

She has authored several books on the Middle East, including *Arab Politics in Palestine, 1917-1939*, and *The Political Perceptions of the Palestinians on the West Bank and Gaza*.

among 800,000 Palestinians<sup>1</sup>. Moreover, 80,000 Israeli Jews live in East Jerusalem alongside about 110,000 Palestinians, and 1400 settlers live in the Gaza Strip among some 500,000 Palestinians. In addition, nearly 7,000 settlers inhabit the Golan Heights, where only about 15,000 Syrians remain out of the pre - 1967 population that totalled 75,000. These figures indicate that the Jewish-Arab population ratio is close in East Jerusalem and even on the Golan Heights, but is still wide on the West Bank and Gaza, after nearly eighteen years of military occupation. Nevertheless, the current momentum of settlements could lead to the implanting of 100,000 Israeli Jews on the West Bank by the early 1990's and 10,000 in the Gaza Strip by then<sup>2</sup>. Of course, such an increase would be more than matched by the increase in Palestinians: the Arab population is expected to be nearly 900,000 on the West Bank and 650,000 in the Gaza Strip by the early 1990's, barring a major emigration wave or forced expulsion.

The most ambitious plans of the Jewish Agency ( noted by Dr. Agwani on page 93 ) call for 1.4 million Jews on the West Bank by 2020 amongst 1.6 million Arabs. It remains doubtful, however, whether such a radical population restructuring can actually occur. Even settlement officials of the Jewish Agency concede that the reservoir of people wanting to live in settlements is drying up. More importantly, virtually no funds are available to construct new settlements. With each settlement costing up to \$ 2 million and with Israel facing a severe economic crisis, hard choices are necessary concerning the use of limited government funds. Budget cuts have already been made that curb the provision of infrastructure – such as roads, sewerage and electricity lines – to support settlements. No funds are available this year to build new schools or factories in settlements, and regional councils are cutting certain public services in order to make ends meet.

Nevertheless, in January 1985, the government made the politically symbolic decision to approve sites for six new settlements on the West Bank: two in the northern sector, two near Hebron, one in the Jordan Valley, and one near Jerusalem. When the national unity government was formed in September 1984, a compromise was reached between the Labor Party's demand for a settlement freeze and Likud's demand for unlimited construction of settlements. They agreed that up to six settlements would be built in the first year of the national unity government, and 20 constructed during the entire four years of its term in office. Apparently one or two of the approved settlement sites lie outside the territory demarcated by the Allon Plan; i.e in areas which Labor ( but not Likud ) would be willing to return to Arab rule. Some commentators note that Labor may not expect any of the six to be built, since the government has not yet allocated funds to construct them and since Jewish Agency officials question whether funds needed to expand and consolidate existing settlements should be diverted to construct new ones.

And yet, hardline proponents of absorbing the West Bank are pleased by the government decision, since it rejects the concept of a settlement freeze, and they are determined to raise non-governmental funds, if necessary, to construct these outposts.

### *Labour vs Likud*

Dr. Agwani notes the difference in emphasis between the Labor government and the subsequent Likud regime. The former was willing to consider relinquishing some 70% of the West Bank to Jordan, under the Allon Plan, whereas the latter demanded Israeli sovereignty over the entire West Bank with only personal autonomy for its Palestinian residents, who would be denied control over land and water resources. As a result, the two governments had different emphases in their settlement policies: Labor stressed the establishment of semi-military agricultural settlements in the Jordan Valley, which the Allon Plan designated as Israel's key line of defense. Likud pressed settlements in the highlands, the heart of the West Bank, so the repartition of the territory would become impossible.

Nevertheless, it is important to realize that a third of the West Bank settlements during the decade of Labor rule were placed outside the Jordan Valley: in East Jerusalem, the Latrun salient ( East of Ramia and Lydda ), the Etzion Bloc ( South West of Bethlehem ) and Qiryat Arba ( North of Hebron ). Latrun has an important strategic location, dominating the highway between Tel Aviv / Jaffa and Jerusalem; three Arab villages were demolished at Latrun immediately after the June war to facilitate expropriation of the land and ensure Israel's permanent control. East Jerusalem and Hebron have both nationalist and religious importance to Israelis, as they contain important Jewish holy places and were foci of Arab-Jewish strife before 1948. Therefore, religious nationalist Jews have been particularly determined to re-establish the pre - 48 Jewish communities in both cities and have, in fact, constructed major suburban housing projects that dominate the Arab residential areas as well as forcibly rioting Palestinians from parts of the Old Cities so that Israeli Jews can move into the center of both towns. The Etzion Bloc was the site of a cluster of Jewish villages founded in 1943. These villages lay outside the territory allotted to the Jewish state by the United Nations partition plan in 1947, and were overrun by the Jordan Legion in 1948. The children of the original settlers initiated the re - settlement drive in the summer of 1967, and have established substantial agricultural and suburban communities in the midst of Palestinian villages and refugee camps.

Thus the Labor government compromised on the principle of territorial partition immediately after the June war. It capitulated to pressure from religious-nationalists to move to Etzion and Qiryat Arba ( Hebron ), and the government itself initiated and encouraged settlement in East Jerusalem.

Dr. Agwani mentions that the militant Gush Emunim settlers forced Labor's hand in the mid 1970's, but it is important to realize that Labor itself had already allowed similar settlements constructed amidst Palestinian towns. Moreover, the Defense Minister Shimon Peres (currently Israel's Prime Minister) supported some of the land grabs by Gush Emunim – particularly in Ofra and Kaddum – thereby undermining his own government's stance. The change in emphasis on the part of the Likud government was, nonetheless, very evident: 15 of the now 18 new settlements erected on the West Bank in its first year in office were located in the northern and central districts, close to Arab villages, refugee camps, and towns.

### ***Expropriation Policies***

Dr. Agwani provides a useful summary of Israel's land expropriation policies and the distorted use of Ottoman land laws. I would only add that following the 1979 Elon Moreh case – in which the Israeli high court ruled that private Arab land had been seized for political, not military, purposes and thus the settlement had to be disbanded – the government shifted from seizing private property under the security rationale to expropriating “miri” and “mawat” land, claiming that these were public lands. Israel then established an appeals system which provided that the only way which a farmer could challenge an eviction notice would be to take his case within 21 days to a three-person advisory committee composed of military reserve officers. This committee would recommend to the military governor whether or not the claimant has title to the land. Such a system is stacked heavily against the farmer; it is virtually impossible for him to obtain the necessary documentation from the Israeli controlled Land Registry office within three weeks; given the prevailing land system, it is unlikely that the farmer can produce a document proving full ownership (even proof of tax payments or inheritance would be deemed insufficient). A committee of military officers is unlikely to challenge the military government and in any case, its rule is only advisory and so the military government can overrule its decision. Overall, only 5% of the cases taken to this advisory committee have been successful.

Moreover, in March 1979, the government initiated an intensive survey to locate all parcels that had not been recorded in the Land Registry, so that it could seize them as unregistered or state lands. The survey led to massive land seizure. For example, 9,000 acres were expropriated to the West Bank between July 1980 and February 1981; and residents of the southern half of the West Bank lost 20,000 acres in March 1982 and January - February 1983. Even Waqf land has been affected: 50 acres near Ramallah were seized in February 1983, including the shrine of Sheikh Abu-Zeitoun. This was the first major expropriation of Waqf since June 1967, when the Mughrabi Waqf in front

of the Western Wall in Jerusalem was seized and hundreds of Palestinian residents were evicted overnight.

### *Types of Settlements*

There are currently three types of settlements on the West Bank. The first is the Labor Zionist style of agricultural settlement. Such settlements are initially formed as paramilitary outposts and then transferred into rural civilian community Kibbutz or aushav. However, military units generally remain present in the settlement and the settlers are integrated into the local military structure. Such settlements have a medium-size population ( 50 to 150 families ) and are intended to be economically self-sufficient. At present, only 20 % of the West Bank settlers live in this type of military-agricultural outpost.

The second type consists of urban and suburban settlements, which attract young « apolitical » families who seek large, inexpensive homes and improved schools and other services. Maale Adumin, located five miles east of Jerusalem, is a key example: Opened for occupancy in 1982, it quickly attracted 750 families, three quarters of whom were moving from cramped housing within Jerusalem and all of whom retained their jobs inside Jerusalem. These settlements are bedroom communities that do not expect to become economically self-sufficient. They are designed to lure the average Israeli or Jewish immigrant to West Bank sites for largely non-nationalistic reasons. And yet the placement of all these settlements has a clear political design: Maale Adumin, for example, controls the main highway from Jerusalem to Jericho. Other such settlements dominate access routes to the North and South. By moving thousands of Israelis to such suburbs, the government and the Jewish Agency know that they are building up a large, non-ideological constituency that will oppose the return of territory in any peace settlement. At present, almost half of the West Bank settlers live in such urban outposts, of which Maale Adumin is the largest.

The third type is constructed by national-religious settlers, organized largely through the Gush Emunim movement. These settlers consider it a religious duty ( mitzva ) to settle the land which God gave to the Jews. They view the Palestinians as foreigners, temporary dwellers, who have no inherent rights. As Dr. Agwani states, this movement flourished under the Likud regime. Religious-nationalists hold key positions on the political bodies that represent the settlements, in settlement publications and in the « defense units » that sometimes patrol and terrorize the neighboring Arab towns. At present, about 30 % of the West Bank settlers adhere to this militant ideology and yet their influence is pervasive, given their single-mindedness and willingness to take radical action against both the government and the Palestinians.

Recent vigilante actions by settlers that Dr. Agwani mentions actually date back to 17 March 1976<sup>11</sup>. On that date, settlers from Qiryat Arba drove into Hebron, beat up Arab youths who were demonstrating in the streets, and took three Palestinian men back to the settlement as hostages, where they set dogs on them. But the audacity of the settlers' actions increased under Likud. In March 1979, for example, settlers from Ogsa drove into Ramallah and beat up residents randomly in the street; on 23 April 1979 settlers from Beit el Alpha smashed the windows of 120 cars and 70 houses in the twin town of Ramallah and El-Bireh<sup>12</sup>. These are only two of numerous examples.

### *The Gaza Strip*

The Gaza Strip represents a special case, and used to be treated quite differently by the Israeli authorities from the West Bank. The Strip is small, densely populated, and highly urbanized, 75% of its 500,000 residents are refugees from 1948, who live in eight massive refugee camps. ( Jabalya, for example, contains 42,000 persons; Rafah camp 40,000 and Khan Yunis 27,000 ) Gaza town has 182,000 residents and Khan Yunis 170,000; each one being much larger than the major towns on the West Bank and even larger than the Arab Sector of Jerusalem. Thus, the Labor government hesitated to place Jewish settlers in the midst of this vast and highly politicized Palestinian concentration. Instead, Labor tried to surround the Gaza Strip and thereby contain it : pre-1967 Israeli towns contain the Strip on the North and East ; the Mediterranean Sea borders it on the West ; and so the Israeli government constructed a thick band of settlements to the South, in the Rafah salient within Egyptian Sinai. Five small settlements were constructed inside the Strip : four nahalim ( semi-military ) and one industrial zone. The settlements lacked economic roots and stable populations, although the Eretz industrial zone proved to be a profitable means for Israeli firms to set up businesses close to the cheap labor supply in Gaza. Only one of the original settlements had a nationalistic rationale : Kfar Darom was placed on the site of a settlement that had been erected in 1946 but was outside the proposed partition boundaries for the Jewish state and was overrun by the Egyptian army in 1948.

The situation changed after the Camp David Accords of September 1978 and the Egyptian-Israeli treaty. The Israeli government was then obliged to evacuate all the Sinai by the end of April 1982. This meant that all of the Rafah salient settlements would have to be dismantled and thus there would no longer be a Jewish « buffer zone » between the Palestinians of the Gaza Strip and the Egyptians in Sinai. The Likud government used the alleged security

risk that this situation would pose as an excuse to launch a major settlement drive within the Strip. Such a policy also meshed with its program on the West Bank of placing settlements in the midst of Palestinian villages and towns.

The principal outcome of the Likud program has been the expropriation of 7500 acres along the South West side of the Gaza Strip, extending from West of Rafah ( on the Sinai border ) North past Khan Yunis. This Qatif Bloc contains ten settlements, some of which are still under construction. The settlers expect to rely on hothouse agriculture, light industries, and summer resorts along the Mediterranean shore. All but one of these outposts have been erected since Camp David, and all of them have a religious-nationalist perspective. The large « hesder yeshiva » ( which combines religious study with army duty ) that was set up in the Rafah salient was transferred to the Qatif Bloc in 1982<sup>13</sup>. 1250 of the 1400 Israeli Jews who now live in the Gaza Strip are concentrated in the Qatif Bloc and two nearby settlements ( Morag and Kfar Darom ), which are closely linked to the settlements within the Bloc. The establishment of the Bloc has involved the seizure of Palestinian vegetable plots, date-palm trees and grazing lands along the coast. It also presses against large refugee camps and towns in the southern third of the Gaza Strip; the government is even trying to evict all the residents of Swedish Village, a refugee camp for Palestinian fishermen that is located at the South West corner of the Strip.

A second, smaller settlement bloc is being established at the northern end of the Strip, in order to obliterate the pre-1967 armistice line. The Eretz industrial zone forms the nucleus of this block, with two residential outposts recently established nearby. One of them is based on hothouse agriculture and light industry, and the other will rely on Jewish religious tourists. Although these outposts contain only a hundred persons at present, the Jewish Agency expects them to expand tenfold during the coming decade, and they already press against congested Palestinian residential areas to the South.

A small settlement zone called Netzarim was set up in 1972 directly South of Gaza town. Netzarim became a civilian settlement in 1980, and is continually expanding in size. It controls the southern side of Gaza town, just as the Eretz bloc dominates the northern side. On 3 April 1982 ( only three weeks before Israel evacuated Sinai ) an outpost was erected just East of Gaza town, on Tel Muntar. This highpoint overlooks the only East-West road linking Gaza town with pre-1967 Israel and also dominates one of the two main North-South highways in the Strip. Thus, the city of Gaza and its adjacent refugee camps and villages – which contain 40 % of the Palestinians living in the Strip – are being surrounded and constricted by Israeli settlements.

Thirty per cent ( 28,450 acres ) of the land mass of the Gaza Strip is now under Israeli control and is used almost entirely for settlements and their special access roads. The government has also laid the infrastructure on which

a major expansion can be based. The Jewish Agency plans for 10,000 Israeli residents in the Strip by the early 1990s, of whom 8,000 will be concentrated in the Qatif Bloc. Of course, as noted previously, the Palestinian population will have grown by then from 500,000 to some 650,000 persons.

Although the Labor Party refrained from establishing major settlements within the Gaza Strip, it tended to advocate the permanent retention of the Strip under Israeli control. As Dr. Agwani comments, even the dovish Mapam party called for keeping Gaza. Shimon Peres, while in opposition, called for a partial withdrawal: Israel would keep the Eretz bloc in the North and the entire southern third, including the Qatif Bloc and the Palestinian concentrations around Khan Yunis and Rafah<sup>14</sup>. Only the central sector would return to Arab control. One variant of this Labor plan would provide for the port at Gaza city to serve as a Mediterranean outlet for Jordan, if Jordan regained control over the West Bank. In essence, Peres's concept would mean that half of the land and residents of the Gaza strip would be permanently incorporated into Israel. The Likud plan would be equally restrictive: The Gaza Strip residents would be allowed the same kind of local self-rule as accorded to the Palestinians of the West Bank, Israeli sovereignty would be imposed on the entire Strip, and Israel would control the land and water resources. Thus, neither political party has offered the Palestinians in Gaza the prospect of a political future that remotely resembles the national self-determination and independence to which they aspire.

### *The Golan Heights*

Finally, special mention should be made of the Israeli settlements on the Golan Heights. The Labor government placed considerable emphasis on settling the Golan. It built 25 settlements there within one decade, of which 11 were erected within the first three years after the 1967 war. The settlers took over and expanded the apple orchards, fish ponds, herds of cattle and field crops that had belonged to Syrian villages<sup>15</sup>. By 1977, the southern third of the Golan was blanketed with 15 settlements; six more were located in the North on the slopes of Mount Hermon and amongst the 5 remaining Syrian Villages; and four were located in the center, West of Qunaitra. The central zone was not hospitable for agricultural settlement, and so the government began to plan a bloc of urban outposts in the mid 1970's. Katarin became the core town for eight industrial villages in that sector. Thus, an extensive network of settlements was constructed on the Golan Heights by Labor, primarily as a means to preclude the return of any significant part of the Heights to Syria.

Although the Likud government was more interested in populating the West Bank and later the Gaza Strip with Jews, it erected 13 settlements on the Golan Heights during its seven years in power. Half of these settlements were placed in the central Golan, in fulfillment of the Labor plan to construct a zone of

industrial villages there and to close the « gap » between settlements to the North and South. Four outposts were established near Syrian Druze villages, which were becoming increasingly politically militant and hostile to Israeli rule.

Neither the Labor nor the Likud governments have been interested in negotiation with Syria to return major sections of the Golan Heights, and their settlement policy underlines this posture. In the 1975 disengagement accord, only one semi-legal settlement had to be removed, from the outskirts of Qunaitra. And, as Dr. Agwani notes, Israel's intent to retain the Golan was manifested in December 1981 when the Knesset voted to apply Israeli law to the Heights. This act violated their status as military occupied territory and prejudged the outcome of negotiations with Syria.

---

## FOOTNOTES

---

- 1) Thomas L. Friedman, « Jewish settlers are put at 42,500, » *The New York Times*, 10 February 1985.
- 2) *Ibid* and A. M. Lesch, « The Gaza Strip: Heading toward a Dead End, Part II: Israeli Settlements, Palestinian Social Forces, and Economic Development », *Universities Field Staff International Reports*, No.11, 1984, p.4.
- 3) T. L. Friedman, « Recession in Israel is Slowing Settlement of the West Bank », *The New York Times*, 3 February 1985.
- 4) « Israel Plans New Settlements », *The New York Times*, 11 January 1985.
- 5) A. M. Lesch, « Israeli Settlements in the Occupied Territories, 1967 – 1977 », *Journal of Palestine Studies*, No. 25, Autumn 1977 , pp. 28-29, 46.
- 6) A. M. Lesch, « Israeli Settlements on the West Bank: Mortgaging the Future », *Journal of South Asian and Middle Eastern Studies*, VII: 1, Fall 1983, p.5.
- 7) See Ian Lustick, « Israel and the West Bank after Elon Moreh: The mechanics of the facto Annexation », *The Middle East Journal*, Autumn 1981, pp. 557-577.
- 8) A. M. Lesch, « Israeli Settlements.... Mortgaging the Future », *op. cit.*, p. 11.
- 9) *Ibid.*, pp. 11-12.
- 10) *Ibid.*, pp.13-16 on the three types of settlements; see also Friedman, « Jewish settlers... » *op. cit.*, referring to the research of Meron Benvenisti.
- 11) A. M. Lesch, « Israeli Settlements... Mortgaging the Future », *op. cit.*, p.19.
- 12) *Ibid.*
- 13) A. M. Lesch. «The Gaza Strip,» *op. cit.*, pp.1-4 on Israeli settlements throughout the Strip.
- 14) *Ibid.*, p.9, referring to Peres' statement in the Knesset, as broadcast by the Jerusalem Hebrew Radio Station, 3 May 1982.
- 15) A. M. Lesch, «Israeli Settlements... 1967-1977», *op. cit.*, pp. 28-30, 34, 36-38.

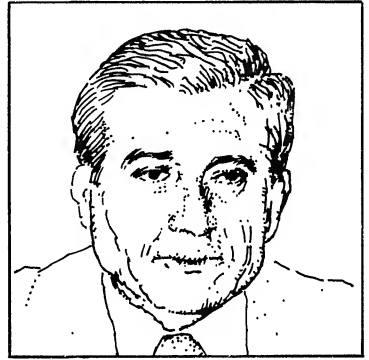


---

# COMMENTARY ON M. S. AGWANI'S PAPER : GOALS, MEANS AND PATTERNS OF SETTLE- MENTS IN THE OCCUPIED ARAB TERRITORIES

By

**Moh'd H. MILHEM \***  
*Member of the Executive  
Committee of the PLO  
Palestine*



**P**rofessor Agwani's paper on Israeli settlements in the Occupied Territories is so well-informed and to the point. It does not only reflect the real goals and intentions of the Israeli occupation, but it also seems closer to the concept of a scholar physically living in those areas.

This is at least how I view it as a Palestinian who lived for thirteen long years in the Occupied Territories before my expulsion on the 2nd of May, 1980.

---

\* *Born in the village of Halhoul in Palestine in 1929. He graduated from the Arab College for Teachers in Jerusalem in 1948. He holds a Bachelor of Arts in English Literature from the Lebanese University.*

*He held several positions in teaching English both in ARAMCO and the West Bank.*

*He was elected in 1976 as the Mayor of his village Halhoul and occupied this position until he was expelled by the Israeli Authorities.*

*He had been member of the Council for Higher Education and member of the Committee for National Guidance in the Occupied Land and is now member of the Executive Committee of the Palestine Liberation Organization and Chairman of the Department for Higher Education of the PLO.*

The Occupied Territories are directly under the command of the Israeli Minister of « Defence » as they call him. The late Moshe Dayan was in command in 1967, Sharon was in command in 1982, Arens was in 1984. Dayan and his Labor successors in the past pursued a policy different in form from the Likud Ministers, as Sharon and Arens, but for the same goals. In 1972, Dayan visited Hebron whose mayor was the late Sheikh Jaabary and declared that he planned to take a piece of land overlooking Hebron to establish an army base there for purely military and security purposes. Very shortly, and in spite of the mass protests, the operation of construction of one of the biggest Israeli settlements started, Kiryat Arba. Apartments, parks, schools, kindergarten and recreation halls were established. Settlers from all over the world, mostly from the U.S.A., started pouring into the Settlements. Those were sometimes called worshippers, especially when attacked by the owners of the expropriated land. In other instances, they were looked upon as industrialists and frontier guards. What was supposed to be a base for military and security personnel turned out to be a bee-hive of suppressors and interrogation cells for Arab youngsters and detainees. What was supposed to be a military base turned out to be a cancer cell that spread in the suburbs of Hebron and downtown.

Later, Sharon then Arens took over command and thought that the Settlement in Hebron should be corner-stoned by them in public. They took over the building of both UNRWA and government schools to serve as a nucleus of downtown settlement.

The Labor scheme of settlements is much more deceptive to world public opinion than that of the Likud. Palestinians in the Occupied Territories feel that Likud policies are less misleading than Labor's.

The policy of settlements springs out from their own concept of the Biblical belief of Eretz Israel, « The promised land without people for a people without land ». World opinion may not be ready to accept the above interpretations. So they use expressions like “Security of Israel”, “Holocausts”, “Terrorism”, etc. as terms of justification for their settlement policy to achieve the indisputable aims; they pursue a very well-planned policy of establishing the settlements, They have chosen thickly-populated areas and have ringed them with settlements, thus creating concentration of Arabs isolated from each other in a way to block the possibility of forming an entity or state for the Arabs. Roads linking these Settlements have devoured more areas than the settlements have done. The worst of all is that areas of fertile land have been closed up for any Arab residence areas. Such a thing would threaten the security of settlements if Arabs were allowed to live there...

Research... Books.... Papers ( daily and periodical ) ... News Agencies ( East & West )... Official.... Voluntary teams of experts, Arab ... and.... Foreign... all have focused on the issue of Settlement. To me as a Palestinian Arab who has followed, and at close quarter, Dr. Paul Quiring of the Menonites and all other interested

teams, the quotation from Begin's *Revolt in 1948*, « whoever fails to recognise our right to the entire homeland, does not recognise our right to any of its territories », is what we have to examine and analyse more carefully.

At that time Begin was leading a terrorist group of Stern and Argon and was responsible for the Deir Yassin Massacre. The leading Zionist military group was the Hagana. Begin, in 1948, was leading a minority group.

Twenty - nine years later in the 1977 elections, he won and assumed the office of Prime Minister of Israel. The first thing he did was visiting the Qaddum settlement which was declared to be unlawful by the outgoing Labour Government. As Prime Minister, Begin underscored his determination to pursue an aggressive settlement policy. He worked hand in glove with Gush Emunim in promoting Jewish Settlements « in all parts » of the West Bank on an enhanced scale.

Here one should also look back at two main figures in the Labour Party: Dayan and Aba Eban. In 1973, Dayan declared that « those who believe that Israel's control of " Judea and Samaria " ( the West Bank ) is temporary should stop teaching the Bible ». On the other hand, Aba Eban retorted that the Labour Party « should stop brandishing the Bible in our Political discussion ». Thus, Dayan has regained his seat at the Israeli Cabinet while Eban and his party lost. Levi Eshkol, Eban's Prime Minister, was pleased in 1967 with the dowry but not with the bride. He was referring to the land and people of the West Bank. Disagreements related to form rather than substance.

Mr. Baron, a Knesset member of the « Citizens Right Group » and activist in the peace movement, thought that in spite of the fact that the land of Palestine was Eretz Israel, the Israelis concede part of it to their neighbours ( the Palestinians ) in exchange for peace. Meanwhile the Sephardic Rabbi said it was forbidden for any Jew ever to consider returning any part whatsoever of the land of the forefathers. Thus the general trends in Israel in the aftermath of the June 1967 war favoured some form of integration of the Occupied Territories into the Jewish state. The only hitch was the large Arab population for which their government would be responsible. The solution for that came from Shimon Peres, the present Prime Minister of Israel, who foresaw possibilities of encouraging Arab migration from the occupied land.

### *Conclusion*

Where do we stand then? What are the prospects for peace? The experience of Camp David as a living example seems to be completely disappointing and discouraging. Disappointment is derived from policies pursued within the context of the settlement activities. It was later enunciated by the Likud Government that autonomy should apply to residents not to land.

Jewish settlement activities in the Occupied Territories continued unhindered.

On 25 May 1979, the Begin cabinet resolved that at the end of the five-year transitional period, Israel was trying to show that the peace treaty with Egypt gave it a *Carte Blanche* to settle and permanently subjugate the West Bank.

If we go over the documentation and reports about systematic suppression and harassment in the Occupied Territories, control on the functioning of the West Bank universities, disbanding of municipal councils, outright deportation of political activists, economic deterioration in all fields – we come to the gloomiest and most pessimistic conclusion.

These practices and the Camp David outcome and the political turnups ever since 1948 indicate without any doubt that what brought Begin to head the Government of Israel 29 years later may bring Gaola Cohen or Meir Kahan to be the Prime Minister of Israel in less than 29 years to come. The invasion of Lebanon may constitute an example of Israeli expansionist plans and no readiness to exchange peace for land. The Israeli practices in the Occupied Territories may be another example. It always remains that the settlement policy provides an indisputable example that prospects for peace in the foreseeable future are far to reach.

If initiators of peace proposals are at any time convinced that the settlement policy of Israel in the Occupied Territories is one of the most effective hindrance to just peace in the Middle East, they will not fail to find means and methods to make it impossible for Israel to fund those costly settlements. We, Palestinians, are no more illusioned by the hope that those who pay for the settlements will at any time put into life their declarations about the illegality of those settlements.

# CHAPTER / 5



---

# JERUSALEM : ISRAELI CONCEPTS, POLICIES AND PRACTICES

By

**Henry CATTAN \***  
*Palestine*



## **Panel III**

**Chairman: Senator James G. Abourezk**

### **Introduction**

Israel's concepts, policies and practices in Jerusalem can be summarized in one basic proposition: the judaization of the Holy City, its government, its

---

*\* Mr. Cattán is an international jurist and writer. He was born in Jerusalem and was a barrister-at-law ( Middle Temple ) Great Britain, and was formerly a member of the Palestine, Jordanian, Syrian and Lebanese Bars and professor at the Jerusalem Law School:*

*He represented the Arabs of Palestine at the General Assembly of the United Nations at its First Special Session ( 1947 ), Second Session ( 1948 ) and Third Session ( 1949 ).*

*He acted on behalf of the League of Arab States as an expert on the Palestine Question on various occasions, including negotiations with Count Folke Bernadotte at Rhodes in 1948.*

*He is the author of Law of Oil Concessions in the Middle East; Palestine, the Arabs and Israel; Palestine, The Road to Peace; Palestine and International Law; The Question of Jerusalem, and Jerusalem.*

population, its land, its history and its culture. The judaization of Jerusalem began with the emergence of the state of Israel in 1948 and has continued ever since.

In order to fully grasp the significance and implications of this radical transformation, it is imperative to recall certain fundamental facts about the Holy City.

Jerusalem is unique among all the cities of the world because of its association with three great religions. It is the spiritual and religious heritage to one half of humanity, holy for one thousand million Christians, holy to an almost similar number of Moslems and holy to fourteen million Jews.

Because of its profound religious significance, Jerusalem has been the scene of many dramatic events and the cause of many wars during the thirty-eight centuries of its existence. It suffered twenty sieges, changed hands twenty-five times, was destroyed seventeen times, and its inhabitants were massacred on several occasions.

Jerusalem was founded by the Canaanites in the 18th century BC and was inhabited by the Jebusites, a Canaanite subgroup. It remained a Canaanite city for 800 years. In around 1000 BC it was captured by David who proclaimed himself king of the Israelites and founded the kingdom of Judah.

The Canaanites are the earliest inhabitants of Palestine and are thought to have settled in this country about 3000 BC. The Canaanites and the Philistines ( who came from Illyria about 1175 BC and settled in the southern and eastern parts of the country ) are the ancestors of the Palestinians of today<sup>1</sup>. The Canaanites gave to Palestine its biblical name of « the land of Canaan » and the Philistines gave it its name of Palestine.

In addition to the Canaanites and the Philistines, there were a third people much of whose history was linked with Palestine: the Israelites. Unlike the Canaanites, the Israelites were not indigenous to Palestine, but came to the country about 1200 BC after their long exodus from Egypt. The Israelites did not massacre the Canaanites, nor evict them from their lands and cities, but they cohabited together. Professor Martin North observes that the Israelites did not make room for themselves by conquest or by destruction of the Canaanite cities. They settled in unoccupied regions and did not displace the original inhabitants<sup>2</sup>. For some two hundred years the Israelites lived as the Twelve Tribes of Israel and were ruled by the Patriarchs.

It is important not to confuse the Biblical Israelites with present-day Israelis. The Jews who, under the Zionist impulse, emigrated to Palestine during the latter part of the 19th century and the British mandate or after the establishment of the state of Israel are not the descendants of the Biblical Israelites. Jewish historians confirm that the Jews of Palestinian origin

constitute a small minority and that the Jews who came to Palestine in our time are converts to Judaism from several races and regions of the world and possess no racial link with the Israelites<sup>3</sup>.

It is not possible, nor of much relevance to deal in this introduction with the turbulent and checkered history of the Israelites during the millenium preceding our era which began in 1000 B C with the capture of Jerusalem and the establishment of the Kingdom of Judah, saw its destruction 73 years later and witnessed the successive conquests of Palestine by the Babylonians, the Persians, the Greeks and the Romans. The presence of the Israelites in Palestine finally came to an end with their deportation by the Romans following their revolts in AD 66 - 70 and AD 132 - 135. The Temple and Jerusalem were then destroyed and the Jews were killed or deported and dispersed in the four corners of the world. When the new city of Jerusalem was rebuilt by the Roman Emperor Hadrian after AD 135, it was given the name of Aelia Capitolina and a decree was issued which prohibited under penalty of death the presence of Jews in the city. This prohibition lasted several centuries until it was relaxed by the Moslem Arabs after their capture of the city. But despite the abrogation of the prohibition, very few Jews lived in Jerusalem. In 1267 a Spanish rabbi, Moise Ben Nahman, found two Jews in Jerusalem<sup>4</sup>.

During the following centuries there was a trickle of Jews into Palestine. In consequence of the persecution of the Jews in Western Europe and their expulsion from Spain ( 1492 ) and Portugal ( 1496 ), some of them sought refuge in Palestine and in other Mediterranean countries. As a result, some Jews came to live in Jerusalem. According to Rappoport, there were 70 Jewish families in Jerusalem in 1488, 200 families in 1495 and 1,500 families in 1521<sup>5</sup>.

Then following the Russian pogroms of 1881-1882, a number of Jews emigrated to Palestine and settled in Tiberias, Safed and Jerusalem. At the end of the First World War, in 1917, The Jewish population of Jerusalem numbered 30,000<sup>6</sup>.

Looking in perspective at the successive rulers of Jerusalem, we observe that the city was ruled by the Canaanites for 800 years; by the Israelites from 1000 B C to 587 B C about 400 years; by the pagans ( Babylonians, Persians, Macedonians, Romans ) – except for the period of the revolt by the Maccabees – for nine centuries until AD 324-614, 628-638, 1099-1187 and 1229-1239 for four centuries; by the Moslems ( Arabs and Turks ) from 638-1099, 1187-1229 and 1239-1917 for almost twelve centuries.

If we examine how the Palestinians fared during all those vicissitudes we find that they survived them all until 1948. They lived in Jerusalem since its founding by their ancestors. They remained in it throughout successive

invasions and survived many massacres.

It should be remarked that the Moslem conquest of Jerusalem in the 7th century involved no demographic change or colonization by the conquerors. The latter were a small number and they were interested solely in establishing their dominion and their religion on the conquered population. The Arabs are a pre-Islamic people who lived in various regions of the Middle East, including Palestine, before the advent of Christianity and Islam. They possessed the same language, habits and customs, even though they belonged to different religions. At the time of the Moslem conquest, the inhabitants of Jerusalem as well as the rest of Palestine were all Christians, or more precisely, Christian Arabs. After the conquest, some were converted to Islam, others retained their faith until today.

Likewise, the transition from Arab to Turkish rule in 1517 entailed no demographic change, except a change of administration. The Turks did not colonize Jerusalem or any part of Palestine and the population remained basically Arab. The Turkish conquest then did not alter the character of Jerusalem which had become wholly Arab after the deportation of the Jews from Jerusalem by the Romans with a predomination of the Christian Arabs until the 7th century and thereafter with a predomination by the Moslem Arabs. The Arab character of Jerusalem remained for 1800 years until the end of the First World War and its occupation by the British Army in 1917.

The Arab character of Jerusalem however, began to change during the British mandate which was given in 1922 to Great Britain by the League of Nations to administer Palestine following its detachment from Turkey at the end of the First World War. The mandate was conceived by Article 22 of the Covenant of the League of Nations for the welfare and development of certain nations, including the people of Palestine, and aimed at assisting them and leading them to complete independence. As a result of Zionist efforts, however, the promise made by the British Government to Zionist Jews on 2 November 1917 for the establishment of a Jewish national home in Palestine – which became known as the Balfour Declaration – was incorporated as another objective of the mandate. In furtherance of such objective the mandate provided for Jewish immigration into Palestine. This was done against the will and the wishes of the original inhabitants of Palestine.

As a result, the demography of Jerusalem as well as the rest of Palestine, was altered by the massive immigration which the British Government forced upon Palestine against will and despite the protests of its original inhabitants. Between 1917 and 1948 when the mandate came to an end the number of Jews had tripled, rising from 30,000 to about 100,000.

In 1947 an important development occurred. Plagued by Jewish demands for the repeal of the restrictions which had been imposed by the British

Government's White Paper of 1939 which limited Jewish immigration to 75,000 persons over five years and provided for the grant to Palestine of its independence after 10 years, and harassed by Zionist terrorist attacks, the British Government referred to the UN the question of the future government of Palestine.

The General Assembly of the UN considered the question of Palestine at two sessions in 1947, a resolution which was sponsored by the US Government and its adoption largely influenced by President Harry Truman. This resolution called for the termination of the British mandate, the partition of Palestine into Arab and Jewish states and the establishment of Jerusalem and its environs, including Bethlehem and Bethany, as a *corpus separatum* which would be placed under a special international regime to be administered by the Trusteeship Council on behalf of the UN.

On 14 May 1948 the Jews proclaimed the state of Israel purportedly under the UN partition resolution. But, in fact, the state which emerged did not respect the provision of the resolution, geographically or otherwise, and during the war that broke out between it and the Arab states it seized Modern Jerusalem as well as 80 % of the territory of Palestine, including most of the area earmarked for the establishment of the Arab state. It also evicted *all* the Arab inhabitants of Modern Jerusalem and most of the Arab inhabitants of Palestine.

\* \* \* \* \*

In the following part of this paper, we shall examine the concepts, policies and practices by which Israel, reversing 1800 years of history, has transformed Jerusalem from an Arab to a Jewish city, in violation of international law, UN resolutions and the rights of its original inhabitants and the world community.

### *1 – Usurpation of sovereignty, administration and control*

Israel has usurped sovereignty, administration and control over Jerusalem. This was carried out in two stages. In a first stage, in 1948, Israel seized and annexed Modern Jerusalem and its western environs. Modern Jerusalem is partly Jewish and partly Arab. The majority of the Palestine Arab population of Jerusalem —Christian and Moslem— lived in 15 residential quarters in Modern Jerusalem and owned three-quarters of its lands and buildings. Arab residential quarters in Modern Jerusalem were completely undefended and thirteen of them were then occupied by Israeli forces. Hence, it is an error to imagine that in 1948 the Jews seized the Jewish section of Jerusalem and the Arabs seized its Arab part.

After the Jews overran the Arab quarters of Modern Jerusalem they attacked the Old City and attempted to take it by storm. Between 14 and 18 May 1948 the Palestinians defended the Old City and repelled Jewish attacks thanks to their courage and the massive walls built around it by Suleiman the Magnificent, the Sultan of Turkey. On 19th May Jordan's regular army, then called the Arab Legion, entered the Old City.

The Old City remained in the hands of Jordan until 1967. In the first two days of the war which Israel launched on 5 June of that year against Jordan, Egypt and Syria, it captured the Old City and annexed it three weeks later.

Then on 30 July 1980, in defiance of World opinion, Israel enacted a law which proclaimed Jerusalem its « eternal capital ». The Security Council censured in the strongest terms Israel's action by 14 votes to 0 ( With the US abstaining ), declared the Israeli law invalid and called upon those states that had established diplomatic missions in Jerusalem to withdraw them. It is obvious that Israel is a military occupier of Jerusalem, whether of Modern Jerusalem or its Old City. In accordance with the universally recognized principle of inadmissibility of acquisition of territory by war Israel has not acquired, nor could it acquire, sovereignty over Jerusalem. Its usurpation of Jerusalem, regardless of its duration, gives it no title nor any right to continue its occupation of the city.

## *2 – Eviction of the Palestinian inhabitants*

Israel's objective in 1948 was not simply to seize Jerusalem, but to seize it without its Arab inhabitants. To achieve this objective Jewish terrorist organizations perpetrated several outrageous deeds against the Arab inhabitants. The most outrageous of those deeds was the massacre by the Irgun Zvai Leumi ( Menachem Begin's organization ) on 9 April, 1948, of 300 men, women and children at Deir Yassin, a small peaceful village which lies one and a half miles to the west of Jerusalem. The purpose of the massacre was to spread terror among the Palestinians and to force them to flee. And to make sure that the massacre had its intended effect, the few survivors, including some women, were paraded by Irgun forces in three trucks in the streets of Jerusalem.

The devastating effect of this massacre was described by Dr. Stephen Penrose, President of the American University of Beirut, in these words:

There is no question but that frightful massacres such as that which took place at Deir Yassin in April 1948 were perpetrated for the major purpose of frightening the Arab population and causing them to take flight. The Zionist radio repeated incessantly for the benefit of Arab listeners “ Remember Deir

Yassin ”. It is small wonder that many Arab families began a hasty exodus from the battle area and from sectors which might soon become battlegrounds. »<sup>7</sup>.

Terrorized by the Deir Yassin massacre, the Arab inhabitants of Modern Jerusalem estimated in 1945 to number 24,000 Christians and 21,000 Moslems ( UN document A / 1286 ) fled or were killed when Jewish forces attacked Jerusalem in May 1948.

On 11 December 1948 the General Assembly of the UN called for the repatriation of the Palestine refugees or payment of compensation to those not wishing to return. But Israel rejected their repatriation and has since persisted in its refusal to allow them to return to their homes.

Upon its seizure of the Old City in 1967, Israel repeated its attempt to force the Arab inhabitants to evacuate the city, but it did not fully succeed. Immediately after their occupation of the Old City, Israeli troops ordered the inhabitants on loudspeakers to leave and seek refuge in Jordan « while the road was still open ». The number of Palestinians who were displaced in 1967 from their homes in Jerusalem was not determined with precision. Estimates of the number vary from 7,000 according to the International Red Cross to 30,000 according to other sources.

The total number of Palestine refugees in 1967 was estimated by the Government of Jordan at 410,248 . The UN requested their repatriation. In a token gesture, Israel repatriated 14,000 while at the same time it expelled 17,000. What should be noted is that Israel deliberately excluded from its token repatriation those refugees whose homes were in Jerusalem. This significant fact is brought to light by the Commissioner-General of UNRWA ( UN Relief and Works Agency for Palestine Refugees ) who reported: « Among those permitted to return, it appears that there were very few former inhabitants of the Old City of Jerusalem ». ( UN Document A / 6713, p.4. ). The reason for this veto on the return of the inhabitants of Jerusalem is obvious: the return of the original inhabitants does not fit into the Israeli scheme of Judaization of the city.

### *3 – Confiscation of Arab refugee property*

The Arab refugees from Jerusalem, like other Palestinian refugees, were spoiled in 1948 of all their property, movable or immovable. It was a massive plunder. All Arab homes and their contents, lands, businesses in Modern Jerusalem were confiscated under the Absentee property legislation of 1948 and 1950. This legislation authorized the Custodian of Absentee property to « sell » Arab refugee property for its « official value ». This was nothing but a thin disguise for its confiscation at a nominal consideration. All

the beautiful Arab residential quarters of Modern Jerusalem were thus «sold» to the new Jewish settlers. The magnitude of this plunder can be appreciated when it is realized that the Palestinians owned 40 % of Modern Jerusalem as compared with 26.12 % owned by the Jews, the rest belonging to Christian communities, Government, municipality, roads and railways<sup>8</sup>. In other words, some 10,000 Palestinian homes were confiscated by Israel in Modern Jerusalem. Being a military occupier, Israel possessed no right whatsoever to seize, appropriate, confiscate or sell private or public property in Modern Jerusalem. The spoliation of the refugees and the confiscation of their property are contrary to international law, the Geneva Convention of 1949 and UN resolutions and hence are null and void and of no effect.

#### **4 – Judaization of the population**

For many centuries, as we have seen, the population of Jerusalem was almost exclusively Arab. The opening of the gates of Palestine to Jewish immigration during the British mandate substantially increased the number of the Jewish inhabitants in Jerusalem from 30,000 in 1917 to 99,690 in 1946 as compared with 105,540 Moslems and Christians<sup>9</sup>. Thus at the end of the mandate, the character of Jerusalem had changed from an Arab city to a city of a mixed population comprising an almost equal number of Palestinian Arabs and Jews.

After the emergence of the state of Israel, the change of the demography of Jerusalem was carried out in a different and radical manner. Whereas during the British mandate, the process consisted simply in permitting Jewish immigration into the country, the process adopted by the new state consisted in the forcible substitution of one population for another, or in other words, the eviction of the Palestinians and the settlement of Jews in their homes.

Moreover, while barring the repatriation of the Palestine refugees, Israel enacted in 1950 the *Law of Return* which granted to every Jew in the world potential citizenship, the right of residence and automatic acquisition of nationality on arrival in Israel.

As a result of those measures about 94,000 Jewish immigrants were settled in Modern Jerusalem after 1948, and over 80,000 were settled in the Old City and its environs since 1967. Thus the Jewish population of Jerusalem has risen from 99,690 in 1946 to 280,000 in 1985, compared with 120,000 Palestinian Arabs presently residing in the city.

The figure of 120,000 Palestinian Arabs includes 11,000 Christian Arabs. Such a small figure of the number of Christians is striking since it means that the number of Christian Arabs – who form the earliest and oldest Christian community in the world – which stood in 1948 at 25 % of the total population of Jerusalem has now dropped to 2.5 % of such total. The Judaization of the

population of Jerusalem has resulted in the de-Christianization of the city which at one time was called the capital of Christendom.

There exists another striking aspect of the racist policy pursued by Israel in Jerusalem. Not only does Israel bar the return of the Palestinians to their own homes in Jerusalem while it welcomes with open arms any foreign Jew to come and settle in the city, including recently Ethiopian Jews, it denies to the Arabs generally, whether Palestinian or not, the right to come and reside in Jerusalem. This prohibition applies even to a Palestinian resident in Jerusalem who marries a non-resident Arab and cannot bring his spouse to come and reside in Jerusalem. Such Palestinian resident must in such event emigrate out of Jerusalem to live with his or her spouse.

The invalidity of the changes of the demography of Jerusalem has been repeatedly proclaimed by the UN. Suffice it to refer to Resolution 465 of the Security Council dated 1 March 1980 which stated that « all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East ».

### 5 – *Colonization of the City and its environs*

Immediately following the occupation in 1948 of Modern Jerusalem and the western part of the *corpus separatum* of the City of Jerusalem, as delimited by the UN, Israel undertook a massive colonization of those areas without the least regard to the rights of their Arab owners or to the international regime prescribed for the City of Jerusalem. All Arab homes and lands in Modern Jerusalem were, as we have seen, confiscated. Outside Modern Jerusalem, Arab villages were destroyed and their lands confiscated for building settlements. The Knesset itself was erected on confiscated Arab land.

Again in 1967, after the capture of the Old City, Israel undertook a massive colonization in and around Jerusalem. Land was confiscated under the guise of expropriation and the owners refused the derisory compensation offered to them.

On 22 March 1979 the Security Council appointed a Commission to examine the situation relating to settlements in the territories occupied since 1967, including Jerusalem. In its report dated 12 July 1979 (S/ 13450) the Commission stated that 17 settlements were established in and around Jerusalem and that in the Old City, 320 housing units were established for Jews,

160 Arab houses were destroyed, 600 houses expropriated and 6,500 Arab residents evicted. It is estimated as a result of expropriations, confiscations and expulsions of Palestinians in the Old City that the old Jewish quarter has grown to four times its size. Since 1979 three more settlements were built around Jerusalem bringing the total to 20 settlements.

The settlements and fortress-like apartment buildings which now encircle Jerusalem have disfigured the Holy City. Condemning such disfigurement, the Archbishop of Canterbury, the Right Reverend Michael Ramsay, said:

« It is distressing indeed that the building programme of the present authorities is disfiguring the city and its surroundings in a way which would hurt the feelings of those who care for its historic beauty and suggest an insensitive attempt to proclaim as an Israeli city one which can never be other than the city of three great religions and their peoples »<sup>10</sup>

Since 1967 the UN has repeatedly condemned the creation of settlements in the Occupied Territories, including Jerusalem. In 1980, the Security Council went further: it called in its Resolution 465 dated 1 March for the dismantling of existing settlements. What is remarkable is that this Resolution received the support of the US Government which, in the past, despite its condemnation of settlements as being illegal and contrary to international law, usually abstained from supporting similar UN resolutions.

More extraordinary still is that three days later, in the face of the uproar raised by Israel and the Jewish lobby against the Resolution, President Carter reversed the US position. On 3 March he stated:

« The United States vote in the United Nations was approved with the understanding that all references to Jerusalem would be deleted. The failure to communicate this clearly resulted in a vote in favor of the resolution rather than abstention. »

The distinction which President Carter sought to make between the dismantling of settlements in the Occupied Territories and settlements in Jerusalem is not tenable or justifiable. The legal position with regard to Israeli settlements in Jerusalem or elsewhere admits of no doubt or controversy. Israel is a military occupier of Jerusalem. It has not acquired it lawfully. Its position under international law is that of an administrator. It cannot acquire sovereignty, nor appropriate, confiscate or colonize private or public property, and if it does, its acts are null and void. The establishment of Israeli settlements in Jerusalem constitutes a flagrant violation of General Assembly Resolutions 181 (II), 194 (III) and 303 (IV) which clothed Jerusalem with an

international status and which have never been abrogated. The establishment of settlements further violates several other UN resolutions, the Hague Regulations of 1907, the Fourth Geneva Convention of 1949 and international law generally.

## ***6 – Violations of the human rights and fundamental freedoms of the Arab inhabitants***

In the matter of violations of human rights and fundamental freedoms, it seems necessary to make a distinction between :

- ( a ) The inhabitants of Modern Jerusalem and other Palestinians who were uprooted in 1948 and were barred from returning to their homes; and
- ( b ) The inhabitants of the Old City and other Palestinians who were subjected to Israeli occupation since 1967.

The former have been and still are refugees and aliens . They are denied their human, legal and fundamental rights

- to return to their homes;
- to live, work and die in their ancestral homeland;
- to keep their lands and homes;
- to exercise their civil and political rights in their own country.

In short, they are deprived of their dignity and their rights as human beings .

There exists no precedent in modern times of such a usurpation of a historic homeland and the permanent exile of its original inhabitants for the purpose of replacing them by alien immigrants. There exist many other refugees in the world today, but none have suffered the inhuman and unnatural fate of the Palestine refugees. The unique character of the Palestine tragedy was noted by Sir John Glubb in these words:

« It is quite essential to grasp the unique conditions of the struggle in Palestine. We have witnessed many wars in this century, in which one country seeks to impose its power on others. But in no war, I think, for many centuries past, has the objective been to remove a nation from its country and to introduce another and entirely different race to occupy its lands, houses and cities and live there. This peculiarity lends to the Palestine struggle a desperate quality which bears no resemblance to any other war in modern history »<sup>11</sup>.

The other victims are the inhabitants of the Old City of Jerusalem and other territories which Israel occupied in 1967 . Since 1968 the UN has focused its attention on the violations of their human rights and fundamental freedoms

and established the Special Committee to Investigate Israeli Practices Affecting Human Rights of the Population on the Occupied Territories. Its investigations include Jerusalem. Israel has refused to cooperate with the Special Committee and has prevented witnesses in the Occupied Territories from appearing before it to testify. Despite such obstructive tactics, the Special Committee has conducted its investigations and submitted annual reports to the General Assembly. On its part, the General Assembly has condemned Israel each year for diverse violations of the human rights of the population in the Occupied Territories, including Jerusalem. Without attempting a complete enumeration, these violations include annexation; establishment of settlements and transfer of an alien population into the Occupied Territories and Jerusalem; deportation and expulsion of Palestinians (including the Mayors of Jerusalem, Hebron, Halhul and Bireh) and denial of their right to return; confiscation of private and public property; interference with the education system in Arab schools; excavations and transformation of the landscape and the historical, cultural and religious sites, especially in Jerusalem; demolition of Arab houses; collective punishment, mass arrests, administrative detention, ill-treatment and torture of persons under detention.

Moreover, the Palestinians under occupation are deprived of freedom of expression, their newspapers and their books are censored, their political demonstrations brutally repressed, sometimes with bullets.

All those measures and violations of human rights are prompted by a political objective: the economic, political and psychological oppression and strangulation of the Palestinians. The overall purpose of such policies and practices is recognized by the Commission appointed by the Security Council on 22 March 1976, which stated in paragraph 231 of its report S / 13450 :

« 231. For the Arab inhabitants still living in those territories, particularly in Jerusalem and the West Bank they are subjected to continuous pressure to emigrate in order to make room for new settlers who, by contrast, are encouraged to come to the area... »

## ***7 – Obliteration of the name, history and culture of Palestine***

Israel's actions in Jerusalem since 1948 have sought and succeeded in the Judaization not only of dominion, demography and land ownership but also of the name, history and culture of Palestine. The object is to obliterate the centuries old Arab and Christian character of the country, in particular, the character of Jerusalem and exhume the Jewish Kingdom which disappeared more than 25 centuries ago into the dust of the history of Palestine. This fact is noted by Father Joseph L. Ryan who observes: «As a result of Zionist

presentations, the impression is at times given – and taken – that history of any consequence stopped in Palestine in the year 70 A.D. and only began again with the Zionist movement under Herzl »<sup>12</sup> On the other hand, a Jewish source confirms this political suppression of Palestinian history. Jane M. Friedman wrote in the *International Herald Tribune* (May 1979):

« Ever since the establishment of the Jewish state in 1948, the diaspora – 2,000 years of Jewish existence in exile, beginning with the Roman destruction of the second Temple in A.D. 70 – has been regarded by Israelis as history they would prefer to forget.

For many Israelis, their history began with the Bible, ran to the Bar Kochba revolt against the Romans in A.D. 132 and they jumped to the Holocaust and the foundation of the Jewish state in 1948. And this view has been encouraged by the government ».

As part of the process of obliterating Palestinian history and culture, the history of Palestine is not taught in Israeli schools. Dr. Israel Shahak, professor at the Hebrew University of Jerusalem and chairman of the Israeli Human and Civil Rights League states ( translation ):

«In schools, no mention is made of the history of Palestine during the two thousand years of the Diaspora, neither in books, nor in lectures»<sup>13</sup>.

Not only the history of Palestine is not taught in Jewish schools, but such an undesirable subject is also not taught in Arab schools within Israel. A Palestinian education officer who taught in Israel writes:

« In short, Israeli educational and cultural policies for Arabs aimed at nothing less than the de-Palestinization and denationalization of those Arabs under its control since 1948. Education of Arabs in Israel has been perceived and used as an apparatus of ideology through which the Zionist entity can, so it had hoped, achieve the goal of annihilation of Palestinian cultural and national identity... The modern history of Palestine is distorted and reduced to the “ history of the lands of fathers ” of the desert which was transformed into Paradise by Zionist settlers and “ new-comers ” »<sup>14</sup>.

After the 1967 occupation, Israel sought « to impose its syllabus on the inhabitants of East Jerusalem »<sup>15</sup>. But in consequence of strong opposition against this initiative, Israel was compelled to allow the Jordanian syllabus to be taught in the schools « but only if expurgated of all reference to Palestine or

its people »<sup>16</sup>. No Palestinian history is taught in those schools because it is too « risky ». Military Order no . 854, promulgated by the Military Government in July 1980 imposed controls, inter alia, on the drawing up of school curricula and textbooks. The Government also exercises censorship on books in the West Bank from which 658 books are officially banned.

Israel's policy of annihilating Palestinian history, culture and identity has aimed, in particular, at the elimination of the name of Palestine. In fact, Palestine is referred to as « Israel » or « the Land of Israel ». The territories of Palestine occupied in 1967» -which regrettably were called after 1948 as «the West Bank of the Jordan », thus unwittingly contributing to the suppression of the name of Palestine – are now referred to by the Israeli authorities by the Biblical names of Judea and Samaria.

Accordingly, the term « Palestine » or « Palestinian » is taboo in Israel. The Palestinians are officially referred to as « the Arabs of the land of Israel » and, if they have any connection with the PLO they are described – in furtherance of Israel's smear campaign against Palestinian nationalism – as «terrorist». The *New York Times* of 30 March 1982 mentioned deletions and changes made by the Israeli censor on newspaper articles relating to Palestine or the PLO: «In one story, the description of the PLO as a “national liberation movement” was stricken. In a report on a call by an Israeli committee for “the death penalty against Palestinian commandos”, the censor changed “commandos” to “terrorists”. In an article about Palestinian graduates inside Palestine”, the censor changed “Palestine” to “Israel” and the phrase “outside Palestine” to “abroad”».

Israel's antagonism to anything Palestinian has now become paranoiac. A Palestinian press agency which was established in 1977 in Jerusalem under the name « Palestine Press Service » was refused registration as a press agency on account of its name. On appeal to the court against such refusal, the court upheld the administration's refusal to register the agency on the ground that the use of the name of Palestine in its name « was offensive to the sentiment of the Israeli public ».

Moreover, to eliminate the physical reminders of the non-Jewish presence in Palestine for centuries prior to the emergence of Israel, the new state destroyed and ploughed in 1948 the site of 385 villages. The names of these villages are listed by Dr Israel Shahak <sup>17</sup>. Twenty-nine of those villages were located in the district of Jerusalem. Dr Shahak observes that Israel maintains a complete silence over the villages that were destroyed so as to give credence to the myth taught in Israeli schools and repeated to visitors that Palestine was « a desert country » before Israel was established. And no trace was left of those villages, even their cemeteries, like the historic Mamillah cemetery at Jerusalem, were destroyed, visitors may well accept the idea that Palestine was a desert

country. They may even accept the slogan of « a land without people for a people without land » which was coined by the Zionists to gain support for the establishment of a Jewish state in Palestine.

### *8--Designs on Islamic and Christian Holy Places*

Intoxicated by their capture of the Old City, some prominent officers of the Government of Israel caused world concern in 1967 by asserting claims against Islamic Holy places in Jerusalem and Hebron. Ambassador E. Thalmann of Switzerland, charged by the Secretary-General of the UN with a fact-finding mission on the situation in Jerusalem reported:

« Statements by Israel official representatives and Jewish personalities concerning Jewish claims and plans in the Temple area had an alarming effect »<sup>18</sup>.

The Israeli Minister for Religious Affairs was reported to have declared at a press conference at Jerusalem on 12 August 1967 that the authorities considered the site of the Mosque of the Dome of the Rock as their property « by past acquisition or by conquest »<sup>19</sup>. and that there was question of rebuilding the Temple of Solomon in the area of the *Haram Al-Sharif*. He was also reported to have said:

« As to the Holy Ibrahimi Mosque, the cave is a Jewish shrine which we have bought, in the same way that we bought the Holy Rock in the days of David and the Jebusites, and our rights in the Cave and the Rock are rights of conquest and acquisition »<sup>20</sup>.

The matter did not rest at ominous threats but soon evolved into provocative acts. Ambassador Thalmann reported:

« Most of the Arabs interviewed by the Personal Representative stated that the Moslem population was shocked by Israeli acts which violated the sanctity of the Moslem shrines. It was regarded as a particular provocation that the Chief Rabbi of the Israeli Army, with others of his faith, conducted prayers in the area of the *Haram Al-Sharif* »<sup>21</sup>.

Another outrage which shocked world opinion and was strongly condemned by the Security Council was the arson committed on 21 August 1969 at the Mosque of Al - Aqsa. The culprit – an Australian – told the authorities that his purpose was to burn the Mosque so that the Temple of

Solomon could be built on its site. Extensive damage was caused to the roof of the Mosque and an historic 12th century carved wooden pulpit was gutted by the fire.

Christian Holy places also were not spared and there were desecrations of shrines and cemeteries on Mount Zion. More recently Christian clergymen were harassed and church property in Jerusalem was vandalized in a series of attacks on Baptists, Roman Catholics and Orthodox<sup>22</sup>. « It is a Jewish obligation to destroy graven images. The Christians have no place in Jerusalem, which is the Jewish capital », declared one of those detained for vandalism at Christian sites<sup>23</sup>.

The risks to Islamic and Christian Holy Places have been on the increase in the last few years. This is borne out by the arrest of two soldiers in 1980 in the Old City in possession of explosives who were charged by the authorities with the intention of blowing up churches and mosques in Jerusalem; the shooting by an Israeli soldier in April 1982 of worshippers at the Mosque of the Dome of the Rock; the placing of explosives in various churches, convents and mosques during 1983; the attempt made on 10 March 1984 to blow up with explosives the Mosque of Al-Aqsa which was foiled by the Moslem guards of the Mosques and the indicting in May 1984 of 25 Jewish terrorists with several crimes, including a plot to blow up the Mosques of the Dome of the Rock and of Al-Aqsa. The police investigation yielded the information that the terrorists had also planned to bomb the Mosques from a helicopter but abandoned the idea for fear that they might damage the Wailing Wall<sup>24</sup>. Four of the accused were convicted and given light sentences of imprisonment while the others are still under trial.

Although the aggressions committed against Holy Places are the work of terrorists, yet the Israeli Government has some share of responsibility for such acts. The claims made by Israeli official representatives on the Temple area in 1967; the proclamation made by the Knesset in 1980 that Jerusalem is the eternal capital of Israel; the constant biblical claims made by Israeli ministers to Judea and Samaria; the inaction, if not the deliberate laxity, of Israeli security forces – save until recently – in bringing to justice those responsible for the aggressions and finally the sympathy that the perpetrators enjoy in certain government quarters are no doubt contributory causes.

Israel has exploited the existence in biblical times of Solomon's Temple for political purposes and for the usurpation of an historically Arab city. And this despite the fact that -- unlike the Christians who have almost all their Holy places relating to the life and crucifixion of Christ in Jerusalem and unlike the Moslems who have two sacred historic mosques in that city -- the Jews do not possess actually any Holy Places in Jerusalem. This was expressly stated by Chaim Weizmann, the author of the Balfour Declaration and the first president of Israel, in his autobiography in which he wondered at the reason for opposition to Zionism

by the Vatican and why the issue of the Holy places should arouse so much interest. To soothe fears, he wrote:

« There were no Holy places in Palestine to which the Jews laid actual physical claims - except perhaps, Rachel's tomb <sup>25</sup>, which was at no time a matter of controversy. The Wailing Wall we did not own, and never had owned since the destruction of the Temple <sup>26</sup>».

In 1931 an international commission appointed by the Mandatory, with the approval of the League of Nations, found that « the ownership of the Wall accrues to the Moslems... and that the pavement in front of the Wall, where the Jews perform their devotions, is also Moslem property <sup>27</sup> » .

### ***Conclusion***

The problem of Jerusalem and the wider question of Palestine transcend in their importance and dimensions the Middle East. The issues which they involve are emotional and explosive. They contain the potential causes for war and could well lead to a conflict of unpredictable consequences. Already twice in history they gave rise to bloody wars: the Crusades ( for the control of the Holy Sepulchre and Jerusalem ) and the Crimean War ( over the disappearance of the silver star at the Church of the Nativity at Bethlehem ). Since 1969, after the arson committed at the Mosque of Al-Aqsa, there have been rumblings of a *jihad* ( sacred war ) in world Islamic conferences over Israel's occupation and actions in Jerusalem.

The failure to redress the wrongs done by Israel and its continued occupation of the Holy City constitute a peril to the religious heritage of Christianity and Islam, a great danger to world peace, and a grave injustice to the original inhabitants of Jerusalem and Palestine.

The problem of Jerusalem and the question of Palestine which are inextricably interwoven have engaged the attention of the UN for almost four decades and over 300 resolutions were adopted in their regard. Israel was censured and condemned dozens of times. But UN decisions and resolutions have led to no redress and were met with the scorn and defiance of the state which owes its very existence to the international organization.

Isn't it about time, in the interest of all concerned and in the interest of peace, for the international organization to change course and to rely less on censure and condemnation than on effective and sustained action in order to restore right and justice in the Holy City and in Palestine ?

---

## FOOTNOTES

---

- 1) See Moshe Menuhin, "The Decadence of Judaism in our Times", p. 18, *Exposition Press*, New York, 1965; Walid Khalidi, *From Haven to Conquest*, p. 18, *Institute for Palestine Studies*, Beirut, 1971; Henry Cattán, *Palestine, The Arabs and Israel*, p.6. Longman, London, 1969.
- 2) Martin Noth, *Histoire d'Israel*, p. 93, Payot, Paris, 1970.
- 3 ) See Joseph Reinach, cited in Henry Cattán, *Jerusalem*, p.94, *Croom Helm*, London 1981.
- 4) M. Franco, *Histoire des Israelites de l'Empire Ottoman*, pp. 4, 5, and 195, Durlacher, Paris, 1897.
- 5) A.S. Rappoport, *Histoire de la Palestine*, p. 210, Payot, Paris, 1932.
- 6) Ronald Storrs, *Orientalism*, p. 280, Nicholson and Watson, London, 1945.
- 7) Stephen B.L. Penrose, the Palestine problem: retrospect and prospect", p.12, *American Friends of the Middle East*, New York.
- 8) The percentages of ownership mentioned in the text are derived from official figures: see Sami Hadawi, *Palestine, Loss of a Heritage*, p. 141, Naylor, San Antonio, 1963.
- 9) Official Records of the 2nd Session of the General Assembly, Ad. Hoc Committee on the Palestine Question, p. 304.
- 10) *Diocesan Newsletter*, January 1971.
- 11) Sir John Glubb, *The Middle East Crisis*, p.41, Hodder and Stoughton, London, 1967.
- 12) Cited in O. Kelly Ingram, *Jerusalem*, p.26, *Triangle Friends of the Middle East*, Durham NC, 1978.
- 13) Israel Shahak, *Le Racisme de l'Etat d'Israel*, p. 236, Guy Authier, Paris, 1975.
- 14) Sami Khalil Mar'i, *Education, Culture and Identity*, pp. 6-9, Eaford, London, 1984.
- 15) *Middle East International*, p.13, 1 June 1984, London.
- 16) *Ibid*, p. 14.
- 17) Israel Shahak, *op. cit.*, p. 156.
- 18) UN Doc./ A. 6793., p. 21.
- 19) The term « past acquisition » refers to the Jewish tradition that David purchased from a Jebusite the land on which Solomon's Temple was built.
- 20) UN Doc./ A /6793, p. 53. The Ibrahimi Mosque is located in Hebron and contains the cave of Machpela in which are buried Abraham, Sarah and Jacob. The Rock refers to the Rock over which the Mosque of the Dome of the Rock is built.
- 21) UN Doc. A/6793, p.21.
- 22) *International Herald Tribune*, 29 January 1980.
- 23) *The Times*, London, 2 February 1980.
- 24) *Newsweek*, 29 October 1984.
- 25) Rachel's tomb is located outside Jerusalem on the road to Bethlehem.
- 26) Chaim Weizmann, *Autobiography*, Hamish Hamilton, p. 355, 1949.
- 27) Muhammad H. El-Farra, "The UN and the Palestine Question" *The Arab-Israeli Conflict*, Vol. II, p. 515, Princeton University, 1974.

**APPENDIX  
CHRONOLOGY OF JERUSALEM**

		<b>Years of oc- cupation</b>
Canaanites	From around 1800 BC or earlier until the capture of the city by David in about 1000 BC.	800
Israelites (With intermittent occupations of the city by the Egyptians, the Philistines, the Syrians and the Assyrians)	From 1000 BC to capture of the city by the Babylonians in 587 BC (destruction of Jerusalem and the Kingdom of Judah).	413
Babylonians	From 587 to 538 BC .	50
Persians	From capture of the city by Cyrus to Greek conquest: 538 to 332 BC.	206
Greeks	Alexander's conquest of the city to its emancipation by the Maccabees: 332 to 141 BC.	191
Jews	Maccabean rule: 141 to 63 BC .	78
Pagan Romans	Roman conquest of the city to fall of paganism: 63 BC to AD 323 .	386
Christians	From Constantine to Persian Conquest: 323 to 614 .	291
Persians	Persian rule: 614 to 628 .	14
Christians	Reconquest of the city by the Byzantines: 628 to 638.	10
Arabs	Conquest by the Moslem Arabs: 638 to 1072.	434
Turks	Seizure of the city by the Turks: 1072 to 1092.	20
Arabs	Reconquest of the city by the Arabs: 1092 to 1099 .	7
Christians	Latin Kingdom of Jerusalem: 1099 to 1187 .	88
Arabs	Reconquest of the city by the Arabs: 1187 to 1229 .	42
Christians	City ceded by treaty for ten years to Frederick II: 1229 to 1239 .	10
Arabs	Revived Arab rule: 1239 to 1517 .	278

Turks	Occupation by the Ottoman Turks: 1517 to 1831.	314
Arabs	Occupation of Jerusalem by Mohamed Ali and Egyptian rule from 1831 to 1841.	10
Turks	Restoration of <b>Turkish</b> rule: 1841 to 1917.	76
Christians	British occupation and mandate: 1917 to 1948.	31
Israelis and Arabs	Modern Jerusalem occupied by Israel and Old City occupied by Jordan: 1948 to 1967.	19
Israelis	Capture of Old City by Israel in 1967.	

---

# COMMENTARY ON Dr. HENRY CATTAN'S PAPER – JERUSALEM: ISRAELI CONCEPTS, POLICIES, AND PRACTICES\*

By

*Dr. Elmer BERGER \**

*U. S. A.*



## *JERUSALEM: THE DIMENSION OF JUDAISM*

### *I*

#### *Acknowledgements*

I am grateful to the League of Arab States for the opportunity to participate in this symposium. Beyond personal appreciation, I applaud the

---

\* Dr. Berger is the leading Jewish anti-Zionist spokesman in the U.S.A. He is founder of the American Council for Judaism in 1943 and for many years the Executive Director and Vice-President. He is also founder and president of the organization named « American - Jewish Alternatives to Zionism » since 1969. The organization conducts a program of education which applies Judaism's commitment to justice to the Arab Israeli conflict in an effort to help advance the cause of peace.

League for choosing the United States – and particularly this capital city – as the venue for this event. The word «venue» is deliberate. A dictionary definition is «the country or place where the jury is gathered and the cause tried». One of the weakest links in any chain of events which could lead to a just peace in Palestine is the tragic lack among Americans of informed public opinion. The reasons need not be detailed to this audience. The Government and the American media have been derelict in their responsibility to «let the people know». The Arab League sponsorship of this symposium should be only the first step in a sustained program of public information reflecting responsible Arab, Palestinian and sympathetic American viewpoints. Such an effort will facilitate the democratic process of making the Government responsive to the informed will of the American people. So the opportunity to speak here is a manifestation of my identification with the just struggle of the Palestinians for the right of self-determination and my respect for the integrity of the sovereignty of Arab states. It is also an opportunity to discharge an American responsibility to other Americans.

## II

### *Judaism and Zionism*

The context in which I have been asked to express my views is by way of commentary on the paper of my good and cherished friend, Dr. Henry Cattán. It would be a presumption to appear even to quibble about his impeccably accurate presentation of history, of demographic facts and legal analysis of the present situation in Jerusalem. I do have one, rather general suggestion of style, or perhaps more precisely, of semantics. After long years of what I happily think has been mutual respect and familiarity with each other's thinking, Dr. Cattán might have better served his informational objective had he consistently respected the distinction between Zionism and Judaism. For the Zionist state's illegal occupation and unlawful extension of Zionist legislation to Jerusalem is not – as Dr. Cattán describes it – «Judaization» – but rather «Zionization». This Zionization has witnessed the wholesale raping of the vistas of the city in the interest of real estate promoters by the erection of banal structures providing desirable housing as a bonus for those who provide the bodies for Israel's violations of

---

*Dr. Berger has travelled extensively in the Middle East, including the State of Israel. He is unusually well-informed on the complex issues of the Middle East problem.*

*Rabbi Berger is the author of the Jewish dilemma, A Partisan History of Judaism, Judaism or Jewish Nationalism, « Who Know Better Must Say so, Letters and Non-Letters . co-author. A Just Peace In The Middle East: How Can it be Achieved? Memoirs of An Anti-Zionist Jew, and scores of articles in popular magazines and specialized journals.*

the Geneva Conventions by transferring its civilian population into « territory acquired by war ». The world consensus, represented by the United Nations – and even the United States – has turned out much rhetoric opposing the international outlawry. But the Zionist state has demonstrated its contempt for the decent opinions of mankind by continuing the process.

That is only one of Israel's many **material** crimes in its never-renounced ambition to fulfill the manifest destiny of Zionism. In the spiritual realm, nothing could be farther from the norm of Judaism than the extension of Zionism's exclusivist – racist theocratic – character to the Holy City.

There is an account, perhaps apocryphal, which relates that in 1967, the venerated Rabbi Amram Blau met the advancing Israeli troops on the road to Me'a She'arim after the Israeli occupation of the Old City. The Israeli commander, expecting a celebratory welcome, informed the Rabbi he could now take his people to pray at the Western Wall. To the military man's dismay, this most traditional religious leader replied, « We will not go. When the Holy One, Blessed be He, redeems Zion we will offer our prayers of thanksgiving. But we do not recognize the military conquest and we accept no benefits from you ». True, or not, the story reflects the vast chasm between the spiritual tradition of Judaism and the non-religious, perhaps even the anti-religious position of national / political Zionism.

The consistent Zionist exploitation of Judaism serves Israeli Strategy in two ways. First, it imposes one of the major inhibitions on the free and open debate customarily attending political issues in a democratic society. Those poorly armed with facts are easy victims of the slander of anti-Semitism, of invading the sanctity of religious beliefs, when they take visible positions opposing Israeli or Zionist actions. That is a powerful weapon of repression serving not only Zionist / Israeli interests. It is also a grave disservice to the American democratic process. The second advantage to Zionism from its too-successful masquerade as a sacrament of Judaism, is that it provides the only common denominator so far found by the Zionist governments of Israel for supporting the fallacious claims of « Jewish nationality ». In the practised deception, Zionism has employed to win many of its diplomatic victories, it cannot afford to claim all Jews possess a « Jewish nationality », inextricable from their religious profession. Far too many Jews would defect. Consequently, most Zionist public pronouncements use the euphemism « Jewish people ». The incurious media and the docile political patrons of Zionist / Israel ask no questions, and so avoid being told legal and political lies.

This second reason for masquerading Zionism as a religious phenomenon is important in both international law and politics. It has to do with the fundamental basis of the Zionist claim to statehood. Without this spuriously

fabricated religious/nationality constituency, there could be no supportable claim in international law or political reality for a so-called « Jewish » state for « the Jewish people ». The dilemma created by this hijacking of a religious label for a synthetic nationality status in a so-called democratic state is dramatized in the periodic eruption of the debate over « who, or what, is a Jew ».

One of the most protracted and vigorous debates over this contentious question occurred in the Knesset in 1970. Golda Meir, then Prime Minister and Menachem Begin, the legalistic, hairsplitting semanticist, then still angling for the number one job, were active participants. The grandmotherly Golda was unapologetically hypocritical. To establish this synthetic so-called « Jewish people » as an authentic nation, she said, Zionists « faced an inner conflict

to uphold their atheist convictions thereby dividing the nation...; or to sacrifice their conscience, and atheist conviction, for the sake of national unity » .

These Zionists ultimately made the second choice. In the same Knesset speech, Mrs. Meir admitted

They accepted that their identity depended on a religion in which they no longer believed<sup>1</sup>.

Authentic religionists know that the politically expedient progeny of the shotgun wedding has nothing in common with the faith which admonished,

Not by power and not by might  
But by my spirit, saith the Lord.

### *III*

#### *The Covenant*

That is why, in 1967, Rabbi Blau rejected the invitation of the Israeli military to pray at the Western Wall. As early as 1898, one of Blau's predecessors wrote a letter to a colleague in Hungary, saying :

With regard to the Zionists what shall I say and what am I to speak? They have... asserted their view that the whole difference and distinction between Israel and the nations lies in nationalism, blood, and race, and that the faith and the religion are superfluous.

Commenting upon Herzl's 1898 meeting in Palestine with the German Kaiser the letter continues:

[H]ad I intended to describe... the storm that was aroused among the masses of Arabs and Christians I would have had insufficient paper and been too weak to elaborate, since when he entered the Holy Land, hell entered with him... For us in the Holy Land it is a sure sign that Dr. Herzl comes not from the Lord but from "the side of pollution...." <sup>2</sup>.

These authoritative declarations, diametrically opposed to political Zionism, were not motivated by whimsy, caprice, by any grandiose future injustice to Palestinians. They were dictated by an uncompromising faith in the central concept of Judaism's moral code – that the relationship between man and God was covenantal.

For Judaism is a covenant religion. The people were promised the Land only if divinely specified moral obligations were strictly fulfilled. The Biblical texts referring to the return to Zion, promise no « free lunch ».

The divinely mandated moral obligations were elevated over the centuries as the religion which would become Judaism evolved from the tribal to the universal. Abraham was enjoined only to circumcize every male child and to have no god other than **Elohim**. ( Genesis XVII:10 ). The god perceived by Moses threatened punishment for sins «unto the third and fourth generation». ( Exodus XXXIX:7 ). Perhaps five centuries later, Jahweh, perceived in the prophetic dimensions of universally applicable morality and ethics, inspired Amos to say to a crest-fallen sin-ridden ancient Israel, « Are ye not as the children of the Ethiopians to Me? » And still, perhaps two centuries later, Jeremiah inextricably tied the promise of « the return » to social justice and to a prohibition against violence. « The soul that sinneth, it shall die ».( XXXI:29ff ). Hear him denounce the false prophets who spoke with tongues:( VII:4-7 )

Trust ye not in lying words, saying: « The temple of the Lord, the temple of the Lord, the temple of the Lord, are these ». Nay, but if ye thoroughly amend your ways and your doings; if ye thoroughly execute justice between a man and his neighbour; if ye oppress not the stranger, the fatherless, and the widow, and shed not innocent blood in this place, neither walk after other gods to your hurt; then will I cause you to dwell in this place, in the land that I gave to your fathers, for ever and ever<sup>3</sup>.

Examples could be multiplied. But these, I hope suffice for this time and place, to prove that anyone who has learned to read the sacred texts, with not only reverence but employing the sciences of archeology, anthropology, history; and social evolution, must know that the militarist, exclusivist, paranoid Zionist state now existing in Palestine bears no resemblance to the authentic prophetic vision.

Those who equate the two are corrupters of the faith, whether of Judaism or Christianity. The corruption begins when they label the « covenant » a « promise ». They are two different terms. A promise may be unilateral, or offered or fulfilled without qualifications or corresponding commitments from the beneficiary. A covenant, however, clearly implies reciprocal commitments by at least two parties. It may include a conditional promise, but a promise need not include a covenant. For those who follow the corrupters, the clock of faith and religious inspirations has been turned back from the God of the universal justice and righteousness which Amos said would redeem Zion, to the clan-gods of the disparate tribes who migrated into the land of Canaan in the dimmest past of history. In a brilliant new book on the origins of the many people now known as Jews, and of the religion now called Judaism, Michael Grant describes those early-conceived, clan-dieties as « my », « yours », « his »<sup>4</sup>. That is still the language of the Begins, the Shamirs, the Pereses, the Gush Emunim. Many of them believe in no god at all. They simply use the image to manufacture a synthetic nationality, in turn to claim exclusive ownership of the land as divine right. Their claim to the land and what they would do with it are diametrically opposite to the authentic vision which sees the land as holy because, in the fulfillment of the covenant, as Isaiah put it, God proclaimed (IXVI:7)

My house shall be called a house of prayer for all peoples.

### *New Perspectives of Danger For Parochialism*

In today's turbulent Middle East, attaching credibility to presumptions of monopoly on knowledge of the divinity and proceeding from these to territorial claims, adds fuel to an already incendiary condition. Increasing numbers of critical observers are persuaded that, in the context of the Palestine problem, among others destabilizing the area, the fear of the spread of revolutionary religious fundamentalism is a major concern among the variety of states generally regarded as « moderates » with respect to the political/territorial controversies about Palestine. But Iran's Islamic Revolution is not the only contributor to the phenomenon. The religious terrorists in the Zionist state – and all who condone them – receive less attention than is warranted both within the Zionist state and in a larger world which even now fails to grasp the full threat to human rights and to peace in any fusion of any religion with the politics of any state. Dr. Cattan correctly

emphasizes that a billion Christians, nearly as many Moslems and some fourteen million Jews – in greater, or less degrees – regard Jerusalem as « holy ». Deference to the Zionist spurious religious claim to political jurisdiction over the city exacerbates complex political/territorial issues already inflamed by religious fanaticism. The feeble efforts by the Israeli government to curb its own fanatics, the support of government funds given them to sustain their illegal settlements, the increasing assistance provided the Zionist state by American aid, the acquiescence of the United States in Israel's military adventures seeking the Zionist territorial goals of « Greater Israel », are all major obstacles to peace. Feeble, rhetorical protests from Washington and the negative action of rejecting the proposal to move the American embassy to Jerusalem notwithstanding, are no substitutes for the diplomatic and economic sanctions which would be justified. They suggest the United States and its **macho** Middle East client resemble those, scornfully described by Jeremiah, as crying « Peace! Peace! When there is no peace ». Such inadequate reaction to the Zionist transgressions encourages the dark suspicion that for reasons having little to do with anyone's godliness, the patron and the client may even find selfish national advantage in perpetuating the no peace-continuing war<sup>5</sup> condition.

## V

### *Christian Zionism*

These elaborations upon some of Dr. Cattan's Spartan inventory of the facts would be incomplete without reference to Christian Zionism. Dr. Regina Sharif, a historian at Kuwait University, is the author of a brilliant researched book, appropriately titled, **Non-Jewish Zionism**<sup>6</sup>. She holds that the breed of electronic media, Christian literalist or fundamentalist school of bible interpretation bears an important responsibility for the Western world's bias against the fulfillment of Palestinian rights. The great powers used Zionism as a tool of colonialism and as a stick to beat down liberation movements in the Arab World. Zionists were only too eager to accommodate as long as these colonial designs, camouflaged with religion, advanced Zionism's objective of an exclusivist Zionist state.

In the United States, Jerry Falwell and the so-called Moral Majority are perhaps best known of these Zionist evangelicals. One Christian scholar has said of Falwell,

Falwell is to religion as number painting is to art.

The quip fits the man who said, as Falwell did to Begin after the Israeli bombing of the Iraqi reactor,

Mr. Prime Minister, I want to congratulate you for a mission that made us very proud that we manufacture those F-16s<sup>7</sup>.

A political alliance between a Falwell or Mike Evans — or even a Billy Graham — and Menachem Begin, or Zionism in general is an absurdity. These Christian evangelical Zionists contemplate a final act experiencing

The establishment of Christ's millennial kingdom, where Christ will reign from Jerusalem, with all the nation Israel converted to Christ and participating in the administration of Christ's millennial kingdom — a literal kingdom on earth with its headquarters in Jerusalem and Israel<sup>8</sup>.

A friend who is an evangelical minister and writer for the Christian Church of North America opposes, on principle, Falwell and others who politicize the evangelical message. He offers this political judgment on the political damage done by these Christian counterfeiters of the so-called « promise »:

The attempt to influence a pro-Zionist American foreign policy in the Middle East by uncritical Evangelical Zionists encourages a continuing destabilization in that region; it aids the perpetuation of injustice against Palestinians, sustains the escalation of an arms race and wars in that region of the world; assures the day by day increased possibility of super power confrontation. All this and perhaps more is being encouraged through the misinterpretation and misunderstanding of... Genesis 12: 2a, 3a, and their misuse in the politicization of that Scripture and other prophecies<sup>9</sup>.

I have an instinctive reluctance to take public issue with another's religious faith. To all those who share a similar reluctance, I suggest the burden of guilt is upon those Zionists — whether Jew or Christian — who blasphemously claim the seal of God for their fallible human, political opinions. We will not be deterred from our moral duty to choose between good and evil, between justice and injustice, between service to God, however each may conceive of Him, and servitude to some caricature of God. For we are told that in the true redemption of Zion

Justice will flow as water and  
righteousness as a mighty stream<sup>10</sup>.

Theological imponderables aside, the messianists and millennialists — both Christian and Jewish — operate with their own expertise in the field of

religion. Their debate and dialogue are proper **in the context of theology**. They address the imponderables of life, usually regarded as the prerogatives of religion: questions of God's will, of man's spiritual aspirations and the criteria for ultimate truth. But these questions cannot be resolved by boundary adjustments, superior armaments or the election of one kind of human sovereignty over another. Religious men and women of integrity may invoke God's guidance to help find the closest, human approximation to justice or truth to resolve such mundane matters. The earnest, agonizing efforts of humans to find the best, possible formula for such problems may be ennobling examples of mortals striving to do God's will. But it is sinful arrogance to equate the mortal players or the results of their worldly thoughts with the Divine Plan.

For as the heavens are higher than the earth  
So are My ways  
higher than your ways, And My thoughts  
than your thoughts,  
saith the Lord.( Isaiah LV : 9 )

For any mortal to attempt to proscribe the struggle of conscience by asserting authority to seal any one, human design with the insignia of God is arrogance in the superlative degree and a prostitution of any of mankind's great religions. They surely « take the name of the Lord in vain ».

## V

### *Conclusion*

In this conclusion Dr. Cattán relates the problem of Jerusalem « inextricably » to the totality of the Palestine problem. There can be no peaceful reconciliation of the issues surrounding Jerusalem without reconciliation of the broader issues of Palestine; and there can be no peace in Palestine — and therefore in the whole Middle East — until the Palestinian people are free to exercise, fully and responsibly, their inalienable right of self-determination. Dr. Cattán then properly petitions the United Nations to respond to this logic by moving from « censure and condemnation » to « effective and sustained action — in order to restore right and justice in the Holy City and in Palestine ». But, after so many years, we know now this is impossible of realization as long as some of the member states vote their own — or their client's — parochialisms at the expense of the broader vision believing that peace is indivisible. Surely in the nimble brains of Washington and Jerusalem — and Moscow as well — which have been capable of fabricating all varieties of Beelzebubs to frustrate the often declared world consensus, there must be sufficient cerebral energy left to devise a formula for Jerusalem which will reflect the authentic universality of genuine

Christianity, Islam and Judaism. All of them, long ago, elevated themselves from a divinity confined to some tribal, territorial imperative. All have attained faith in a god, by whatever name called, for whom « the whole world is His footstool ».( Isaiah LXVI:1 ). Judaism, Islam and Christianity all have spiritual liens on Jerusalem. However the art forms of worship may differ, they all profess faith in the God of all men. It must be in that spirit of sanctity that the statesmen of the world must find the pragmatics to resolve the problem of the city which is a sacrament to all of them. But we know these governments are unlikely to be motivated by such enlightened self-interest, without irresistible pressure from their people. That is probably why the Charter of the United Nations – this organization of nation-states – begins, « We the **people**, of the United Nations ». The United Nations, like all great and enduring and human-healing ideas, is not a static phenomenon to be left to the tender mercies of congenitally **status quo** or morally timid governments. It is still to be achieved, to be a process of striving and upward struggle. There is no more appropriate place to apply that idea of a living, spirit-stretching international body than to the city which should symbolize not so much what mankind **is** as what, by stretching its mind and spirit, **it might become**. In Judaism, the striving, the achieving, the defining of righteousness is prescribed in its Torah-laws. In Christianity, by the exemplary life of Jesus. In Islam, by the word of Allah, as Mohamed brought it to mankind. The disciplines of each of these faiths morally bind its followers to lift themselves and to help others to rise above mere Jewishness, or Christianess, or Islamness; if I may coin some awkward words to differentiate between the holy and the profane. It will take that, in a never-ending struggle, to establish a true Jerusalem from which may come forth the world of the Lord. If the goal is ever beyond us we will all nevertheless be better men and women, better champions of human rights. We shall know the ecstasy of some success and the agonies of some certain failures in the never-finished struggle to create the true Zion, a spiritual home for all mankind in which all may say in the spirit of a universal God, as Isaiah did twenty five centuries ago,

None shall hurt or destroy  
In all My holy mountain.

---

## FOOTNOTES

---

1 ) *The Jewish State*, Akiva Orr, Ithaca Press, London, 1983,p.172.

2 ) *Heaven at Bay*, Emile Marmorstein, Oxford University Press, 1967, pp. 76-80.

3 ) *For a more detailed exposition and exegesis of the relevant biblical texts and more modern interpreters of the authentic prophetic tradition, see « Prophecy, Zionism and the State of Israel », a*

lecture delivered in 1968, by Elmer Berger, to the Theological Faculty of the University of Leiden, Holland. Available on request from American Jewish Alternatives to Zionism, 133 East 73rd. Street, 404, New York, N.Y. 10021.

4 ) **The History of Ancient Israel**, Michael Grant, Charles Scribners, N.Y. 1984, p.34.

5 ) This opinion is supported by Ian Lustick, an American Zionist, in a collection of essays, **The Begin Era**, Westview Press, Boulder, Colorado, pp. 90; 94 and by Hirsh Goodman, Defense Correspondent for **The Jerusalem Post**, in a column in **Sarasota Herald-tribune**, March 20, 1985, p. 19A.

6 ) **Non-Jewish Zionism**, Regina Sharif, Zed Press, London, 1983.

7 ) Quoted from **The Washington Star**, July 6, 1981. in **The Evangelical Right and Israel: What place for the Arabs?** Wesley Granberg-Michaelson, American-Arab Anti-Discrimination Committee, 1611 Connecticut Ave. N. W Washington, D. C. 20009, p. 3

8 ) *Op. Cit.* Michaelson. p. 3.

9 ) « **The Promise, Evangelicals, Zionism and Israel** » the Reverend Mr. Louis A. Decaro, Appendix, L, in **Report 46**, available upon request at American Jewish Alternatives to Zionism, 133 East 73 rd. Street, 404, New York, N.Y. 10021, pp. 2-4.

10) Amos V:24.



---

# COMMENTARY ON HENRY CATTAN'S PAPER JERUSALEM : ISRAELI CONCEPTS, POLICIES AND PRACTICES

By

**Saeeduddin Ahmed DAR \***

*Quaid-I-Azam University, Islamabad  
Pakistan*



Al-Quds or Jerusalem, as it is commonly known, occupies a unique position amongst the cities of the world. It has a history of at least four thousand years and religious significance for the three major religions of the world: Islam, Christianity and Judaism.

As the first **Kibla** of Islam and Prophet Muhammad's ( S.A.W. ) stopping place on this Nocturnal journey heavenwards , Jerusalem has a special Sanctity in the eyes of the Muslims. The first verse of Chapter 17 of the Koran reads:

---

*\* Dr. Ahmad Dar Holds degrees from the University of Punjab, Lahore and Columbia University. Presently he is Director of the National Institute of Pakistan Studies, Quaid - I - Azam University, Islamabad.*

*In the past he has served in the Ministry of Foreign Affairs for the Government of Pakistan and held various teaching positions.*

*He has written several articles on the history and politics of the Middle East and the foreign policy of Pakistan.*

Glory be to Him who carried His servant ( Muhammad ) by night from the Holy Mosque ( at Masjid al-Haram, at Makkah) to the Distant Mosque (at Masjid al-Aqsa in Jerusalem), the precincts of which We have blessed, and We might show him some of Our signs.

According to the Muslim traditions, the Prophet escorted by Gabriel and mounted on a winged celestial steed called **Buraq** was tethered at a spot that has borne its name ever since, and the Prophet walked with his escort towards **Al-Sakhra** ( the sacred rock ). After leading former Prophets in Prayer there, he ascended with his escort from the top of Rock to heaven<sup>1</sup>.

**Al-Sakhra** is said to be actually one of the rocks of Paradise<sup>2</sup>. Allah is said to have ordered Moses to institute **Al-Sakhra** as the **Kibla** and prophet Muhammad did likewise till he was directed to the **Kaba** at Makkah as the **Kibla**. The change took place in Rajab / Shaban 2. A.H<sup>3</sup>. When Umar conquered Jerusalem in 638 A.D. he searched for and found **al-Sakhra** scandalously covered with filth. He then joined the Muslims in cleaning the spot and led them in prayers there. By his orders, a simple mosque was erected on the place which remained standing until 961 A.D. when Abd al-Malik built the Dome of Rock or **Kubbat Al-Sakhra**. Abbasid Caliph al - Mamun repaired the Dome in 831 A.D. In 1099 crusaders entered Jerusalem, they set up a marble altar on **al-Sakhra** and a large golden cross on the summit of the dome. The cave beneath was transformed into a chapel. In 1187, Sultan Salah al-Din recaptured Jerusalem and removed all Christian additions from the Dome<sup>4</sup>. Although Jerusalem once again remained under Christian rule from 1229 to 1244, no one ever challenged the control of the Muslims on the Holy Places till the occupation of Jerusalem by the Zionists in 1967.

Close to the Dome of Rock, Abd al-Malik erected a mosque called **Masjid-al-Aqsa**. The term **Al-Aqsa** is used in a more general sense to include the whole collection of sacred buildings on that area spread over some thirty-four acres<sup>5</sup>. **Al-Haram al-Sharif** is another name for this group, only less sacred than the two **Harams** of Makkah and al-Madinah for the Muslims. Although some European writers claim that the Mosque was built on the site of an earlier church, the Christians never laid claim on this building.

It was due to the tolerant policy of the Muslim rulers that Christians and Jews enjoyed religious freedom. When Muslims conquered Jerusalem, Umar granted security to the Christian inhabitants for their lives, property, churches and crucifixes. Umar's covenant reads<sup>6</sup>.

In the name of Allah, the Merciful, the Compassionate. This is the covenant which Umar, the servant of Allah, the Commander of the Faithful, granted to the people of Aelia.

He granted them safety for their lives, their possessions, their churches and their crosses...

Their churches shall not be demolished or diminished, nor anything of their properties. They shall not be constrained in the matter of their religion, nor shall any of them be harmed. No Jew shall live with them in Aelia....

When the Muslims conquered Jerusalem there were no Jews in the city. The clause in the covenant forbidding the Jews to live in the city was included at the request of the Christians<sup>7</sup>.

Jerusalem remained under Muslim rule till 1099, when it was occupied by the crusaders. In 1187 it was recovered by Sultan Salah al-Din. He showed remarkable magnanimity and compassion to his enemies. He took extra care of the welfare of non-Muslims. According to a 19th century historian, Heinrich Graets, Jerusalem under the Sultan became a sage asylum to the oppressed Jews<sup>8</sup>. The policy of religious toleration was continued by the Ottomans. In the 19th century, a large number of Jewish refugees from Christian Europe sought asylum in the Holy City. After the Crimean war, the prohibition to non-Muslims from entering Al-Haram was abolished. Christians and Jews lived peacefully side by side with the Muslims in Jerusalem till its occupation by the British in December, 1917.

There are about 900 Biblical references to Jerusalem<sup>9</sup>. In the Christian religious literature it is presented as the historic home city of several great prophets and the key place in Jesus' ministry<sup>10</sup>. There is no specific mention of **al-Sakhra** in the Old Testament, it is nevertheless referred to in Talmud and Targums<sup>11</sup>.

While the Muslims and Christians consider Jerusalem as the city of prophets and spiritual center of the entire world, the Jews hold it as a spiritually Judaic and historically Jewish city<sup>12</sup>.

The Zionist theoreticians based their theory of Jewish nationalism on this principle. Under the leadership of Theodor Herzl (1860 – 1904), Jewish nationalism was transformed into an organized world movement with a secular political aspiration. The objective of the movement was the establishment of a Jewish state – a state that would be essentially and predominantly Jewish. Israel's policy of Judaization of Jerusalem stems from this objective. Today, Jerusalem is a victim of the military, political and ideological aims of a closed nationalism. What was once a spiritual center of the entire world and a place to which the followers of the three major religions of the world could express attachment, is rapidly becoming nothing more than a political center of an ambitious, militant, aggressive, expansionist state.

When the British mandate came to an end on May 15, 1948, Israel

immediately attacked Jerusalem on three fronts, in a determined effort to link up with those entrenched in the Jewish quarter of the old city and to take the city by storm. However, this was prevented in the nick of time by the intervention of Transjordan.

Israeli forces repeatedly attacked **Al-Haram al-Sharif** with mortar, machine guns and rifle fire. Sixty bombs fell on the area in a single attack. As a result of this attack four worshippers were killed and five wounded, including one of the Sheikhs of **Al-Haram**. The Dome of Rock was hit in several places, and some of the matchless mosaic and the stained glass in the windows was destroyed. The **al-Aqsa Mosque**, on a lower level than the Dome, was less exposed to direct hits but nevertheless sustained material damage. One bomb made a hole in the roof and several windows were broken.

Nor did the Holy Sepulcher and other Christian Holy places remained unharmed. In this attempt to seize the Holy City, Israel did not spare the Muslim and Christian Holy Places and indeed their own places of worship. The Zionists used the main synagogue in the old city as arsenal and used it as a post during the battle. They did not leave it unless it was destroyed over their heads by Jordanian forces. It may be mentioned here that during the First World War, the Turkish forces left Jerusalem without fighting because they did not want the Holy City to be a battle ground.

When the armistice lines were agreed, the old city remained in the Jordanian sector, but as subsequent events proved, the Zionists never ceased to entertain the ambition of one day taking the old city and the rest of Palestine. Israel got an opportunity to fulfill her design when in May 1967, King Hussein of Jordan went to Cairo and signed a mutual defense pact with president Nasser, who already declared the Straits of Tiran closed to Israel's shipping in response to her attacks on and threats against Syria. Israel lost no time in seizing upon the opportunity to wage the war they had been preparing for. After considerable exchange of gun fire on June 5, Israeli aircrafts destroyed defense out-posts with napalm, strafed **al-Aqsa Mosque** and Church of St. John and cleared the way for an infantry assault. By June 5 evening, the city had been conquered and the walled areas besieged to surrender soon after. The Zionists succeeded in achieving their objective. Israel lost no time to annex the old city under the title of "unification".

Israel's desire to extend sovereignty over the Holy City has since been expressed in legislative, fiscal and town planning measures which are progressively stamping Jerusalem with a particularistic character prejudicial to non-Jewish members of the population, particularly the Muslims.

Israel has shown no respect for the 1949 Conventions to the Geneva Diplomatic Conference of which she is a signatory. During the attack the Israelis killed 300 civilians, destroyed 135 houses and two mosques in the Moroccan quarter; a

plastic factory employing 200 people near the Armenian Quarter and 200 houses and stores in no-man's land were razed to the ground. Almost immediately after the conquest of the old city, the houses of 129 families living near the Wailing Wall were demolished leaving about one hundred people homeless. On the first Friday after annexation when the Muslims went to offer their prayers in **Al-Haram al-Sharif**, they found four Israeli tanks aiming their guns at the Mosque's enclosure. This policy of terrorism was effective in relieving the Zionists of the presence of many Muslims. Some 20,000 to 30,000 persons left the city out of fear.

Israel showed no respect for religious rights and customs of the inhabitants of the Holy City. The worst affected were the Muslims. They suffered the confiscation of Waqf property, desecration in the **Al-Haram al-Sharif** and the attempt to burn the **al-Aqsa** mosque. On August 31, 1967, the Israelis took by force from the Director of the Muslim Waqf the keys of the Dung Gate, one of the gates of the Dome of Rock. The gate was opened to Israeli tourists who showed little respect for this sacred place.

The brashness and "modernity" of many Israeli terrorists in holy places both of the Muslims and Christians, manifests itself in a lack of respect for the customs of other religions. Religious traditions and decorum are deliberately and consistently defied by the Israelis in the Holy City. Jerusalem, before 1967, was not the city for those in search of night life. To visitors, even for those who were not particularly devout, it was its sedateness and propriety that lent Jerusalem its unique charm. But under Israel, the Holy City is witnessing the appearance of big city vices.

In spite of protests by the Muslims, extensive excavations are being conducted by the Israeli authorities. **Al-Haram** area, as well as the houses around it face the threat of "archeological excavations". Israel demolished the historic seat of Shafeis and the Western entrance to *Al-Aqsa* Mosque in order to extend the Wailing Wall and widen the excavation area. Muslim property confiscated by Israel in the Jewish Quarter of the old city includes five mosques and four Islamic schools.

The attempt to burn **al-Aqsa** Mosque ( August 1969 ); Israel's decision to make Jerusalem its permanent capital (August 1980); the arrest of two soldiers in possession of explosives who were charged by the authorities with the intention of blowing up churches and mosques (1980); the shooting by an Israeli soldier of worshippers in *al-Aqsa* Mosque (April 1982) and an attempt to blow up *al-Aqsa* Mosque (May 1984) are just a few straws in the wind which give the indications of a coming storm<sup>13</sup>.

The way Israel has so far defied world public opinion and resolutions of the League of Nations and the United Nations is alarming for any one who believes in justice and fair play. The League of Nations Mandate assured full

responsibility for preserving “ existing rights ” in all the Holy places. Article 13 of the Mandate reads<sup>14</sup>:

All responsibility in connection with Holy Places... including that of preserving existing rights and of securing free access... is assumed by the Mandatory who shall be responsible solely to the League of Nations... nothing in this Mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or management of purely Muslim sacred shrines, the immunities of which are granted.

Within few years of the beginning of the Mandate, friction developed between the European Jewish immigrants and the Muslim population of Jerusalem over the Holy places. In 1929, there was a serious outbreak of violence over the Western Wall of **al-Haram** or the **Wailing Wall** as the Jews call it. Under Article 14 of the Mandate, an international commission was appointed to investigate the claims of the two parties. The conclusions arrived at by the Commission may be summed up as follows<sup>15</sup>:

A – To the Moslems belong the sole ownership of, and the sole proprietary right to, the western wall, seeing that it forms an integral part of the **Haram-al-Sharif** area, which is a waqf property.

To the Moslems there also belongs the ownership of the pavement in front of the wall and the adjacent so-called Moghrabi ( Moroccan ) Quarter opposite the wall, inasmuch as the last-mentioned property was made waqf under Moslem sharia law, it being dedicated to charitable purposes.

B – The Jews shall have free access to the Western Wall for the purpose of devotions...

Due to the special position of Jerusalem, the United Nations Special Committee on Palestine ( 1947 ) unanimously recommended that the sanctity of the Holy Places be granted by special provisions, and the “ existing rights ” in Palestine be preserved. It reads<sup>16</sup>:

i – The sacred character of the Holy Places shall be preserved and access to the Holy places for the purposes of worship and pilgrimage shall be ensured in accordance with the existing rights...

ii – Existing rights in Palestine of the several religious Communities shall neither be impaired nor denied.

The Majority Report and the Minority Report differed on the political solution of Palestine but held similar views on the status of Holy Places. The Majority Report recommended the territorial internationalization of the Jerusalem area as an international enclave in the Arab state in Palestine. The Minority Report proposed a functional form of internationalization of Jerusalem. The General Assembly Resolution n° 181 ( II ) of November 29, 1949, often referred to as the “ Palestine Plan ”, which became the basis of the creation of Israel, envisaged a demilitarized Jerusalem as **Corpus Separatum** under the aegis of the U.N. Trusteeship Council<sup>17</sup>. The principle of upholding “ existing rights ” in Holy places thus was maintained in the Partition Resolution. The General Assembly Resolution, 194 ( III ) of December 11, 1948, reaffirmed the principles of internationalization and “ existing rights ”.

While the application of Israel for membership of the United Nations was being discussed, its Prime Minister declared that<sup>18</sup>:

For historical, political and religions reasons the state of Israel could not accept the establishment of an international regime for the city of Jerusalem.

When the Israelis occupied the old city in June 1967, a senior military Commander declared<sup>18</sup>:

The Israeli Defense Forces have liberated Jerusalem. We have re-united the torn city, the capital of Israel. We have returned to this most sacred shrine, never to part from it again.

Israel refused to heed two resolutions of the General Assembly specially directed to the status of Jerusalem, i.e., Resolution 2253 ( ES-V ) of July 4, 1967 and Resolution 2254 ( ES-V ) of July 14, 1967. The Security Council also censured Israel in its Resolutions: 252 ( 1968 ) of May 21, 1968 and 267 ( 1969 ) of July 3, 1969. Following the attempt to burn **al-Aqsa** Mosque in August 1969 the Security Council condemned Israel for flouting United Nations resolutions on Jerusalem. United Nations Resolutions since 1969, emanating mainly from the General Assembly have confirmed the non-recognition of the Israeli occupation of East Jerusalem.

The future of Jerusalem is not just the future of a city. It is the question of the safeguard of a principle – the principle of religious toleration and co-existence, a principle Israel is bent upon to destroy.

---

## REFERENCES

---

- 1 ) A.L. Tibawi, "Jerusalem under Islamic Rule" in *Jerusalem The Key to World Peace*, Islamic Council of Europe, London, 1980. p. 142.
- 2 ) *Shorter Encyclopedia of Islam*, Luzac and Co., London, 1961, P. 267.
- 3 ) *Koran*, Chapter 2, verse 144.
- 4 ) *Encyclopedia*, p. 268.
- 5 ) Philip K. Hitti, *The History of Arabs*, London, 1953, p. 265.
- 6 ) Quoted by Moenddine Nadvi, *Tarikh-il-Islam, Vol. I*, Azam; Garh, 1948, p. 189.
- 7 ) Tibawi, *op. cit.*, p. 146.
- 8 ) Quoted by Tibawi, *op. cit.*, p. 146.
- 9 ) Rev. L. Humphrey Walz, "The Protestant Faith and the Problem of Israel and Jerusalem" in *Jerusalem the Key to World Peace*, p. 21.
- 10) *Ibid*, p. 7.
- 11) *Encyclopedia*, p.267.
- 12) Norman Mezvinsky, « The Jewish Faith and the Problem of Israel and Jerusalem » in *Jerusalem the Key to Word Peace*, p. 21.
- 13) Quoted in *the Status of Jerusalem*, United Nations, New York, 1979, p.3.
- 14) *The Rights and Claims of Moslems and Jews in connection with the Wailing Wall at Jerusalem*, the Institute of Palestine Studies, Beirut, 1968, p. 73-74.
- 15) *Official Records of the General Assembly, Supplem.In°11*, ( Document A / 364 – UNSCOP Report ) Vol. I, p.54.
- 16) *The Status of Jerusalem*, pp. 5-6.
- 17) Referred in *ORGA. Third Session, Part-II, Ad Hoc Political Committee, 46 th Meeting*, p. 254.
- 18) *General Dayan, facts on File*, Vol. XXVII, June 7, 1967.

---

# COMMENTARY ON HENRY CATTAN'S PAPER JERUSALEM : ISRAELI CONCEPTS, POLICIES AND PRACTICES

By

*Dr. Mahdi F. Abdul - Hadi \**  
*Centre for International Affairs ·*  
*Harvard University*  
*Palestine*



## *I – Introduction*

This paper presents some thoughts about Israel's concepts, policies and practices in Jerusalem. What are the seeds of the Israeli concepts, where were they produced, and how did they develop? Did practices and policies begin with Israel's coming into existence in 1948, or well before that? To what extent have they changed or shifted from the time of their inception until today? What are the forms of the Israeli measures taken in Jerusalem, where will they take the future of Jerusalem, and will that future be related to the realities of history, geography, and demography, and to the legacy of Jerusalem ?

Jerusalem, al-Quds al-Sharif ( The Noble·Holy City ), has a great heritage,

---

\* *Dr. Mahdi Abdul-Hadi is a Palestinian who lives in Jerusalem. He founded the Arab Thought Forum in Jerusalem in 1977. Formerly, he was Secretary General of the Council for Higher Education in the Occupied West Bank. He is presently Fellow at the Center for International Affairs, Harvard University, Cambridge, Massachusetts.*

rich history, strong affiliation with religion, and a strategic significance; it stands as a witness to the life and manners of the great number of peoples who have ruled over it. But in order not to confuse historical periods on the one hand, and religious associations and political events on the other, and furthermore, in order not to confuse the relationship between the indigenous inhabitants and the newcomers with respect to the places, roles, and rights of both, one should read each people's history within the context of its era, in an all-embracing manner. Confusing or drawing an improper connection between many successive events and problems, and reading history in a fragmented manner ( especially in the case of a copious record that stretches back for 38 centuries ), one might eliminate or neglect some of the facts — if many have not already been lost — and as a consequence one might lose sight of the truth and the differentiation of each group's rights in the area. Also — to look at it from another angle — a chronological study reveals the nature of the relationship between Jerusalem and the inhabitants thereof, and defines each period at its beginning, the extent of its duration, and the time of its end; such a study makes clear the soundness or vanity, depth or superficiality, truth or falsity of each group's relationship with Jerusalem, thus placing the law in its proper bounds and preparing the way for the realization of justice and for a proposal for a solution to the problem of Jerusalem.

## *II. The Land, Its People and History*

In the middle of the third century A.D., after the wave of drought and dessication that struck the Arabian peninsula, the Canaanites, tribes of Arab Semites, came to and settled in the territories east of the Mediterranean Sea that consist of present-day Syria, Lebanon, Jordan, and Palestine<sup>1</sup>.

About the year 4,000 B.C. the Jebusites, a Canaanite subgroup, founded Jebus — Jerusalem — in the place where it is located today. They built the first wall around it, one possessing 30 towers and seven gates<sup>2</sup>.

About the year 1175 B.C., the Philistines, coming from Crete and Asia Minor, mixed with the Canaanite tribes and lived in the southwest area of the Mediterranean Sea.

The Canaanites gave to the territories they inhabited the Biblical name " The Land of Canaan ". The Philistines gave it the name Philistin or « Palestine »<sup>3</sup>.

The Canaanites found that they were in a strategic location and surrounded by two powerful empires, Egypt to the southeast and Mesopotamia to the northwest. Thus their lands became an arena for the struggles and conflicts between these two powers, just as they served for a long time as a bridge between them<sup>4</sup>. As a consequence they could not have found a strong and unified state, and their political organizations took the shape of independent

cities possessing governments bound together by federative relationships. Among their most prominent coastal cities were Beirut (Bairtuyus), Sidon, Tyre, Ascalon and Gaza. Their cities in the interior included Acre, Jericho, Nabulus (Shikim), and Jerusalem (Jebus). They possessed a religion centered in nature: the sky was the Father God and earth was the Mother God<sup>5</sup>. The Jebusites, who were among the Semitic peoples of Canaan are the people from whom the Palestinians of today descend<sup>6</sup>.

In terms of geography, demography, society, economy, and cultural life, Jerusalem has been the center of Palestine and the major meeting point of important east-west and north-south transportation axes<sup>7</sup>. It has remained within the sphere of the Arab Middle East from the time of its establishment up until today<sup>8</sup>. Therefore, it must be seen always as the most important part of and inseparable from Palestine, for whoever controls Jerusalem is in a position to dominate all of Palestine.

About the year 1900 B.C., Abraham (Ibrahim) came from Ur in south Mesopotamia to the Lane of Canaan<sup>9</sup>. He settled somewhere in the Jordan Valley. He was neither Jew nor Christian, but a believer in the Oneness of God (People of the Book do not dispute Abraham; the Gospel and the Torah were not revealed until after his coming). He was reported in Genesis as worshipping « the most high God »<sup>10</sup>, and is also mentioned in the Qur'an that he was a « Muslim » in the sense of having given his « submission to the will of God ». Muslims still pray for him in all their prayers, as God has enjoined them to do.

By way of Hagar, Abraham was blessed with his child Ismail, and by way of Sarah with Isaac; and he moved to a place near al-Khalil (Hebron), where he lived, preaching monotheism. When he died, Ismail and Isaac buried him in the same cave in which Sarah was buried<sup>11</sup>. His son Isaac begot Jacob (Israel), who lived in the area of Harran (Aram).

Around the fourteenth century B.C., the twelve sons of Jacob (Israel) fled to Egypt. They integrated with the Egyptians, and Joseph, the youngest of Jacob's sons, married the daughter of the high priest<sup>12</sup>. Originally a small band of people, they multiplied and gained strength for 500 years in Egypt, becoming the Israelites. It was in Egypt that Moses, « the founder of Judaism and the foremost lawgiver », whom the three revealed religions recognize as a prophet, was born and trained in Egyptian philosophy, becoming learned in all the wisdom of the Egyptians<sup>13</sup>.

Moses, along with his people (Banu Israel), left Egypt around the thirteenth century B.C., (1290 B.C.). He wandered for forty years in the Sinai, and during this time he received the Jewish Divine Law, on a mountain (Tur)<sup>14</sup>. His band of followers did not undertake any military expedition during this period of forty years, their first presence in the land of Canaan, for

they had no sciences or arts, nor anything that they could accomplish culturally. They were influenced by the Canaanites and imitated them in religious rites, especially in the presentation of sacrificial offerings to the god Baal<sup>15</sup>.

After the death of Moses, Yushaa' ibn Nun assumed leadership of the Israelites. With them he crossed to the west side of the Jordan river. Jericho was the first Canaanite city he took control of, and he destroyed it and its inhabitants<sup>16</sup>. Then he took control of Yashuu' ( Bayt Ele ), Likhish, and Hebron,<sup>17</sup> although the Philistines blocked the advance of Moses' people toward the coast in the area between Gaza and Jaffa and kept them from occupying Jerusalem<sup>18</sup>.

According to the estimate of historians, the wars between the Israelites and the Philistines continued for about one full century, between 1025 and 1125 B.C.<sup>19</sup>. The Torah confirms the resistance put up by the Philistines, as well as the endurance of their culture and rule and the independence of their principal cities throughout the period of the wars<sup>20</sup>.

Around 1000 B.C., David was able to subjugate the petty states of Edom, Moab, and Ammon. At first he took al-Khalil ( Hebron ) and made it the center of his rule, which lasted forty years. After him, rule passed on to his son Solomon, famed for building the place of worship known as Solomon's Temple, which became, for the Jews, the center and symbol of unity of their religious rites as well as an emotional catchword.

After Solomon's death, his kingdom was split into two sections: the Kingdom of Israel in the north, made up of ten tribes, with Samaria ( Sabastia ) as its capital, and the Kingdom of Judea in the south, made up of two tribes, with Urshalim ( Jerusalem ) as its capital. Struggles between the two states, as well as battles putting them against the Canaanites and Philistines, were long and drawn out, and this area of the Near East became a stage for anarchy<sup>21</sup>.

Around 720 B. C., the Assyrians under Sargon, King of Assyria, destroyed the Israelite Kingdom in the north. In 600 B. C., The Babylonians, under the command of Nebuchadnezzar, destroyed the southern Israelite Kingdom; they also destroyed Solomon's Temple in approximately 586 B.C. In both instances, most of the population was led away in captivity to Assyria and Babylon in Mesopotamia<sup>22</sup>. As for Jerusalem, it became a Babylonian colony.

Around 538 B.C, Cyrus, King of Persia, was able to occupy the country of Babylon ( Mesopotamia ). He moved on in his conquests until he occupied Syria and then Palestine, including Jerusalem. He permitted Nebuchadnezzar's captives to return to Palestine, and he reconstructed Solomon's Temple in 515 and 520 B.C<sup>23</sup>.

Around 322 - 64 B. C., a time period coinciding with the onset of the age of

the Greeks, Palestine fell under the rule of the Ptolemids in Egypt, and then for a spell under the rule of the Seljuks in Syria. During this era, the Maccabees (Jews) revolted against the rule of King Antiochus IV, who destroyed Solomon's Temple and forced the Jews to renounce Judaism and embrace Greek paganism<sup>24</sup>.

Around 63 B.C., after the Romans had overcome the Seljuks in Syria, Pompey gained control over Jerusalem. With the help of the Romans, Herod became King of Judea in the year 40 B. C. His rule lasted until his death in 4 B.C. During his time, Solomon's Temple was reconstructed in Jerusalem, and the persecution, trial and crucifixion of Jesus Christ took place, after which time came the call to propagate the Christian faith<sup>25</sup>.

In the age of Hadrian, around 136 A.D., the Romans turned to destroy Jerusalem conclusively. Upon its ruins they erected a new city, which they named Aelia Capitolina with reference to the emperor Aelius Hadrianus.

Around 330 A.D., in the age of Constantine, Jerusalem became a Byzantine and Christian city, and the relationship the Jews had with the city and the Temple was severed. But although Palestine became a part of Byzantine and Hellenic culture, Arab life was never dissociated with it or Jerusalem, always being visible in both. Furthermore, that life reached the western Canaanite manner of living in all of its features and elements<sup>26</sup>.

In the seventh century A.D., Palestine and the rest of Syria (The Land of Canaan) emerged from the rule of the Romans and entered the sphere of the Arab-Islamic Empire. Jerusalem became the first direction toward which the Muslims prayed (*qibla*) – « the first of the two qiblas » – and Palestine « the neighborhood whereof God has blessed »<sup>27</sup>.

In 638 A.D., the second Caliph Omar ibn al-Khattab accepted in person the capitulation of Jerusalem to Arab Muslim forces. He gave to the people of Jerusalem a Covenant in which he assured them the protection of their lives, their wealth, and their churches. To some of the Jews he permitted a return, for the sake of worship as well as residence, in the light of tolerance and religious freedom.

That under Arab rule the three religions of Islam, Christianity, and Judaism were supposed to coexist in Jerusalem is reflected in the Charter of Omar ibn al-Khattab, the first international recognition of the right of freedom of religion for « the people of the book » (Jews and Christians), meant to be granted by all Muslims at all times<sup>28</sup>.

Omar entrusted to two Arab families in Jerusalem the keys of the Church of the Holy Sepulcher. This was for the safeguarding of the church, and had the approval of the Christians. Of the Arab families living in the city, some converted to Islam in time, while others retain their original Christian faith to

this day. Among these Jerusalem Arab families are: the Khalidis, the Alamis, the Nuseibehs, the Judahs, the Khoris, the Nassars, and the Haddads<sup>29</sup>.

Arab-Muslim rule prevailed over Jerusalem and Palestine from the seventh century A.D. until the beginning of the twentieth century – with the exception of the period of the Crusades. The Crusaders captured the city in 1099 A.D., saw it liberated by the Ayyubids under Saladin in 1187 A.D., and then recaptured it in 1229 A. D. Some fifteen years later, the Arabs again established rule, and the city did not fall from their hands until the British Occupation after World War I, in 1917<sup>30</sup>.

The Arab-Islamic dynasties – the Umayyads, the Abbasids, the Fatimids, the Seljuks, the Ayyubids, the Mamelukes, the Ottomans, and the Hashemites – upheld the Charter of Omar ibn al-Khattab, and all of them shared in the reconstruction of Jerusalem, preserving its character and Arab legacy, a legacy that flourished in the Islamic era. Similarly, these dynasties strove to reconstruct the Dome of the Rock and the al-Aqsa Mosques, referred to in the first verse of Surah 17 of the Qur'an, where mention is made to an incident in the life of the Prophet Muhammad occurring shortly before his emigration from Mecca to Medina and includes two major events – the *isra*, or nocturnal journey from Mecca to Jerusalem, and the *m'iraj*, or ascent to Heaven<sup>31</sup>. Finally, Arab rulers were eager to give Jerusalem a special status; the Umayyad Caliph Muaawiyah linked his own personal identity with Jerusalem, calling himself the Caliph of Bait al- Maqdis<sup>32</sup>. The Caliph Abd-al-Malik erected, in 691, a magnificent oratory over the Dome of the Rock ( Qubbat al Sakhra ), he also built the Mosque of al-Aqsa in the southern part of the area of Haram Al-Sharif, to take the place of the wooden building of the old Mosque. These two mosques were restored and embellished by subsequent Arab Muslim rulers, most recently by the Hashemite King Hussein of Jordan in the 1960's.

For the duration of the long period to which we are now referring, Jerusalem remained Arab, from the standpoint of language, population, and territory. Throughout these centuries, Jews lived as a part of Arab-Islamic culture; in the fifteenth century Jews in Spain and Portugal formed a bridge between Islam and Christianity in a creative confluence of cultures. Only as recently as the close of the nineteenth century did their integration into Arab-Islamic culture taper off, when foreign interventions and ambitions cropped up and placed Jerusalem and Palestine face to face with a new stage of challenges.

### **III. Judaization, Its Basic Phases**

The Judaization of Jerusalem and Palestine was the major theme of Jewish and Zionist thought, politics, and practices before, during and after the establishment of the Hebrew state in Palestine in 1948 – and it continues to

be. The term Judaization can be defined as referring to the programs or processes to move Jews into areas predominantly inhabited by Palestinians. It has been realized in two ways: immigration and integration into special colonies. At the same time, it cannot be successful without a program of de-Palestinization, it has involved this too, realized primarily through (1) control over Palestinian land, work, natural resources, government and sovereignty and (2) the uprooting and expulsion of Palestinians from Palestine.

Within the framework just sketched, Jewish, Zionist, and Israeli concepts of Jerusalem and Palestine have developed, and their practices and policies have moved from being:

- a major tool for European manipulations in the Arab World; to serving as
- a link, under the Capitulations granted to the Europeans in the area, for Europe and its interests in the Arab World; to becoming
- a political movement in the tradition of colonial-settler movements; to becoming
- a political movement aligned with the traditional colonial regimes; and to becoming
- the manifestation of a power that rivals and serves as a substitute for the imperialist powers.

History can attest to the thesis that I am advancing here.

In the sixteenth century, Jews formed a cultural bridge between Islam and Christianity. Jerusalem and Palestine were the crossroads for the three major religions of Judaism, Christianity, and Islam, although Arab-Islamic civilization permeated the region as a whole.

But in the seventeenth century, Jews took up a new role by virtue of the changes in international political formulas, and their interests and positions changed. They became a major tool for European imperialist schemes in the Arab World. This is precisely what happened, for example, during Napoleon's campaign against the Arab east in 1798, when Napoleon asked the Jews to help him in his conquests in exchange for their return to Jerusalem and the reconstruction of Solomon's Temple. The Jews supported him and enthusiastically backed his campaign, although when he failed in his attempt to conquer Palestine and retreated from Acre, they retreated with him and Palestine remained Arab<sup>33</sup>.

At the end of the eighteenth century with the increase of European interests in the territories under Ottoman rule, and with the Capitulation System being granted to European powers, Jews operated under European protection and

guidance. A number of Jewish individuals and institutions ( Moses Montefiore, the Rothschild family, and Alliance Francaise ) with the protection and guidance of foreign consulates ( British, French, Austrian, and Russian ), were able to establish Jewish quarters outside the walls of Jerusalem<sup>34</sup>. These quarters later on became the core of the Jewish part of the city. They included the following: Montefiore quarter, established in 1859 to the west of Jaffa Gate. Shakanot Shaavanim, established in 1860 in front of Jaffa Gate; and Nahlat Shivva, also founded in 1860, on the road to Jaffa. Between the years 1875 and 1878, Maashaarim and Ivan Israel were established<sup>35</sup>. By 1882 the Jewish community ( *Yishuv* ) in Palestine was dispersed over four urban areas, namely Jerusalem, Hebron, Tiberias, and Safad<sup>36</sup>. It constituted 6 % of the population of Palestine<sup>37</sup>, and it was contained within six colonies whose total area was 25,000 *dunums* ( one dunum equals approximately one-fourth of an acre ). The populations were composed primarily of Russian and Rumanian immigrants who came after the events of 1881-1882 in Russia<sup>38</sup>. One of the Jewish settlers expressed the nature of Jewish thinking during this period in saying:

The final goal is eventually to gain control of Palestine and restore to the Jewish people the political independence of which it has been deprived for 3,000 years<sup>39</sup>.

In the early nineteenth century, continuing the method of working under foreign guidance and protection, and in imitation of European commercial and investment projects, Theodor Herzl ( 1860-1904 ), in his booklet *The Jewish State* ( 1896 ), called for a political movement imitating European colonial - settler movements. Herzl wanted the Zionist movement to be a new model for colonial-settler movements, and he described it as being « a portion of the rampart of Europe against Asia, an outpost of civilization opposed to “ barbarism ” ». <sup>40</sup> He described his plan and the instrument and means that he wanted to employ for colonizing Palestine with these words:

Let sovereignty be given to us on a piece of land... and we will take care of what follows... The plan is simple in its form, although complicated in its execution... Two organisations will be in control of executing the plan: The Jewish Society and the Jewish Company<sup>41</sup>.

In his diary, Herzl recorded the need to expropriate land in Palestine and « spirit » the population across the borders<sup>42</sup>. He also added:

If we, one day, capture Jerusalem, and I am still alive and capable of doing anything, then I will destroy everything not sacred to the Jews in it<sup>43</sup>.

Jewish aims on the whole during this period were embodied in the political pronouncements of the Zionist movement, crystallized at the First Zionist Congress in Basel in 1879<sup>44</sup>. Other institutional developments within the Zionist movement followed soon after<sup>45</sup>. But plans to set up an exclusively Jewish state in Arab Palestine and to control Jerusalem essentially failed, even when at the end of World War I British imperialism was persuaded to sponsor the Zionist colonial-settler movement, in part because it wished to justify its own continued intervention in the Middle East<sup>46</sup>. Between the years 1878 and 1918, the area of land over which Jews gained control in Palestine amounted to 2.48 % of the total country<sup>47</sup>. By 1918 the number of Jews in Palestine did not exceed 55,000 while Palestinians numbered 700,000; that is, 8 % of the population was Jewish and 92 % was Palestinian<sup>48</sup>.

#### ***IV. Judaization During the British Occupation.***

With the end of World War I, the British had contracted three mutually contradictory promises for the future of Palestine. The Sykes-Picot Agreement of 1916 with the French and Russian governments proposed that Palestine be placed under an international administration. The Hussein-MacMahon Correspondence of 1915-1916 assured that Palestine would be included within the zone of Arab independence. In contrast to this, the Balfour Declaration on November 2, 1917, encouraged the colonization of Palestine by Jews under British protection<sup>49</sup>. In the end, Britain chose to adhere to the alliance with the Zionist movement. A short while after General Allenby's troops occupied Jerusalem in 1917, Allenby summoned McClean, a civil engineer for the city of Alexandria, to draft the first infrastructural plan for the city of Jerusalem. McClean accomplished his task in 1918, and his plan became the basis for all of the others that followed in years to come<sup>50</sup>.

McClean's plan divided Jerusalem into four areas: the Old City and its walls, the areas surrounding the Old City; East Jerusalem; and West Jerusalem. He prohibited building in the areas surrounding the Old City and placed restrictions on building in East Jerusalem. West Jerusalem was declared an area open to development<sup>51</sup>. Since the Jewish community of Jerusalem resided in a part of West Jerusalem, McClean's plan helped to strengthen and develop that area of the city at the expense of the other three.

In 1919 the King - Crane Commission, the first international fact-finding committee ever sent to the Middle East, advised against a Zionist - Jewish entity in Palestine and recommended that a "wholly independent Syria [including Lebanon and Palestine] should be established, on the principle of the right of self-determination."<sup>52</sup> Britain ignored these recommendations.

In 1922 Britain was designated by the League of Nations as the mandatory power for Palestine, and the Palestine Mandate became effective on

September 29, 1923<sup>53</sup>. The second paragraph of the preamble to the Mandate for Palestine incorporated the Balfour Declaration, and the Zionist Organization was given the responsibility to advise and cooperate with the British administration in the economic, social, and general development of the country. Many Zionist colonial organizations moved to Jerusalem, such as the Jewish Agency (*Keren Hayesod*), the Jewish National Fund (*Vaaad Le'ummi*), and the World Zionist Organization; and an armed force (*Haganeh*) was formed in March 1920<sup>54</sup>.

In March 1921 Herbert Samuel was appointed the first High Commissioner to Palestine. He hastened to issue laws for the facilitation and realization of the British-Zionist alliance for the establishing of a Jewish state in Palestine, e.g., the Land Transfer Ordinance of 1920 and the Palestinian Citizenship Law, designed to open the doors for Jewish immigration. He recognized the Jewish Agency as an official organization, and he formed a new, appointed, municipal council for Jerusalem consisting of two Muslim (one as mayor), two Christians, and two Jews (one as deputy mayor)<sup>55</sup>. Around this time new Jewish quarters were established in the eastern part of the city, such as Rumama (1921), Talpiot (1922), Beit Hakarim (1923), Mekhour Hayim, Mekhour Barouk, Rahania, Kriat Moshe (1924), and Beit Wajin, Mahanim, and San-Hadria (1925)<sup>56</sup>.

In spite of the intensive joint British-Zionist efforts to Judaize Palestine, the percentage of Jews in Palestine did not exceed 11 % of the total population according to the first British census in December 31, 1922; it did not exceed 17 % according to the second British census on December 31, 1931. In 1922, the land the Jews controlled did not exceed 2.48 % of Palestine; by 1936 they controlled no more than 6 % of Palestine<sup>57</sup>.

In the First years of World War II, the Palestinians still held fast to their right to self-determination and resisted Zionist plans with their revolts in 1921, 1933, and 1933-39. As for the Zionists, they declared in a meeting in New York (at the Baltimore Hotel) in May, 1942 that the Balfour Declaration was no longer valid, and they called for the establishment of an independent Jewish state<sup>54</sup>.

Britain meanwhile was preparing plans for the partition of Palestine between Jews and Arabs:

- Following the Palestinian uprising of 1929, a plan for partitioning Palestine into Arab and Jewish cantons was proposed.
- Following the Palestinian revolt of 1936, the British Royal Peel Commission proposed the partitioning of Palestine into two states, Arab and Jewish, and making Jerusalem a *corpus separatum*, not assigned to either side.

- Following the St. James Conference in 1939, Britain issued the White Paper, which put restrictions on Jewish immigration and promised an independent Palestine within ten years.
- In 1946 the Morison-Grady plan provided for a British trusteeship over a federation of two autonomous provinces, one Arab and one Jewish, along with British direct rule over Jerusalem and the Negev districts.
- In 1947 Ernest Bevin ( British Foreign Secretary ) proposed a unified state under temporary British trusteeship with autonomous Jewish and Arab cantons<sup>59</sup>.
- In February 1947, Britain announced that it was not prepared to continue to administer Palestine and turned to the newly created United Nations for a solution. The Palestinians and five Arab states asked for the termination of the Mandate and for Palestinian independence, but the General Assembly refused to include this demand in its agenda and instead named in May 1947 a special committee ( UNSCOP - The United Nations Special Committee on Palestine ) to study the question of Palestine.

UNSCOP reported two sets of recommendations. The majority report revived the notion of partition and recommended dividing Palestine into ( 1 ) a Jewish state; ( 2 ) an Arab state; and ( 3 ) a *corpus separatum* under international administration for the cities of Jerusalem, Bethlehem, and environs. The minority report called for a federal union between autonomous Arab and Jewish regions, with Jerusalem as the capital but with two separate, independent municipalities, one Arab and one Jewish<sup>60</sup>. The majority report, with some modifications, was adopted by the AdHoc Committee on the Palestine Question, which had been created to study the UNSCOP recommendations. The report was adopted by a two-thirds majority in the UN General Assembly as Resolution 181-11 of November 29, 1947<sup>61</sup>. The Palestinians turned down the partition resolution because they considered it unfair. The partition assigned to the proposed Jewish state 56 % of the area of Palestine, while Jews constituted only 33 % of the population and owned only 6 % of the non-urban land. On May 14, 1948, Britain withdrew from Palestine, and the Mandate thus expired *de facto*. Zionist leaders seized the opportunity to unilaterally declare the birth of the state of Israel on May 14, 1948.

## ***V. Judaization Since 1948***

The 1947 UN partition resolution, which included the internationalization of Jerusalem, was never implemented – not because the Palestinians rejected it, nor because the Palestinians who remained in East Jerusalem and the West Bank chose unification with the state of Jordan until self-determination for all of the people of Palestine, on Palestinian soil, could be realized. The partition resolution was never realized because Zionists, and later Israel, refused to give

up any of their plans for occupying and Judaizing Jerusalem and Palestine. Ben-Gurion revealed this aspect of Zionism by saying:

The question of Jerusalem is not a question of arrangements, or politics, it is first and foremost a question of military capabilities: will we have the military power for a) occupying the Old City; b) occupying a wide corridor from here (Tel Aviv) to Jerusalem, not just for passing through but for forming a settled strip that binds Jerusalem to the rest of the territories of the Jewish state; and c) destroying the Arab Legion in the triangular area. Without this, it cannot be said that Jerusalem has been «liberated»<sup>62</sup>.

Thus, the Israelis put a «transfer theory» into practice, which meant uprooting Palestinians by killing them or terrorizing them or forcing them to flee their homes. On April 9, 1948, for example, Manachim Begin's *Irgun Zvai Leumi* massacred the Palestinians of the village of Deir Yasin (situated on the Western outskirts of Jerusalem, killing 250 persons most of whom were old men, women, and children. And on October 28, 1948 Moshe Dayan's 89th Battalion massacred the Palestinians of Dawaymeh (a village on the road between Jerusalem and Ramallah), killing 580 persons<sup>63</sup>. Begin considered the massacre of Deir Yasin so crucial to Zionists that he asserted, «There would have been no Israel without [what he called] the victory at Deir Yasin»<sup>64</sup>. In July 1948, the Israeli Army attempted to occupy all of Jerusalem, but they failed due to Palestinian resistance<sup>65</sup>. In September 1948, as Minister of Defense, Ben-Gurion suggested the undertaking of a military operation to occupy Latrun in order to insure a «Jewish Jerusalem» he planned in 1952 to occupy districts of Jerusalem as well as Hebron<sup>66</sup>. But again Palestinian resistance, with the support of the Arab Legion, forced the failure of these Israeli attempts, thereby preserving the Arab character of Jerusalem and the West Bank.

Although the armistice agreement of 1949 between Israel and the Arab States declared that «the armistice lines are not to be construed in any sense as a political or territorial boundary»,<sup>67</sup> Israel expanded between 1947 and 1949 to gain control over 77 % of Palestinian lands. In Jerusalem, Israel seized 84.23 % of the municipal surface area, leaving 11.48 % in the hands of the Palestinians. The remaining 4.39 % became a «no man's land» under the supervision of the UN<sup>68</sup>. Israel surrounded Arab quarters in West Jerusalem, e.g., Abu Tur, Baqah, the German Colony, and Katamon, and changed their names to Hebrew. Abu Tur became Gavat Hananah; Baqah became Ge'ulem, the German Colony became Rafa'im; and Katamon became Goniun. New Jewish quarters were established among and behind the aforementioned Arab quarters: Talpiot, New Baqah, New Katamon, Rasqo Quarter, and Gava't

Mordachai. Twenty-nine Palestinian villages around Jerusalem were destroyed, their lands confiscated, and their inhabitants forced to flee<sup>69</sup>.

As for demographic developments following the armistice agreement of 1949, Israel opened the doors for new immigration by passing the « Law of Return » in 1950, which allowed every Jew, wherever he might be, the right to emigrate to Israel, to settle there, and to acquire Israeli citizenship. Thus, the numbers of Jews in Jerusalem grew from 84,000 in 1948 to 103,000 in 1949 to 167,400 in 1961 to 196,000 in 1967<sup>70</sup>. Israel forbade and prevented Palestinian refugees to return to their homelands in spite of the UN General Assembly Resolution 194-III, which called for (1) the right of Palestinian refugees to return to their homes; (2) the return of their properties; and (3) compensation for those who did not wish to return to their homes. There were approximately 70,000 Palestinian refugees living outside of Palestine following the 1949 armistice agreements<sup>71</sup>. Israel named Palestinians living in Jerusalem and occupied Palestine, the « Israeli Arabs » instead of Palestinians.

To prepare the way for seizing Palestinian properties and liquidating them in occupied Jerusalem of 1948, Israel passed a series of administrative and legislative laws. Examples are: the Emergency Regulations regarding abandoned properties, Supplement B, No. 10 of June 23, 1948; the Emergency Regulations concerning the cultivation of waste lands and the use of unexploited water resources ( 1948 ); the Emergency Regulations ( Security Zones ) of 1949; and the Absentees Property Law of 1950. These « laws » allowed Israelis to confiscate both movable and immovable Palestinian property. It has been estimated that Palestinian private property in occupied Jerusalem of 1948 amounted to 80 % of the city's property<sup>72</sup>.

Completing the policy of transforming Jerusalem into a Jewish city, on December 11, 1949, Israel declared Jerusalem its capital and moved the seat of government there. The historic Islamic Mamillah Cemetery was destroyed and converted into a park, and a new cemetery for Israeli politicians was established, named after Theodor Herzl. A new Israeli museum and a new campus for the Hebrew University were built. Israel forbade the mention of the word Palestine or its Arab- Islamic history in school curriculums, and restricted the admission of Palestinians into universities. Restrictions on work, residence, and movement were imposed upon all Palestinians.

## *VI. Judaization Since 1967*

After the June War of 1967, Israel rushed to execute its second stage of occupying and Judaizing the rest of Jerusalem and all of Palestine. This process moved along with astonishing speed, and in all fields: military, administrative, legislative, demographic, geographic, religious, and

historical-archaeological. Its ultimate goal was the complete uprooting and the destruction of the Palestinians.

### *a ) Annexation*

Israeli forces occupied the Old City of Jerusalem on the afternoon of June 7, 1967. Moshe Dayan announced before the Wailing Wall: « We have reunified the torn city, the capital of Israel; we have returned to the Holy Temple, and we will never part from it »<sup>73</sup>. Haim Herzog, ( Israel's president ) assumed, in June 1967, the post of Military Governor of Jerusalem with a large number of forces under his command<sup>74</sup>. The process of physically annexing East Jerusalem began within three weeks of its occupation. In spite of the withdrawal of the Arab Legion forces, the city was bombarded – within and without the walls – and 360 civilians were killed<sup>75</sup>. Residential and commercial buildings were destroyed, and a number of churches, mosques, and hospitals were damaged. Most of the larger buildings, schools and hotels were expropriated and robbed<sup>76</sup>. To fulfill the Israeli military governor's hope of «diminishing the number of Palestinian inhabitants», many Palestinians of the Old City were arrested, deported, or «encouraged» to leave<sup>77</sup>. In less than a week, Israeli bulldozers demolished the Maghreb Quarter which bordered the al - Aqsa Mosque, forced its inhabitants to leave, and turned it into a large, paved, open space, to be an extension of the Jewish Quarter ( Mayor Teddy Kollek admitted the harshness of Israeli measures taken against the inhabitants of the Old City, saying « Arab families were removed from their homes at too short a notice and without replacement housing for them having first been found »<sup>78</sup> ). The al-Buraq and Shaeikh Mosques in the Maghreb Quarter, and 200 houses and stores in the « no man's land » were destroyed<sup>79</sup>. Israel repeated its « traditional method » of occupation by destroying in the Latrun area ( which is near Jerusalem ) the three Palestinian villages of Yalu, Imwas, and Beit Nuba in 1967, forcing their inhabitants to flee. It joined the two parts of Jerusalem by removing the New Wall, which had divided the city, and by removing Mandelbaum Gate, which had served as a crossing point between East and West Jerusalem from 1949 to 1967. Municipal bus routes were extended from the western part of the city into the eastern part, and water lines, sewer systems, and telephone networks unified. Hebrew names were added to the streets and signs of East Jerusalem.

In June 1967 the Israeli Knesset passed three laws that gave Israel the unilateral right to apply Israeli Law to any territory the government wished « to annex » to the « Land of Israel ». By virtue of these laws, the Old City areas between the village of Kalandia and its airport in the north, Beit Hanina in the west, Sur Baher and Beit Safafa in the south, and the villages of Tur, al-Azariah, Anata, and Ram in the east, fell under direct Israeli rule<sup>80</sup>. The Arab Municipal Council of Jerusalem was dissolved, and all of its possessions,

properties, and documents seized. Arab civil courts were closed down and Israeli law imposed over the city. Schools and educational institutions were forced to follow Israeli authorities. Arab banks were forced to close, and Israel took control of the Palestine Museum and everything in it.

Israel's annexation of East Jerusalem has met world-wide condemnation, including America's<sup>81</sup>. The UN General Assembly and the Security Council of the UN have repeatedly declared as invalid all measures by which Israel has purportedly annexed the occupied part of Jerusalem<sup>82</sup>.

### ***b ) Confiscation***

Since 1967 the people of Jerusalem have witnessed waves of confiscation of their privately-owned land for « public purposes » and « security needs »:

- In January 1968, 3,345 *dunums* ( one *dunum* equals about one-fourth of an acre ) in the French Hill, and 485 *dunums* near Nabi Samuel, were confiscated for the construction of the first two residential colonies, namely French Hill and Ramot Eshkol<sup>83</sup>.
- In April 1968, 675 *dunums* in Nabi Yacob north of Jerusalem, and 116 *dunums* in the Old City that included 595 buildings, 1,048 stores, 5 mosques, 4 schools, Bashura Suq, Bab al-Silsila Street, and the demolished Sharaf and Maghreb Quarters, were all confiscated for « public purposes ». This represented 20 % of the area of the Old City<sup>84</sup>.
- In August 1970, 12,280 *dunums* were confiscated for « public purposes ». The area seized contained Sharafat, Nabi Samuel, Nabi Yacob, and Shama Quarter in West Jerusalem<sup>85</sup>.
- In March 1974, 3,000 *dunums* that lay on the road between Jerusalem and Jericho were confiscated. The Palestinian owners discovered that these *dunums* became a « closed area », meaning that they could not build on it<sup>86</sup>.
- In March 1980, 4,400 *dunums* were confiscated for the construction of the exclusively Jewish colony of Nabi Yacob. These lands belonged to the inhabitants of the villages of Hizma, Anata, and Shufat<sup>87</sup>.
- The Israeli press once uncovered a plan for the evacuation of the Arab inhabitants of the Old City, including Bab el Wad, Sa'adia, and Bab Huta quarters, on the pretext of « alleviating the population density »<sup>88</sup>.
- The Israeli government has seized as « state property » all properties, lands, and real estate registered in the name of the Jordanian government. These confiscations covered 14 % of the district of Jerusalem<sup>89</sup>.
- 1,000 *dunums* of Arab land in Nabi Samuel, west of Shufat, most of which was in « no man's land » before 1967, have been confiscated for the purpose of « afforestation of Jerusalem »<sup>90</sup>.

### *c ) Colonization*

Since the nineteenth century, the Jewish colonization of Palestine, with the view to realizing the establishment of a « Jewish State », has been one of the main pillars of Zionist ideology.

No sooner had the guns of the June 1967 war been silenced than the Zionists called for the immediate colonization of the occupied territories, especially East Jerusalem. On June 14, 1967, Ben-Gurion told Prime Minister Eshkol, « We must bring Jews to East Jerusalem at any cost... We must settle tens of thousands within a short period of time, even if in huts.... We must not wait until new, planned quarters are built... The important thing is that Jews must be there »<sup>91</sup>. Prime Minister Eshkol did not hesitate to emulate or seek to outdo Ben-Gurion. In July 1967, he entrusted the Housing Ministry with the drawing up of a plan aimed at moving to Jerusalem as many Jews as possible as quickly as possible<sup>92</sup>. Eshkol also took personal responsibility for expediting housing and construction in « greater Jerusalem »<sup>93</sup>.

In Fulfillment of these Zionist ideas and plans, a series of residential colonies sprang up in and surrounding Jerusalem from all sides, this in order to transform it into a « Jewish City », to tie it to the daily life of the Jewish society, and to settle in it over 100,000 Israelis — thereby also cutting off the Arab presence in and affiliation with Jerusalem and the West Bank:

- In the north, the colonies of Nabi Yacob and Nabi Samuel were established to give greater residential strength to the colonies of French Hill and Ramot Eshkol.
- In the south, Gilo was established to complete a residential link with Talpiot.
- In the east, on the road between Jerusalem and Jericho, an industrial zone was established as an extension of the colonial fortresses of Ma'ale Adunim<sup>94</sup>.
- In the west, in order to widen the Jerusalem corridor in the Latrun and Gush Etzion area, the three Arab villages of Yalu, Imwas and Beit Nuba were completely destroyed in 1967, and the Modim and Givon blocs of colonies were established in order to « thicken » the Jewish presence there »<sup>95</sup>.

The plan to « enlarge Jerusalem », to divide the West Bank into two parts, and to increase the Jewish encirclement of the city transforming it into a « new ghetto » is being achieved. Eighteen settler colonies have been established in and around Jerusalem. They are:

#### *1. The Jewish Quarter in the Old City*

This quarter stretched from the western wall of al-Aqsa Mosque to the Latin Monastery. It is Islamic *waqf* and Palestinian property, and includes the destroyed Magharab and Sharaf quarters. Residential units, synagogues,

and a commercial market have been constructed there. The quarter has been designed to accommodate 5,500 settlers. No Palestinian is allowed to buy, rent, or reside there.

## **2. *Ramat Eshkol***

Ramat Eshkol is a residential colony established on the land of al-Samar. It belongs to the Palestinians of the village of Lifta, which was destroyed by the Israelis in 1948. Its area is 600 dunums ; it contains 2,115 residential units, and it links East and West Jerusalem.

## **3. *Hebrew University Campus***

In 1948, Hadasa Medical Center and its hospital were the only two Jewish buildings of the Hebrew University. They had been built in 1925 on lands belonging to the Palestinian village of Lifta on Mt. Scopus. In 1967, these two buildings were expanded into a new, huge university campus to include new colleges and housing for students, faculty and other university employees.

## **4. *French Hill***

In 1969, this residential colony was established on the road between Ramallah and Jerusalem, east of Mt. Scopus. Its land belongs to Palestinians. the Latin Monastery, and the Jordanian government. Five thousand residential units have been built there.

## **5. *Ramot***

Ramot was established on the lands of Talialah and Baten Hamoudeh belonging to the villages of Beit Aksa and Beit Hanina. Three thousand dunums of Palestinian property were confiscated, and 100 houses destroyed, for the purpose of establishing Ramot. As of 1975, the colony contained 2,000 residential units.

## **6. *Nevi Ya'akov***

Nevi Ya'akov was established on the lands of Rajum al-Kharab, Rukba, Shuabel-Sirah, and Deir Salam belonging to the village of Beit Hanina. It lies on the road between Jerusalem and Ramallah and is seven kilometers from downtown Jerusalem. By 1980, 2,500 residential units had been built there.

## **7. *Anatot***

Anatot was built on the lands of Ka'kul and Rass Khams belonging to the villages of Shufat and Anata.

## **8. *Atarot***

Atarot was built on the lands of al-Raziah belonging to the village of Kalandia, lying on the road between Jerusalem and Ramallah. By 1973, 61

industrial factories had been built there, and the area was annexed to expanded Jerusalem.

### **9. Gilo**

Gilo was established on the lands of Salib and Germallah belonging to the villages of Beit Gala and Shara. Four thousand dunums of Palestinian property have been confiscated here, and by the year 1980 the number of residential units numbered 150.

### **10. San - Hedira extension**

By 1967, Israeli residential buildings in San-Hedira in West Jerusalem had expanded into East Jerusalem, taking up the lands of Al-Giza, Khalit Mahdi, and Khalit al-Majnun, all of which belong to the village of Lifta and to the « no man's land » area. By 1980, 1,267 residential units had been constructed there.

### **11. Nahlat Defna**

In order to build this colony, the Israeli authorities confiscated the lands belonging to the Palestinian families of Amina al-Khalidi, Al al-Khatib, and Arif al-Arif. Up until 1967, these lands fell within the « no man's land » area. By 1980, 5,000 residential units had been built in Nahlat Defna.

### **12. East Talpiot**

East Talpiot is a residential colony established on the lands of al-Kharigah and Baten as-Sabbagh belonging to the villages of Sur Bahir, Khirbit, Im Tuba, and Shaykh Saad. By 1980, 5,000 residential units had been established.

### **13. Ghv'at Hamutar**

This colony lies to the northeast of Jerusalem on the lands of Tel al-Zakhira in the area of Shaykh Jarah. By 1980, 3,000 residential units had been established.

### **14. Canada Park**

This huge park was formed in 1967 in the area of Latrun on the three destroyed Palestinian villages of Yalu, Imwas, and Beit Nuba. The Jewish National Fund financed the afforestation of the area.

### **15. Maali Adunim**

Maali Adunim lies on a hill east of Abu Dies village and includes three sections, A, B, and C. It covers the Palestinian lands of Hizma, Izaria, and Abu Dies. By 1980, it contained 5,000 residential units. The Israeli government has proclaimed it a new Jewish city.

The master plan of « greater Jerusalem » of 1968 was unanimously rejected in 1970 by an Israeli-appointed advisory group of international experts of Jerusalem. Nevertheless, the Israeli government has insisted on its plan to Judaize Jerusalem as quickly as possible, and it refuses to listen to the voice of reason. Arthur Kutcher, a prominent architect and member of the international advisory group, resigned from the group in protest over the Israeli disfiguration of the cultural and historical character of the Holy city, saying:

Men from many cultures, Jews, Greeks, Romans, Arabs, Europeans, have until very recently, somehow known how and where to build, and equally important, how and where not to build.

He added:

... an awareness evidenced by four thousand years of building in the city, is now not simply ignored, it is not even recognized. Instead, a new way of thinking about Jerusalem has sprung up: the city is a resource to be exploited, its spiritual and visual qualities are commodities to be bought and sold<sup>96</sup>.

#### *d) Violation of Rights*

In harmony with the Israeli insistence on the non-recognition of the Palestinians<sup>97</sup>, Moshe Dayan made clear Israeli policy on the issue of Palestinians returning to their homeland when he declared « Israel will not permit the return of the hundreds of thousands of West Bank residents who left the country before and during the Six-Day War »<sup>98</sup>. UNRWA, the main organization responsible for the care of Palestinian refugees, estimates that 500,000 Palestinians have been displaced from the Occupied Territories since 1967<sup>99</sup>. The General Assembly of the UN has acknowledged both the right of return and the right of self-determination for the Palestinians in its Resolution 2535 of December 10, 1969. Another legal basis for the right of the Palestinians to return to their homeland is the Universal Declaration of Human Rights, a U.N. General Assembly resolution adopted unanimously on December 10, 1948<sup>100</sup>.

Israel has not been satisfied with merely violating basic human rights; it has « legalized » its policy of de-Palestinization. Arab inhabitants of Jerusalem have become, in the language of Israeli law, « present absentees ». That is, they have become « absentees » with respect to their properties in the occupied territories of 1948, this so that they could be deprived of their right to demand their belongings and properties after Israel « annexed » Jerusalem. They have been considered « present » only in relation to their properties in East Jerusalem, this so that Israeli taxes could continue to be imposed upon them. The Israeli objective is to force Palestinians to emigrate from Jerusalem<sup>101</sup>.

Israel has pursued a series of flagrant violations of human rights and international laws. It has deported hundreds of local leaders and prominent personalities; imposed house arrest on others on numerous occasions, and placed restrictions on assembling and travelling. It has paralyzed Palestinian culture. UNESCO has remarked that under Israeli rule, Palestinian educational syllabi have been changed, textbooks altered and censored, and scores of textbooks banned. Furthermore, under Israeli rule, Palestinians have been subjected to various collective punishments: the demolition of their buildings, curfews, the closing of their business establishments, arbitrary arrests, detentions, and in many cases, torture in Israeli prisons<sup>102</sup>.

Israel is a signatory to the Fourth Geneva Convention, having ratified it in 1951. Nevertheless, Israeli policies in Jerusalem and the rest of the Occupied Territories demonstrate a pattern of flagrant violation of several articles of the Convention: Articles 27, 47, 49, 53, 71, 72, 76, and 78.

Palestinians comprise one people with established rights and a national identity. Their basic rights are human and legitimate, their acquired rights are legal and ethical, and their pending rights are logical and just. They have never given up their identity or any of their rights, neither within the Arab countries nor in occupied Jerusalem and Palestine. They are not endorsing a *Jihad* (Holy War) to liberate their people and their country, Palestine! They call upon Israel for a mutual, simultaneous recognition, direct negotiations, and the right of self-determination to establish their state on Palestinian soil with Arab Jerusalem as its capital.

### *e ) Desecration of Holy Places*

Since 1967, Christian and Islamic holy places in Jerusalem have been subjected to a number of desecrations, by extremist individuals among Israeli society as well as by official civil, religious, and military groups. One of the most notorious acts of desecration occurred in 1969 with the setting fire to the Dome of the Rock and, later, the shooting of some young Palestinians praying there. Also, in the Haram Sharif area, Israeli religious extremists and fanatics continue to demonstrate, threatening to demolish al-Aqsa and the Dome of the Rock Mosques in order to build in their places Solomon's Temple.

The Holy Sepulchre Church has been robbed, and the Holy Tomb's oil lamps and candles smashed. Other churches as well as Coptic monasteries have been desecrated. Israeli authorities have expropriated the old and historic Christian cemeteries on Mt. Zion.

Furthermore, Israeli authorities have intervened directly in Islamic religious affairs:<sup>103</sup>

— The Israeli Ministry for Religious Affairs censors the Friday prayers and

sermons (*khutba*) in al-Aqsa Mosque, demanding the omission of certain surahs of the Qur'an.

- Israeli visitors (men and women) are permitted to enter Muslim and Christian holy places in indecent fashion, in violation of Arab and Islamic tradition.
- The Israeli government intervenes in the affairs of Islamic *waqf* and the Sharia courts blocking the implementation of the rulings and decisions of the Islamic religious courts.
- Israel has expropriated the Tankazia School, the keys of the Magharab Gate, and al-Zawiah al-Fakhriah, which it uses as a military station.
- A number of Christian priests and nuns as well as Muslim *ulema* have been beaten, arrested, and deported.

## VII. Conclusion

Israel's concepts, policies, and practices in occupied Jerusalem and Palestine are based on the logic of expansionism and force. Golda Meir confirmed this by saying: « The [ Israeli ] borders end at the places where Jews reside, and not at the lines on maps<sup>104</sup> ».

Secretary of Defense Caspar Weinberger described Israel's new role when he called it an « unsinkable aircraft carrier »<sup>105</sup>. This evokes the image and role of a country that only exists as a base of power and expansionism.

By reviewing Israel's exercise of power and expansionism in Jerusalem and Palestine, several conclusions can be drawn:

- 1) The transformation of the city of Jerusalem, physically, juridically, and demographically, is designed to suit the territorial aims of Israel.
- 2) The Changes introduced in Jerusalem are part and parcel of the general plan for the integration of the West Bank into Israel.
- 3) A new *status quo* has been imposed upon Jerusalem, to the extent that it makes difficult if not impossible a return to the *status quo ante*.
- 4) The question of Jerusalem is to be dropped from any negotiation agenda searching for a solution to the Palestinian-Israeli conflict.
- 5) Violations of international law and human rights have been made and continue to be made by Israelis in opposition to the world community's wishes and UN General Assembly resolutions and recommendations.
- 6) With respect to personal status and individual rights in Israel, « the rule of law » applies only insofar as it does not conflict with the interest of the occupying authorities.
- 7) Already complex and elaborate structures have been created in order to grant Israeli authorities wider power to continue the transformation of Jerusalem into a « Jewish City ». Begin has asserted: « Israel will remain in control of Jerusalem, the West Bank, Gaza, and the Golan Heights forever ». <sup>106</sup>

### *VIII. A solution ?*

Despite Israeli policies and measures to Judaize and de-Palestinize Jerusalem since 1948, 130,000 Palestinians still live in Jerusalem, and with Palestinian institutions and organizations serving all aspects of their lives. The Palestinians four and a half million of them<sup>107</sup> – resist the Israeli occupation, reject its « laws » and « policies », and hold fast to their rights. They consider Jerusalem an inseparable part of the Palestinian question and a fundamental element in the Palestinian-Israeli conflict. It should not be dropped from or ignored in any political agenda on Palestine.

In searching for a civilized political solution to the Palestinian-Israeli conflict, the question of Jerusalem can be an open forum and the best outlet for a breakthrough. In Jerusalem, Israelis and Palestinians have coexisted in the past and still do so in the present. This coexistence can evolve toward peace and stability in Jerusalem and, later on, in all of Palestine, provided there is a mutual, simultaneous understanding between Palestinians and Israelis. On this basis, direct negotiations between the two parties, mutual trust and the respect of rights, can be realized. Jerusalem can be the test for building up this mutual trust and respect. Accordingly, it is here proposed that:

- 1) « There should be an Arab Jerusalem and an Israeli Jerusalem, each exercising full sovereignty within its own territory, but with no barriers between them and no impediment to freedom of movement between them »<sup>108</sup>.
- 2) The territory of Arab Jerusalem as well as the territory of Israeli Jerusalem should be agreed upon through negotiations between Palestinians and Israelis. The territory of Arab Jerusalem should be a separate enclave within Palestinian territory, while the territory of Israeli Jerusalem should be a separate enclave within Israel.
- 3) There should be an Arab Municipality and an Israeli Municipality, each of which is independent and which defines and presents its position regarding matters of mutual interest or of a conflicting nature.
- 4) There should be a UN representative to head a permanent body of specialists and experts stationed in Jerusalem, not as governor, but to exercise the following duties:
  - a) Coordinating between the Arab Municipality and the Israeli Municipality in the open city of Jerusalem.
  - b) Supervising all foreign institutions and societies in the city, and representing them, in matters of mutual interest or conflict, before the Israeli or Palestinian Municipalities.
  - c) Reporting to the Secretary General and to the Security Council directly in the case of unsettled disputes, with the understanding that all parties must respect any resolution passed by the General Assembly and the Security Council.

- 5) Assuming that part of the newly established Jewish Quarter in the Old City will remain, Palestinians should have the right to rebuild and live in their villages in the Jerusalem area, such as Lifta, Beit Safafa Yalo, Imwas, Beit Nuba, and the other 29 villages destroyed by Israel in 1948 and 1967<sup>109</sup>. Palestinian refugees in the Jerusalem area should be allowed to return to their homes, to repossess their properties, and to be compensated.
- 7) Palestinians should draw up a compensation program for the Palestinian refugees who do not wish to return to their lands. Israel, the great powers, international organizations, and Arab States should participate in financing the compensation program.
- 8) To pave the way for building mutual trust and a respect for rights between Palestinians and Israelis, and to advance their « coexistence », it is suggested that:
  - a) If Israeli quarters and individuals fall within Arab Jerusalem, Arab laws should apply to them. If Palestinian quarters and individuals fall within Israeli Jerusalem, Israeli laws should apply to them.
  - b) The Jewish community in Arab Jerusalem should have the right to live, work, rent, and buy and sell on an equal footing with the Palestinians, without any discrimination. And the Palestinian community in Israeli Jerusalem should have the right to live, work, rent, and buy and sell on an equal footing with the Israelis, without any discrimination.

To those who argue the impossibility of rectifying matters and returning to Jerusalem its former character, on the plea that the Israelis have occupied the city for nineteen years, that many changes in its character have become *de facto*, and that over 100,000 Zionist settlers have moved in, I counter that nothing is absolutely final or irreversible in politics. We need only remember Algeria.

Algerian steadfastness and resistance forced France to leave Algeria despite 132 years of colonization, a wide range of vested economic interests in the country, and the presence of a million determined colonial settlers<sup>110</sup>.

---

## FOOTNOTES

---

1) Wilson B. Bishai, *Islamic History of the Middle East*, Allyn and Bacon Inc. 1968, p. 34.

2) Kayyriah Kasmyyah, *Qadyyat al Qods ( the Problem of Jerusalem )*, Dar al-Qods, Beirut, 1979, p.11

3) Ahmad Susah, *Al-Arab Wa al Yahud fi el Tarikh( Arabs and Jews in History )*, Baghdad, 1972.

4) Wilson B. Bishau, *op.cit.*

5) Ahmad Susah, *op. cit.*

6) *Jerusalem ( Toward an Evangelical Christian Perspective on Justice in the Holy City )*, Palestine Human Rights Campaign, 1984, p.3.

- 7 ) F. Hitti, *Five Thousand Years of Middle East History*, Vol. I., Beirut , 1975,p. 120 ( Arabic Edition ).
- 8 ) Arthur Kutcher, *The New Jerusalem, Planning and Politics* (MIT Press, Cambridge, Mass., 1975) p. 9.
- 9 ) *Jerusalem, Palestine Human Rights Campaign., op. cit.*
- 10 ) *Ibid.*
- 11 ) W. Keeler, *The Bible as History*, London 1957,p.69.
- 12 ) *Ibid.*
- 13 ) Edward Wilmot Blyden, *Christianity, Islam and the Negro Race, 1887*. Edinburgh, 1967, p.117. Edward Wilmot Blyden. « The Elements of Permanent Influence » In *African Problems and Other Discoveries*, London, W.B.Whittinghan, 1980. p.5.
- 14 ) Al-Masoudi, *Marj el thehab*, Part I, Beirut 1965.  
Al-Tabari, *Tarikh el Umam Wa el Muluk*, part I.  
*Tarikh el Ya'cobi*, Part I. Nagiv-Iraq.1964.
- 15 ) L. Waterman, « Pre-Israelite Laws » in *The Book of Covenant, AJSLL*, Vol. 38, 1921-1922,pp. 37-54.
- 16 ) K.Khamar, *The History of the Palestine Question*, Beirut, 1966,p.12. ( Arabic Edition ).
- 17 ) W.Keeler, *The Bible as History*, *op. cit.*, pp. 155-159.
- 18 ) A. M. Asswad, *Al-Mawsuah al Filestiniyah* ( Palestine Encyclopedia )p.4.
- 19 ) F. Hitti, *op. cit.*, p. 180.
- 20 ) Ahmad Susah, *op. cit.* p.293.
- 21 ) Khayyriah kasmayyah, *op.cit.*, p. 10.
- 22 ) Adib el Ameri, *Beit el Magdis*, Amman, 1971, p. 77.
- 23 ) Hassan Bin Talal, *A Study on Jerusalem*, London, 1979, p. 8.
- 24 ) *Ibid.*
- 25 ) Khayyriah Kasmayyah, *op.cit*, p. 10.
- 26 ) *Ibid.*
- 27 ) *The Qur'an.*
- 28 ) A.L. Tibawi, « Jerusalem in Islam and Arab History », *Resistance*, September, 1969.
29. Arif el Arif, *Arab Families in Jerusalem.*
- 30 ) Hassan Bin Talal, *op. cit.*, p. 9.
- 31 ) A.L. Tibawi, « Jerusalem in Islam and Arab History », *Resistance*, September, 1969.,p.18.
- 32 ) Mahdi Abdul-Hadi, *The Evolution of the Arab Flag*, Jerusalem, 1980.
- 33 ) Saleh Zahr el Dien, « Zionism » *Shu'un Filestinia* ( Palestine Affairs ) N°. 138 - 139. October 1984. pp. 128, 134.
- 34 ) Albert Hyamson, *The British Consulate in Jerusalem*, London, The Jewish Historical Society of England, 1939. Vol. I. pp.261 - 267.
- 35 ) Samir Jeries, *Al-Quds*, Beirut, 1981, p. 20.
- 36 ) Walter Lehn, *The Development of Palestinian Resistance*, Association of Arab-American University Graduates ( AAUG. ) Information Paper No. 14 June 1974, p. 2.
- 37 ) Ann. M. Lesch, « Land and People » in *Occupation: Israel over Palestine*, edited by Naser Aruri, AAUG Press, 1983. p. 30.
- 38 ) Emil Tuma, *The Roots of The Palestine Question*, Naserth, p.66.
- 39 ) David Ben-Gurion, *My Talks with Arab Leaders*, New York, 1973, p.2.
- 40 ) Theodor Herzl, *A Jewish State*, London, 1896.

- 41 ) Mahdi Abdul-Hadi, *Israeli Settlements in Occupied Jerusalem and West Bank 1967-1977*, Arab Thought Forum, Jerusalem, 1978. p.33.
- 42 ) *The complete Diaries of Theodor Herzl*, 5 Vol. New York, 1960.
- 43 ) Rouhi Khatib, « Judaization of Jerusalem in Ten Years » *Shu'un Filestinia* ( Palestine Affairs ) No. 41-42, 1975, p.95.
- 44 ) « To create a home for the Jewish people in Palestine and to promote the colonization of Palestine by agricultural and industrial Jewish workers ».
- 45 ) *The creation of a Jewish National Fund in 1901.*  
*The opening of a Palestine Office in Jaffa in 1907.*  
*The establishment of an all-Jewish town called Tel-Aviv in 1909-11.*
- 46 ) Max Robinson, *Israel — A Colonial Settler State*, New York, 1973, p.13.
- 47 ) Mahdi Abdul-Hadi, *Israeli Settlements in Occupied Jerusalem and West Bank*, op.cit., p. 45.
- 48 ) Anthony Natting, *The Arabs*, London, 1964, p. 321.
- 49 ) Ann. Lesch, « Land and People », in *Occupation: Israel Over Palestine*, op. cit., p. 32.
- 50 ) Henry Kendall, *Jerusalem, The City Plan ( preservation and development during the British Mandate 1918-1948 )*, London: His Majesty's Stationary Office, 1948., p.4.
- 51 ) *Ibid* .
- 52 ) For the full text of the recommendations for Syria and Palestine, Harry N. Howard, *The King-Crane Commission: An American Inquiry in the Middle East*, Beirut, 1963.
- 53 ) Manley O. Hudson, ed., *International Legislation*, Washington, D.C., 1931.I.109.
- . 4 ) Samir Jeries, op. cit., p. 25.
- . 5 ) *Ibid.*
- 56 ) Janet I. Abu-Lughod, « The Demographic Transformation of Palestine », in Ibrahim Abu-Lughod, ed. *The Transformation of Palestine*, Evanston, III., Northwestern University Press, 1971, pp. 142-144.
- 57 ) M.Cherif Bassiouni, *The Palestinian's Right of Self-Determination and National Independence*. AAUG. Information Paper NO. 22, December, 1978 p. 12.
- 58 ) George Haddad, *Arab Peace Efforts and the Solution of the Arab-Israeli Problem*, AAUG information Paper No. 18. 1876, p.14.
- 59 ) F.S. Hamzeh, *United Nations Conciliation Commission for Palestine, 1967 – 1969*, Institute for Palestine Studies, 1968.
- 60 ) M. Cherif Bassiouni, op. cit., p.12.
- 61 ) *Ibid.*
- 61 ) Kayyriah Kasmyyah, *Quadyyat al Qods*, op.cit.
- 64 ) Menachem Begin, *The Revolt ( Story of the Irgun )*, New York, 1951.p.165.
- 65 ) Michael Breacher, *Decisions in Israel's Foreign Policy*, London, Oxford University Press, 1974, p. 23.
- 66 ) *Ma-ariv*, April 4, 1971( Interview with Ben-Gurion )
- 67 ) As in Article V, Section II of Israel's agreement with Egypt, with Syria Article V, section I and with Jordan Article II, SectionII.
- 68 ) Samir Jeries, *Jerusalem*, op. cit.
- 69 ) Mahdi Abdul-Hadi, *Israeli Settlements in Occupied Jerusalem and West Bank*, op.cit. p. 139.
- 70 ) Statistical Abstract of Israel, No. 30. in Meron Benvenisti, *Jerusalem: The Torn City*, 1976, p.31.
- 71 ) Kayyriah Kasmyyah, *Quadyyat al Qods*. op.cit. p.16.
- 72 ) *Ibid.*

- 73) Meron Benvenisti, *Jerusalem: The Torn City*, op. cit., p. 95.
- 74) Ozi Benzemann, *Jerusalem: A City Without Walls*, Tel-Aviv, 1979, pp. 27-28, (Hebrew Edition).
- 75) Meron Benvenisti, *Jerusalem: The Torn City*, op. cit., p. 95.
- 76) E.M. Wilson, *Jerusalem Key to Peace*, The Middle East Institute, Washington, 1970, pp. 90-116.
- 77) Ozi Benzemann, *Jerusalem: A City Without Walls*, op.cit, p.29.
- 78) *Washington Post*, May 2, 1968, Sec. A, p.23.
- 79) Rouhi Khatib *Judaization of Jerusalem*, Amman, 1970, p. 36.
- 80) Hassan Bin Talal, *A Study on Jerusalem*, op. cit., p.33.
- 81) « It remains the U.S. position that the part of Jerusalem which came under the control of Israel in the June 1967 war like other areas occupied by Israel, is occupied territory and therefore subject to the provisions of international law governing the rights and obligations of an occupying power ». Statement of Robert Mc. Closky, officially released, March 8, 1968.
- 82) General Assembly Resolution 2253, July 4, 1967, and Security Council Resolution 252, May 21, 1968.
- 83) *The Israeli Official Gazette* ( in Hebrew ) N°. 1425, p.688. January 11, 1968.
- 84) Rouhi Khatib, *Judaization of Jerusalem*, P.L.O. Research Center, Beirut, 1970, pp. 17, 18.
- 85) *The Israeli Official Gazette* (in Hebrew) No. 1656, p.2808, August 30, 1970.
- 86) *Al-Sha'ab*, Jerusalem, March 29, 1974.
- 87) *Davar*, Jerusalem, March 10, 1980.
- 88) *Ma'ariv*, October 20, 1975, *Davar*, June 20, 1974.
- 89) Samir Jeries, *Jerusalem*, op. cit., p. 101
- 90) Kayyriah Kasmayyah, *Quadyyat al Qods*, op. cit., p. 32.
- 91) Meron Benvenisti, *Jerusalem: The Torn City*, op.cit., p.233.
- 92) Ozi Bensemann, *Jerusalem: A city Without Walls*, op. cit., p.254.
- 93) Meron Benvenisti, op.cit., p. 234.
- 94) Mahdi Abdul-Hadi, *Israeli Settlements*, op.cit.
- 95) Ibrahim Dakkak, « The Transformation of Jerusalem: Juridical Status and Physical Change » in *Occupation: Israel over Palestine*, ed. By Naseer Aruri, AAUG, 1983, p.81.
- 96) Arthur Kutcher, *The New Jerusalem, ( Planning and Politics )*, op. cit., pp. 31-32, 54-55.
- 97) The late Golda Meir summed up this position in a statement to the London *Sunday Times*, June 15, 1969: « There is no such thing as a Palestinian... it was not as though there was a Palestinian People in Palestine... and we came and threw them out and took their country away from them. They did not exist ».
- 98) *Jerusalem Post*, June 13, 1973.
- 99) « Treatment of Palestinians in Israel — Occupied West Bank and Gaza ». Report of the National Lawyers Guild. 1977. Middle East Delegation, New York, 1978.
- 100) General Assembly Resolution 217 A, U.N. Doc. A / 180, at 71 ( 1948 ).
- 101) Hana Dib Nakkara, « Israeli Land Seizure under Various Defense and Emergency Regulations », *Journal of Palestine Studies*, Vol. XIV, No. 2. 1985, pp. 13- 34.
- 102) « Treatment of Palestinians in Israel, Occupied West Bank and Gaza » op.cit.
- 103) From a Memorandum by West Bank Leaders, July 7, 1967, *Documents on West Bank Resistance of Israeli Occupation 1967*, Beirut 1967, pp.11-13.
- 104) Mahdi Abdul-Hadi, *Israeli Settlement*, op.cit.
- 105) Jan Nederveen Pieterse, « Israel's Role in the Third World: Exporting West Bank Expertise » in *Race and Class ( a Journal for Black and Third World Liberation )*, Vol XXVI, No. 3, 1985, p.25.
- 106) *New York Times*, June 10, 1979.

107 ) *Palestinian people in the world in 1981 according to the Palestinian Central Statistical Office, Damascus.*

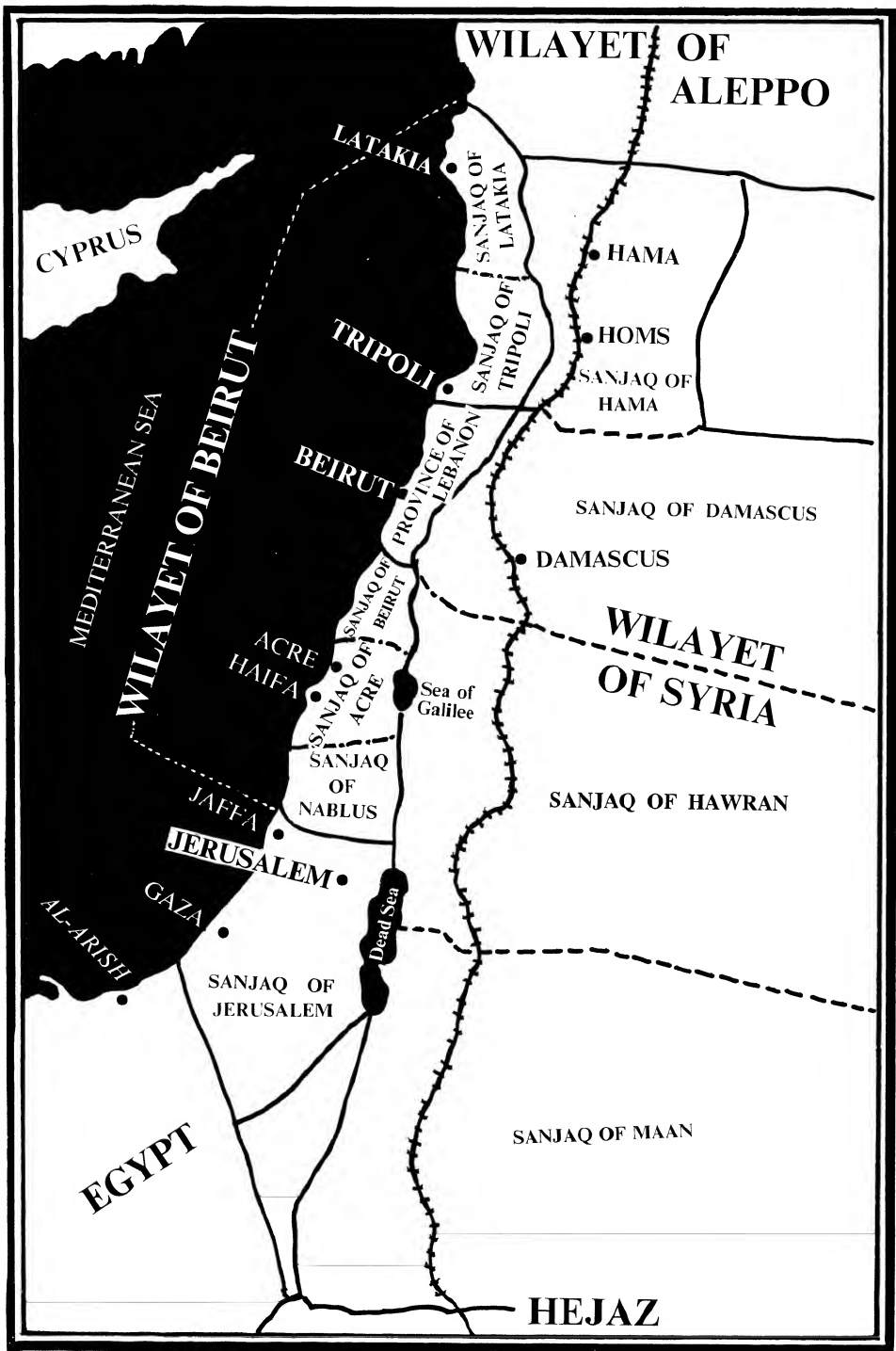
108 ) *Lord Caradon's views in August 1979.*

— *The Guardian*, August 27, 1979.

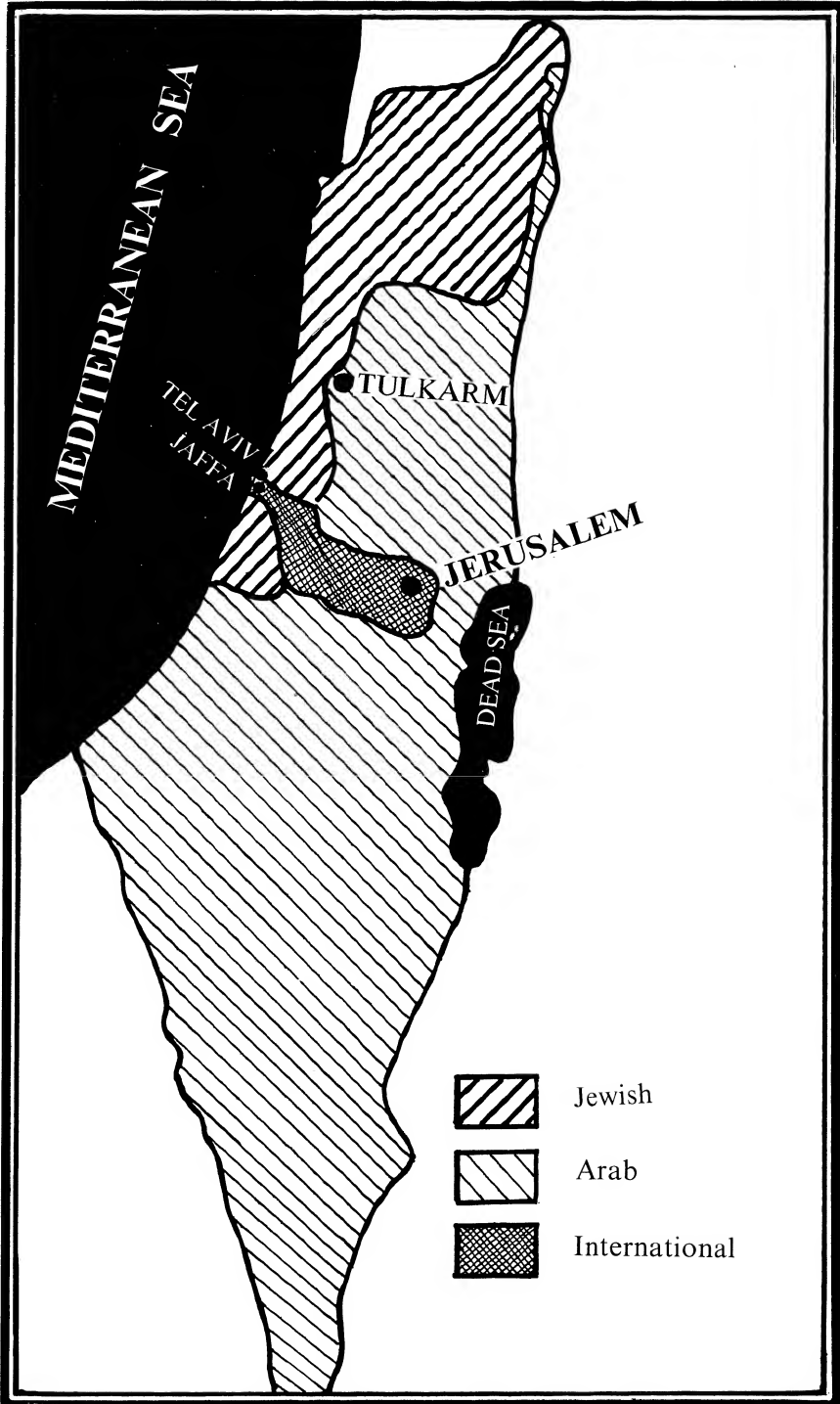
— *Hassan Bin Talal, A Study on Jerusalem, op.cit.*

109 ) *Beit Jamal, al-Malha, Notaf, Kasla, al-Qastal, Qalonia, Ein-Karim, Agdar, Asleen, Arquf, Soba, Sara, Staf, Sareas, Rafat, Deir Eshiekh, Deir Yasin, Deir Umrod, Deir Aban, Khirbit al-Looz, Khiribt Ismallh, Aljora, Jarash, Beit Tool, Beit Mahseer, Breig, Abd Ashwa.*

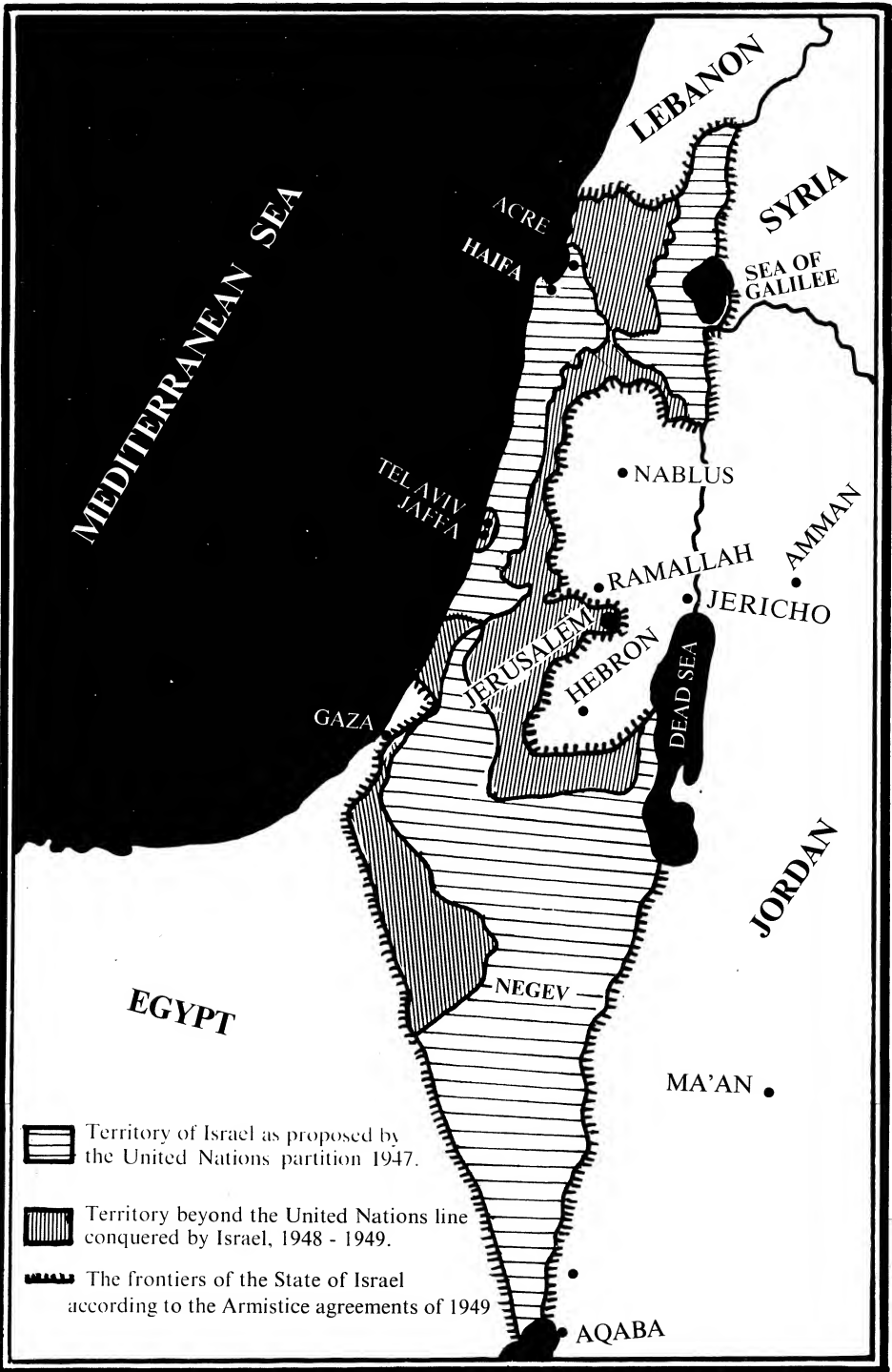
110 ) *Jan Lustick, « The West Bank: How Late is Too Late » Moment magazine, March, 1985. Vol. 19, N° 3, p. 16.*



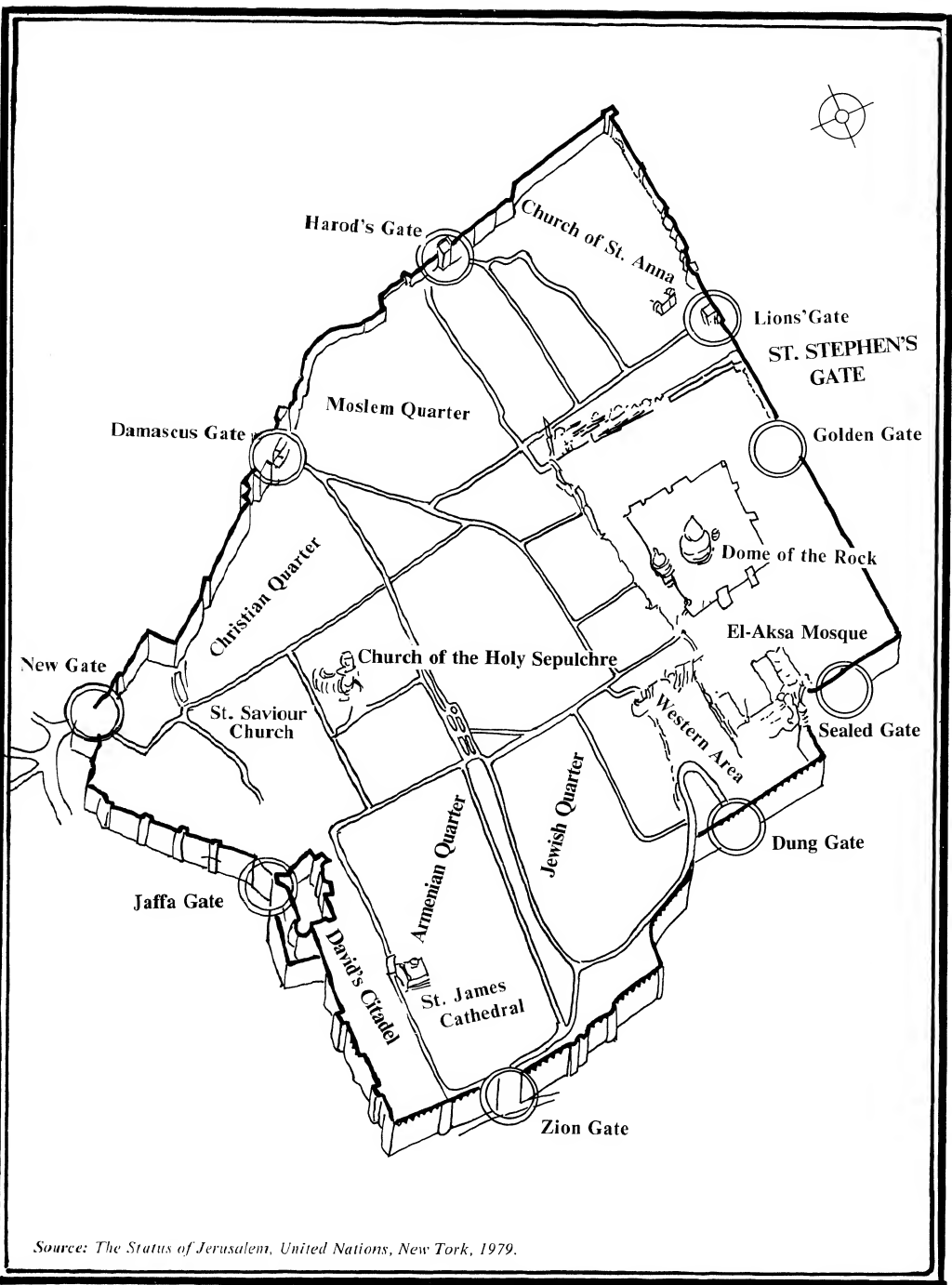
PALESTINE IN 1915 (OTTOMANS)



ROYAL COMMISSION PARTITION PROPOSAL 1936

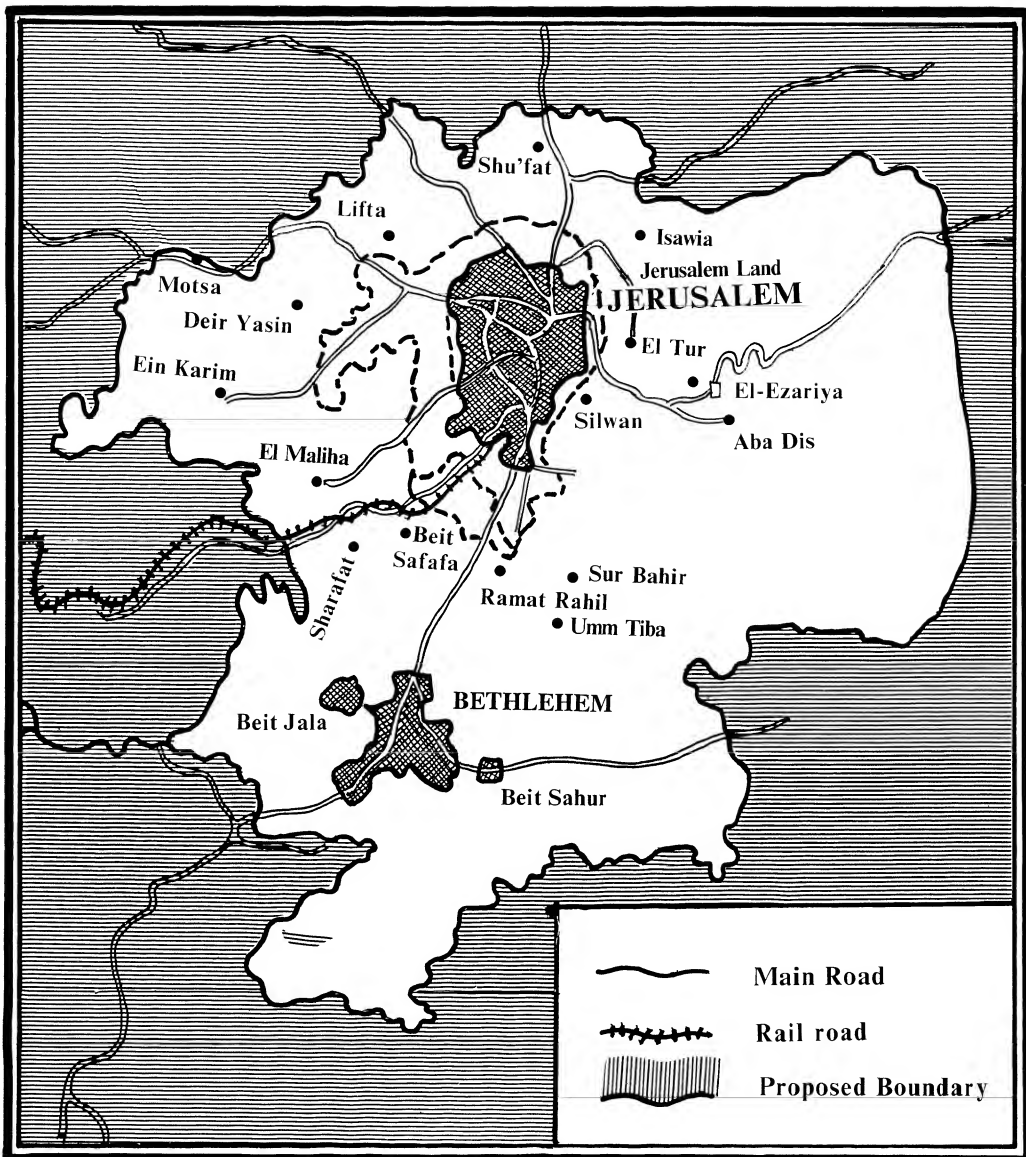


THE FRONTIERS OF THE STATE OF ISRAEL 1949 - 1967



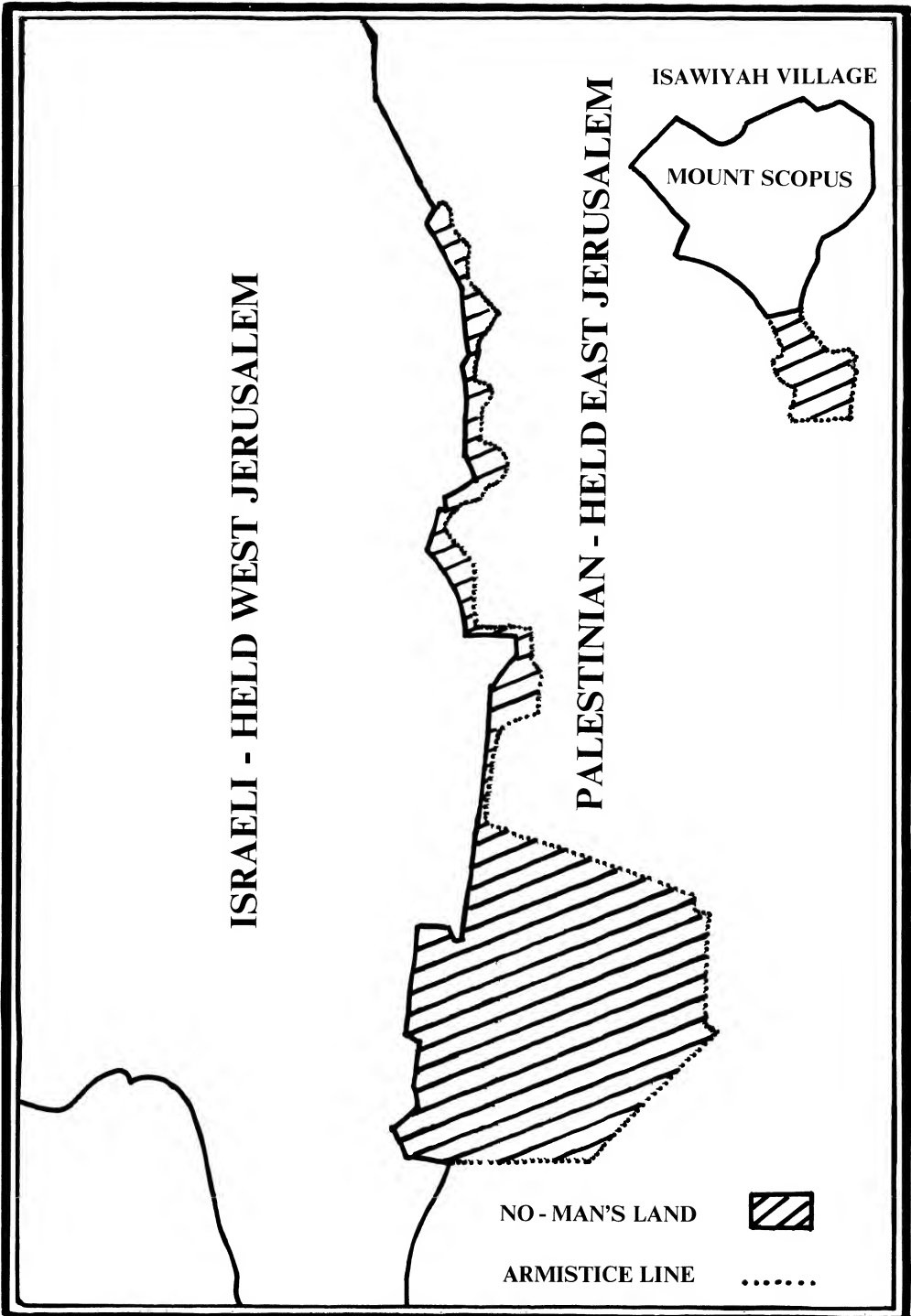
Source: *The Status of Jerusalem*, United Nations, New York, 1979.

## THE OLD CITY OF JERUSALEM



Source: *The Status of Jerusalem, United Nations, New York, 1979.*

BOUNDARIES OF JERUSALEM AS  
 PROPOSED IN THE "PARTITION RESOLUTION"  
 ON NOVEMBER 29, 1947



ISRAELI - HELD WEST JERUSALEM

PALESTINIAN - HELD EAST JERUSALEM

ISAWIYAH VILLAGE

MOUNT SCOPUS

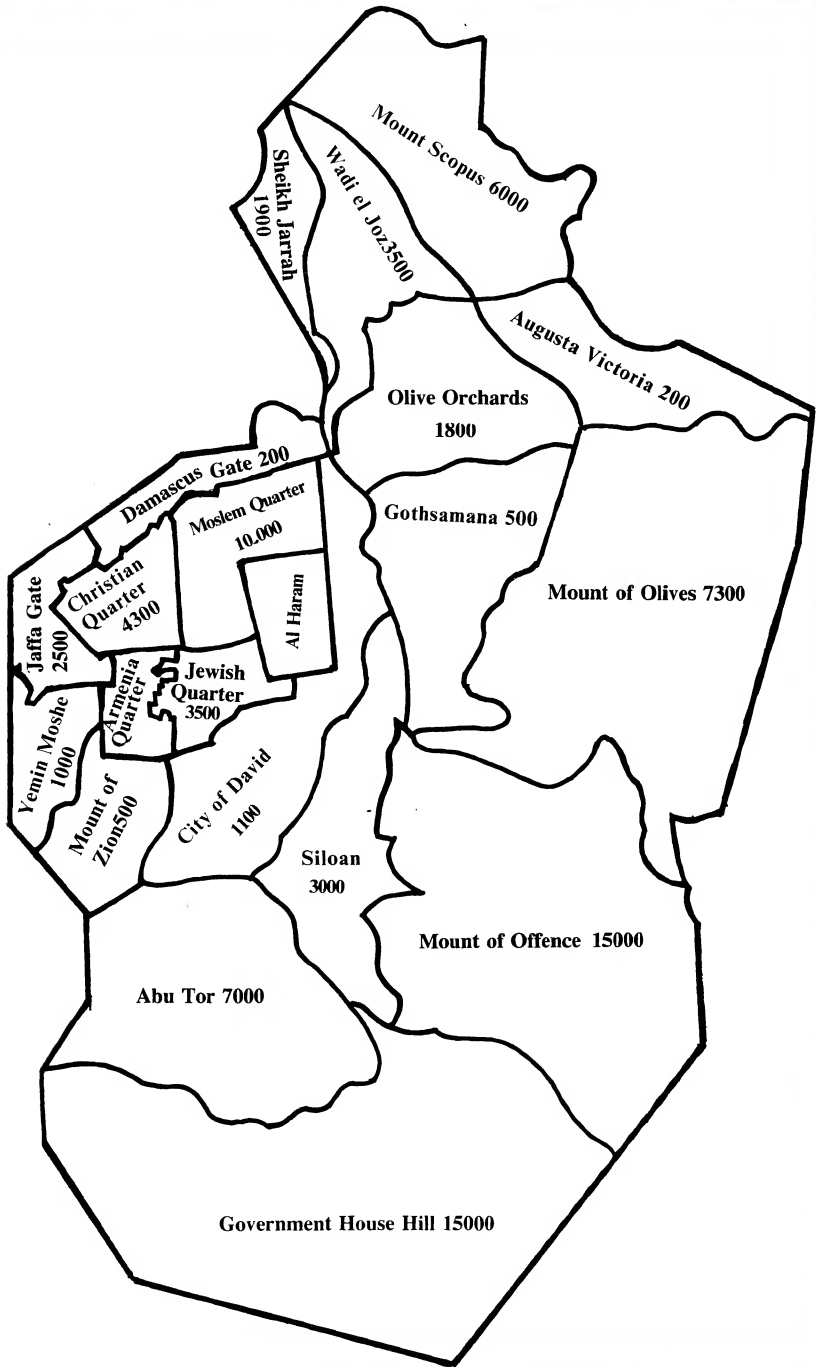
NO - MAN'S LAND



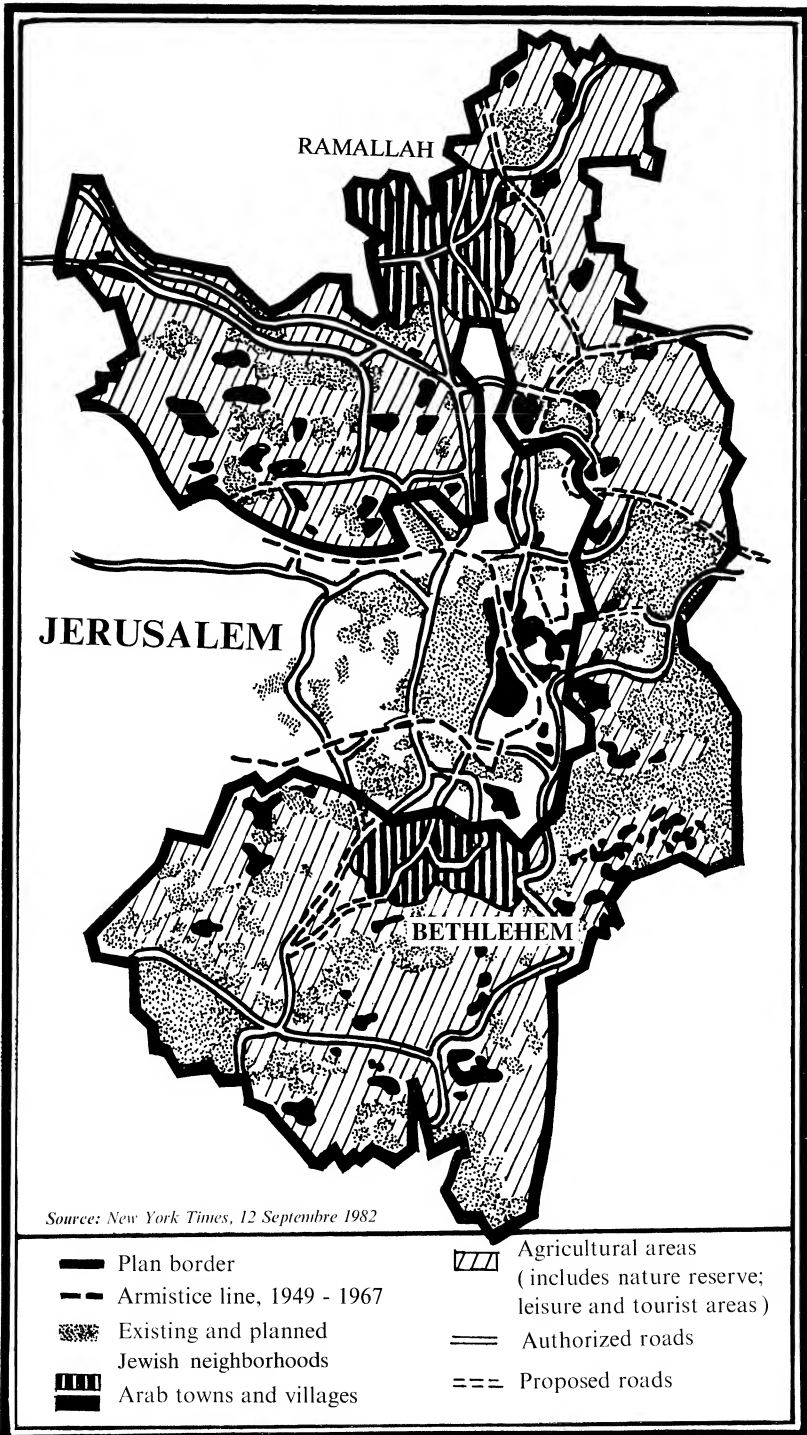
ARMISTICE LINE



JERUSALEM IN 1949



THE ISRAELI PLAN FOR JERUSALEM — 1973



Source: *New York Times*, 12 Septembre 1982

- |       |  |     |   |
|-------|--|-----|---|
| —     | Plan border                                  | ▨   | Agricultural areas<br>( includes nature reserve;<br>leisure and tourist areas ) |
| - - - | Armistice line, 1949 - 1967                  | ==  | Authorized roads  |
| ▨     | Existing and planned<br>Jewish neighborhoods | === | Proposed roads  |
| ■     | Arab towns and villages                      |     |   |

THE ISRAELI PLAN FOR JERUSALEM — 1982



# CHAPTER / 6



---

# ATTITUDES OF ISRAELI SOCIO - ECONOMIC FORCES TOWARDS THE QUESTION OF SETTLEMENTS

By

**Edward WITTEN \***  
*Department of Physics  
Princeton University  
U. S. A.*



## **Panel IV**

**Chairman : Dr. John Davis**

## **Introduction**

**B**roadly speaking, there have been three major periods in the development of Israeli policy concerning settlements in the occupied Arab territories. First was the period in which the labor Party defined the framework and ideological

---

*\* Dr. Witten received his Ph. D. in Physics from Princeton University and has been a professor of Physics at Princeton since 1980.*

*He received a MacArthur Prize Fellowship in 1982 and was elected to the American Academy of Arts and Sciences in 1984.*

*He is a member of the Executive Board of the American-Israeli Council For Israeli - Palestinian Peace. His articles on the Middle East Conflict have appeared in **Ha'aretz**, **New Outlook**, and leading U.S. newspapers.*

basis of the settlement policy. This period, which lasted from 1967 until about 1974, can be symbolized by the Allon Plan, named after Yigal Allon, a major Labor Party leader in the period. According to the Allon Plan, settlement efforts were to be concentrated in the Jerusalem area, the Golan Heights, and in certain parts of Sinai ( Sharm ash-Sheikh and the area near Gaza ) and the West Bank ( the Etzion Bloc, areas near Jerusalem, and the Jordan Valley ). It was claimed that – with the exception of Jerusalem – these were areas of strategic importance, and that Israel was prepared to return other areas on the basis of a peace settlement with the Arabs.

There always were in Israel prominent critics of the Allon Plan, although in this period the critics were unable to attract a broad and committed political constituency. The critics ( such as Arie Eliav, Secretary-General of the Labor Party, who left it because of his views on this issue ) believed that the Labor Party was in fact embarked on a rather open-ended policy of settlement building, which had taken priority over the quest for an agreement with the Arabs. They believed that the military significance of the Allon Plan settlements was highly overrated. Moreover, some key Labor Party decisions were hard to justify even under the loose guidelines of the Allon Plan. Such was the decision in 1968 to build Kiryat Arba, a Jewish town near Hebron which soon became a center of extremism and vigilante action.

Probably the Labor Party leaders of this period little anticipated that they were paving the way for the rise of Gush Emunim ( Bloc of the Faithful ), the religious-nationalist movement which advocates « the right of Jews to settle in all parts of the Land of Israel ». From about 1974 to 1980 it was the « pioneering » activities of the Gush which led the way and defined the ideology, in settlement activities. Dozens of new settlements were established throughout the West Bank. This began even when the Labor Party was still in power. Even though the Labor Party was formally opposed to settlement activities beyond the ambiguous limits of the Allon Plan, the Labor Government was divided, and with persistence and determination Gush Emunim was always able eventually to gain government sanction for its activities. Of course, the activities of the Gush received a big boost when the Likud came to power in 1977.

It is important to realize that the successes of the Gush, especially during the years when the Labor Party was still in power, came about not because of strong public support for its activities but because of the absence of an effective counterweight. Few Israelis shared the Gush ideology, but even fewer saw a good reason to oppose it actively. Rightly or wrongly, the great majority of Israelis believed in this period that « there is no one to talk to, no way to make peace with the Arabs regardless of what Israel might do. Only with the Sadat trip to Jerusalem was there a real change in this attitude and the rise of the Peace Now movement. By then the Likud was in power. When Labor

had been in power before 1977 there had been no Peace Now movement to stiffen the spines of Labor Party moderates.

The Third phase in settlement policy began around 1980. Sinai had been returned to Egypt, and more than ever the focus was on the West Bank. Dozens of Gush Emunim settlements had been established throughout the West Bank, but there seemed to be only about ten or twenty thousand Israelis with the requisite ideology and « pioneering » zeal to live in them. At the same time, there was in Israel an acute shortage of housing, particularly a scarcity of apartments for newly married young couples. Yigal Horowitz, the second finance minister of the Likud government ( he later broke away to found a centrist party ), announced that the two problems would be solved together. Subsidized housing would be built — in the occupied territories. There would be favorable mortgages for young couples — if they went to live in West Bank settlements. Where Gush Emunim had built dozens of small settlements in places of historical significance, the new emphasis was on building new cities, or suburbs, in the West Bank but within easy commuting distance of Jerusalem and Tel Aviv. The expectation was that if a large number of Israelis, lacking in ideological motivation, would settle in the West Bank for practical reasons, a « national consensus » for absorbing the West Bank in Israel would be created. To what extent this goal has been achieved or is likely to be achieved in the near future is a matter of intense debate in Israel, and a subject to which we will return later.

Broadly speaking, those in Israel who support a policy of annexing the Occupied Territories argue for this position on alleged security grounds and on the basis of religious-nationalistic considerations. Those who oppose the building of settlements and the annexation policy emphasize, to greater or lesser extents, what they see as the heavy cost or impracticality of the settlement policy, the injustice of this policy, and the importance for Israel's future of reaching a peaceful settlement of its conflict with the Arabs. In this paper, we will survey the spectrum of opinions in Israel on these questions. We will survey the major political forces: the extreme right; the Likud; the labor Party; the Peace Now movement; and the smaller but still significant protest movements. Then we will briefly summarize the role of two significant constituencies in Israel: the Sephardim ( or Jews originating from Middle Eastern and North African countries ); and the Arabs ( that is, the 600,000 Arabs who have Israeli citizenship ). We will conclude by sketching recent trends in Israeli attitudes concerning the Palestinian problem, and some of the factors that are likely to influence this thinking in the future.

### *The Settlers' Movement and its Allies*

Many liberal-minded Israelis did not take Gush Emunim seriously when it first appeared on the scene about fifteen years ago. This is so no longer.

«Ghush Emunim of the 1980's», one journalist reports, «is a powerful, professional, and well-financed operation... It is a far cry from the earnest groping of the new, dovish Netivot Shalom [ a religious peace organization ] or the amateur exuberance of Peace Now. The movement's wage bill along comes to around IS 5 million [about \$ 200,000] a year. Add to this Amana and its staff, the offices, the emissaries abroad, the expensively produced literature, and it can be seen that Gush Emunim is very big business. »<sup>1</sup>

In 1981, The Tehiya (« Revival ») party, an ideological partner of Gush Emunim, contested the Knesset elections for the first time. Tehiya won three seats; the three Tehiya MK's ( Knesset members ) were Yuval Ne'eman, a noted physicist; Hanan Porat, a long-time leader of Gush Emunim; and Geulah Cohen, a noted Likud leader who split away because of her opposition to the peace with Egypt. In the 1984 Knesset elections, Tehiya increased its strength to five seats ( and actually became the third largest party in the Knesset ) despite having to compete with two extreme lists that won Knesset representation for the first time: the new Morasha party ( two seats ) and the even more extreme Kach movement of Meir Kahana ( one seat ).

The Gush Emunim outlook is well summarized by their attitude about Lebanon. In an interview published in November, 1983<sup>2</sup>, Hanan Porat said, «Gush Emunim views the Lebanon war as a holy war, and... we should therefore thank God and the Israel Defense Forces for bringing about this righteous war of defense and liberating the lands of Asher and Naftali. Undeniably, what is in question is the land of our forefathers, and we must be alive to the historical fact that the northern part of the Land of Israel cannot be determined arbitrarily by the 1947 partition borders, or even by the borders of the 1948 Armistice, but that we have a historic link with southern Lebanon just as we have with Gilead and the whole of Transjordan. » He went on to say, « We have a historic continuity in Judea and Samaria. As for the south of Lebanon – or, more correctly, Northern Galilee – we are now taking the first steps in creating a consciousness and in educating the nation of Israel ». When asked whether he favored building settlements in southern Lebanon, Porat answered, « if during this period we foster national awareness of our link with those parts of the country, that awareness can be given expression in other ways too » .

Southern Lebanon is not the only area to which this kind of thinking can be applied. In a recent radio news bulletin, Geulah Cohen was quoted as saying that « we may have to invade Jordan. And, she said, “ we will come to Amman not as strangers . Of course not. After all, as everyone knows, we really “ own ” Jordan »<sup>3</sup>.

According to Rafael Eitan, who was Chief of Staff of the Israeli armed forces during the invasion of Lebanon and was elected to the Knesset as a

Tehiya MK in 1984, « Only when we've been in Lebanon for six years will the people be able to make a proper comparison with the six years the Israel Defense Forces stayed on the banks of the Suez Canal »<sup>4</sup>. Since leaving the army and entering politics, Eitan has stressed the importance of taking away voting rights from the 600,000 Arabs who have Israeli citizenship.

That latter point touches on a question which is often addressed to Israelis who favor annexing the Occupied Territories : the demographic problem. Zvi Shiloah, who entered the Knesset as a Tehiyah MK in 1984, has this to say about the problem:<sup>5</sup> « I advocate a transfer ( of population ). The difference between Meir Kahane [ who advocates expelling the Arabs from Israel and the Occupied Territories and was elected to the Knesset in 1984 ] and myself is that I am speaking of a transfer with Arab and international agreement ..... Under normal conditions expulsion is not feasible, so Kahane's call to expel the Arabs isn't practical. A transfer isn't such a terrible thing. After all, how far is Nazareth from Damascus?... If, for example, the Jordan River bridges were to be closed, I am sure the process of emptying the West Bank would be immeasurably speeded up. The Arabs of Israel? There we have a knotty problem. Perhaps things could be left to develop naturally until matters reach a point of confrontation where it would no longer be worth their while to stay on. But we are a liberal state. Maybe that's not such a good thing, but that's the Jewish character. »

Interestingly, Shiloah considers the emergence of Peace Now to be « the greatest national disaster we have had in the history of Zionism... If people start to regard the fallen victim as a matter for incitement and asking when it will all end – when we know it will never end – we will find ourselves in a situation in which we cannot stand firm... There is no immediate way to dispose of Peace Now. To ban them is impossible. All you can do is struggle. Peace Now is the disaster. Once there were obscure movements – Rakah, Matzpen. They were beyond the pale. There was no danger. Now, they too have received legitimization... ' Better peace than the whole Land of Israel' [ the Peace Now slogan]. Think about it: peace is more important than the homeland. That's how all the doubts arise.... »

Needless to say, many Israelis have been disturbed and deeply offended by the emergence to prominence of views such as these. According to Ephraim Urbach, President of the Israel Academy of Sciences and the Humanities<sup>6</sup>, « Although I am far from subscribing to the views of the advocates of Greater Israel and Gush Emunim... what provokes my deepest opposition is their totalitarian orientation. This derives from a pronouncedly chauvinistic approach which has the effrontery to wrap itself in a religious mantle. They talk as though they alone know the intentions of Divine Providence, whose instruments they are. They hold themselves to be above the law, asserting that any law not consistent with their viewpoint may be disregarded... »

The settlers' movement and its allies suffered a setback in the spring of 1984 when the Israeli police uncovered a Jewish terrorist organization operating in the Occupied Territories; several dozens of its members were arrested. It turned out that this organization had been responsible for a whole series of terrorist activities, including bombing attacks in 1980 on elected mayors of the West Bank towns and an attack in 1982 on students of the Islamic seminary in Hebron. When arrested they were about to carry out a bombing attack on five Arab buses in Jerusalem; and according to the Israeli police, an attack on the Islamic holy places in Jerusalem was in the planning stages.

It soon became clear that the arrested members of the terrorist group were prominent members of Gush Emunim and the settlers' movement. Rabbi Israel Ariel, a leader of the settlers' movement ( he headed the movement against Israeli withdrawal from Yamit in Sinai ) said, « They arrested the cream of the settlements in Judea and Samaria... the pioneers. »<sup>7</sup> A similar view was expressed by Deputy Knesset Speaker Meir Cohen Avidov ( of the Likud ): « My heart goes out to the detainees. These boys are the pride of Israel. They are the best »<sup>8</sup>. Rabbi Moshe Levinger, regarded as the « spiritual leader » of Kiryat Arba, refused to condemn the terrorists, and MK Yuval Ne'eman created a furor by seeming to justify the 1980 bombing attacks on the West Bank mayors<sup>9</sup>.

The Peace Now movement had this to say about the Jewish terrorist underground: « We have been warning for years about Jewish terror and the soil for its growth. For years we have demanded to restrain the armed settlers and to put an end to the establishment of the settlements. The Jewish terrorist movement is not a deviation or a coincidence. It is the price of Greater Israel, it is the bitter fruit of fanatical nationalist ideology, ideology of power. The settlements – the seeds of expropriation – become the hothouse of terror... It is our choice: A vicious circle of nationalism, terror, and violence or a state living in peace and coexistence with its neighbors and with itself»<sup>10</sup>.

Although the arrest of the Jewish terrorist underground shocked many Israelis, the fact is that certain elements among the West Bank settlers had for years been involved in violent and vigilante-style actions against the Arab natives. In July, 1980, 14 senior Israeli Jurists submitted to the Attorney-General a memorandum on uninvestigated and unreported violent attacks by West Bank settlers. The following year, Prime minister Begin gave approval to appoint a commission, headed by Deputy Attorney General Yehudit Karp, to investigate the charges. In May, 1982, this team published a report, which was not acted on and not published. Finally, after the report was leaked to the press, the government authorized it to be published on February 7, 1984. According to the Israeli daily *Yediot Aharonot*, « The report examines more than 70 cases of lawbreaking, 15 of them in great detail, and from its findings and conclusions an alarming picture emerges of lawbreaking, of defects in

police investigation, of refusal by the Jewish inhabitants [ settlers ] to cooperate with the police and of involvement by the military administration in attempting to disrupt investigations against Jews.»<sup>11</sup> Among cases investigated by the Karp Commission were the murder of a boy at the village Bani-Na-im in March, 1982, the murder of a girl in the village of El-Arub, the uprooting by settlers of Arab-owned olive trees in the village of Kadum, and the breaking into Arab-owned shops by settlers in Hebron in what the settlers claimed was a « Purim party ».

### *The Likud*

On election night, in 1977, when the Likud first came to power, Menahem Begin promised at the Likud victory celebration that there would be «many Elon Moreh's» (an allusion to a controversial Gush Emunim settlement on the West Bank). He also announced, at that time, that after retiring he planned to go and live in Yamit – a settlement built by the Labor Party in the northeastern corner of Sinai, near Gaza.

The big surprise about Begin's first term was that, far from planning a retirement home in Yamit, he reached an agreement to return the Sinai, including Yamit, to Egypt. However, hopes – or fears – that he would also lay the groundwork for a peaceful settlement with the Palestinians proved unwarranted\*. During Begin's seven years in power, the promise of « many Elon Moreh's » was abundantly kept. Funds were poured into West Bank settlements despite all the economic problems Israel faced. The Likud Finance Minister, Yoram Aridor, stated in 1983 that « when inflation and the cost of living index are historical memories, Judea and Samaria will be ours »<sup>12</sup>. When Menahem Begin retired, his successor, Prime Minister Yitzhak Shamir, called the West Bank settlement effort a « sacred work » which « we cannot postpone »<sup>13</sup>. The Likud government seemed to view the withdrawal from Sinai as a strategic retreat which would help make possible the consolidation of Israel's control over the West Bank.

Under the heading, « The Right of the Jewish People to the Land of Israel » the Likud election platform states<sup>14</sup>.

- ( 1 ) The right of the Jewish people to the Land of Israel is an eternal right, it cannot be challenged, and it is inherent in our right to security and peace.
- ( 2 ) The State of Israel has the right to demand sovereignty over Judea, Samaria, and the Gaza Strip; at the end of the Transition period that was determined by the Camp David Accords, Israel will put forth this demand and act to realize this right.
- ( 3 ) Any plan which involves the return of any part of Western Land

of Israel\* to foreign rule, such as the [ Labor ] Alignment's plan, undermines our right to the land, it inevitably leads to the establishment of a " Palestinian " state, it damages the security of the civilian population, it endangers the existence of the State of Israel, and it eliminates any possibility of peace.

(4) The autonomy arrangements that were agreed upon at Camp David are the guarantee that under no condition will a ' Palestinian ' state arise on the territory of the Western Land of Israel.

The Likud platform goes on to boast of the achievements in building settlements. « In Judea and Samaria, fifty-five new settlements have been established; in the Galilee, fifty-five outposts and settlements; in the Golan Heights, five settlements have been established; in the Gaza Strip, six settlements; in the Arava, five settlements; in the Basor region, ten settlements; at the foothills of Mt. Hebron and the Negev Heights, eight settlements... » Notice that in that list, no distinction is made between settlements within the pre-1967 borders of Israel ( such as Galilee ) and settlements in the Occupied Territories ( West Bank, Gaza, and the Golan Heights ). This of course reflects the Likud policy of blurring the distinction between Israel and the Occupied Territories.

As was noted in the introduction to this paper, the Likud changed its approach to build large, quasi-urban settlements in the Occupied Territories, hoping that an offer of subsidized housing could attract masses of Israelis lacking ideological motivation to live in the West Bank. The long term goal was to establish such massive Israeli civilian presence in the West Bank that any future Labor government would find withdrawal from that area impractical. To what extent was this goal achieved?

In 1982-84, officials of the Likud-dominated government regularly announced that the number of Israeli settlers in the West Bank was rapidly increasing, and that their goals were nearing achievement. Some longtime opponents of the annexation policy reached the reluctant conclusion that this was so; one such person was Meron Benvenisti, the former deputy mayor of Jerusalem. But other observers painted a different picture. The dovish daily Al Hamishmar made this comment about the Likud effort to promote private Israeli home construction in the West Bank : « the great population movement across the green line [ separating Israel from the Occupied Territories ] simply did not take place. A few hundred families reached the stage of actual buying; most took an interest, had a look, shrugged their shoulders, and returned to their small apartments in small, but safe Israel. The first massive attempt at Jewish migration from the state of Israel across the green line, which was accompanied by much official fanfare, fell flat on its face... As a result private home construction has stopped in Judea and Samaria, contracting firms are

now on the verge of bankruptcy, and many citizens have discovered that they have been duped into buying land not owned by the selling companies... The main lesson... is not budgetary or economic, but rather political. It exposes the nation's real stand toward the administered territories; it continues to consider them, despite all the propaganda and indoctrination, and despite all the economic lures, "held ( in abeyance )" and therefore open to negotiation and return»<sup>15</sup>. In 1984, economic problems that forced even the Likud to squeeze the settlement budget, and elections that significantly weakened the Likud position, made this latter view seem realistic.

### *Labor*

For the foreseeable future, the Likud or the Labor Alignment – alone or in coalition – is likely to dominate any Israeli government. In view of the Likud outlook just summarized, it seems likely that if there is to be progress towards a peaceful settlement of the conflict between Israelis and Palestinians, it will occur under a Labor government.

The Labor governments prior to 1977 were responsible for the first settlements in the Occupied Territories. « It should be remembered » according to the Peace Now movement, « that Labor has made its own modest contribution to the process of creeping annexation of the West Bank both when in power ( the creation of settlements in the densely populated Arab areas of Kiryat Arba-Hebron and Nablus-Elon Moreh ) and out of power ( Histadrut is continuing participation in building a West Bank settlement infrastructure )<sup>16</sup> ». ( The Histadrut is the Israeli trade union organization, dominated by the Labor Party ). It is therefore most important to ask to what extent the outlook of the Labor Party changed during its long years in the political wilderness.

This matter is difficult to assess. There have been in fact a number of indications of new winds blowing in Labor. For instance, Mapam (the left wing of the Labor Alignment ) had a strong and active hawkish wing prior to 1977. In the Likud years, that wing went into eclipse, and Mapam emerged as a clearly peace-oriented party ( which in fact refused to enter the « national unity » government formed in 1984 ). Over the years the Labor party doves have seemed to become more numerous and more outspoken in advocating a solution to the Israeli-Palestinian problem that will include Palestinian self-determination in the Occupied Territories. There is a general impression that their views are much closer than in the past to being accepted by the mainstream of the Labor Party.

No doubt several factors contributed to shifting attitudes in the Labor Party during its years in opposition. When Begin came to power and proved more flexible vis-a-vis Egypt than the Labor Party had been, many in Labor

must have felt cause for regret. Many in Labor must also have come to feel that their party's settlement policies prior to 1977 were partly responsible for the growth of extremism in Israel, and proved much more costly to Israel than they had imagined. It may be, as well, that evolving attitudes in the Labor Party were influenced by what was perceived as a growing willingness among Arabs ( other than Egypt ) to eventually negotiate peace with Israel.

Though it is widely perceived that the center of gravity in the Labor Party has shifted, the official Labor platform<sup>14</sup> in the 1984 elections was similar to Labor platforms in previous years. The platform states that Israel will not talk with Palestinian organizations « which reject the national character of the Jewish people or use terrorist methods » but should be prepared to talk peace with Jordan and « with Palestinian individuals and other elements who recognize Israel and reject terrorism ». While advocating « territorial compromise », the Labor platform advocates seeking a peace agreement in which certain areas will be incorporated in Israel ( the Jordan Valley, the Etzion bloc, the environs of Jerusalem, the southern Gaza Strip, and part of the Golan Heights; essentially, the areas where Labor built settlements prior to 1977 ). The « territorial compromise » is to involve the turning over to a Jordanian-Palestinian framework of « well-defined, densely populated areas in Judea, Samaria, and Gaza ».

Here are some significant statements by Labor Party doves. In 1983, the majority of Labor Party Knesset members ( and a few from other parties ) signed a statement calling for a settlement freeze. The appeal was sponsored by the International Center for Peace in the Middle East ( an umbrella organization of the doves inside and outside of Labor ). It read<sup>17</sup>:

We the undersigned, who differ in our views concerning a solution to the Israeli-Palestinian conflict, are united in regarding the settlement policy of the present Israeli government as dangerous to the security and future of the State of Israel,

That settlement policy:

- endangers the security of Israel, contributes to a perpetuation of the conflict and a vicious circle of violence and counter-violence, of suffering, repression, and bloodshed;
- will frustrate any prospect of arriving at a peaceful solution to the conflict...
- runs counter to Israel's character as a democratic Jewish state;

- diverts resources from vital sectors such as economic development...;
- corrupts the soul of the people of Israel...
- isolates Israel from the democratic community and alienates the Jews of the Diaspora.

We call upon the government of Israel to put an end to this ruinous policy, to halt the building of new settlements, to remove this obstacle to the peace process, and to encourage negotiations towards a solution which will ensure the security of Israel without negating the rights of other peoples.

In February 1984, five Israeli Knesset members, mainly from Labor, and a number of prominent Palestinians, participated in an Israeli-Palestinian symposium at Harvard University. (Two of the Labor MK's who participated, Aharon Harel and Yosi Sarid, are considered rather close to the party leader, Shimon Peres. However, Sarid split from Labor rather than join the Labor-Likud coalition that formed in September, 1984.) Yosi Sarid made a speech summarizing the views of the five Israelis<sup>18</sup>: « We, the moderates, must deliver the two nations from the vicious circle of **just claims**. Each side has its just claims, by means of which it wishes to place all the fault on the other side... In order to put an end to this argument once and for all, we must strive towards a **real** resolution of the Palestinian problem. The pivotal point is — **mutual and simultaneous recognition of the right to self-determination of the two nations**. The Jewish people, settled in Zion, will recognize the right of the Palestinian Arab people to self-determination; the Palestinian Arab people, for its part, will recognize the right of the Jewish people to self-determination in its homeland ». Sarid stressed that the five Knesset members for whom he spoke favored the Palestinian right to self-determination even if this would result in the Palestinians choosing to establish an independent state.

The 1984 elections were a disappointment to the Labor Party doves, who had hoped Labor would win a clear mandate and embark on a new policy. Only time will tell whether, from their point of view, the 1984 election returns represent a cup that is half full (major decline of the Likud and strengthening of the peace camp) or half empty (failure of Labor to win a mandate even though the elections were held on the heels of a disastrous Likud war in Lebanon and in the midst of severe economic difficulties).

### *Peace Now*

There always were peace movements in Israel, but prior to the rise of Peace Now none of them were able to mobilize a significant political force. The single event that changed this was Anwar Sadat's trip to Jerusalem in

November, 1977. Rightly or wrongly, whatever other observers may feel, the fact is that before November, 1977 the great majority of Israelis felt that peace was impossible whatever Israel might do. Whatever other consequences it had, the Sadat trip to Jerusalem was the event that persuaded masses of Israelis that peace, at least with Egypt, could be possible if Israel were willing to make certain safe, necessary, and reasonable concessions. The rise of Peace Now was a consequence.

At the outset, the Peace Now movement concerned itself almost entirely with peace with Egypt. The overwhelming reason for this was that the response to Sadat of the other Arab countries and the PLO convinced most Israelis that, at that time, peace was possible with Egypt only. Only gradually did Peace Now come to address the Palestinian problem.

The first major demonstration by Peace Now against settlement on the West Bank was a rally of 40,000 on June 16, 1979. In the spring of 1982, Peace Now conducted a massive campaign of protest against the wave of violence and repression then underway in the West Bank. In September 1982, Peace Now rallied 400,000 Israelis ( 20 % of the adult population of the state ) in protest over the government's support for Lebanese elements who carried out the Sabra and Shatila massacre. This was by far the largest demonstration in Israeli history.

The position of the Peace Now movement concerning West Bank settlements is as follows<sup>19</sup>: « A moratorium should be placed on any further settlement and expropriation of land in the West Bank. The settlers, some of whom contribute significantly to the spread of hatred, violence, and friction, should be restrained. The restrictions placed upon the Arab population shall be removed, except for those limitations which are clearly required for security reasons. The right of these residents to manage their own affairs and to maintain their institutions should be preserved... All resources currently channeled towards settlements in the West Bank should be redirected towards solving the problems of the social gap and of deprivation within Israel ».

On the principles for a peace settlement with the Palestinians, Peace Now advocates the following: « ... The existence of two peoples on this land necessitates partition as the basis for any compromise solution... The peoples of the region, including the Palestinians, should recognize Israel's right to sovereign existence within secure and agreed-upon borders... Israel should recognize the right of the Palestinians to a national existence, which will be realized in a manner to be agreed upon by the parties concerned... Security has many aspects; the security requirements of Israel need not coincide with permanent sovereign borders.... Within its boundaries as one city, proper expression should be given to Jerusalem's unique status in the Moslem and Christian worlds, as well as to the national affinity of its Arab residents. »

Peace Now has refrained from entering a list of its own in Knesset elections, believing that it is more effective as a non-partisan organization. Probably the largest single group of Peace Now supporters voted for the Labor Party in the 1984 elections. Many others voted for the small peace parties, such as Ratz, Shinui, and the Progressive List for Peace, which won a total of eight seats. One prominent activist of Peace Now, Mordechai Bar-On, was elected to the Knesset in 1984 on the Ratz slate. Bar-On, formerly the chief education officer of the Israeli army, toured the U.S. in the spring of 1984 with Mohammed Milhem, one of the Palestinian mayors who was deported from the West Bank in 1981.<sup>20</sup>

Palestinians in the Occupied Territories have been reluctant to work actively and openly with Peace Now. Many Israelis believe that joint efforts of Peace Now with Palestinians, if possible in the future, could greatly increase the credibility and effectiveness of the Peace Now organization.

### *Other Peace Groups*

Although Peace Now is the largest grouping of the Israeli Peace movement, other groups have played an important role.

The Israeli Council for Israeli-Palestinian Peace is a grouping of Israeli public figures who have argued for years that it is in Israel's interest to seek a solution of the Israeli-Palestinian conflict based on the idea of « two peoples, two states » – self-determination for both Israelis and Palestinians. Some prominent leaders of the Council are Uri Avnery (editor of the mass circulation weekly *Ha'Olam Ha'Zeh* ), Maj. Gen. Matti Peled ( Res. ), and Ya'akov Arnon ( former Director-General of the Israeli Finance Ministry ). Matti Peled was elected to the Knesset in 1984 on the slate of the Progressive List for Peace ( which attracted many Arab as well as Jewish votes, as we will discuss later ).

The militant wing of the Israeli peace movement, which traditionally was fragmented, has become united in recent years in the form of the Israeli Committee for Solidarity with Bir Zeit University. While Peace Now is almost entirely a Jewish organization, the Committee is a collaborative effort of Israeli Jews and Arabs. According to its platform, the committee « favors a peaceful solution of the Israeli-Palestinian conflict, which is the heart of the conflict between Israel and the Arab countries, through the establishment of an independent, sovereign Palestinian state alongside Israel. Such a solution, which can lead to an end of the occupation, can be reached only after a fundamental transformation of Israeli policy, the renunciation of any designs for annexation of territories conquered in the June 1967 war and willingness to negotiate with the authorized representatives of the Palestinians, the PLO. »<sup>21</sup> This goes well beyond the Peace Now platform, though actually

Peace Now represents a broad spectrum of opinion and many Peace Now activists hold views similar to those of the Committee.

On various occasions, the Committee has played a crucial role in raising issues that Peace Now was reluctant to raise for fear of alienating part of its constituency. For instance, in the spring of 1982, during a wave of violence and repression in the Occupied Territories, it was the Committee that led the way in organizing a protest campaign. The Committee was able to mobilize large numbers of Israelis to protest against the government's policies in the Occupied Territories. This enabled Peace Now to raise this issue ( very effectively ) without fear of leaving its followers behind.

In the early weeks of the Israeli invasion of Lebanon, this pattern was repeated. The Peace Now leadership did not wish to begin an open campaign of opposition to the war without being sure its followers would support this. ( A Peace Now protest campaign that failed to attract broad support would merely give the government a free hand to do as it wished. ) It was the Committee that led the way in opposing the war, leading to the first massive anti-war demonstration, a rally of 20,000 Israelis in Tel Aviv on June 26, 1982. This success made it clear that the time was ripe for a Peace Now campaign against the war in Lebanon.

In November, 1981, the Committee held a demonstration against the occupation in the main square of the West Bank town of Ramallah. It was broken up with tear gas by the Israeli army, and fifty demonstrators were arrested. This was the first ( but not the last ) time that tear gas was used by the army against Israeli peace demonstrators. Such events must have convinced many Palestinians in the Occupied Territories of the seriousness of the effort of the Israeli peace activists. Even so, active cooperation of Palestinians in the Occupied Territories with the committee has been slow to develop, although the trend is certainly in that direction. Development of such cooperation is likely to determine, to a large extent, the future effectiveness of the Committee. ( As was mentioned earlier, Palestinians of Israeli citizenship have always been an important component of the Committee. )

One other Israeli peace group deserves special mention. This is Yesh Gvul ( « There is a Limit » ). Yesh Gvul, which formed immediately after the invasion of Lebanon in June, 1982, is an organization of reserve soldiers who have refused to serve in Lebanon. So far more than one hundred and thirty of them have been sentenced to stockade ( usually for periods of three to six weeks ) for refusing to serve in Lebanon. Although most Yesh Gvul activists are strongly opposed to the annexation policy in the West Bank, so far Yesh Gvul has not addressed this issue directly. In 1983 a solidarity and fund-raising rally of Yesh Gvul attracted 20,000 Israelis.

## *The Sephardim*

We now turn our attention to the attitudes of two major social groups in Israel — the Sephardim ( Jews of Middle Eastern origin ), and the Arabs.

The Sephardim are about 55 % of the Jewish population of Israel. They have emerged in recent years as the backbone of the Likud. It is estimated that in recent elections 70 % of Labor voters were Jews of European origin while 65 - 70 % of Likud voters were Sephardim. This has occurred for a variety of reasons. Many Sephardim deeply resent their treatment by Labor governments that were in power when their families came to Israel. They feel that Labor despised them and their values, while the Likud gave a sense of respecting their traditional values. Many Sephardim have unhappy memories of the conditions under which their families left their Arab countries of birth in the 1950's and 1960's. Such memories often contribute to hawkish attitudes about the Arab-Israeli conflict:

In his recent book,<sup>22</sup> Amos Oz, a prominent Israeli writer and supporter of the Labor Party, interviewed a number of residents of the development town of Bet Shemesh ( mostly Jews of North African origin ). Here are some of the views he encountered. « Do [ the Arabs ] need territory? » one informant asked him. « Don't they have enough?... you think the Arabs want a state in the West Bank? They want to eat us alive — that's what they want. And Shimon Peres is willing to sell them the whole country, just as long as he gets back into power... Look at the Arabs, just look. Do they have anything like Peace Now? ».

«What's justice, anyway?» another informant asked Amos Oz. «There are ten, maybe twenty million Jews in the world. Don't they deserve a country hardly a quarter the size of Syria?. Don't the Arabs have enough countries? Let the Palestinians go and live in our houses in Morocco. Believe me, better than those shacks of theirs.... Let the Arabs from here go over there. Anyone who wants to. And anyone who wants to stay can stay. More power to them. Let them pay taxes, and work, and not throw stones ».

Another informant said: « Just like Begin brought us peace with Egypt, he'll bring us peace with all of them. In spite of the disgraceful way you [ Labor and Peace Now ] behave toward him and the country. Maybe he'll even let them have something in the West Bank. But he knows how to bargain. Starts high, not like Peres and Yossi Sarid, who call the Arabs, right from the start, to come and get it, for God's sake. End of season sale — for free. Begin bargains with them. He's in no hurry... »

To many Sephardi Jews in Israel's poorer neighborhoods, Peace Now is stereotyped as an elite group of Ashkenazi ( European ) Jews who care more about Arabs than about poor Oriental Jews. Needless to say, unless it can change this stereotype, Peace Now is unlikely to make much headway among

the Sephardim. Peace Now has therefore been working hard in the poor neighborhoods, trying to convey the idea that peace is the key to development of the poor areas. In recent years a number of small peace-oriented groups have emerged among the Sephardim, such as Shalom U'Mizrach ( Peace and the East ) and Meoravut ( Involvement ).

Ironically, like Peace Now, Gush Emunim has been a predominantly Ashkenazi movement. This fact has not hurt the Greater Israel movement as the alleged elitism of Peace Now has hurt the peace movement.

### *The Arabs*

Another important constituency in Israel are the 600,000 Arab citizens – about 15 % of the population of the country. Because the Arab population is young and rapidly growing, they are a smaller fraction of the voting age public, about 10 %. *Al Fajr* reported<sup>23</sup> that out of 288,000 registered Arab voters in Israel, about 210,000 voted in the 1984 elections. This was about 10 % of the 2.1 million votes cast.

In the 1984 elections, two slates campaigned largely for Arab votes. These were the ( Communist dominated ) Democratic Front for Peace and Equality and a new slate, the Progressive List for Peace. Their platforms on the Israeli-Palestinian conflict are similar ; both advocate Israeli withdrawal from the Occupied Territories and the establishment in those territories of a Palestinian state that will live in peace with Israel. Both advocate that the Israeli Arabs should seek to achieve full equal rights as loyal citizens of Israel. Despite their similar programs, the campaign between them was hotly contested. Leaders of the Democratic Front, which has traditionally claimed to be the sole representative of the Arabs in Israel, accused the Progressive List of splitting the Arab vote. Leaders of the Progressive List accused the Communists of being more concerned about ideology and party interests than with the issues of just peace and an end to discrimination against Arabs.

The campaign between the Democratic Front and the Progressive List heightened interest in the elections among Israeli Arabs. For the first time, the fraction of eligible Arab voters who went to the polls ( about 77 % ) was about the same as the fraction of eligible Jewish voters who voted. *Al Fajr* reported<sup>23</sup> that the Democratic Front won about 60,000 Arab votes in 1984 ( similar to its score in previous elections ); the Progressive List won about 30,000; about 50,000 Arab votes went to Labor; about 12,000 went to Shinui ( a small, peace-oriented party ); about 10,000 went to Likud; and the remainder went to other lists.

The potential influence of the Arab vote in Israel is considerable. The 210,000 Arab votes are not much less than the 250,000 votes cast in 1984 for the principal Israeli religious parties ( Mafdal, Agudat Israel, Shas, Morasha, and Tami ).

## *Trends and Prospects*

Recently, there has been a clear decline in Israel in the popularity of the settlements in the Occupied Territories. According to a poll published in **Ha'Aretz**, in October 1981, 58 % of Israelis were in favor of building more settlements in the Occupied Territories and only 29% opposed. In October, 1982 a new poll showed 48 % for more settlements and 34 % opposed, and by December, 1983 the figures were 37 % for more settlements and 48 % opposed.<sup>24</sup>

Polls have shown a similar trend in opinions about the invasion of Lebanon. In a series of polls the Dahaf Institute asked the question: « Considering all the aspects of the Lebanon war — the price Israel has paid and the results it has achieved — was it all in all right or wrong to start this war? »<sup>25</sup> In July, 1982, only 13% thought it was wrong to start the war; by December, 1982, 32 % thought the decision to start the war had been wrong; and by November, 1983, this figure had increased to 51 %,

There are several reasons for this shift in public opinion. The cost of the Lebanon war proved to be much greater than many Israelis had anticipated. By the fall of 1983, Israel had begun to experience a period of acute economic difficulties . These difficulties made the cost of building settlements in the West Bank seem much more burdensome. By the spring of 1984, a new factor contributed to the declining popularity of the settlements. This was the uncovering by the police of the Jewish terrorist underground. That event gave the settlements a well-earned image of violence and lawlessness in the eyes of much of the public.

Although these shifts in opinion are encouraging, they do not amount to a basic change in Israeli outlook concerning the Israeli - Palestinian conflict. The limits of the changes in Israeli opinion that have occurred are well illustrated by the fact that in its 1984 election campaign, the Labor Party declined to make a major issue of either the settlements or the Lebanon war.

To gain broader support for its views among the Israeli public, the Israeli peace movement must convince Israelis that — despite fears born in decades of war and violence — a policy aiming at compromise with the Arabs is realistic and is in Israel's interest. It must convince Israelis that peace is or might be possible, despite the fact that the Arab world is divided and reluctant ( except for Egypt ) to speak openly about peace with Israel.

Here are basic arguments available to the Israeli peace movement:

- ( 1 ) The demographic argument: Israel cannot absorb the Occupied Territories and remain a democratic, Jewish state.
- ( 2 ) The economic argument: the settlements in the Occupied Territories are a burden on Israel's resources.

- (3) The moral argument: It is unjust to rule indefinitely over the Palestinians.
- (4) The peace argument: The settlements are an obstacle to peace with the Arabs.

The demographic argument is extremely persuasive in Israel. It has always convinced a large number of Israelis that Israel must seek a territorial compromise and withdraw, eventually, from the bulk of the Occupied Territories. At the same time, it seems unlikely that this argument will be decisive by itself. The demographic argument has been around since 1967 and until now it has not been decisive in moulding Israeli opinion. Israeli political figures who support annexation are not afraid of the demographic argument. They are confident that, one way or another, they can bring about sufficient Arab emigration from the Occupied Territories to solve the demographic problem.

As for the economic argument, its effectiveness depends on what sort of economic conditions Israel will experience in the future. If keeping the West Bank would entail visible economic sacrifices, it is likely that support for the annexation policy would greatly diminish. Most Israelis, even if they like the idea of keeping the West Bank, do not like this idea enough that they would be willing to sacrifice for it. In the first six years of Likud government, such sacrifices did not seem necessary. Despite West Bank settlements and the war in Lebanon, living standards went steadily up – helped by foreign borrowing and U.S. aid. In the fall of 1983, Israel entered a period of economic crisis whose probable duration is difficult to estimate. If the crisis proves to be lasting, the cost of trying to keep the West Bank may come to seem much more tangible and the peace movement may find the economic argument much more effective than in the past.

As for the moral argument, the injustice of Israel's ruling over the Palestinians, this argument is acutely felt by many Israelis. But it, too, is unlikely to be decisive by itself. Few countries make major decisions on moral grounds alone. Unless they see a real, practical alternative, an alternative that is good for Israel, the majority of Israelis will continue to suppress whatever qualms they have about ruling over the West Bank. This means that, in practice, the moral question cannot be separated from the peace argument, the question of whether peace is possible.

The peace movement in Israel has always tried to argue that the settlements in the Occupied Territories are an obstacle to peace. But ultimately this is not a statement that can be proved like a geometrical theorem. In the end it is only the Arabs who can make it clear that Israeli control over the Occupied Territories is an obstacle to peace – a crucial obstacle whose removal would make peace possible between Israel and the Arabs. Some experts may consider

it obvious that peace would be possible if Israel were willing to give up the Occupied Territories , but this is far from clear to the average Israeli.

It is often claimed that the Arab League by adopting the Fez Plan, or the PLO endorsing the Brezhnev Plan, or various Palestinian leaders in various unofficial statements, have already made their intent for a peaceful settlement clear. Although this argument may be convincing for close observers of the problem, it is not convincing to the average person who is not a Middle East expert. This question arose recently in the course of a long interview with Willi Gafni published in the East Jerusalem newspaper *Al Fajr*<sup>26</sup>. Gafni is executive director of the International Center for Peace in the Middle East, an umbrella organization that encompasses much of the peace movement in Israel. In this interview, he said, « You have to be a political science scholar and an expert on all the documents to make the relation between the Brezhnev Plan, what was said in Rabat, and what was said in Fez. When we are dealing with a psychological problem, with changing public opinion, things have to be said simply, directly, and by the people who have power to say it. You cannot take an ordinary Israeli from Dimona or Kiryat Shemona and refer him to the Brezhnev Plan. This is too sophisticated and complex for him. What he wants to know is very simple. What does Arafat say. He will not be indirect. He wants to know what Arafat says, what Abu Jihad says, what Abu Iyad says, what Hawatmeh says... I would like to make a suggestion as an Israeli, if I may, to the Palestinians: dealing with a democratic society, an open society where public opinion is so important, the Palestinians should make a better presentation of their case to the Israelis because it takes an expert to understand what the Palestinians really mean, or most of them at least mean sincerely, to put an end to the conflict on the basis of a just and peaceful solution. But this has to be brought to Israeli public opinion and it will be wrong if this is done by Israelis. It has to be done by the Palestinians themselves » .

---

## REFERENCES

---

1 ) Daniel Gavron, *Jerusalem Post*, March 25, 1983, p. 8; quoted in ISRALEFT, April 8, 1983, p. 13. ( ISRALEFT, available at POB 9013, Jerusalem, Israel, is a biweekly digest of the Israeli press ).

2 ) Interview with Etty Ronal, *Al Hamishmar*, November 8, 1983 ( reprinted in the December 1983 issue of the *Press Briefs of the International Center for Peace in the Middle East*, 107 Hahashmonaim Street, Tel Aviv, Israel, 67011 ).

3 ) From an article by Reuven Albey, the *Jerusalem Post*, January 1, 1984.

4 ) Quoted in the North American newsletter of the Peace Now organization ( New York, June, 1984 ) p.3.

- 5 ) Interview with Gideon Levy, **Ha-Aretz**, March 23, 1984 ( reprinted in **ICPME Press Briefs**, April, 1984 ).
- 6 ) These comments were made in an address to Netivot Shalom and Oz Veshalom, two religious peace organizations. The address was published in **Yediot Aharonot**, June 13, 1984, and reprinted in the **ICPME Press Briefs**. July, 1984.
- 7 ) **Yediot Aharonot**, April 27, 1984, p. 1 ( reprinted in **ISRALEFT**, May 4, 1984 ).
- 8 ) Quoted in reference 4.
- 9 ) These events were reported by David Shipler, **The New York Times**, May 10, 1984, p. A6.
- 10 ) This statement was made in a paid ad in **Ha-Aretz**, May 25, 1984, p. 10.
- 11 ) **Yediot Aharonot**, February 8, 1984, p. 3.
- 12 ) Merle Thorpe, **Prescription for Conflict** ( Foundation for Middle East Peace, Washington D.C. 1984 ) p. 40.
- 13 ) *Ibid.*, p.23.
- 14 ) The campaign platforms of the leading Israeli parties were published in the dovish Israeli monthly **New Outlook** ( 107 Hahashmonain Street, Tel Aviv, Israel ), June- July 1984, pp. 24-30. The Likud platform quoted is that for the 1981 elections.
- 15 ) **Al Hamishmar**, February 28, 1984,p. 3.
- 16 ) Quoted in reference ( 4 ),p. 2.
- 17 ) **New Outlook**, August-September 1983,p.46.
- 18 ) Sarid's speech was published in many places, including the Israeli magazine **New outlook** ( March| April 1984 ); the East Jerusalem publication **Al-Fajr** ( April 20, 1984 ); and the **New York Times** ( March 9, 1984 ).
- 19 ) The quotations are from a document of the Peace Now movement published in 1982.
- 20 ) For a detailed report on the U.S. tour by Bar- On and Milhem, see the article by Ghassan Bishara in **Al-Fajr**, May 4, 1984, p. 5.
- 21 ) Quoted from a policy statement, dated February, 1983, of the Israeli Committee for Solidarity with Bir Zeit University ( POB 3742, Jerusalem, Israel ).
- 22 ) Amos Oz, **In The Land of Israel** ( Harcourt Brace Jovanovich, New York, 1983 ), pp. 25-48. The brief quotations given here do not do Justice to Oz's fascinating account of the attitudes he found in Bet Shemesh.
- 23 ) **Al-Fajr**, July 27, 1984,p.1.
- 24 ) Quoted in reference ( 12 ), p. 136.
- 25 ) **Koteret Rashit**, December 21, 1983,p. 16.
- 26 ) **Al Fajr**, April 13, 1984,p.8.

---

\* Some observers believe that there may have been opportunities for progress in resolving the Palestinian problem at an early stage of the process that eventually led to Camp David. In December, 1977, just after his trip to Jerusalem, Anwar Sadat invited the PLO and Israel to send representatives to Egypt for tripartite Egyptian-Israeli-Palestinian talks. We will never know what Mr. Begin would have done had the PLO accepted Sadat's invitation, because the PLO left Begin « off the hook » by rejecting it. Had the PLO accepted and Begin rejected Sadat's invitation for three way talks, it is likely that the Peace Now movement, which began to emerge early in 1978, would have developed very differently with a strong emphasis on the Palestinian problem from the beginning.

\* In this language, Transjordan is the Eastern Land of Israel.

---

# COMMENTARY ON Dr. WITTEN'S PAPER ATTITUDES OF ISRAELI SOCIO-ECO- NOMIC FORCES TOWARDS THE QUES- TION OF SETTLEMENTS

By

**Mark TESSLER \***  
*Prof. of Political Science  
University of Wisconsin  
U. S. A.*



Professor Witten's paper is extremely well-informed and provides an excellent basis for discussion. The present essay identifies questions raised by some of Witten's observations. It also introduces additional information about the views and strengths of political tendencies he describes.

A theme stressed in the introduction is that most Israelis believe there is no one to talk to about the Territories and, hence, no alternative to their

---

\* Dr. Tessler received his B.A. in International Studies from Case Western Reserve University in Cleveland, and his Ph. D. in Political Science from Northwestern University. He is presently a Professor of Political Science at the University of Wisconsin and a faculty associate with Universities Field Staff International.

Among his books, Dr. Tessler coauthored *Political Elites in Arab North Africa and Arab Oil: Impact on the Arab Countries and Global Implications*.

In Progress is his new work, *The Israeli-Palestinian Conflict*.

retention. This view is indeed widespread in Israel. Yet the reasons for such attitudes are not self-evident. The Arab world has in recent years given many indications of its willingness to embrace a two-state solution, but most Israelis, including those who favor withdrawal, retain deep doubts about Arab motives. They insist that (1) for every statement expressing Arab willingness to recognize Israel there is another indicating continuing rejectionism; (2) Arab expressions of peaceful intent are a propaganda ploy, designed to deceive Israel's Western allies; and (3) most Arabs view a two-state solution as temporary, acceptable on an interim basis until destruction of the Jewish state is achieved.

Israelis and Palestinians usually offer different explanations for the distrust of Arab motives one encounters in Israel. The former often stress the «bet-hedging» character of Arab pronouncements, arguing that most only **hint** at the willingness to recognize Israel and pull back from giving credible and unambiguous assurances. The latter sometimes offer psychological explanations. They suggest that Israelis do not believe the Palestinians would accept a two-state solution because they know what has been done to the Palestinians and, in their place, they themselves would be unwilling to make peace. Whether or not either explanation is satisfactory, it remains important to ask why most Israelis dismiss the signals that have come from the Arab world in recent years.

### *Gush Emunim*

A good picture of Gush Emunim emerges from Witten's paper. The opening quotation rightly stresses the movement's institutional and financial strength (pp.203-204). The dedication of its followers also deserves attention. Early settlements were populated by activists willing to live under harsh conditions for prolonged periods. The population of these communities was sometimes augmented by families who would «do duty» for weeks or even months at a settlement the movement was seeking to establish. Similar dedication was apparent among squatters at Yamit in Spring 1982. Although Gush Emunim is sometimes compared to Peace Now, supporters of the latter are rarely willing to back up their convictions by disrupting their lives in a similar fashion.

Four points may be added to Witten's account of the settler movement. First, as the name Gush Emunim indicates, the mainstream of the settler movement is religious as well as nationalist in character. Gush stands for Torah, as well as territory; it seeks adherents who will not only oppose withdrawal from the Land of Israel but who will work to deepen the religious character of Israel. The movement has had strong ties with the National Religious Party, and indeed the growing fusion of religious orthodoxy and militant nationalism has been a major contributor to divisions within the NRP. Religious arguments against territorial compromise also reveal the

connection between religion and nationalism within the settler movement. Most orthodox supporters of Gush Emunim believe that religious law forbids Jews from relinquishing any part of the Land of Israel. Some also believe settlement of the territories will hasten the coming of the Messiah. These elements follow in the tradition of Rabbi Y. H. Kook, who argued that political Zionism, however secular it may appear, is an instrument of the divine plan. They see in the victory of 1967 further evidence that God is restoring the Jewish people to its land.

Second, while many Israelis are deeply disturbed by Gush Emunim and its policies (p.7), public tolerance of the settler movement should not be underestimated. To some, Gush activists appear as pioneers in the tradition of early Zionists. It is not unusual to hear Israelis who oppose both its methods and goals express grudging admiration for Gush idealism and self-sacrifice. The extent of such views is impossible to determine, but many Israelis claim to be unhappy about present-day materialism and look with nostalgia to the pioneer spirit and sense of purpose that brought their parents to Palestine. The electoral strength of settlement-oriented political parties also demands attention in this context. With Tehiya now the third largest party in Israel, and eight Knesset seats occupied by parties to the right of Likud, it is difficult to view the movement as an aberration. Though still peripheral, it is becoming a more accepted and legitimate part of the Israeli political scene.

Third, there have been diverse reactions among Gush supporters to the recent discovery of a Jewish terrorist network. As Witten indicates, most in the settler movement defend the activities of Jewish terrorists. Some say such activities would be unnecessary if the government gave adequate support to settlers and were more vigorous in suppressing Palestinian resistance. Others condemn the government for prosecuting Jews accused of terrorism. One Kach Leader stated, for instance, that Syria's capture of Israeli soldiers in Lebanon in 1984 was divine retribution for the arrest of Jews advancing the cause of Zionism in Judea and Samaria. Nevertheless, other Gush supporters appear genuinely dismayed by the revelations about Jewish terrorism. For example, Shubert Spero, holder of the Stone chair of Jewish thought at Bar Han University, wrote that «grim forboding took hold of many of us who saw ourselves in the ideological camp of Gush Emunim... The discovery (of terrorist activities) has posed a very serious challenge to Gush Emunim and those who identify with its philosophy»<sup>1</sup>. Spero writes that it is a tragic distortion of Torah Judaism and religious Zionism to believe that there is any justification for the premeditated and indiscriminant killing and maiming of Arabs or for the destruction of Muslim religious institutions.

Fourth, supporters of the settler movement respond in diverse ways to questions about the future of Palestinians in the territories. Many hope a large number will eventually leave, and some state openly that Israel should

encourage this. Usually they stress economic incentives in this context, but some also speak about forced relocation. Others, however, claim that harmonious Arab-Jewish relations can be reconciled with retention of the territories. Some organize their thinking around the concept of autonomy, which they insist would mean real self-government for the Palestinians. Others say that any Palestinian willing to accept Israel's right to exist as a Jewish state should be granted full citizenship and permitted to seek representation in the Knesset. This is the position of Tehiya, and some insist it would be acceptable to most settlers. One recent observer was told « the settlers do not want an apartheid-like state. The accusation that they do is wrong ».<sup>2</sup>

The last two points reinforce the one preceding, making it less likely Gush Emunim will be seen as a lunatic fringe movement by mainstream Israelis.

### *Likud*

Likud's opponents offer many objections to the party's policies in the territories, explicitly raising the arguments Professor Witten summarizes in his conclusion. Often Likud's response appears unconvincing. Spokesmen respond to the demographic issue, for example, by saying that retention of the territories will stimulate Jewish immigration and that development under Israeli rule will reduce the birthrate among Palestinians. One suspects that most Israelis find such claims unconvincing and recognize that there is indeed a demographic challenge associated with retention of the territories.

But other claims may strike a more responsive chord among the Israeli public. Though criticized for defining autonomy in a way that empties the Camp David Accords of their intended content, and hence for favoring territory over peace, Likud spokesmen reply that their distinction between autonomy for land and autonomy for people was accepted by the Egyptians at Camp David. They say Egypt initially objected to the notion of autonomy for « the inhabitants » of the territories but eventually dropped its insistence that the reference to inhabitants be deleted. Thus, says Likud, it did not bargain in bad faith.

Likud also proposes that « Jordan is Palestine », arguing that ( 1 ) the East Bank is as much a part of Palestine as the land west of the river; ( 2 ) Hussein is an external ruler, whose imposition by the British does not change the historical or demographic character of the territory he rules; and ( 3 ) the bulk of the Jordanian population is Palestinian, even if many originally came from « western » Palestine. Likud adds that since this territory is also part of the historic Land of Israel, Israeli willingness to live alongside an Arab state on the East Bank by definition constitutes acceptance of territorial compromise and a two-state solution. Likud argues that creation of a Palestinian state between Israel and Jordan would actually amount to a three-state solution.

Since most Israelis who advocate withdrawal from the territories wish to see them linked to Jordan, they may not find Likud's thinking altogether unreasonable.

Likud argues further that Palestinians in the territories would accept autonomy under Israeli rule if only a rejectionist PLO did not intimidate the «moderate majority». This argument was used as partial justification for Israel's expanded operation in Lebanon; Israelis were told that defeating the PLO in Lebanon would bring peace to the West Bank and Gaza. This logic was also central to Likud's policies in the territories themselves. The creation of a civilian administration and village leagues, as well as suppression of Palestinian nationalist activities, were all accompanied by the assertion that most Palestinians are not unalterably opposed to the principles of Camp David (as interpreted by Likud) but rather are «terrorized» into opposition by the PLO. Many Israelis consider Likud's analysis accurate, despite evidence to the contrary offered by Palestinian resistance. One hears this view even among Israelis favoring territorial compromise. Thus, Likud has not only created facts, it may also have succeeded in justifying its actions with arguments that even many of its opponents take seriously.

The appeal of Likud's arguments was evident in the electoral campaign of 1984. Labor had been expected to emphasize territorial questions, including the inadequacy of Likud's response to the demographic issue, the failure of military victories in Lebanon to change the situation in the territories, and the contribution of settlement construction to Israel's economic crisis. Labor backed away from the issue, however, whereas Likud loudly proclaimed itself the «national camp» and sought to make the election a referendum on the territories. Both parties thus apparently concluded that the settlement issue favored Likud. Likud's unexpected strength in the balloting was not due entirely to an endorsement of its settlement policies. Nevertheless, given the party's vulnerability to criticism about Lebanon and the economy, it appears that this issue did indeed work to Likud's advantage.

Likud's support among Jews of Afro-Asian (and especially Moroccan) origin merits scrutiny. These Jews, who now comprise over half of Israel's Jewish population, give their votes overwhelmingly to Likud. Surveys show that they are also more hawkish in their attitudes toward Arabs than Jews of European origin. It is often assumed that this reflects abuse their families suffered at the hands of Arabs before migrating to Israel. In fact, however, the situation of Jews was reasonably favorable in at least some Arab countries<sup>3</sup>. Moreover, though Jews of North African origin frequently state that they don't trust Arabs because «we know from personal experience what Arabs are really like», it is not uncommon for them to add, when challenged, «well, actually, we were well off in Morocco... but then Moroccans are not like other Arabs».

Thus the hawkishness of North African and other Afro-Asian Jews may to a great extent result from other factors, some of which are also mentioned by Witten. Possibilities include (1) the desire of newcomers to demonstrate their patriotism; (2) a desire born of low socio-economic status to feel superior to another category of the population, in this case Israel's Arab citizens; and (3) a rejection of Labor's centrist policies because they consider that party, which was in power until 1977, responsible for their disadvantaged position. The last possibility is particularly important. Labor is also accused of blaming the victim, of calling these Jews «primitivim» and saying that their most important problem is their own backwardness. This suggests that Afro-Asian hawkishness might have been avoided, and that it could be moderated in the future if their cause is championed seriously by a party of the left.

### *Labor*

Israel's critics sometimes gloss over the important differences between Labor and Likud. These differences, which Professor Witten summarizes, are rooted in dissimilar interpretations of Zionism that go back sixty years. While the revisionist tradition from which Likud emerged has consistently emphasized territorial maximalism, Labor is heir to a legacy that has historically accepted the principle of territorial compromise. Labor Zionists have long considered revisionists irresponsible. They maintain that the quality of Jewish life in Palestine is more important than the amount of territory controlled <sup>4</sup>.

Nevertheless, one should not overestimate dovish tendencies within Labor. Witten suggests that Labor's doves have become more numerous and outspoken, but it is possible that they simply stand out more clearly because the mainstream of the party is shifting to the right. Labor's relative silence on the Palestine question during the 1984 election campaign disappointed the party's peace wing, regardless of whether or not this was a wise political strategy. Disappointment was much greater that Labor would subsequently join Likud in a national unity government, and especially that it would then compromise with Likud on the issue of settlements. The coalition agreement provides for five or six new settlements to be established in the next year <sup>5</sup>, less than the twenty-eight approved by the previous government but hardly the «freeze» Labor claims to advocate. In addition, many dovish elements within the Labor Party are in disarray. An example in Group 77, which fought for a settlement freeze and for Labor opposition to annexation of the Golan Heights. Further, as Witten notes, the coalition agreement drove Yossi Sarid, a political maverick and Labor's most visible dove, out of the party.

The coalition with Likud also split the fifteen years of Labor Alignment, based on the Labor Party and Mapam. The latter left the Alignment rather

than associate itself with Likud. Mapam MK Yair Tsaban stated in September that «creeping annexation will continue, but now Labor will be sharing the responsibility»<sup>6</sup>. This, too, suggests that doves are not ascendant in Labor and that the party's center of gravity may in fact be moving to the right.

Despite differences with Likud, Labor's attitude toward settlements is ambiguous. Further, its advocacy of territorial compromise stops far short of what most consider necessary for Israeli-Palestinian reconciliation – namely, in the context of a comprehensive settlement, Israel's **complete** withdrawal from the West Bank and Gaza and political arrangements for the territories determined by the Palestinians themselves.

With respect to settlements, Labor's call for a «freeze» is not usually taken to include the cessation of work on settlements presently under construction. Nor is a «thickening» of existing settlements precluded. Therefore, though there are important differences of opinion within Labor on these issues, many argue that the party actually advocates only a slowing in the *rate* of settlement construction and Jewish migration to the territories. Moreover, even if Labor's advocacy of a «freeze» is taken literally, the question of changing the status quo and removing the facts created by Likud remains. Labor says only that this is a subject for future negotiation.

Another consideration is that Israelis who vote Labor are not immune from the economic incentives Likud has offered to draw Jews to the territories. Settlements are increasingly populated not only by Gush activists but also by mainstream Israelis; and, therefore, supporters of Labor can be found in many new settlements. Sometimes they even constitute the bulk of the population, as in the new community of Ariel. Ariel was established by workers from the Israel Aircraft Industries in an area north of Ramallah that Labor has not in the past insisted on retaining. Another consideration is Histadruth involvement in the development of some settlements. All of this raises serious questions about the practical significance of Labor's call for a settlement freeze.

There are similar limitations associated with Labor's advocacy of territorial compromise. First, Labor opposes any change in the status of Jerusalem. Its position is not significantly different from that of Likud; there is virtually no Labor support for giving Palestinians more than administrative control over religious sites. Second, Labor favors retention of a significant amount of territory. The Allon Plan, the foundation of Labor's thinking, would leave Israel in control of approximately 30 % of the West Bank. Other options which Labor has discussed envision retaining even more territory.

Third, the party's view of the PLO is not significantly different from that of Likud and, accordingly, Labor strongly opposes creation of a Palestinian state. Any territory relinquished must, according to Labor, come under the

control of Jordan. An interesting indication of Labor's position is its ambivalence toward the Camp David accords. While strongly supporting peace with Egypt, Labor judged the framework concerning the territories to be fundamentally flawed from the Israeli point of view. Since it envisioned complete Israeli withdrawal and did not preclude creation of a Palestinian state, Labor did not wish to see it respected. Yet the party recognized that by emptying the agreement of its intended content the Begin government was jeopardizing peace with Egypt and inviting world condemnation. Thus, Labor spokesmen argued, Israelis at Camp David should have insisted on some other political formula.

These observations put into perspective the emphasis that Professor Witten places on dovish tendencies within Labor. These tendencies are present and they are significant. The center of ideological gravity in Labor is located well to the left of Likud. But Labor is nonetheless a centrist party and, equally important, the views of its supporters range broadly across the political spectrum. Hawkish elements are at least as numerous and influential as Laborites of the left, and the party's official position is both vague and limited with respect to the issues of settlement and territorial compromise.

### *Peace Now and Other Groups*

Though opposed to the creation of new settlements, other aspects of Peace Now's platform are deliberately vague. Its members do not agree about the desirability of a Palestinian state or contacts with the PLO, for example; and resolving these disagreements, in the view of Peace Now leaders, is less important than attracting as many adherents as possible. Peace Now does not favor peace at any price. The secure existence of Israel is a precondition for peace, although one of its publications adds that « territory is only one of the factors involved in Israel's security, and in Israel's present condition it is not the most important one »<sup>7</sup>.

As a heterogeneous and essentially informal movement of opinion, Peace Now's principal vehicles for exerting influence are speeches, articles, rallies, demonstrations, petitions and so forth. One important forum, though it is independent and predates the establishment of Peace Now, is *New Outlook* magazine. In addition, as Professor Witten reports ( p.18 ), the movement has been particularly effective in organizing large protest demonstrations. Peace Now has also sponsored international peace conferences attended by Israelis and Palestinians, such as the 1979 *New Outlook* symposium in Washington. Finally, many associated with the peace movement are active at the grass roots level. Activities include meetings with Palestinian intellectuals and assistance to Arab farmers whose property has been vandalized by settlers.

The influence of Peace Now is difficult to evaluate, although most observers

believe it is limited. Within formal institutions of government, most notably the Knesset, politicians of the left are few in number. Most are also politically marginal and, as a group, they have little impact on policy-making. More strength may exist at the grass-roots level, as Peace Now claims on the basis of its successful demonstrations. But here, too, many analysts are skeptical. While Peace Now is sometimes compared to Gush Emunim, as an analogous pressure group at the opposite end of the political spectrum, the peace movement, unlike Gush, lacks a cadre of full-time workers whose energies are dedicated exclusively to its cause. Most Peace Now supporters, while no less sincere, turn out for a meeting or rally only to return to their normal routines and have no further involvement with the movement for weeks.

As Witten notes, Peace Now spokesmen identify another obstacle to their effectiveness : the failure of Palestinians to work with the peace movement in Israel. They point out that Peace Now blossomed in the wake of Sadat's visit to Jerusalem then add that it would grow dramatically if similar moves toward reconciliation were made by Palestinians, and especially by the PLO. Alternatively, in the movement's own analysis, Peace Now will be considered irrelevant by much of the Israeli public so long as it is seen as participating in a dialogue without an interlocutor.

This analysis is at least partly correct, since most Israelis do indeed believe Palestinian leadership is uninterested in peace and compromise. Yet it may be inadequate. Although slightly dated, the 1979 *New Outlook* symposium featured a heated and instructive exchange on this issue. Simha Flapan, *New Outlook* editor-in-chief, used his opening remarks to call upon the PLO to change its Covenant. He stated that « **hints** of Palestinian moderation are not enough ». Similarly, Dedi Zucker, a Peace Now leader invited to Cairo by the Egyptian government, made an emotional speech in which he asked, « Are there Palestinians with whom we can talk? » and « Are there Palestinian proposals for solving the Middle East crisis that do not threaten the Jewish character of our state? »

Rebuttals to Flapan and Zucker were presented by Lova Eliav and Uri Avneri. They argued that (1) Palestinians are moving toward compromise, and patience and an understanding of their internal constraints are needed; (2) the PLO is the legitimate representative of the Palestinian people and, as such, its dialogue should be with the government of Israel, not the small and peripheral Israeli left; (3) as the conquering and occupying power, it is Israel, not the PLO, that must make the first move toward mutual recognition, and (4) Peace Now should not criticize Palestinians for being hesitant to « take risks for peace » when its own timidity includes avoidance of difficult decisions about platform, exclusion of Palestinians with PLO ties from its own symposium, and opposition to participation even by Israeli Arabs not affiliated with Zionist parties.

The «timidity» that characterizes the mainstream of Peace Now is a calculated attempt to reach out to the left and even the center of Labor, and observers disagree about whether this strategy is wise. The peace camp also needs to win support among other sectors of Israeli society. Witten raises important questions about the relationship of Peace Now to Jews of Afro-Asian origin. The movement has occasionally campaigned in the neighborhoods of these Jews, seeking to explain the connection between urban decay and expenditure of state funds in the territories. In general, however, these efforts have produced meager results. Whether this is due in part to the alleged elitism of Peace Now warrants further discussion. In any event, the Israeli left has yet to find a language with which to speak to Jews of Afro-Asian origin.

The potential for mobilizing opposition to settlement activity among religious Jews also merits consideration. Several small groups of religious doves operate under the Peace Now umbrella. The most important is Oz Ve Shalom. It argues that it is both a corruption and a disservice to Judaism to encourage, as does Gush Emunim, the equation of religion and nationalistic chauvinism.

There is also potential opposition to territorial maximalism among ultra-orthodox Jews in Israel, not those religious Jews of the «knitted-skullcap» variety who support Gush Emunim but those who vote Aguda (and more recently Shas) and have historically been opposed or indifferent to Zionism. These Jews believe that until the Messiah arrives, control of the Land of Israel is of no significance. The only essential task is to deepen the religious character of Jewish life, and for this territorial expansion is irrelevant. Indeed, if it would save Jewish lives or otherwise enhance the welfare of Jews, the ultra-orthodox believe Jewish law would favor withdrawal from the territories. On the other hand, these Jews are, a priori, as indifferent to withdrawal as they are to retention; and, since the character of Israeli politics has placed them in alliance with Likud, they have in recent years endorsed expansionist policies in return for support on religious questions. As a matter of fact, one of the largest new settlements in the West Bank, Emmanuel, has been constructed for the ultra-orthodox. Nevertheless, residents of Emmanuel say it is not important that their community be governed by Israel and that, under conditions of peace, they would have absolutely no objection to living on land over which an Arab government exercised sovereignty.

It is difficult to see the ultra-orthodox and the Israeli left making common cause over the issue of settlements, given fundamental differences between them on other matters. Aguda and Shas believe that religious law prohibits them from supporting any political faction unwilling to commit itself to imposing orthodox interpretations of Judaism upon the whole of Israeli society. Yet advocates of territorial compromise should recognize that a large

number of religious Jews are not opposed to withdrawal from the West Bank and Gaza and would actively support movement in this direction were they to conclude that this would enhance the welfare and the Jewish character of Israel.

Finally, much more attention must be paid to Israel's Arab citizens. Surveys show that a majority identifies more strongly with Palestinian nationalism than with Israel<sup>8</sup>, and these Arabs today frequently demonstrate against the Jewish state's policies in the territories. One question that warrants discussion in this context is why the Arabs, who constitute 17 % of the Israeli population, have been unable to unite and exert political influence proportional to their numbers. Another is why alliances between Israel's Arabs and the political left have not increased measurably the political weight of either group. These alliances, which include Rakah's integration into the Democratic Front, visible participation in Peace Now by Arabs associated with Mapam, and recent formation of the Arab-Jewish Progressive List, are encouraging signs of good will. Nevertheless, they have not permitted either group to reduce significantly its marginal political position.

---

## FOOTNOTES

---

- 1 ) Shubert Spero, « Messianism in Context, » *The Jerusalem Post*, June 17, 1984 .
- 2 ) Walter Reich, « A stranger in my House: Jews and Arabs in the West Bank », *The Atlantic Monthly*, June 1984, p.70.
- 3 ) Mark Tessler, « The Political Culture of Jews in Tunisia and Morocco », *International Journal of Middle East Studies*, 11 ( 1980 ): 59 - 86.
- 4 ) Mark Tessler, « Israel Debates its Borders — And the Meaning of Zionism », *The Christian Science Monitor*, December 9, 1982, pp. 12-13.
- 5 ) David Landau and Asher Wallfish, « Unity Terms Ambiguous on Settlements », *The Jerusalem Post*, September 16, 1984.
- 6 ) Interview in *Newsview* ( Tel Aviv ), September 25, 1984, p.5.
- 7 ) Mark Tessler, « Israeli Party Politics and the Palestinian Problem in the Wake of Camp David », *American Universities Field Staff Reports*, 1980 | No. 38. p.21.
- 8 ) Mark Tessler, « Israel's Arabs and the Palestinian Problem », *Middle East Journal*, 31 ( Summer 1977 ): 313-329.



---

# COMMENTARY ON Dr. WITTEN'S PAPER : ATTITUDES OF ISRAELI SOCIO - ECONOMIC FORCES TOWARD THE QUESTION OF SETTLE- MENTS

By

**Dan TSCHIRGI**

*Prof. at the American University of Cairo  
U. S. A.*



## *Seven Observations on the International Forum and the Question of Israeli Settlements In Arab Lands Occupied in 1967*

An opportunity to comment briefly on the « international forum » and the question of Israeli settlements in the Occupied Territories is akin to having five minutes to sample and report on an elaborate smorgasbord. Various questions arise: how, in what order, and to what extent should one examine the fare? How, once these questions are answered, might any remarks be best structured to convey the reality ?

A smorgasbord-taster might opt for a frenetic five minutes of furious fare sampling, and structure his report accordingly – thereby almost certainly

condemning it to remain a menu, a mere list of dishes affording little by way of discriminating judgement. Alternatively, he could try to gain and present an overview and then focus more closely on a range of important items. This procedure might allow those depending on his report to become familiar with the general picture as well as to have a somewhat more refined appreciation of the contrasts and underlying elements of unity, if any, characterizing the feast.

The second approach seems advisable here. For in today's world the « international forum » is so extensive that to define it comprehensively would entail an almost innumerable list of public and private organizations as well as **ad hoc** bodies. Selectivity is therefore inescapable; and yet, general sentiment within the international forum is undeniably important.

The following observations try to offer both a panoramic view of international opinion related to the settlements problem and insights into the Occupied Territories, Palestinian nationalism, and the structure of any eventual peace with the Arab World. Nonetheless, the growth of Israeli settlements — that is, the ongoing movement of Israeli civilians into parts of the Occupied Territories for the purpose of establishing primary abodes, and the construction of an infrastructural system to make viable the settler communities resulting from this movement — has emerged in its own right as a fundamental point of worldwide concern.

Indeed, all evidence suggests that Israel's settlement policies will continue to attract wider and more intense international attention. Any effort designed merely to catalogue international reaction would almost certainly be dated as soon as it were attempted<sup>1</sup>. The following discussion will therefore dwell mainly on responses to the settlements issue that have characterized major organs and agencies of the United Nations, the Non-Aligned Movement and the European Community. Because of the United States' significance to Middle East political reality, Washington's unique reaction to Israel's settlement program is also touched upon.

***One: World Public Opinion is an Identifiable Phenomenon.*** Among the many things setting the Twentieth Century apart from earlier epochs is the existence of an identifiable world public opinion. The proliferation of independent states, technological advances in communications, productive industry and weaponry underlie a burgeoning international inter-dependence which has permitted the development and multiplication of truly universal political problems that are objects of international opinion.

As is true of public opinion in any context, world public opinion can be determined only through its articulation. This raises the obvious and unavoidable problem that beyond the bounds of articulation may lie not only

inchoate, vague views but also intensely held outlooks suffering from poor advocacy or dissemination. Still, within reasonable limits it is possible to determine and measure world opinion on various issues. Since most governments mediate authoritatively between the populations over which they rule and the international environment, dominant trends and major divisions in world opinion can be gauged by examining official positions taken both independently and within the framework of international organizations.

***Two: World Public Opinion Overwhelmingly Opposes the Presence and Establishment of Israeli Settlements in Occupied Arab Territory.*** Anyone familiar with press coverage of the Arab-Israeli problem since 1967 realizes that Israel's status has generally declined in world councils. What may not be so evident amid the frequent denunciations of a wide range of Israeli practices is that the establishment and development of settlements in occupied areas has become a primary target of specific criticism and condemnation.

***Three: Opposition to the Existence of Israeli Settlements in Occupied Territories is Rooted in International Law.*** The legal basis for opposition to the establishment of Israeli settlements is the Geneva Convention for the Protection of Civilian Populations in Time of War<sup>2</sup>. Signed in 1949 by 58 states, including Israel, the Convention prohibits an occupying power from embarking on a number of practices, among which are individual or mass deportations of the native population, the imposition of collective punishments, and the destruction of private or public property. Article 49 of the Convention focuses on the need to protect the demographic status quo of territories under occupation. Its final paragraph specifically forbids the occupier to « transfer parts of its own civilian population into the territory it occupies ».

Despite a contrary Israeli position, international consensus supports the 1949 Geneva Convention's applicability to the administration of Arab territories occupied in 1967<sup>3</sup>. The first reference to the Geneva Convention generated by the 1967 War was contained in a United Nations Security Council resolution passed only days after hostilities ended. Clearly motivated in the first instance by a humanitarian concern for the basic welfare of Arab civilians having just come under Israeli control, the resolution nonetheless affirmed the Geneva Convention's relevance to the new situation that was obtained under the occupation<sup>4</sup>. The same position was taken by the General Assembly shortly afterward<sup>5</sup>.

These resolutions were recalled by the General Assembly on several occasions during the first years of the occupation<sup>6</sup>. Although each reaffirmation helped establish the legal basis for judging Israel's policies in the occupied lands, concern at the United Nations over violations of the

Geneva Convention initially dwelt on issues other than the establishment of settlements. Thus, in 1969 the General Assembly condemned Israeli violations of the Convention but referred only to:

Such policies and practices as collective and area punishment, the destruction of homes and the deportation of the inhabitants of the territories....<sup>7</sup>.

However, earlier that same year the UN Economic and Social Council's ( ECOSOC ) Commission on Human Rights had established a special Working Group to investigate Israeli practices in the light of the Geneva Convention<sup>8</sup>. Although Israel refused to cooperate with the Working Group, the resulting report led the Human Rights Commission to pass a resolution in March 1970 reaffirming the Convention's applicability to « all the occupied areas including occupied Jerusalem », and condemning « the establishment of settlements in the militarily occupied territories »<sup>9</sup>.

Against this backdrop, and having in hand the report of a special committee of its own that examined Israeli policies in the occupied lands, the General Assembly followed suit near the end of 1971. On December 20, it passed Resolution 2851, which called on Israel « to comply fully » with its obligations under the Geneva Convention, declared all measures taken to settle the occupied areas, including Jerusalem, « completely null and void », and demanded that Israel rescind and desist from all activity related to « the establishment of settlements... and the transfer of parts of its civilian population into the occupied territories »<sup>10</sup>.

While the Commission on Human Rights had taken the lead, this was both the first explicit statement of the General Assembly's opposition to Israel's settlement policy as well as of the basis in international law for that opposition. The essential parts of the statement were destined to be repeated many times over in the General Assembly and other UN bodies.

***Four: Opposition in the International Forum to Israeli Settlements in Occupied Arab Territories has Increased with the Passage of Time.*** In late July, 1967 Israel's Agricultural Planning Center approved plans to establish settlements on the Golan Heights<sup>11</sup>. In September, the Israeli cabinet revealed further plans for settlements near Hebron and on the Northwest coast of the Dead Sea<sup>12</sup>. By August 1968, Israel's Housing Minister announced the existence of eighteen settlements in various parts of the Occupied Territories<sup>13</sup>.

Sixteen years later there were 106 Israeli settlements in the West Bank and Gaza, excluding East Jerusalem. According to some calculations, by 1984 Israel had constructed a total of 12,400 housing units as part of its settlement program in these areas<sup>14</sup>.

The growth of the Israeli settler presence has been steady, but uneven. Settlement activity under the Labor dominated governments that ruled Israel until 1977 proceeded at a pace that seemed too slow, as well as vacillating and timorous, to more avowedly expansionist sectors of the Israeli public<sup>15</sup>. Menachem Begin's rise to power in 1977 marked a major upsurge in the establishment of settlements. The switch to high gear is readily apparent in a study completed by Ann Lesch in April, 1978. Of the 62 settlements in existence by that date, fully 33 were founded in 1977 or during the first months of 1978<sup>16</sup>.

Following its initial condemnation of Israel's settlement practices in 1971, the General Assembly regularly returned to the same issue. Resolutions passed in 1972, 1973 and 1974 reiterated the Assembly's position that Israeli policies in the occupied territories fell juridically under the Geneva Convention. Simultaneously, the Assembly repeated its demand that Israel rescind and desist from measures to establish settlements<sup>17</sup>. During the same period other UN bodies voiced similar views. ECOSOC's Commission on Human Rights repeatedly called for a halt to settlement activities, and flatly branded the settlements as violations of Article 49 of the Geneva Convention<sup>18</sup>. The Executive Board of the United Nations Educational Scientific and Cultural Organization (UNESCO) focused on Jerusalem, supporting General Assembly demands for the preservation of the city's « physical character » and « demographic composition », and condemning Israel's non-compliance<sup>19</sup>.

In the winter of 1974, the General Assembly granted observer status to the Palestine Liberation Organization (PLO), and invited its participation in all sessions and international conferences convened under Assembly auspices. Significantly, the Assembly also recommended that the PLO « participate as an observer in the sessions and work of all international conferences convened under... other organs of the United Nations<sup>20</sup>».

As the General Assembly and other UN bodies repeated their positions throughout the 1970's and 1980's, opposition to Israel's settlement program widened<sup>22</sup>. Specialized UN agencies examined the implications of settlement construction from the perspective of their respective areas of competence<sup>23</sup>. For example, a 1977 report by the Secretary General that strongly criticized Israeli policies as prejudicial to the economies of occupied areas was followed up by a study conducted under the auspices of the International Labor Organization (ILO). The ILO report, issued in 1979, came to the following conclusion:

... The settlement policy of the Israeli authorities, whose objectives are not solely of a military nature, has serious negative repercussions on the employment situation and income of the local population, owing to the extensive natural

resources ( cultivable land and water... ) which the [ Israeli ] authorities now control; as a result, problems of unemployment... and countless other difficulties have appeared, while a climate of growing insecurity is kept alive by the announcement of projects of an ever-increasing scale<sup>23</sup>.

In the spring of 1979, the Security Council, which had so far been prevented by the U.S. from acting on the settlements issue, established a commission to examine conditions in the Occupied Territories . Although Israel barred the commission ( composed of Bolivia, Portugal and Zambia ) from the occupied areas, the investigation found that 25 to 35 percent of the West Bank was under direct Israeli control. The commission also confirmed the ILO's view of the detrimental impact exerted by Israeli settlements on the local economy<sup>24</sup>. Acting on this report, the Security Council at long last formally demanded a halt to the establishment of Israeli settlements<sup>25</sup>. The decision was taken without a dissenting vote, and with only the United States abstaining.

A year later, the Security Council was able – for a brief period – to pass unanimously an even stronger measure when the United States joined the other members in supporting a resolution demanding the dismantlement of Israeli settlements. However, the Carter Administration soon cancelled its favourable vote and opted to abstain – pleading that a communications error had produced its earlier position. To date, U.S resistance has prevented the Security Council from reaffirming its opposition to Israel's settlement policies.

By the early 1980's, the United Nations was so solidly on record against Israel's effort to settle the Occupied Territories that – save for the stymied Security Council – there seemed little for the World Body to do but repeat itself. This, of course, is just what has occurred<sup>27</sup>. However, international opposition to Israel on this issue has not been limited to the United Nations. Other organizations have also taken strong and consistent stands.

***Five: Opposition to Israeli Settlements in Occupied Arab Lands Transcends Ideological, Economic and Cultural International Divisions.*** The consistency and extent of the UN outcry against conditions in the Occupied Territories have led some defenders of Israeli policies to dismiss that organization's pronouncements as hopelessly biased and rooted in an ulterior anti-Zionism. Thus, Howard Sacher characterizes the United Nations as « a sounding board for the aggressive Third World majority of Afro-Asian-Communist members »<sup>28</sup>.

While it is true that UN voting patterns reflect an overall opposition to Israel's post-1967 policies on the part of the Soviet Union and its socialist allies, it is misleading to suggest that disagreement with Israel's attempt to

settle the Occupied Territories sprouts merely from global ideological competition. If account is taken of such groups as the Non-Aligned Movement and the European Community, the full scope of international opposition to Israel on this point would be more closely approximated by broadening Sacher's description to read « West European - Caribbean - South American - Afro - Asian - Communist ».

The 1979 Non-Aligned Movement's triennial conference is a case in point. Held in Havana, the meeting was attended by 95 full members of the Movement as well as by assorted observers. The final declaration produced at Havana referred to the Palestine problem by affirming that the situation in the Middle East:

Continues to pose a serious threat to world peace and security due to the increasing possibility of a new war as a result of Israel's determination to pursue its policy of aggression, expansionism and colonial settlement in the Occupied Territories with the support of the United States<sup>29</sup>.

A glance at the Non-Aligned Movement's 1979 roster reveals that although the majority of its membership was Afro-Asian, the Western Hemisphere was significantly represented. In addition to Cuba, nine other members of the Organization of American States ( Argentina, Bolivia, Grenada, Jamaica, Nicaragua, Panama, Peru, Trinidad and Tobago, and St. Lucia ) attended the conference as full participants. In other words, more than one-third of the 28 - member OAS was actively involved at the Havana Conference. Several other OAS states ( Brazil, Costa Rica, Dominica, El Salvador, Mexico, Uruguay, and Venezuela ) attended as observers.

By the time its next conference opened in New Delhi in 1983, the Non-Aligned Movement had grown to 101 full members. Among the new additions were Barbados, Ecuador and Colombia, whose admission brought nearly 50 percent of the OAS into the Non-Aligned Movement. Venezuela, whose efforts to gain full membership a year earlier had been frustrated, attended once again as an observer, as did the other Latin American states that held that status in Havana<sup>30</sup>.

The movement's 1983 « New Delhi Message ». predictably reaffirmed its opposition to Israeli settlements in occupied Arab territory and called for Israel's « unconditional withdrawal » from those areas. Nor by that time was it surprising to find the statement praising « the advanced European stand on the problem of the Middle East and Palestine<sup>31</sup> ».

Indeed, in the years before the New Delhi pronouncement, the position taken on the Palestine problem by the European Community – Belgium,

Denmark, France, Great Britain, Ireland, Italy, Luxemburg, and West Germany – had become far more specific on the requirements for a Middle East peace. In 1973, leaders of the Community's member states ( the European Council ) spoke out in support of a negotiated peace based on Security Council resolutions 242 and 338. The European statement explicitly acknowledged the inadmissibility of territorial acquisition by force, the necessity of terminating Israel's post-1967 occupation of Arab lands, and the need for a peace guaranteeing the « legitimate rights of the Palestinians<sup>32</sup> ».

This remained the European stand until 1979, when the Council met in Venice. The Venice Declaration was charged with a renewed sense of concern over the prolonged problem of Palestine. It especially singled out Israeli settlements in the Occupied Territories as « a serious obstacle to the peace process in the Middle East<sup>33</sup> ».

Western Europe's alarm over the implications of Israel's settlement policies continued to mount in the next few years. Following its 1983 session in Brussels, the European Council declared:

Above all, the time has come for Israel to show that it stands ready for genuine negotiations on the basis of UN Security Council resolutions 242 and 338, in the first place by refraining from enlarging existing settlements or creating new ones. These settlements are contrary to international law and a major and growing obstacle to peace efforts<sup>34</sup>.

Members of the European Community were undoubtedly dismayed, though probably not surprised, by the rapidity with which Israel disregarded their views. Two weeks after the Brussels Conference, the Israeli Ministry of Agriculture and the World Zionist Organization announced plans to increase settlements in the occupied West Bank from 108 to 165 by 1987<sup>35</sup>. However, the European Community has not ceased to insist on an end to Israel's construction of settlements<sup>36</sup>.

Recorded disapproval of Israel's quest to settle the Occupied Territories now links developed socialist countries, West European nations, and most of the diverse states of the Middle East, Africa, Asia and the Western Hemisphere – including the United States. Yet, international opposition is not as weighty as this record might imply. For in Washington's ambiguous approach to the issue lies a divergent stream of significant import.

***Six: The United States Has Become Increasingly Alienated From World Public Opinion on the Question of Israeli Settlements.*** On Balance, the position developed by the United States relative to the settlements issue since 1967 is not so much in direct contradiction to world opinion as it is clouded by

vacillation and imprecision. However, it is undeniable that the past few years have seen the U.S. become steadily more removed from the prevailing international outlook.

In the immediate aftermath of the June War it was clear that Washington would insist upon the nature of final peace between Israel and its Arab neighbors being determined by some negotiating process. This was particularly true with regard to those aspects of peace affecting territorial control. As Israel began to attract international attention as a result of efforts to consolidate its position in occupied areas, American policy unfolded on two levels.

On the one hand, Israeli efforts to absorb Jerusalem and other occupied zones through various measures (including settlement construction) were routinely criticized in official U.S. pronouncements. On the other, Washington cited its determination to resist all attempts to predetermine the results of eventual negotiations toward peace as grounds for refusing to join the growing international demand for Israel to cease and rescind such steps. The lengthening chain of UN resolutions reflecting international sentiment was matched in the General Assembly by an equally lengthy chain of American abstentions and negative votes<sup>37</sup>. Faced with this attitude, the Security Council was unable to produce a resolution condemning Israeli settlement policies until more than a decade after the June War.

Yet, the U.S. stand was hardly consistent. As early as 1968 an American abstention permitted the Council to demand that Israel cancel and refrain from «all measures» altering Jerusalem's status. A year later, the U.S. delegation voted in favor of a similar resolution<sup>38</sup>.

The disparity between Washington's willingness to align itself with the Security Council's position against «all measures» affecting Jerusalem's status and its negative reaction to more general denunciations of Israel's settlements was not the only early anomaly in the U.S. approach. For well before Washington reacted against Israel on the Jerusalem issue it had already acknowledged the applicability of the 1949 Geneva Convention to the Arab territories occupied in 1967<sup>39</sup>.

In late 1976, the United States finally adhered to a Security Council «consensus statement» that strongly deplored all Israeli steps to alter the Occupied Territories' demographic composition or geographic nature. The statement particularly denounced the establishment of settlements, asserting that the practice had «no legal validity» and constituted an «obstacle to peace<sup>40</sup>».

In 1979 the United States withheld the veto and abstained from voting, thereby permitting the other fourteen members of the Security Council to

approve a resolution demanding a halt to Israel's settlement program<sup>41</sup>. By that time, the U.S. position on the legality of Israeli settlements seemed clear. Both in bilateral relations with Israel and in public diplomacy, the United States considered them as violations of international law<sup>42</sup>.

However, what by 1980 seemed to be a trend to increasing American opposition to Israeli settlements was soon to change. In addition to cancelling its vote on the 1980 Security Council demand for the dismantling of Israeli settlements, the United States thereafter not only prevented the Council from acting on the issue but also clung consistently to a negative stance in the General Assembly.

The Reagan Administration's activities at the UN have furthered Washington's isolation within the international community as well as placed the American government at odds with many of its traditional allies over the entire question of Israel's occupation of Arab lands. This was dramatized in late 1983 when the U.S. delegation to the General Assembly either voted against or abstained on a series of eight draft resolutions that addressed various aspects of Israeli policy (including settlements) in occupied areas<sup>43</sup>. Each measure ultimately passed. Apart from Israel, no other state voted against any of the drafts<sup>44</sup>.

Perhaps more important than voting patterns is the shift in Washington's view of the settlements' legal status. As a presidential candidate, Ronald Reagan argued that the settlements were not illegal. Under his administration the U.S. government has taken a similar line, describing settlements as not illegal but only « obstacles to peace ». The implications of this are possibly deep. In vetoing a proposed 1983 Security Council resolution that called for the removal of existing settlements, the American representative explained his vote by arguing that the measure presented « an impractical demand ». When asked whether this signalled a fundamental change in the U.S. position on the settlement question, he clarified nothing by saying:

Our position is that the subject of settlements is too complicated to be addressed in the context of a UN resolution<sup>45</sup>.

This sort of official behavior — particularly when coupled with evidence such as that presented by Jerusalem's former Israeli Deputy Mayor, Meron Benvenisti, indicating that U.S. aid to the West Bank's Palestinian population is actually manipulated by Israel to weaken the Arab hold on the area and to free Israeli funds for settlements — does more than simply call into question the relevance of past American stands against Israel's absorption of occupied territories<sup>46</sup>. What emerges as a pertinent issue is whether, and if so to what extent, the U.S. is wittingly or unwittingly abetting Israel's settlement program.

*Seven: International Politics is Not ‘ Politics By Majority Rule ’; Power in the Service of Perceived National Interest, Rather than World Opinion or International Law, Will be the Final Determinant of the Settlements Issue.* An obvious, and perhaps major, lesson to be gleaned from eighteen years of occupation of Arab lands is that world public opinion has been unable to stem Israel’s settlement program. While international opposition has increased both in scope and intensity, Israel has on the whole proceeded with the planning and construction of settlements at an accelerated pace. There seems little reason to suppose that repetition of what has become an almost ubiquitous international chant of denunciation will in itself produce any change in this pattern.

This does not imply that world opinion is insignificant. It is a truism that international politics is essentially conducted on the basis of perceived national interest, with « perceived » being the operative term. That so many of the world’s states have come to see Israel’s settlement policies as contrary to their particular interests is something that can be ignored only at the peril of rising international tension.

History shows the ultimate risk of an international system in which national interests are pursued without restraint. In recent memory, Manchuria and Ethiopia are among the disturbing monuments to the League of Nations’ failure as an experiment in the tempered pursuit of national interest. Indeed, simultaneously underlying and overshadowing the specific issue of Israeli settlements is the question of whether it is really in anybody’s interest in the latter part of the Twentieth Century to undermine international law and opinion as moderating influences in world affairs. Given the importance of the Middle East to contemporary international relations, it would seem wise for Israel as well as the United States to re-examine their respective perceptions of national interest. Such a reassessment will do much to determine whether the power with which they support their national policies will further the development of a world order strengthened by international law and consensual political processes or an increasingly disordered environment in which national interests are sought by more disruptive means.

---

## FOOTNOTES

---

1 ) For example, virtually as these lines are written draft resolutions condemning Israel’s settlement policies are being considered at an Organization of African Unity meeting. See:

Organization of African Unity, Council of Ministers, 41st Ordinary Session, Addis Ababa ( February 25-March 5, 1985 ); Draft Resolutions 4 and 5. The drafts in question *inter alia* condemn Israel for « the establishment of settlements.... in Palestine and in other occupied territories... »

Similar resolutions have been passed by the OAU's Ministerial Council in the past, and it seems a forgone conclusion that the February-March meeting in Addis Ababa will be marked by yet another such measure.

2 ) *International Committee of the Red Cross, The Geneva Conventions of August 12, 1949* ( Geneva: July, 1970 ).

3 ) For a discussion of Israel's denial that the Geneva Convention is *de jure* applicable to the occupation of Arab Lands following the 1967 War, see Allan Gerson, *Israel, the West Bank and International Law*. ( London: Frank, Cass, 1978 ), pp. 110-15. It should be noted that Gerson, although conceding that Israel's settlement and land acquisition practices are « against the grain of the Geneva Convention, assuming its applicability » ( p.237 ), argues that Israeli policies are not « unlawful » ( p.173 ). Gerson's basis for this conclusion was exceedingly weak when originally published in 1978 and is even weaker in the light of more recent studies produced by Meron Benvenisti and others ( see below ): « [ Israeli ] settlement and land acquisition were more in the nature of incipient *ad hoc* populist trends than the outgrowth of established government policies » ( pp.173-74 ).

4 ) Security Council Resolution 237 ( June 14, 1967 ) [ IPS p. 14 ] called on Israel to ensure the safety, welfare and security of the inhabitants of areas where military operations had taken place. It further called on all governments in the area to respect the principles espoused by the Geneva Conventions for the treatment of prisoners of war and for the protection of civilians in time of war.

5 ) General Assembly Resolution 2252 ( July 4, 1967 ) [ IPS p.66 ].

6 ) For example see the following General Assembly resolutions 2341B ( December 19, 1967 ); 2443 ( December 19, 1968 ); 2535 - B ( December 10, 1969 ); 2535-C ( December 10, 1969 ); 2535-C ( December 10, 1969 ); 2546 ( December 11, 1969 ); 2672-B ( December 8, 1970 ); 2672-C ( December 8, 1970 ); 2727 ( December 15, 1970 ); and 2792-B ( December 6, 1971 ). [ IPS, pp. 70-88 ]

7 ) General Assembly Resolution 2546 ( December 11, 1969 ) [ IPS, p. 76 ].

8 ) Commission on Human Rights, Resolution No. 4 ( March 4, 1969 ) [ IPS, p. 163 ].

9 ) Commission on Human Rights, Resolution No 10 ( March 23, 1970 ) [ IPS, p. 165 ].

10 ) General Assembly Resolution 2851 ( December 20, 1971 ) [ IPS, p.90 ].

11 ) *BBC Summary of World Broadcasts, Israel, July 24, 1967.*

12 ) D.D., Israel, Foreign, p. 145; *New York Times*.

13 ) *BBC Summary of World Broadcasts, Israel, August 20, 1968.*

14 ) Meron Benvenisti, *The West Bank Data Project: A Survey of Israel's Policies*, ( Washington, D.C.: American Enterprise Institute for Policy Research, 1984 ) pp. 49-55.

15 ) Rael Jean Isaac, *Israel Divided: Ideological Politics in the Jewish State*, ( Baltimore and London: The Johns Hopkins University Press, 1979 ) .

16 ) Ann M. Lesch, « Israeli Settlements in the Occupied Territories », *Journal of Palestine Studies*, VIII, 1 ( Autumn, 1978 ) pp. 119.

17 ) See General Assembly Resolutions 3005 ( December 15, 1972 ); 3092-A ( December 7, 1973 ); 3092-B ( December 7, 1973 ) and 3240-A ( November 29, 1974 ) [ IPS, pp. 97-113 ].

18 ) Commission on Human Rights, Resolutions N°. 3 ( March 22, 1972 ); No. 4 ( March 14, 1973 ); No. 1 February 11, 1974 ) [ IPS, pp. 167-69 ].

19 ) UNESCO, Executive Board, Decisions No.93 ( 1973 ); No. 94 ( June 24, 1974 ) [ IPS, p. 201 ].

20 ) General Assembly Resolution 3237 ( November 22, 1974 ) [ IPS, p. 112 ].

21 ) An interesting and informative discussion related to this point is found in Regina Sharif, « The United Nations and Palestinian Rights, 1974-1979 », *Journal of Palestine Studies*, IX, 1 ( Autumn, 1979 ) pp. 21-45.

- 22 ) For relevant resolutions of the UN Commission on Human Rights see: *Resolution of February, 1975* ( F.F., February 21, 1975 ); *February, 1976* ( F.F., February 13, 1976 ); *February, 1978* ( F.F., February 14, 1978 ).
- 23 ) **Action Taken on the Resolutions Adopted by the International Labour Conference at its 59th to 64th Session, Supplement to the Report of the Director - General**, ( Geneva, 1979 ), pp. 22-53; cited by Sharif.
- 24 ) Sharif. It should be noted that by the spring of 1985 a study conducted by Meron Benvenisti concluded that over 50% of the West Bank was controlled by Israel. See: **Time Magazine**, April 15, 1985.
- 25 ) **New York Times**; F.F., July 20, 1979.
- 26 ) **New York Times**; F.F., March 1, 1980
- 27 ) Relevant General Assembly resolutions passed after 1980 .
- 28 ) Eliahu Elath, **Zionism at the UN** ( Philadelphia: Jewish Publication Society of America, 1976 ), *Forward* by Howard Sacher. Cited by Sharif.
- 29 ) **New York Times**, September 10, 1979.
- 30 ) Moreover, Guyana, Belize and the Bahamas, all non-members of the OAS, were full members of the Non-Aligned Movement by 1983.
- 31 ) Text in **Keesing's Contemporary Archives**, 1983, p. 32354.
- 32 ) Statement by the European Council, 1973, **Keesing's Contemporary Archives**, 1973, p. 26227.
- 33 ) Text; **New York Times**; **Keesing's Contemporary Archives**, 1979, p. 449.
- 34 ) Statement by the European Council ( March 22, 1983 ); **Keesing's Contemporary Archives**, 1983, p. 2404.
- 35 ) **New York Times**; **Keesing's Contemporary Archives**, 1983, p. 32229.
- 36 ) « Declaration on the Middle East by the Foreign Ministers of the European Economic Community... », March 27, 1984. Reprinted in **American Arab Affairs**, No. 10 ( Fall, 1984 ), pp.135-37.
- 37 ) See General Assembly Resolutions 2535 - B ( December 10, 1969 ); 2672-C ( December 8, 1970 ), and 2727 ( December 15, 1970 ) for negative U.S. votes prior to the Assembly's passage in 1971 of its first resolution specifically challenging Israel's settlement policies.
- 38 ) Security Council Resolutions 252 ( May, 1968 ) and 267 ( July, 1969 ).
- 39 ) Security Council Resolution 237 ( June 14, 1967 ). See also General Assembly Resolution 3092-A ( December 7, 1973 ).
- 40 ) **New York Times**; **Keesing's Contemporary Archives**, 1976, p. 28034.
- 41 ) **New York Times**; F. F., 1979, p.551.
- 42 ) On bilateral relations see Jimmy Carter, **Keeping Faith**, ( Toronto: Bantam books, 1982 ), p. 291. See also Zbigniew Brzezinski, **Power and Principle** ( New York: Farrar, Straus, Giroux, 1983 ) p.104.
- 43 ) An interesting and informative study related to this is Seymour Maxwell Finger's article « Jeanne Kirkpatrick at the United Nations », **Foreign Affairs**, Vol. 62, No. 2, pp. 449.
- 44 ) **New York Times**, **Keesing's Contemporary Archives**, 1983, p. 32826.
- 45 ) **New York Times**; **Department of State Bulletin**; F. F. 1983, p. 308
- 46 ) **New York Times**, April 7, 1984.



# CHAPTER / 7



---

# ECONOMICS OF THE ISRAELI SETTLEMENTS IN OCCUPIED ARAB TERRITORIES

By

**Ibrahim OWEISS \***  
*Prof. of Economics at  
Georgetown University  
Egypt*



*Panel V*

*Chairman : Hon. Paul Findley*

Since its occupation of Arab territories in June of 1967, Israel pursued a systematic policy of annexation of part of these territories, namely, East Jerusalem and the Golan Heights in accordance with the Zionist plan of Eretz Israel, yet in defiance to the Charter of the United Nations – which gave

---

*\*Dr. Oweiss holds an M.A. and Ph. D. in Economics from the University of Minnesota. He received his Bachelor's Degree in Commerce from Alexandria University in Egypt.*

*Presently, Dr. Oweiss is a professor of Economics at Georgetown University in Washington, D.C.*

*In the past he has taught at several major American universities, including the Universities of Minnesota and the Johns Hopkins University, as well as serving as an International Economic Consultant.*

*Dr. Oweiss' books and articles have appeared in journals in the United States, England and the Arab World.*

Israel its birth certificate in 1948 – and contrary to all U.N. resolutions concerning Arab territories occupied by force by Israel. In the meanwhile, a second part of these territories has been subjected to gradual transformation of their demographic fabric through expropriation of land and the establishment of Jewish settlements in the West Bank and the Gaza strip. A third part comprising the rest of Sinai which had not been liberated by the Egyptian armed forces in the October war of 1973, and was still under Israeli occupation after two disengagement agreements following the war, was returned to Egypt with the exception of Taba after signing a separate peace treaty with Israel.

This paper will focus on the economics of the Israeli settlements in the Occupied Territories within an overall context of demographic changes, land ownership and the Israeli economy. With mounting severe problems facing the Israeli economy, uncontrolled galloping inflation, huge foreign debt ( the highest in the world on a per capita basis ) and misallocation of resources, the cost of Israeli settlements in the Occupied Territories cannot be afforded unless it is exceeded by direct or indirect economic or political gains or unless the United States will further expand its aid program in support of Israeli settlements in land heavily populated by Arabs.

### *Population*

Migration is considered to be an important factor affecting demographic trends in the Occupied Territories and thus has a major impact on the economy of the region.

The actual size of the Palestinian population in the Occupied Territories is unknown. There has been no official census since 1967. There are several Israeli projections of the West Bank's population for the end of the 1980: the Current Population Estimate states that there were 704,000 Palestinians; the Ministry of the Interior Population Registration Count came to 887,000 Arabs ( though this count is considered the least accurate ); and the Israeli Military Government states that there were 750,000 Palestinians. These estimates do not include the estimated 120,000 Palestinians that live in East Jerusalem ( December 1982 ) who make up 14 % of the combined populations of the West Bank and East Jerusalem. Since annexation in June 1967, East Jerusalem figures are not included in West Bank data. The number of Palestinians in East Jerusalem has risen dramatically from 67,000 Arabs there in September 1967.

Since the 1967 War, the population growth rates for the region varied considerably. As of 1981, Israeli Jews have had a growth rate of 2.7 % per year of which 1.5 % is due to natural increase and 1.2 % is due to net immigration. There are approximately 3.5 million Jews in Israel today. At the same time,

Israeli Arabs are experiencing a growth rate of 3.1 % to 3.9 % per annum and their number makes up 500,000 of Israel's total population. Their high growth rate is explained by high fertility, low mortality, and no emigration. The Palestinians in the West Bank do not have anywhere near as high a net growth rate. Though the Arabs there register a natural increase of 3.0% per year, there is still a larger number of Palestinians emigrating. Since 1968, 136,500 Palestinians have fled the West Bank so that the net natural increase minus emigration yields a growth rate of 1.5% per year. Historically this rate fluctuates greatly (as low as 8% annually) due to unequal emigration waves. The same is true for Gaza. Since 1968, 90,000 Arabs have emigrated leaving 500,000 Palestinians in the territory. Gaza's natural growth rate is 4.0% per year so after deducting emigration, Gaza has a net growth rate of 2.3% to 2.7%.

It is interesting to note that the Palestinian population in Gaza has increased dramatically in relation to the West Bank since the 1948 war. In 1946, the population of Gaza was only 15% of the West Bank's population. But by 1982, Gaza's population has increased to 55% of the West Bank's and East Jerusalem's. This growth was initiated by the influx of refugees in 1948 to 1949.

On the whole, demographic studies indicate that, sooner or later, Israel will not be able to maintain a Jewish majority within its borders as shown in Tables 1 - 3.

Yet, the Occupied Territories have been suffering from a « brain drain » as educated Palestinians have been the majority group of emigrants. This was illustrated aptly by the 1975 Kuwaiti census which showed that 44 % of the Jordanians / Palestinians employed there were employed as professors or in the administrative sector. This was due to Israel's repressive military rule and the lack of white-collar jobs in the Occupied Territories.

However, there is ample evidence that the Palestinian population may rapidly accelerate because of the dual effect of an increase in the birth rate and a reduction in emigration rates. With the decline in oil prices since 1983, jobs in the Arabian Gulf countries are no longer as available as they used to be in the 1970's. Even more importantly, Arab emigration has tended to decrease as a counterforce to the expansion of Jewish settlements. It appears that the Palestinians are willing to entrench themselves in their homeland no matter what they will be exposed to under a repressive military rule. Finally, another factor that reduces the Jewish majority even faster than anticipated is the decrease in net Jewish immigration whose rate has been fluctuating since the 1973 war between zero and 1.0 % per year. However, due to increased Jewish emigration, the Israelis have had a negative immigration balance in recent years.

## *Economy of Occupied Territories*

In spite of the policy of discrimination the Occupied Territories have been exposed to, the Palestinian inhabitants have contributed significantly to their economies through increased production or earnings resulting from limited exports and remittance from abroad in hard currency. Yet, the Occupied Territories are still underdeveloped and dependent. The territories have become an auxiliary sector of the Israeli economy and to a lesser extent, of the Jordanian economy. The West Bank and Gaza have become protected outlets for Israeli manufactured goods and a source of cheap labor for Israel. The Occupied Territories' economy is an example of classic colonial patterns .

**TABLE 1**  
**PROJECTIONS OF JEWISH & ARAB POPULATIONS :**  
**ISRAEL & THE OCCUPIED TERRITORIES**  
**( in thousands )**

	1970	%	1990	%	2010	%
<i>Jews</i>	2562	64	3400	55	4374	48
<i>Arabs ( Total )</i>	1423	36	2816	45	4649	52
<i>In Israel</i>	440		895		1466	
<i>West Bank &amp; Gaza</i>	983		1921		3193	
<i>Totals</i>	3985	100	6216	100	9023	100

Source: Terrance M. Tehranian, «The policies of Israeli Policy in the West Bank», *Middle East Studies*, October 1983, Vol. 19, p. 419

**TABLE 2**  
**AVERAGE ANNUAL GROWTH RATES**  
**OF ARAB POPULATIONS**  
**IN THE OCCUPIED TERRITORIES**  
**1922-1981**

	<i>GAZA STRIP</i>	<i>WEST BANK</i>	<i>ISRAEL</i>
<i>1922-1947</i>	3.8		2.5
<i>1952-1961</i>	3.0	0.9	3.5
<i>1961-1967</i>	2.5	0.9	4.6
<i>1969-1974</i>	2.7	2.4	4.4
<i>1975-1979</i>	2.8	1.5	3.7
<i>1980-1981</i>	2.7	0.8	3.1

Source: Meron Benvenisti, *The West Bank Data Project*, p. 2.

TABLE 3

**DEVELOPMENT OF THE POPULATION  
IN THE WEST BANK AND THE GAZA STRIP  
1922 - 1982**

	<i>WEST BANK</i>		<i>GAZA STRIP</i>	
	<i>AVERAGE GROWTH</i>		<i>AVERAGE GROWTH</i>	
Year	<i>Population</i> ( Thousands )	<i>Rate per year</i> ( percent )	<i>Population</i> ( thousands )	<i>Rate per year</i> ( Percent )
<i>1922</i>	<i>257.5</i>		<i>28.8</i>	
<i>1931</i>	<i>322.2</i>	<i>2.5</i>	<i>48.0</i>	<i>2.7</i>
<i>1946</i>	<i>465.8</i>	<i>2.5</i>	<i>71.0</i>	<i>( 25.0 )</i>
<i>1952</i>	<i>742.3</i>	<i>10.0</i>	<i>268.0</i>	<i>( 2.5 )</i>
<i>1961</i>	<i>805.4</i>	<i>0.9</i>	—	—
<i>May 1967</i>	<i>845.0</i>	<i>0.9</i>	<i>385.0</i>	—
<i>Sept. 1967</i>	<i>595.9</i>	—	<i>389.7</i>	—
<i>1970</i>	<i>607.8</i>	<i>1.4</i>	<i>370.0</i>	<i>0.7</i>
<i>1975</i>	<i>675.2</i>	<i>2.2</i>	<i>425.5</i>	<i>3.0</i>
<i>1980</i>	<i>724.3</i>	<i>1.5</i>	<i>456.5</i>	<i>1.4</i>
<i>1982</i>	<i>747.5</i>	<i>1.6</i>	<i>476.3</i>	<i>2.2</i>

Source: Meron Benvenisti, *The West Bank Data Project*, p. 2.

The immediate economic goals of the Israeli occupational administration in 1967 were to open the borders between the Occupied Territories and Israel and allow the free movement of people and goods, to keep open the bridges over the Jordan River by providing ease of movement between the West Bank and the East Bank.

**Open Borders** — In principle, the open borders are complete freedom to trade across the Green Line. In practice, anything from Israel can be sold in the West Bank. However, the reverse is not true. Manufactures and handicrafts can move from the West Bank to Israel while agricultural goods operate under a restrictive licensing system that protects Israeli farmers. In terms of Arab

employment, the movement of labor is not exactly free. The Labor Exchange Office ( run by the Israeli Ministry of Labor ) puts a ceiling on the number of workers allowed to cross the border. An army proclamation also limits the stay of all West Bank Arabs to daylight hours only unless they agree to be locked in at night at their place of work.

***Open Bridges*** — In the immediate post-war period, trade across the Allenby and the Damia Bridges were very important. However, trade with Jordan has declined since then because Israel's protective tariffs have encouraged 'internal' trade between the West Bank and Israel. Jordan has also contributed to the decline by not permitting West Bank manufacturing to cross the Jordan River due to the Arab boycott of Israeli products. Agricultural trade has been legitimized because West Bank Arabs have protested successfully against a complete Arab boycott of Israel and the West Bank. Jordan's position in terms of trade policy is that before the war, the East Bank received agricultural goods from the West Bank while blocking industrial development. The same policy is still in effect today. Amman accepts agricultural goods from the West Bank but imports goods only from companies that predate the occupation. As a result, Jordan still maintains a degree of control over the West Bank by impeding its development. The bridges also have a symbolic importance. They are the Israelis' blueprint for the future as the bridges remained open during the October 1973 war. They also serve as a safety valve and help keep the Palestinians quiescent. Discontented or unemployed Arabs can always go to the East Bank whenever they wish. Economically, the Israelis receive certain advantages by keeping the bridges open. The West Bank's exports provide Israel with foreign exchange and help cover the West Bank's and Israel's trade deficits. In agricultural policy, the open bridges take pressure off oversupplied Israeli markets which would face great demand to accept more West Bank produce if ties with the east were cut.

### ***Exports and Imports***

The Occupied Territories have become a major outlet for manufactured goods from Israel. In 1975, 16 % of Israel's exports went to the West Bank. This total had declined to 10.4 % by 1980. However, this market remains very important to Israel. Israel exports more to the Occupied Territories than to either the United Kingdom or West Germany . In fact, the West Bank and Gaza would make up 60 % of the American market. The Occupied Territories can be characterized as a protected market. It is restricted by high tariffs and the rigid policies of import licensing exclude all products except high priced, low quality Israeli products. Israeli products have the added advantage of being subsidized by the government which also reduces Arab sales .

## *Agriculture*

Agriculture has been traditionally the most important, stable, and productive branch of the West Bank's economy. Agriculture has accounted for approximately 30 % of the territory's GNP since 1968. In 1968, agriculture was 34.8 % of the West Bank's GNP and remained relatively constant at 29.2 % by 1980. However, there have been some fluctuations ( as low as 21.9 % in 1977 ) which were due to climatic conditions and to the supply of available labor in the West Bank. In terms of the West Bank's GDP, agriculture has made up the following percentages: 35.1 % in 1970; 36.2 % in 1975; 31.4 % in 1977; and 35.0 % in 1980. The number of workers employed in the agricultural sector of the West Bank has declined in total numbers in recent years. In 1968, 42 % of the West Bank's workers were farmers but by 1980 the number of farmers had shrunk to 30 %.

In the Gaza Strip, agriculture has not played as essential a role as in the West Bank. In terms of GNP, the agricultural sector has declined from 28.1 % in 1968 to 12.3 % in 1980. The decline in Gaza's GDP has not been as drastic. In 1968, 28.4 % of the territory's GDP was made up of agriculture and was 19.2 % by 1980. There was also a definite decline in agricultural labor in Gaza. In 1969, 33 % of the total work force was made up of farmers. Eleven years later, their number had fallen to 18.2 %. From 1968 to 1981, the annual rate of increase in real terms of agricultural production was 9.6 % in the West Bank and 6.1% in Gaza.

During the same period, the annual rate of growth in value added was 9.2 % and 6.3 % respectively. The ratio of output to labor indicates increased productivity in the agricultural sector. Before 1967, agriculture made up 25 % of the West Bank's GNP and employed 50 % of the labor. These statistics were due to low productivity. Eventually, productivity per worker doubled between 1967 and 1973 in the West Bank and increased rapidly in Gaza. This increased productivity was due to several factors: changes in the methods of cultivation; increased mechanization ; technological innovations; increased investment in human capital; decreases in unemployment; phasing out of marginally cultivable lands; and replacement of low value crops with high value cash crops. Simultaneously with increased productivity, there was a substantial increase in the income of rural families. The average income of the rural population in the West Bank was \$ 133 in 1966, \$ 666 in 1974, and \$ 930 in 1975. Despite the progress in agricultural production, there has been no radical change in the resource base. Since 1967, there has been no marked increase in the overall cultivated area in either the West Bank or Gaza. The amount of irrigated land increased by only 1 % in the West Bank and 5 % in Gaza between 1966 and 1981. It has been an Israeli strategy to place a freeze on the agricultural resources available to the Palestinians. Through this policy, the Israelis plan to establish control over the Palestinians' growth

potential. Arab agriculture has been permitted to develop as long as it did not compete with Israeli interests or put any financial or economic strains on the Israeli system.

The result has been serious market uncertainty in the Occupied Territories due to their total dependence on Israeli and Jordanian trade policies. When Palestinian agricultural products become a threat to Israeli farmers, the Israeli government takes steps to protect Israeli farmers' interests. From 1967 to 1971, West Bank vegetable exports to Israel were prohibited. Plums and grapes are still prohibited for export to Israel. Winter tomatoes and cucumbers are under Israeli quotas. For the Israelis, these restrictions and quotas achieve better market planning and state that these policies are beneficial for the Arabs since they increase agricultural revenue. Yet the actual benefit is to the Israeli farmers, not Arabs. Israeli farmers enjoy minimum price guarantees and subsidies through a highly developed system of supports. Palestinian farmers, again, do not enjoy these same advantages and face unfair competition.

The alternative marketing outlet, the open bridge with Jordan, is also economically important to the Occupied Territories. Agricultural trade between the West Bank and Jordan has been maintained at pre - 1967 levels. However, Jordanian trade policies have been changed recently to protect the thriving agricultural sector in the East Jordanian Valley.

The Occupied Territories are caught between Jordanian and Israeli policies. Both sovereign states maintain trade policies aimed at benefiting their own populations. Palestinian farmers are treated as both indigenous and aliens, whichever view suits each state's self - interest at any given time.

### *Industry*

Despite the rapid growth in the per capita income in the West Bank, there has not been a comparable growth in the industrial sector. Surprisingly, there has actually been a decline in industrial production. The industrial sector of the West Bank's economy accounted for 9.0 % of the West Bank's GDP in 1968, 8.2 % in 1975, and only 6.5 % in 1980. To state it simply the West Bank's economy can be characterized as non-industrialized. Productivity ( value added per worker ) in industry in the West Bank was half the value added per worker in agriculture in 1980. The total number of workers has remained constant at approximately 15,000 since 1970. These workers are divided among the following industrial sectors : 22% olive oil processing; 18% textiles; 18% quarrying; 14% carpentry and tailoring (worksops); 10% food industry; 6% metallurgy (locksmiths); and 12% other industries.

In absolute terms, there has been some modest growth in the industrial sector of the West Bank. Industry has grown at an average annual rate of 4.5 %

whereas the rates in Israel and Jordan are 7.0 % and 8.0 % respectively. There is also a clear correlation between the West Bank's industrial growth and Israeli business cycles. This demonstrates the critical dependence of West Bank industry on the Israeli economy.

The West Bank's domestic market is the primary outlet for West Bank industrial products. Twice as many products manufactured in the West Bank are sold within the territory as are sold to Israel. There is little penetration of the Jewish market in finished retail goods except for shoes, textiles, and furniture. However, There is a substantial Israeli market for building materials from the West Bank. There is also considerable subcontracting in footwear, carpentry, and clothing which accounted for 12 % of the total industrial revenue in the 1970's (though this percentage is now in decline). The Jordanian market is equally restricted. Total West Bank industrial exports to Jordan in 1981 did not differ significantly from 1970. The Jordanian government's policy has continued the institutionalized discrimination of the pre-1967 period. Jordan favors the few firms that were established with Jordanian assistance during their rule. These firms are in the chocolate, butter, and plastic industries. Only 12 % of the factories in the West Bank export goods to the East Bank.

In terms of future markets, due to decreases in worker productivity, the West Bank cannot continue to compete in Israel and sales to Jordan will continue to decline. Only the domestic market promises to remain open. Yet despite an increased standard of living in the West Bank, Palestinian industry will decrease. West Bank industry, like agriculture, is caught between a hammer and an anvil. Jordan prohibits the importation of textiles, stones, detergents, and pharmaceuticals: in public due to the Arab boycott while, in fact, implemented to protect infant Jordanian industries. Unlike Israeli industries, West Bank firms receive no government assistance, no development of infrastructure, and no subsidies, credit, or any other support. Palestinian industry is dependent on and controlled by the Israeli and Jordanian sectors. These sectors are developing very rapidly and could wipe out any future growth of the West Bank industries. If industrial growth does occur in the West Bank, it will be Israeli, not Arab.

### *Jewish Industries in the West Bank*

By 1983, six Jewish industrial parks had been constructed in the West Bank. In these plants, a total of 2500 workers are employed of which 70 % are Jewish. Arabs are employed in the small, labor-intensive establishments located in these parks. However, Israeli policy is to build only capital-intensive, sophisticated factories in the Occupied Territories. The result is a minimum need for Jewish settlers to commute to Israeli cities and also limit Arab employment. These Jewish industries are eligible for grants of 30 % and of

40 % of their investment at the real interest rate of 5 % ( or when linked to the dollar, 6 % ). These plants are entitled to free physical infrastructure and to short term credit facilities.

In terms of future Israeli industrial projects in the Occupied Territories, 1982 plans call for seven more industrial parks by 2010. These parks will create new jobs for 83,500 workers of which 25,000 will go to Arabs. In the short term, 8750 Jewish and 2200 Arab jobs are expected to be created by 1986. The Israeli planners anticipate a low proportion of Arab workers in these new industries for two reasons. First, these industries will be in high technology and capital-intensive thus employing few blue collar workers. Secondly, high technology plants are usually defense related and closed to Arab employment. Investment in the new Jewish industrial parks will be \$ 250 million over the next five years. The existing investment in Jewish industries in the West Bank was \$ 328 million with government participation of \$ 400 million. Thus, an investment of \$ 40 million per year for the new industrial parks will seem quite modest. The new parks will be located within 15 miles of the Israeli industrial belt and receive assistance at the highest level. This means easier access to work for Jewish settlements in the West Bank and also a gradual suburbanization of industry itself in the West Bank.

### *Israeli Settlements*

By September 1983, 106 Israeli settlements had been established in the West Bank and Gaza (but excluding East Jerusalem). Of these, 98 were located in the West Bank ( 15 were Nahal or paramilitary settlements ) and the other eight were situated in Gaza. By the Summer of 1983, there were 12,731 housing units in the Occupied Territories either occupied, vacant, or under construction. A total of 12,427 were built in the West Bank and the remaining 308 were constructed in Gaza. The number of families settled in the West Bank by September 1983 was 6000 (or 27,500 people) while 200 (900 people) were living in Gaza. Jewish families tended to be scattered throughout the West Bank region while the Jewish population in Gaza were clustered in the southwest coastal area.

Israeli settlements can be put into three types of categories: urban-suburban, rural-semi-urban , and paramilitary. The urban-suburban category can be further broken down into three separate types: cities, *kiriya* ( towns ) and *toshava* ( suburbs ). A city can be described as a strong urban community that serves as a regional, industrial, service, and cultural center. Its population is made up of over 10,000 families or 42,000 people and an area of 7000 to 15,000 dunums. A *kiriya* or town is an urban center made up of 3000 to 5000 families ( 12,000 to 20,000 people ) and is designed as a subregional service center with low-density housing. Its area runs between 2500 and 5000 dunoms. A *toshava* or suburb is a satellite neighborhood which serves as a

commuter dormitory with minimum local services but good access to major metropolitan areas. It is made up of 500 to 2000 families or 2500 to 8500 people and has an area of between 500 and 2000 dunums.

The rural-semiurban category can also be broken down into three distinct types: the yishuv kehilati, the kibbutz or moshav, and the mercaz ikhlus or settlement center. The yishuv kehilati is a nonagricultural cooperative settlement established by the World Zionist Organization ( WZO ). The WZO provides its infrastructure, housing, and basic industries. The settlement is then handed over to a settlement group that forms a cooperative with its own internal regulations. New members must be approved and go through a year trial period. Employment for the settlers is found outside the settlement. Clusters of yishuv kehilati are planned to form a kiriya. Each yishuv kehilati has a planned population of 200 to 300 families or 800 to 1200 people and an area of 400 to 800 dunums. These settlements are associated with the Gush Emunim settlement movement ( Amana ). The kibbutz or moshav is an agricultural cooperative based on the traditional forms of rural settlement. They are all based on agricultural or industrial production with on-site production facilities and collective ownership of the means of production. Their planned size is from 80 to 160 families ( 350 to 650 people ) for built-up areas similar to the yishuv kehilati. The kibbutzim's cultivated area ranges from 3000 to 5000 dunums. They are associated with agricultural movements and have ties with various national settlement movements with support from the WZO. A mercaz ikhlus or settlement center is an undefined housing estate that is planned to form the nucleus of a group of settlements. When a sufficient number of settlers are gathered, they decide on the type of permanent settlement they will develop.

The last category, the Nahal, can be characterized simply as paramilitary outposts. Armed settlers set up the nucleus of a settlement in hostile territory and develop a community over time.

### ***Phases of Israeli Settlement***

Jewish settlement of the Occupied Territories can be described as occurring in three phases or waves. The first was called the Allon Plan and lasted roughly from 1967 to 1973. It was followed by the Gush Emunim settlements which took off in 1975 and lasted until the early 1980's. The final phase, which began in the 1980's and is still underway, is based on suburban development.

### ***Allon Settlement Plan***

The initial Israeli settlement phase was based on the strategy and political concept embodied in the famous Allon Plan. It was submitted tentatively in July 1967 and the plan was approved by the Israeli cabinet in June 1968. The

plan was conceived as a settlement strategy, not as a formal political territorial plan. The Labor government left the door open for future territorial compromise with the Arabs. Allon argued that the permanent borders of Israel must be defensible from a strategic point of view and had to depend on topographical obstruction to withstand modern armies. As a result, these security borders had to become the political borders. To achieve this end, Jewish settlements had to be created in these areas. Allon suggested that the Israelis annex the 10 to 15 Km (later increased to 20 km) strip of land that ran through the Jordan Valley to the Dead Sea, the wilderness of « Judea », the uninhabited parts of the Hebron Mountains, and the Etsion Block.

The Labor government supported this plan and called for the establishment of kibbutzim and moshavim in the designated areas. These early settlements were based on agriculture and light industry. In the Jordan Valley, Nahal outposts were established in 1968. By 1971, ten settlements were built and within five years, two chains of settlements were established. One chain was set up on the rift bed and the other on the western slope of the Jordan Valley. A total of 14 moshavim, six kibbutzim, two Nahal, and one moshav were built. All of these settlements were farms and produced winter vegetables, bananas, citrus, and flowers. The total national investment in these settlements are deep in debt as ten moshavim needed consolidation funds in 1981-82. These settlements had a population of 425 families (1800 people) in 1975 which had remained essentially the same in 1981. The population did increase to 700 families by 1983. The average growth rate was 6.6 % from 1977 to 1983. The Jordan Valley Development Plan calls for 970 families by 1986 and 1450 families by 1991. However, with the actual growth rate, the 1986 target will not be reached until 1992 when the Israeli population should reach 4500 people in the Jordan Valley. The total Arab population in the area (Jericho and seven villages) was 28,000 in 1982.

Allon Plan settlements were also established in southern Judea. By 1983, four settlements and seven Nahals were set up with 100 families living in the settlements. The Southern Judea Regional Plan calls for 19 settlements with 620 families in the future. However, problems exist with the climate, the lack of cultivable land, and the close proximity of the Arab villages.

The Allon Plan petered out for one major reason. Ideological settlers favored by Zionist visions were in short supply for these settlements. Living off the land is a hard life that makes it very difficult to attract settlers. Despite the generous financial incentives to settlers and enormous investment, these settlements have now been assigned a low priority by the government.

### *Gush Emunim Settlements*

When the October 1973 war began, there were 17 settlements in the West

Bank, 13 in the rift Valley, and four others. The resulting political upheaval in Israel and the disengagement talks with Egypt and Syria led to a temporary halt in settlement construction between October 1973 and October 1975. The Rabin government embarked on a new, ambitious settlement program after the second set of disengagement talks with Egypt. The new plan was confined originally to the territory marked out by the Allon Plan but encouraged the development of satellite towns 15 km around Jerusalem.

The main driving force of the 1975 to 1977 settlement program was Gush Emunim (Settlement Vanguard). It was founded in February 1974 with the objective to settle all parts of Eretz Israel. Gush Emunim is made up of right-wing nationalists and ultra-orthodox religious groups and received the support of the Likud Party. Gush Emunim set up illegal settlements in central Samaria in June 1974 that had to be removed by the army. Over time, the Rabin government with strong urging from the National Religious Party, gave in eventually to Gush Emunim. By the May 1977 elections, the Gush Emunim settlements had been built with the support of the military.

The Gush Emunim settlement plan called for the establishment of 60 settlements in the central massif and Western foothills of the West Bank. After 1977, the plan became the official policy of the WZO Department of Settlements. The Drobles Plan (1978, 1980, and 1981) articulated the settlement strategy of Gush Emunim and the Likud. It called for a dense chain of settlements across the central massif which would serve as a reliable barrier against Arab armies in the east. The adoption of the Gush Emunim-Likud settlement strategy marked a departure from the Labor policy of territorial compromise and the traditional concept of the pioneer settlement. Allon settlements were committed to manual labor and an agrarian lifestyle. The Gush Emunim settlements were semi-urban, commuting, half-open yishuv kehilati that were to be merged into urban settlements and become dormitory suburbs. Gush Emunim was also eligible for Zionist financial support and settlers could receive grants and cheap loans for settlement construction. Aid would continue until the settlement reached self-sufficiency (which sometimes never happened) and then would pay the loans back.

Between 1977 and 1978, 24 Gush Emunim settlements were constructed but the trend was on the decline the following years. In 1979, four were built followed by three in 1980, and nine in 1981. Of these settlements, 22 were yishuv kehilati and six were urban suburbs. Twenty-two settlements were constructed in the central massif. Investment in the Gush Emunim settlements were as follows: between 1978 and 1983, total investment in the Jordan rift was \$ 66.9 million and \$ 123.7 million in the West Bank. The total investment in settlements, for the decade was \$ 231 million with most of the cash flowing between 1978 and 1983 — \$ 205.3 million or 88.7%. By 1982, of the 22 settlements in the central massif, 17 were yishuv kehilati, three were the nuclei

of towns, and two were Nahal. The total number of families was 1350. The composition of the labor force underlined the trend away from the traditional kibbutz. Gush Emunim settlers tended to be white collar workers with high education : 36 % were employed as educators and in the public sector; 15 % worked in industrial positions, and 10 % worked in agriculture.

According to the planning projections, the total Jewish population in the massif region by 1990 should be 2350 families ( 10,000 people ) in three urban settlements plus another 2000 families ( 8200 people ) in 16 to 20 rural-semiurban settlements for a total of 18,200 Israelis. Jewish population in the rift settlements should be 5500 families ( 23,100 people ) by the end of the decade. However, experts state that these numbers are far too optimistic. Even the scaled down WZO Plan for 1983-86 revised down their figures to 7045 families in 99 settlements by 1986.

The Gush Emunim plan met a fate similar to the Allon Plan. It did not prove successful because there was a lack of ideologically driven settlers who were ready and willing to move from Israeli cities to live in small, remote, and isolated settlements.

### ***Public Financing***

At this point, it is helpful to examine the degree of financing the Israelis have spent on their settlement program in the Occupied Territories. It is quite difficult to compile accurate public expenditure data. The total public capital investment on civilian projects in the West Bank amounted to \$ 1.5 billion between 1967 and 1983. Approximately \$750 million were spent under the Labor government (1967 to 1977) and \$805 million were expropriated by the Likud government. The heavy military capital investment in the Occupied Territories is confidential and cannot be estimated accurately.

By breaking down the various sectors, the Israelis have spent their investments in the following manner. In the construction sector, 12,400 housing units were built or under construction by 1984 at a total cost of nearly \$ 700 million. In industry, the cost of investment was \$ 328 million by 1983. The estimated cost per dunom of industrial land was \$ 260,000. The total cost of agricultural investment was \$ 55 million in 1983. The estimated cost of electrification of the West Bank was \$ 15 million as 120 km of high tension power lines were installed. In the communications sector, another \$ 15 million was laid out for the telephone network with an anticipated increase in the budget of \$ 13 million more. There is no firm data regarding road investment but between 1979 and 1981, 94 km of roads were constructed. When added to the estimated 200 km of new civilian roads constructed between 1967 and 1978, a total of \$ 75 million was probably invested. Between 1978 and 1982, an estimated \$ 68.2 million was invested in water works. An additional

\$ 55 million was spent between 1967 and 1977 for a total of \$ 123 million. A total of 20 % of the total capital invested by the Israeli government was needed for infrastructure, land acquisition, and unknown items.

It has been estimated that it costs Israël between \$ 120,000 and \$ 150,000 for each Jew settled in the Occupied Territories. Israel plans for budget allocations of \$ 200 million per year to continue the settlement projects. Yet Israel is planning on embarking on several other national projects such as the Lavi fighter-bomber ( \$ 2 billion ) and the Dead Sea Canal ( \$ 1.5 billion ). The settlements projects, as well as the entire Israeli economy, will depend on the continuance of US foreign aid, at least at its present level .

### *Suburbia*

At the beginning of the 1980's, Israel was well into the suburban era. There has been a trend in population away from the big cities. This began in Tel Aviv in the mid-1960's and gained momentum in the 1970's. Today, out-migration affects most Israeli cities as suburban towns are springing up within a radius of 24 km. Most suburbs are dormitory communities, however, they have been accompanied by industrial suburbanization to the north and east. Israeli suburbanization stems from the same socio-economic factors as in the West. Young, middle class families flee the congested cities to seek separate homes with gardens and affordable prices. Jerusalem began to develop suburbs in the 1970's. Until then, the city was confined to the armistice lines. However, after the Six Day War, the Israeli government decided to built large neighborhoods around the city to « make it indivisible » with Israel proper.

The strategists of this new settlement phase intend to exploit precisely these centrifugal pulls in Israel's two metropolitan areas, Jerusalem and Tel Aviv. Their stated strategy is to achieve the « maximum distribution of a large Jewish population in areas of high settlement importance, with small national input and in a relatively short time, by the realization of the settlement potential of Judea and Samaria and through its integration in the nation's various systems ». The plan is based on two set processes: the diffused process which results from natural demands and the nationally initiated or supported process. It demonstrates the change in focus in settlement development in the central rift and highlands to the metropolitan areas. These new plans will now account for 82.5 % of the total settlement investment, 80 % of the new housing construction, almost all of the industrial plants, and 91.6 % of the total commercial and financial services. This plan calls for an additional 8,000 Jewish settlers in the metropolitan areas by 1986.

This new development represents a transformation of Israel's value system from the original ideologically motivated Zionist settlers. Today Israel is a Western consumer society pursuing materialistic values. The Israeli

government is more easily able to draw new settlers into the Occupied Territories by offering lucrative deals. Apartments are 15 % to 25 % cheaper than in Israel. The price of housing is also one-third to one-half cheaper. The government provides all infrastructure and basic services free of charge. Home financing in the Occupied Territories are equally attractive: 80 % can be obtained in long term loans ( some on a never-never basis where as long as one lives, one does not have to repay ). The government would give \$ 20,750 per unit for Israelis who lack housing in the form of \$ 3000 as a grant, \$ 2250 as an unlinked mortgage, \$ 11,750 as a mortgage without interest, and the remainder at 5.7 % interest. The quality of life and the level of services will be better in the new settlements than in Jerusalem or Tel Aviv. Finally, one can be a pioneer without risk.

The Likud strategy was orientated demographically. It is believed the future will be determined by domestic political struggles within Israel, not from external military or political pressure. The Likud's settlement objective is to form a strong domestic lobby composed of those who settled in the new suburbs of the West Bank or those with economic interests there. The Suburban Plan has a much better chance of success than either the Allon or Gush Emunim Plans had. It does not rely on a depleted pool of ideologically motivated settlers nor does it rely on an accelerated growth of the Israeli population through increased immigration ( this growth is not expected to occur ). The plan depends solely on continued suburbanization which is expected to last through the 1990's. The main constraints are presently in available housing, cheap mortgages, and road construction.

The Suburbia Development Plan calls for 17,618 housing units in the metropolitan areas by 1986. This would require construction at a rate of 4000 units annually and many experts consider that too high. Approximately 3000 new units per year would be the absolute maximum possible. Roads are of paramount importance in order for the plan to work. These roads must allow for easy access and fast commuting between the metropolitan areas and the new settlements. The plan calls for the construction of 400 km of new roads ( with 216 km within the metropolitan areas ) within four years. Again, experts believe this goal has been set too high. In 1981, only 133 km of roads were completed throughout the whole of Israel.

The problems of Israeli settlement development becomes readily apparent when one compares one of the Allon type settlements with one of the Suburban settlements. Qiryat Shemona is located in northern Galilee. It was built in 1949 on the kibbutz concept to house the massive influx of Moroccan Jews and to help create a Jewish majority in Galilee. The population of Qiryat Shemona is 15,000 inhabitants today and the settlement is far from being stable or prosperous. Most people hold jobs in the low-wage sector of the economy, especially in light industry. For every person that lives there today, ten others

have moved away since it was founded. Another settlement is Ariel in the West Bank. It has 360 families there today but another 1000 families are to follow. Ariel is a 45 minute drive from Tel Aviv. There is a country club there with an olympic size swimming pool under construction.

By the year 2000, Ariel will become a bedroom community of 175,000 professional and technical people. Despite the great differences in living conditions between the two settlements, Ariel receives the same benefits and aid as Shemona . For example, Ariel receives the same subsidized mortgages and industrial aid as the stricken settlement to the north . The Israeli government provides up to 75 % financing for new industries in both settlements. The bottom line is that every suburbanite that moves to settlements like Ariel competes with settlers in towns similar to Qiryat Shemona for scarce resources.

As for the future of the Israeli settlements, the target of the WZO and the Israeli government is to settle 100,000 Jews in 165 settlements by the end of the century. Most critics state that this will be impossible since growth is expected to average 3000 families ( 12,500 people ) annually unless construction around the metropolitan areas is accelerated. Settlements in the rift and massif region will continue to develop slowly to 5500 families ( 23,000 people ) by 1990. The major settlement concentration will be in the metropolitan areas of Tel Aviv and Jerusalem where 23,000 families ( 100,000 people ) could be settled with an accelerated program by 1990.

Benvenisti has predicted that in 1990, the Occupied Territories' demographics will have the following shape. In the Jordan rift and the eastern slopes of the highlands, the area will remain sparsely populated. A total of 4500 Israelis and 33,000 Arabs ( with an annual growth rate of 2 % ) will be settled in the area. There will be some local conflict over water resources but the area will be used predominantly as a defensive zone and for military training. The mountain massif, a narrow strip 100 km long and 10 to 20 km wide from Jenin to Hebron, will be densely populated by 500,000 to 550,000 Palestinians and will be built up heavily. There will be ten to 25 permanent Israeli settlements with 20,000 Jews ( 3.5 % of the population ). Israel will control all of the natural resources and will be the only legitimate authority in the area. The most likely result will be ethnic friction, especially from the settlers that tend to be Zionist zealots. In the 15 km radius around Jerusalem, there will be a small Jewish minority of 56 % based in West Jerusalem. However, the countryside will remain overwhelmingly Arab ( 86 % ). The result will be a tribal map of alienated enclaves which could easily become points of friction. A dual system exists and is not expected to change. Jewish and Arab localities are subject to separate and unequal conditions administratively, politically, judicially, economically, and socially. Israel will continue the administrative, political, and welfare state system whereas

the Arabs will remain under a military government and discriminated against. Finally, in the 60 km long, 20 km wide area along the Mediterranean coast near Tel - Aviv, the vast, almost homogeneous Jewish area contains one-half of the Jewish population and three fifths of Israel's industrial plants. It is a possibility, though unlikely, of potential ethnic friction.

### **Conclusion**

To conclude, the cost of the settlement policy in the Occupied Arab Territories may be divided into two separate categories. A cost to the Arab inhabitants in particular and a cost to the State of Israel. The first category includes the cost for displacing the Palestinians leaving the area as a direct consequence of Israeli settlements and thus the social and economic cost of the forced change in the demographic fabric of the Occupied Arab Territories. It also includes the value of expropriated Arab land used by Israeli settlers or for road constructions or other such facilities in the process of implementing the policy of Israeli settlements on Arab land. In addition, the loss of revenues which Arab inhabitants derived from the utilization of their expropriated land in agriculture, industry, trade or any other use. Obviously such costs to the Palestinians as a result of Israeli settlements will have a multiplier direct and indirect effect. Nevertheless, they represent a benefit to Jewish settlers and the Israeli economy. The second category is the cost to Israel itself in terms of budgets needed to be allocated for the implementation of the Israeli settlement policies. The Israeli economy in its current severe troubles will have the greatest impact on settlement policy. As long as the United States does not step up its economic aid to Israel, its budget restrictions will slow down the pace of settlement construction. If the next election however will result in a victory for the Likud, construction of settlements in the Occupied Territories will be drastically increased no matter what the financial burdens to the Israeli economy be.

Based on cost-benefit analysis as well as political factors, it does not seem that the future of the Occupied Territories will be decided upon in the near future.

---

### **REFERENCES**

---

- Meron Benvenisti, *The West Bank Data Project*, American Enterprise Institute for Public Policy, Washington, D.C., 1984.
- Terence M. Tehranian, « The Politics of Israeli Policy in the West Bank », *Middle East Studies*, October 1983, Vol. 19.

- David Richardson, « Takeover on the West Bank », **Dissent**, Winter 1983, Vol. 30.
- Yehuda Litani, « Tragedy on the West Bank », **Dissent**, Fall, 1983.
- Dilip Hiro, « West Bank Focus », **The Nation**, Jan. 14, 1984 Vol. 238.
- United Nations, « Occupied Territories », **U.N Chronicle**, October, 1983, Vol. 20.
- State of Israel, Ministry of Defense, **Coordinator of Government Operations in Judea-Samaria, Gaza Strip, Sinai**.
- Eliahu Salpeter, « Israel's Unsettling Ground », **The New Leader**, May 28, 1984, Vol. 67.

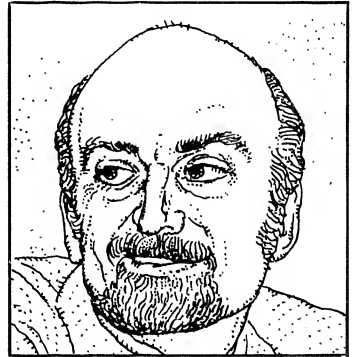


---

# COMMENTARY ON Dr. OWEISS'S PAPER : ECONOMICS OF THE ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES

By

**Timothy NIBLOCK\***  
*Director of the Master's  
Programme in Politics  
University of Exeter  
England*



The paper by Ibrahim Oweiss constitutes a useful and informative survey and summary of post - 1967 economic development in the occupied Arab territories. The specific dynamics and effects of the settlement programme, therefore, are rightly set within the context of the overall economic structure of the territories. The material presented relies heavily on Meron Benvenisti's

---

\* Dr. Niblock holds a Ph.D. in International Relations from the University of Sussex. He obtained his B.A. in Philosophy, Politics and Economics from New College ( Oxford ) and his M.A. at the College d'Europe, Bruges.

He is presently a lecturer in Politics and Director of the Master's Programme in Politics with special reference to the Middle East at the University of Exeter.

Previously, Dr. Niblock lectured at the University of Dar-Es-Salaam, the University of Khartoum and the University of Reading. He also served as Deputy Director of the Centre for Arab Gulf Studies, University of Exeter.

His publications include *Social and Economic Development in the Arab Gulf*, and *State Society Economy in Saudi Arabia*, and *Iraq: The Contemporary State*.

*The West Bank Data Project*<sup>1</sup>. This is perhaps natural: Meron Benvenisti's work provides a wealth of data which other researchers should utilize.

The theme pursued by Ibrahim Oweiss could, I believe, have been strengthened by laying greater emphasis on the historical interactions between Zionism and economy. Settlement on the West Bank, after all, follows the pattern of pre-1948 settlement. The way in which Zionist settlement and economic concerns inter-acted in that earlier period, therefore, should shed some light on the contemporary situation.

Recent work by B. Kimmerling<sup>2</sup> has shown that pre-1948 Zionism was not a "profitable concern". This makes the pre-1948 Zionist settlement in Palestine unlike almost all other immigrant-settler undertaking during the colonial age, where economic profitability prevailed. There are, according to Kimmerling, three reasons why Zionist settlement was, in purely economic terms, unprofitable. First, land in Palestine was not free — as colonial land elsewhere tended to be. Land in Palestine, in fact, was both scarce and expensive. In 1936, for example, land in Palestine was four times as expensive as in the United States, and in 1944 it was 23 times<sup>3</sup> as expensive. Second, the insistence on building up an exclusive and self-sufficient Jewish community in Palestine meant that cheap local labor could not be fully utilized. Expensive settler labor had to be employed. Third, the attempt to create a Jewish state in a land which was already inhabited by another people led to resources having to be deployed for the "defense" of the incoming community. The costs of inter-communal confrontation were considerable.

This aspect of the historical background is of considerable importance to an understanding of the dynamics of Zionist settlement in general. The political objectives have always had primacy; profitability has been secondary. Whether the political objectives are perceived in terms of protecting the security of the existing Jewish community, or in terms of strengthening the Zionist presence and tightening Zionist control over the territory of Palestine, they have remained predominant. Economic considerations may affect the speed with which settlement occurs, and perhaps the pattern which it takes, but not the fact of settlement.

Even if Jewish settlement on the West Bank and Gaza could be shown to constitute an immense economic burden to Israel, therefore, this might be of only marginal relevance to Israel's settlement policy. In the past, economic constraints have been met by obtaining increased assistance from outside. For as long as such assistance is available, economic constraints cannot be expected to result in a major change of settlement policy.

The problem which confronts those who expect Israel's current economic problems to lead to a change in settlement policy, however, runs yet deeper. Unlike the pre-1948 pattern, Israeli settlement on the West Bank and Gaza has

in fact been part of a “ profitable concern ”. While the direct economic returns from the settlements may not have justified the immense cost involved, the overall incorporation of the West Bank and Gaza strip into the Israeli economy has been of considerable economic benefit to Israel.

Consider Israel’s economic position prior to the 1967 war: the Israeli economy was experiencing a recession between 1965 and 1967; the reparations paid by the West German government to the Israeli government had terminated in 1966; the influx of foreign investment was in decline; the United States government was cutting on its subsidies and seeking to restrict its economic assistance to long-term loans; and the country’s foreign exchange reserves were falling<sup>4</sup>. The solution to the economic crisis lay in boosting exports, particularly of citrus fruits. The problems here, however, were numerous: the best land within the Israeli state was already in use, and water was scarce, such that there was only limited potential for agricultural expansion; labor was in short supply and was expensive relative to labor in some other citrus-exporting countries, and the Arab boycott cut Israel off from any nearby market.

The 1967 war solved Israel’s economic problem. At one level, the emotions engendered by the war brought to the country an immediate – and continuing – influx of capital and assistance. At another level, the newly-occupied Arab territories provided Israel with a substantial export market, a source of cheap labor, and additional water supplies. It is hardly surprising that the years between 1967 and 1973 saw the Israeli Gross National Product grown at an unprecedented rate. The Occupied Territories accounted for 10-16 % of Israeli exports through the years between 1969 and 1981 ; the number of workers from the Occupied Territories employed in Israel reached 20,600 in 1970, and by 1974 had reached 68,700<sup>5</sup>, and the diversion of water supplies to Israeli land ( and cities ) proceeded apace<sup>6</sup>. Although the workers from the Occupied Territories only comprised 5.9 % of the total Israeli labor force in 1974, this percentage understates their real economic importance. In the agricultural sector – of key concern to the Israeli government in boosting exports – labourers from the Occupied Territories comprised 17.7 % of the workforce, and in the construction sector ( also significant ) they comprised 40 % of the workforce<sup>7</sup>.

Whereas, then, earlier Zionist settlement in Palestine involved economic losses being offset against the political gains ( with the latter enjoying primacy, ) Israeli settlement on the West Bank has seen the inter-twining of political and economic interests. The establishment and maintenance of settlements on the West Bank and in the Gaza strip can be seen by the Israeli government both as an instrument for ensuring the continuity of the economic gain, and as the instrument of Israeli Zionist political objectives. A publication of the Bank of Israel suggested that, between 1968 and 1975, the

burden which expenditure on the Occupied Territories imposed on the Israeli economy came to no more than half of one per cent of Israel's G.N.P.<sup>8</sup> While the percentage may have risen slightly since 1975, it would still represent an insignificant "burden" when compared with the benefits which the Israeli economy has drawn from the occupation. The serious problems which face the Israeli economy today – the rampant inflation, the growing imbalances etc. – therefore arise not because of the occupation but despite it.

Israel's settlements on occupied Arab territories, then, involve intertwined political and economic interests. Policies based on mutually reinforcing interests of this nature are not easily shifted. The removal of the settlements must remain a key objective of Arab states (and, indeed, of the international community as a whole), but no one must underestimate the determination with which Israeli governments will pursue existing policies – nor the determination and strength of purpose which internal opponents and external forces will need to exhibit if they are to force an Israeli withdrawal. Progress is possible and will no doubt occur; but only if and when the full dimensions of the problem are recognized.

This brings me back to Ibrahim Oweiss' paper. His conclusion is that "based on cost-benefit analysis as well as political factors, it does not seem that the future of the Occupied Territories will be decided upon in the near future". My fear – and belief – is that this conclusion is too complacent: that the speed at which settlement is now proceeding endangers the immediate (and not just long-term) future of the West Bank and Gaza strip; and that only urgent and severe action can keep alive the hope of de-incorporating these territories from Israel.

Evidence contrary to Ibrahim Oweiss' conclusion emerges from the paper itself. The major rise in Israeli settlement on the West Bank has occurred in the "suburbia" phase (as opposed to the Allon settlements and Gush Emunim phases). The suburbia settlement programme, continuing over the period since 1980, began at a time when the Israeli economy was in crisis and has been pursued throughout that crisis. While economic constraints may have caused some of the planned suburbia settlements to be scaled down or dropped, the fact remains that the number of Jewish settlers on the West Bank has doubled over the past two years. "Cost-benefit analysis" has evidently not been the most critical determinant of government policy.

New information on the scale and speed of Jewish settlement on the West Bank has recently become available (in the period since Ibrahim Oweiss wrote his paper). An updated report by Meron Benvenisti (mentioned in *The Times*, 12.2.85) reveals that whereas there were 20,700 Jewish settlers on the West Bank in 1982, by 1984 there were 42,600. The number of settlements had grown from 71 in 1982 to 114 in 1984. Although the number of building starts in the

West Bank had dropped in 1984 to one - half of the 1982 figure of 730, the report predicts that the rate of settlement in 1985 would continue at the 1984 level. In 1984, 72 % of the settlers were grouped in 15 large outposts — the biggest being Ma'aleh Adumin. Meron Benvenisti predicts that by 1990, 100,000 Jewish settlers will have taken up residence on the West Bank.

The practical evidence, therefore, is that settlement is proceeding apace despite Israel's economic crisis. No doubt settlement could not proceed at this same speed ( or possibly at all ) if the United States were to cut off or cut down its assistance to Israel. United States assistance currently constitutes "close to 17 % of Israel's G.N.P., one third of its merchandise imports, 60 % of its trade deficit, and 50 % of its budget<sup>9</sup>. There is regrettably, however, no indication that the United States will take such a move.

Nor is the simple number of Jewish settlers on occupied Arab territories the most telling aspect of the situation. Of equal or perhaps greater significance is the extent to which defense establishments , transport networks, electricity and water supply systems, etc. are being ( or have been ) integrated into the Israeli framework. Economic constraints may have delayed the completion of some projects in these spheres, but the integration still proceeds. The major bottlenecks impeding the creation of a road system integrating the new settlements into Israel will, it is predicted,<sup>10</sup> be removed by 1985: the Petah Tikva bypass connecting the " trans-Samaria road " to the Herzliya- Tel Aviv highway will be completed by then, as also will the Jerusalem-Maaleh Adumin highway and an arterial road connecting Ben-Gurion Airport with the northern Jerusalem area. Bypasses around Arab towns are also underway.

The theme which I am putting forward, therefore, is that Israel's economic incorporation of the occupied Arab territories ( through Jewish settlement, the taking over of Arab land and resources, and the integration of services ) is proceeding fast; that this incorporation is not being severely impeded by Israel's economic crisis ( as would seem to be implied by the conclusion to Ibrahim Oweiss' paper ); and that only immediate and concerted action from inside the Occupied Territories and from outside can now prevent their absorption.

The question may now arise: if Israel's economic crisis has not significantly affected policy on the West Bank, what are the dynamics of the crisis? The high rate of inflation would seem to stem from the attempt of the Likud government, when it came to power in 1977, to pursue liberal economic ideas within a system where substantial government expenditure was inevitable ( for defense and for the administration of Occupied Territories ). The Likud government intended to allow free market forces to determine the pattern of economic development — cutting subsidies and supports, reducing taxes, lifting restrictions on foreign currency dealing, selling of government

enterprises, etc. Such policies could, in fact, only be partially implemented: they encountered opposition from employers' organizations as well as from workers' trade unions. Nevertheless, to the extent that they were implemented, the marginalisation of the government's economic role was at variance with the requirements for an active military policy and settlements policy – objectives which the Likud government also wished to pursue. The result was a rising inflation rate.

In a different situation, rampant inflation might have been expected to force on the government a change of policy. The Likud government, however was not prepared to abandon any of its central tenets: the introduction of some liberalisation into the economy; the intensified trend to incorporate the Occupied Territories; and the primacy given to military expenditure. The problem of inflation is treated, rather, by institutionalizing it: creating a system where ( through linking salaries and wages to the rate of inflation ) most of the population could be protected from the effects of inflation. Increased assistance from outside was also sought and obtained.

One final point in Ibrahim Oweiss's paper needs to be taken up. This is his projection of the likely composition of the population of Israel and the Occupied Territories in the year 2010. Basing himself on the work of Terence Tehranian he suggests that there would be an Arab majority in Palestine at that time. Much depends, however, on the route of Arab emigration – whether voluntary or forced. The structure of the economy and society which Israel is today building up in its Occupied Territories, moreover, is such that Israeli governments will be able to manipulate labor needs and surpluses. Under these conditions, Israeli governments may be able effectively to determine the rate of Arab emigration. Given the dependency of the Occupied Territories on the Israeli economy, therefore, population projections for the year 2010 must be treated with caution.

The conclusion which I reach, therefore, is not an optimistic one. Neither the dynamics of population change nor the present economic crisis in Israel seem likely to change the course of Israeli policy on the West Bank and Gaza strip. As long-term factors seem unlikely to bring about favorable conditions for the populations in the Occupied Territories, and as the short term holds only the promise of closer incorporation by Israel, a new strategy to confront the situation needs urgently to be devised.

---

## FOOTNOTES

---

- 1 ) M. Benvenisti, *The West Bank Data Project: A Survey of Israel's Policies* ( American Enterprise Institute for Public Policy Research, Washington and London, 1984 ).
- 2 ) B. Kimmerling, *Zionism and Territory: The Socio-Territorial Dimensions of Zionist Politics* ( University of California Press, Berkely, 1982 ).
- 3 ) B. Kimmerling, *Zionism and Economy* ( Schenkman Publishing Co., Cambridge, Mass., 1983 ) p. 24.
- 4 ) These points are summarized well in J. Metzger, M. Orth, and C. Sterzing, *This Land is Our Land* ( Zed Press, London, 1983 ), p. 85.
- 5 ) International Labor Office, *Action Taken on the Resolution Adopted by the International Labor Conference at its 59th to 69th Session. Appendix: Report of the Mission sent by the Director General to examine the situation of workers of the occupied Arab territories* ( ILO, Geneva, 1979 ).
- 6 ) U. Davis, A. Maks and J. Richardson, *Al-Siyassah al-Ma'iyah al-Isra'iliyya*
- 7 ) B. Kimerling, *Zionism and Economy*, p.60.
- 8 ) A. Bregman, *The Economy of the Administered Areas, 1974-75* ( Bank of Israel Research Department, Jerusalem, 1976 ) p.15.
- 9 ) A. Alnasrawi, " The economics of Occupation and Israel's Economic Crisis ( PartII )" *Mideast Monitor*, Vol. 1, no 2. October 1984.
- 10 ) Benvenisti, *The West Bank Data Project*, p.60



---

# COMMENTARY ON Dr. OWEISS'S PAPER: ECONOMICS OF THE ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES

By

**Manabu SHIMIZU\***  
*Overseas Research Officer  
Institute of Developing Economics  
Japan*



Dr. Ibrahim M. Oweiss's main report on the subject is very much informative and gives us a penetrating analysis on the complicated economic dimensions of the Israeli settlements in the Occupied Arab Territories. I would like to discuss here some of the important points raised by Dr. Ibrahim from another angle of view as one of supplementary discussions to the main report. I put a special emphasis on the general framework of economic relations between Israel and the Occupied Territories.

At present, it is particularly important to point out the fact that the Israeli economy is confronted with the gravest crisis in her history. Since June 1982,

---

\* Mr. Shimizu holds a Bachelor's Degree and a Master's Degree in International Relations from Tokyo University.

Presently, he is an Overseas Senior Research Staff Lecturer at Chiba University, Japan.

In the past, Mr. Shimizu has been a researcher at the Institute of Developing Economics, Tokyo, and the Tata Institute of Social Sciences, Bombay, India.

when Israel launched an aggressive war against Lebanon, she has had to face crises on the two fronts of the economy, that is price rise and balance of payments. The rate of price rise in 1984 reportedly arrived at the level of 600 percent. Although Israel entered the new stage in the field of inflation since the latter half of 1970's, the year 1982 could be termed as another milestone in a deepening crisis in her economy. Israeli citizens had to accept the absolute decline in their real income through this process. At the same time Israel had to face another crisis in her balance of payments which could be alleviated only to some extent by the massive inflow of foreign aid, most of it expected from the United States. The eroding confidence in her economy by Israeli citizens was manifested in the bank-share crisis in the fall of 1983 when the stock exchange was forced to be closed for three successive weeks for the first time in her history. However, I do not intend to say here that the Israeli economy is facing a bankruptcy from which there is no escape. However, it is no exaggeration to say that her economic crisis explicitly focuses our attention on the accumulated contradictions of Arab peoples in a *clear way*. One of Israel's major objectives in waging a war in Lebanon in 1982 was to dismantle the political and military entity of the PLO and to pave the way for the implementation of her settlement policies without obstruction by the Palestinians. However, in spite of the retreat of the PLO from Beirut under fierce bombardment and siege by Israeli forces, the PLO remained an independent political entity, a true representative of the Palestinian people and resistance by the Palestinian people persisted in the Occupied Territories with much more tenacity than before. Israel could not achieve in full her main objectives as expected in waging a war in Lebanon. In addition to that, the present economic crisis demonstrates the fact that the required cost of Israel's policies aimed at the expansion of Jewish settlements in the Occupied Territories surpasses by far her economic capacities. In other words, Zionist expansionism reached a stage where it contradicts to a greater degree the economic principles and potential capacities of her economy. This contradiction is one of the weak points which nourished themselves through her policies in the past.

However, we cannot draw from this fact a direct conclusion that Israel would change or refrain from the aggressive promotion of settlement in the Occupied Territories.

According to the latest study on the number of Jewish settlers in the West Bank, produced by the *West Bank Data Project* by Meron Benvenisti, as of Jan.1, 1985, there were 9,000 Jewish families living on the Israeli-occupied West Bank — a total of 42,500 people in 114 Jewish settlements. This figure exceeds a generally-accepted one when one refers to imagine the present stage of Jewish settlements. The most frequently quoted figure was that there were 28,000 to 30,000 Jewish settlers in the West Bank.

*TABLE 1*

*Latest Figures on the Jewish Settlements in the West Bank*

	Settlements ( n°)	Settlers( n° )	Families( n° )
At the end of 1982	71	20,500	5,000
At the end of 1983		27,500	6,500

*(International Herald Tribune, Feb. 11, 1985).*

Mr. Benvenisti says that given the present rates — and if nothing intervenes to stop it — he does not see any reason to modify his prediction that by the end of the decade there will be 100,000 Jewish settlers on the West Bank. One of the most interesting discoveries of the study is that all the increase in the West Bank Jewish population in the last two years has been in the existing settlements.

Therefore, it is to be noted that without much investment in the infrastructure there is still a scope for expanding the Jewish population in the West Bank and Gaza.

**1) Major characteristics of Israel's economic policies towards the Occupied Arab Territories.** Here I would like to take up the mutual relations as a whole between the Israeli economy and the economy in the Occupied Arab Territories (West Bank and Gaza Strip).

I exclude here the occupied Golan Heights for technical reasons. However, what is taking place in the occupied Syrian territories parallels those developments in the West Bank and Gaza.

As is pointed out by Dr. Ibrahim, the Occupied Territories' economy is an example of classical colonial pattern. I agree to his characterization of it and I would like to go into some detail from this point of view.

The classical colonial pattern could be understood more clearly when it is compared with the modern colonial pattern. Any modern colonialism tries to make it appear as though those policies are pursued to improve the economic and social status of inhabitants there. However, classical colonialism pursues the interests of the colonizing power without reversion.

Israel's economic policies toward the Occupied Territories are results of mixed and different intentions. However, what is most striking is the ideological motivation which could be termed as expansionist Zionism, in deciding upon the fundamental principle in her colonial policies. This is the Jewish settlement policy. Other policies are subservient to this motivation. Therefore, an ideological or theological motivation behind Israel's colonial policies is a conspicuous factor which distinguishes it from other economic colonialism.

However, at the same time we observe some of the typical classical colonial policies in Israel's economic policies. The main features of them are as follows:

**2) Integration (or subordination) to Israel's economy** . These policies meant to do away with the economic barriers between Israel and the Occupied Territories. The free flow of commodities and labourers is assured with some exceptions. The Israeli currency is also circulated in the Occupied Territories. However, it was a combination of an economically advanced economy and less developed economy. The economic integration under this condition made it possible for the Israeli economy to gain the fruits at the sacrifice of the balanced development of the economy in the Occupied Territories.

As is shown in Table II the economic size measured in GNP of the Occupied Territories is only 8.27 % of that of Israel in 1980.

The Occupied Territories were turned into an assured market for Israeli industrial and agricultural commodities as well as sources for cheap labour for Israel's industry and agriculture.

*Table II*  
*Comparison of Economic Size between Israel. West Bank & Gaza*

**ISRAEL**

	GNP ( million I.L )	Population ( 1,000 )	GNP/ per capita (I.L)
1975	74,920	3,445.3	21,683
1980	85,340	3,877.7	22,008

**WEST BANK & GAZA**

1975	4,874	1,053.6	4,626
1980	7,026	1,145.9	6,131

Israel; calculated according to Eitan Derglas, "Defense and the Economy: The Israeli Experience", the Maurice Falk Institute for Economic Research in Israel, Jan. 1983, p.5; Jacob Metzger, "The Slowdown of Economic Growth in Israel; a Passing Phase or the End of the Big Spurt?" The Maurice Falk Institute for Economic Research in Israel, April 1983, p. 67.

The West Bank and Gaza; calculated according to Raphael Meron, "Economic Development in Judea-Samaria and the Gaza District 1970-80", Bank of Israeli Research Department, p. 20-22, *Merip Reports* vol.13, N° 5, p. 16.

**3) «Laissez faire» in the Occupied Territories.** The Israeli authorities adopted a «laissez-faire» policy towards the economic activities in the Occupied Territories. In other words, the Occupied Territories were not given effective aid for their development and remained as underdeveloped as ever. Even the Municipal councils had to have recourse to the aid given by Arab countries and development expenditures. Even though the rate of savings in the West Bank and Gaza seems to be comparatively high, around 22% in the middle of 1940's, those savings could not find suitable chances of investment in the territories. Most savings find their outlet in housing and educating their children.

**4) Open bridge policy.** Israel allowed the West Bank and Gaza to have trade relations with Jordan and other Arab countries. One of the main economic reasons is to find an alternative market for agricultural products of the Occupied Territories in order to avoid the competition in the Israeli market with Israeli agricultural products. We have to take into account another aspect of Open-bridge policy, that is, an indirect support to the Israeli balance of payments difficulties. As is shown in the following tables, the West Bank as well as Gaza show a favorable balance of trade with Jordan. However, these Occupied Territories record an increasing deficit in trade with Israel. This structural pattern of trade of the Occupied Territories serves to supply foreign currencies to Israel who suffers from a structural deficit in the balance of trade.

*Table III*

*Balance of Trade ( West Bank )*

Year 1978	( million I. L )		
	Export	Import	B. of T
With Israel	1,457.2	3,757.20	- 2,300.0
With Jordan	1,085.0	87.5	+ 997.5

### *Balance of Trade ( Gaza )*

---

Year 1978	( million I. L. )		
With Israel	1,450.3	3,174.4	- 1,724.1
With Jordan	576.3	—	—

---

(Source: PLO: *Palestine Statistical Abstract*, 1980).

Now we have to see the structural transformation of the **Occupied Territories** through those Israeli economic policies.

**5) Priorities in Israel's economic policies towards the Occupied Territories.** Israel's economic policies towards the Occupied Territories resulted as a matter of fact in the subjugation of the latter economy to the Israeli economy. Business cycles in the Occupied Territories came to coincide completely with those of Israel. I would like to point out some of their major results, to examine their implications. They are :

- ( 1 ) Establishment of Jewish settlements ,
- ( 2 ) Security of water resources for Israel ,
- ( 3 ) Assured export market for Israeli industrial products ,
- ( 4 ) Sources of unskilled or semi - skilled labor for the Israeli economy.

It might not be easy to place them in a row according to their priorities for Israel. However, tentatively they may be arranged in a row taking into account their possibility of securing their substitution.

It goes without saying that Jewish settlement is the top most priority from the Israeli peculiar character of colonization. After that may come the security of water sources for Israel, because it is difficult to find an alternative source for them.

Sources of human power and a market for Israeli goods may have another chance to find an alternative theoretically. Therefore we should focus our attention on the supply of water for Israel in the beginning.

Mr. Meir Ben Meir, Israeli controller of water resources, says that out of the domestic as well as agricultural water demand in Israel one third is supplied from the water sources in the West Bank. During the autonomy negotiations on the basis of the Camp David Accords, Israel tenaciously demanded the three principles, one of which was the Israeli perfect control over water resources in the West Bank. This Israeli stand shows very clearly how important it is for Israel to hold to the water resources in the West Bank.

It is important that Israel makes use of the potential water capacity at the highest rate of 95 %. This rate is the highest in the world. In other words, what is required of Israel is not to hold to the present water resources, but to find additional ones, besides the water resources in the Occupied Arab Territories.

*Table IV*  
*Expansion of Water Consumption in Israel*

	(million m <sup>3</sup> )
1948	350
1953	810
1958	1,274
1964-65	1,329
1969-70	1,564
1975-76	1,768
1976-77	1,670

*(Merip Reports, July-August, 1983).*

Under the constraint of the water supply, Palestinians in the West Bank and Gaza had to face a racially discriminatory policy of distribution of water resources.

In the Occupied Territories, Palestinians were prohibited to dig any artesian wells. A maximum limit of drawn water was set upon the existing wells. Any new kind of well was not allowed to be dug for agricultural use. However, in the Jewish settlements as many as 17 new wells were dug up till now compared with 7 by the Palestinians. The number of wells in the Jewish settlements in the West Bank is only 5 % of the total number. However, the quantity of water drawn out of them corresponds to about 40 percent of all that is drawn out by the Palestinians. Domestic water consumption per capita in Israel is about 60 m<sup>3</sup>. With the more « advanced » standard of living, Israel's requirement for water resources could not be solved without continued control over the water in the West Bank. Even though this consideration is not emphasized in Israel's economic policies apparently, we should not lose sight of the Israeli strong motivation in this problem in her policies towards the Occupied Territories.

Now we examine other aspects of the benefits for the Israeli economy, that is, a market for industrial goods and a source of labor force.

There are different views concerning the indispensability for the Israeli economy of an export market in the Occupied Arab Territories. However, if you take into account the fact that the Occupied Territories are the monopolized market for Israeli products under increasing competition with Israeli goods in the U.S. and Europe, it could safely be said that this monopolized market is becoming much more indispensable for Israel. This aspect is rightly pointed out by Dr. Ibrahim. Israel is interested in blocking the industrial development in the Occupied Territories as long as possible. With this intention in mind, this policy can be characterized as a classical pattern in Israel's colonialism.

Finally we come to the labour mobility from the Occupied Arab Territories to Israel. This problem focuses our attention upon the most complicated aspects of economic relations between the two. The increasing daily flow of labourers from the Occupied Territories to Israel conditioned one of the major aspects of economic subjugation of the former to the latter. As is shown in the table below, out of the GNP in the Occupied Territories, the proportion of income from this origin occupies an astonishingly high percentage particularly in the Gaza strip.

*Table V*  
*Sources of Income in the West Bank & Gaza*

1980	(Million Israeli Shekels)		
	West bank	Gaza	Total
( 1 ) GNP at factor cost	5,192.9	2,145.7	7,338.6
( 2 ) Wage income from abroad	1,015.8	701.2	1,717.0
( 3 ) Wage Income Israel	711.1	490.8	1,201.9
( 3 ) / ( 1 ) ( % )	13.7	22.9	16.4

(Source: Mark A. Heller, *A Palestinian State - The implication for Israel*, Harvard University Press, 1982, p. 83).

If you take up the percentage of employees who get jobs in Israel compared with the total employees in the West Bank and Gaza, it will arrive at 65 %. Even out of the total labour force including the self-employed, the percentage of labourers who work in Israel should be around 54 %, in other words one third of the labour force in the Occupied Territories on average find employment in Israel.

*Table VI*

*Israel and the Labour Market in the West Bank and Gaza, 1980 (1000)*

	W.B.	Gaza	Total
( 1 ) Total Labour force	131.2	79.4	210.6
( 2 ) Employed in Israel	38.4	33.5	71.9
( 3 ) ( 2 ) / ( 1 ) ( % )	29.3	42.2	34.1
( 4 ) Total Employees	73.0	50.7	123.7
( 5 ) Employed in Israel	37.3	33.1	70.4
( 6 ) ( 5 ) / ( 4 ) ( % )	51.1	65.3	56.9

(Source: Mark A. Heller, *ibid.*)

The staggeringly high rate of dependency of the Occupied Territories upon the Israeli labour market for sources of income transformed the social structure of the West Bank and Gaza without industrialization in the territories.

In the labour market in Israel, Palestinian labourers from the Occupied Territories occupy about 6 % as from 1980. This figure, however, hides the qualitative aspects of Palestinian labourers, the daily migration of Palestinian labourers usually employed as unskilled or semi-skilled labour power in Israel. They are not protected by the Israeli labour laws in labour contracts. They are less paid than their Israeli counterparts in the same occupation.

### **Conclusion**

As has been pointed out above, the West Bank and Gaza were turned into an economic colony which would be understood only in the framework of a classical type of colonialism. Israel does not even pretend to be a protector for

Zionism which inherently has within it a trait of racial discrimination. Among the objectives pursued by Israel in deciding upon her economic policy towards the Occupied Territories, the expansion of Jewish settlements comes first. This aspect is the most conspicuous characteristic of Israeli colonialism.

There follows another objective of Israeli policies. If they are classified in a row according to the importance which she attaches to them, the requirement of securing the water resources comes second. After that, the monopoly of market for Israeli products and the sources of unskilled or semi-skilled cheap labour for the Israeli economy should be taken into consideration.

What is to be noted is the fact that the increasing economic crisis at present clarifies another important aspect of Israeli classical colonialism, that is, her dependency on external economic assistance. I have not discussed this problem here. However, as is also pointed out by Dr. Ibrahim, the fact that Israeli colonialism did depend upon external assistance is an accepted one to the world. In other words, although Israeli colonialism is of a classical type, it still finds it difficult to pursue its objectives without external assistance, particularly from the United States. Therefore, Israeli economic policies toward the Occupied Territories would be summarized as a dependent classical colonialism imbued with an ideology with racial discrimination.

I would like to put a special emphasis, however, on the importance in distinguishing the **Zionists** who are ready to accept the right of self-determination for the Palestinians from those Zionists who are not to accept it.

# CHAPTER / 8

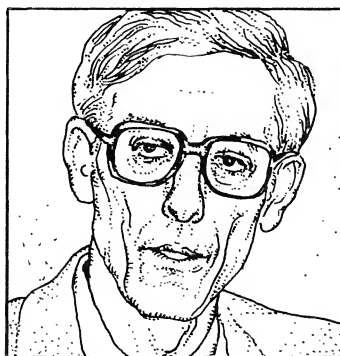


---

# PALESTINIAN RESISTANCE TO ISRAELI SETTLEMENTS

By

**Kenneth M. LEWAN \***  
*Prof. of Politics*  
*Hagen Polytechnical – F. R. G.*  
*U. S. A.*



## **Panel VI**

**Chairman : Mrs. Vanessa Redgrave**

**W**hat can the Palestinians do within the Occupied Territories in the way of resistance against the Israeli settlements? Should they set their hopes on violence – or on non-violence?

Thoughtful people who have dedicated themselves to overcoming

---

\* Dr. Lewan holds an A.B. from Harvard College, an LL.B. from Harvard Law School, and a Ph. D. from the University of Munich.

*He practised law and was a legal advisor to the Department of Health, Education and Welfare in Washington, D.C. He taught law at the University of Indiana.*

*He is presently a professor of politics at Hagen Polytechnical in West Germany.*

*He has had numerous publications in English and German, including his latest book entitled **Sühne Oder Neue Schuld? Deutsche Nahostpolitik im Kielwasser der USA.***

*( Explanation or New Guilt: German Middle East Politics in the Wake of the U.S.A. )*

oppression have inclined at times toward violence and at other times toward non-violence. The German writer Bertolt Brecht, for example, advocated violence in a play: « Where violence rules, only violence can help ». Elsewhere he pinned his hopes on peaceful change: « Soft water in movement overcomes mighty rocks in the course of time ». Apart from having to make this difficult choice, the oppressed themselves are tormented by a question which is expressed in the following Arabic saying: « When your enemy is your judge, to whom do you complain? ».

My remarks here pertain to resistance within the Occupied Territories and not to those features of resistance that have to do with negotiations or the employment of military force outside<sup>1</sup>.

### *The Settlements*

To begin with, let us clarify the meaning of « the settlements ». The settlements are an evil from the point of view of the Palestinians which embodies several kinds of serious threats to them. Their seriousness has often been played down by comparing the number of settlers in the West Bank and the Gaza Strip with the number of Arabs there. Allusions to the slow growth of the colonies strengthens the impression that nothing much has happened. But apart from the fact that in East Jerusalem and the areas adjacent to it in which Israel purports to have annexed, the number of settlers is not much less than the number of Arabs, certain other matters have to be kept in mind in any discussion about the importance of the settlements and ways of resisting them.<sup>2</sup>

In the first place, Israel has confiscated huge parts of the Occupied Territories and enabled the Jewish Agency and individual Jews to purchase other parts. These areas may be more than Israel can colonize in the foreseeable future, but they are available for settlement when the time is ripe.

Secondly, the Arabs who have been forced to get off of all or parts of their lands to make way for the intruders have been put in a precarious economic position. Few of them have been able to find work in Palestinian industry or farming. Israel has kept the Palestinian economy in a state of stagnation by allowing its own businessmen to do business in the Occupied Territories and giving them subsidies, with the result that the Palestinians cannot compete with them, restricting imports and exports in its own interest, putting stiff restrictions on Palestinian investments and marketing, and so forth. The upshot is that the dispossessed have had to turn to the Israelis or menial jobs at low wages or emigrate. Some have managed to hang on by virtue of funds made available from outside the Occupied Territories. Because of the current economic slump in Israel and the slowdown in the Arab oil-producing states and Jordan, employment and income have been falling at an alarming speed<sup>3</sup>.

Thirdly, the Palestinians are surrounded by settlers who harass them and cause them psychological distress and physical harm.

The settlers not only force them from property which has enormous sentimental as well as economic value, but brandish weapons, smash windows, desecrate mosques, kill and make it abundantly clear that they are only too willing to spark off a mass expulsion of the Arab population. The Military Government lets all this happen: it has refrained from investigating serious offenses against the Arabs, and it has not confiscated the stores of weapons which the settlers have acquired<sup>4</sup>.

What these people do adds to the suffering which the military government and its soldiers cause through the mistreatment of prisoners, the town arrests, the collective punishments and the other distinctive marks of the Israeli occupation. The settlements also embody a threat to any eventual self-government by the Palestinians. Those who planned the colonies made a point of taking land « in between » Arab cities and villages which, of course hinders political organization among the fragmented Arab populations . It also threatens to split the Palestinian asunder and subject each of them directly to Israel's commands. The destruction of the Palestinian fabric would not only be a blow to Palestinian self-determination; it would simplify any attempt to expel large numbers of Palestinians<sup>5</sup>.

### ***Resistance: Means and Ends***

In the light of the foregoing, it is clear that resistance to the settlements calls for resistance to the taking of land and the building of settlements, resistance to economic, psychological harassment. Acts of resistance are any means that are employed to overcome or at least take the sting out of any of these various evils. The question now is: which means are good for the purpose of resisting each of these settlement-evils?

### ***Taking Land and Building Settlements***

Legal remedies against the taking of land for settlement in the Occupied Territories have been tried over and over<sup>6</sup>.

The law is clear enough: the Hague Convention on land warfare ( 1907 ), which the Israeli High Court has recognized as common law and applicable in the Occupied Territories, allows the occupying powers to take possession of property in occupied territories solely for military purposes during the period of the occupation. Permanent settlements which is what the Israeli colonies are intended to be, are illegal. The Geneva Convention for the Protection of Civilians in Wartime (1949), to which Israel is a party, explicitly forbids occupying powers to settle their own people in occupied territories.

Where plaintiffs pointed out that the taking of their land for the settlers violated the Hague Convention, the high Court of Israel took the military Government's word for it, that it had taken the land only for that limited purpose of « military security » during the period of the occupation, although it was common knowledge that the settlers had come to stay and that the Government was backing them up wholeheartedly. In one case of this kind, the Military Government caught a snag when the then Minister of Defense, Weizmann, who for tactical reasons wanted a different rationale for the confiscations, denied that the taking was for «military security». The Court judge then asked the settlers themselves what motivated them and they told him what he already knew: security had nothing to do with the matter, they were entitled to the land by virtue of the Holy Bible. Though the Court had to decide for the plaintiff, the security-argument is still available: the Defense Minister must simply avoid being so frank.

After this decision the Military Government switched its ground. Its favorite rationale was now that the land in question was public and state land. This line of thought gives the false impression that Israel would not stoop to taking private property and diverts people's attention from the fact that occupying powers are not supposed to take any property at all except for the limited purpose mentioned above. The High Court backs up the Military Government by not recognizing anybody's claim to put the taking of land for settlements in question. The Geneva Convention is a contract between states and cannot be enforced by private persons, and the matter of the legality of confiscating state land can only be raised by the state and not by private persons.

But an independent and courageous court would have inquired into the purpose of the Convention. Its purpose was to protect civilians. Why not let the beneficiaries sue where such a suit was not forbidden by the parties to the Convention? Besides that, if the court had given some serious thought to the right of sovereignty in this instance, it could have acknowledged the Palestinians' right of self-determination in the Occupied Territories and invited their representatives to press their claim just as the United Nations has done.

Another obstacle to effective resistance in this case lies in the fact that the High Court takes the word of the Military Government for it, that the land in question is state land. The Military Government, which is grabbing all the land it can lay its hands on, challenges an enormous number of claims. The only claims which it does not put in question have to do with land which Jordan was able to survey and register before the Israeli occupation, that is, about one-third of the West Bank. The Judges in the military courts, who, by the way, are appointed by the Military Government, merely give recommendations to the Military Government, so that it is the Judge in its own

dispute. The claimant has the burden of proof . The fact that land is cultivated is some evidence but not conclusive evidence of ownership.

Even if a parcel of land is regarded as private, resistance through legal channels may be futile. The military Government has no qualms about using the Jordanian law for the Expropriation of Land for Public Purposes to take property for roads, sewers and other things that could facilitate Jewish settlements. In line with an Israeli plan for a new network of roads which is to connect Israeli cities with Jewish settlements in the West Bank and bypass the Arab cities and villages, land for roads is being confiscated and wide strips on both sides are being closed to Arabs. The High Court is going along with the scheme: the expropriations are for the good of the « local population »<sup>7</sup>.

Lawsuits have been useful as a means of slowing down confiscations while the proceedings go on, but they have been useless as a way of preventing them, except in rare instances. There is no reason to suppose that this instrument can be made much more effective. Of course, the Palestinians should go on strengthening their claims and showing their will to stay by building houses, as they have done, for bears with alacrity. The same holds for the planting of trees and the cultivation of fields. To be sure, there are severe limitations: the military Government forbids any Arabs to build outside the municipalities, it seldom gives permission to build within them and buildings that are built without permission are often torn down.

The tens of thousands of Palestinians who live in the Occupied Territories and work in Israel could cause terrific damage, if they went on strike. If they stopped working in restaurants, hospitals, factories, etc., economic life in Israeli cities would grind to a standstill<sup>8</sup>. Should the Palestinians be replaced with Israeli or foreign workers, the labor costs and the inflation, which already is extravagant, would rise enormously. The knife in the wound could be turned through strikes by the Arabs who build roads and buildings for the Jewish colonists. As a crowning touch, the Arabs in the Occupied Territories, which are one of Israel's most important markets, could boycott Israeli commodities. Having done these things, the Palestinians could make certain demands: the settlers must leave Hebron, confiscations must cease, the Arabs must be allowed to build, and so forth.

No doubt Israel is willing to pay plenty to carry on its colonization. Its ability to do so depends, of course, on America's willingness to foot a large part of the bill. However, the US is not a tireless benefactor: it has not given Israel the wherewithal to prevent the emigration of hundreds of thousands of Israelis. On the other hand, the US has stepped in with enormous payments to save the nearly bankrupt Israeli economy, although the cost of the settlements is an important reason for Israel's economic troubles. Another matter of importance here is the cost to the Palestinians of such a strike. Funds to support

the striking workers and their families for an indefinite length of time would have to come from outside the Occupied Territories. It is hardly likely that Israel would try to stop the entry of such funds: preventing the smuggling of money is a thankless task, and Arab money in the Occupied Territories benefits the Israeli economy. But where would the money come from? It is true that lawyers and civil servants who worked for Jordan before the Israeli occupation and then went on strike have been paid from outside for not working. Money is also paid to many unemployed graduates of colleges in the hope that they will stay in Palestine. But funds for the compensation of between eighty and one hundred thousand striking workers, particularly at a time when the sources of any such funds ( Kuwait and Saudi Arabia ) have run into economic difficulties, are out of the question. The workers, who of course are worried about their economic security, could not be won over to such a risky undertaking. Finally, an assault of this kind against the Israeli economy would doubtless be met with the deportation of more Palestinian leaders.

An essential characteristic of Palestinian resistance in the Occupied Territories has always been the resort to publicity and non-violent disturbances of the Occupying Power. These include various actions and inactions which in the history of nonviolent resistance are called « protests », « noncooperation » and « disobedience »: letters and cables are sent, demonstrations are held, the flag is shown, short strikes are employed, also sit-ins, road blocks and so forth. Such means have been used by the Palestinians not only in resistance to the settlements, but also in reaction to deportations, the destruction of houses as collective punishment, administrative detention, the mistreatment of prisoners, violence against demonstrators and other suppressive measures. The chief purpose behind such efforts is to call the attention of all Israelis and Palestinians and other people to what is happening, to show a will to resist and to obtain help. Besides that, one wants to increase the Occupying Power's costs in time, money and the employment of its own people.

The frequency and intensity of these non-violent measures vary from time to time, sometimes they become wide-spread throughout the Territories<sup>9</sup>. Events outside the Occupied Territories like the recognition of the PLO in the United Nations and fighting have affected the vigor of the resistance. In the midst of non-violent resistance, violence – usually stone-throwing at soldiers or settlers – often breaks out.

The following sampling gives a fair impression of the resistance to the confiscation and the settlements: Letters or cables are sent by mayors or property-owners to the Military Governor, certain Israeli Ministers or the Secretary General of the United Nations. The Palestine Press Office gets in touch with Israeli and other Foreign Journalists. Many people who are to be

evicted refuse to leave their homes or obstruct the soldiers by standing or sitting out front, although disobeying evacuation orders is punishable. Prayer meetings take place in mosques. Dozens of mothers hold a hunger strike in the Red Cross office in Jerusalem and in their villages. They are protesting about the expropriation of land in and around their villages as well as the fact that their sons have been kept in prison for months without trial. Five hundred mothers stage a sit-in at the foyer of the city hall. One thousand students hold a demonstration and carry a Palestinian flag although it is forbidden to demonstrate or show the Palestinian colors. At the invitation of the Mayor of Hebron 2000 Israelis march with Palestinians to show their hostility to the invasion of Hebron by the colonists. Traffic is disrupted by road blocks which are made of burning tires. Several hundred Arabs stand in the way of marching settlers who insist on settling near Jericho. Shopkeepers close their shops and students stage a strike for one or more days, sometimes up to a week. A general strike is held. Mayors refuse to use their influence to end a demonstration or a strike. Mayors and city councils resign but go on running their cities. Several mayors refuse to acknowledge the « Civil Administration » of the Occupied Territories: it is part of a scheme for lulling the world into believing that the Palestinians are acquiring considerable freedom, whereas the confiscations and settlements and other features of the military occupation will go on.

It is true that in many instances of confiscations nothing much in the way of publicity or disturbances happens, but all in all Palestinian resistance has been remarkable for such measures. But what good has this done? These measures have not caused Israel to budge one iota from land it has taken, the land-grabbing goes on and on. Of course, these common efforts have helped to hold the Palestinians together, and they have kept alive the image of the Palestinians as a dauntless people where the events have been adequately reported.

Are the Palestinians doing all they can in this respect, should they try to cause the Occupying Power even more trouble — sabotage by the Palestinian workers in Israel, greater provocations in the Occupied Territories? It would be foolhardy to disregard the fact that their soldiers are ruthless: they beat and shoot demonstrators, impose severe curfews, deport leaders and mishandle prisoners systematically. Except for a small and courageous minority there has been no outcry from the Israeli populace. The general attitude was brought out in a recent poll: 15 % of the Jews in Israel ( 25 % of those between the ages of 18 and 22 ) want the Arabs expelled from the Occupied Territories, while 43.5 % would allow them to stay, but « without any rights, including the right<sup>10</sup> to vote ». In spite of all this, a certain level of disturbances and occasional outbursts of more fierce resistance will have to be kept up simply to avoid widespread despair among the Palestinians and to prevent the rest of us from forgetting them.

Because non-violent resistance against the seizure of land and the settlements holds so little promise, we have to consider what violence can do. Except for the fierce resistance in the Gaza strip between 1967 and 1971 the violent resistance by the Palestinians in the Occupied Territories has been only sporadic. Stones have often been thrown at soldiers and settlers, especially near the refugee camps, sometimes at schools and colleges. Now and then they are attacked with petrol bombs. Guerilla attacks occur too. Palestinian violence has been most pronounced where the provocation has been greatest, namely in Hebron ( 7 killed and 27 wounded ).

It is hard to tell whether these attacks have deterred anybody from joining the colonists or slowed down the movement. One careful observer is of the opinion that the attack on the settlers at the time when they broke into Hebron took some of the steam out of the movement<sup>11</sup>. Apparently Israeli leaders are now worried that serious outbreaks of violence will occur if the present unemployment in the Occupied Territories gets much worse. This could well be the reason why the Government has been promising to take steps to improve living<sup>12</sup>.

What would be the effects on the confiscations and settlements, if the violent resistance which occasionally occurs in the Occupied Territories were either stepped - up or stopped? The cessation of incidents of violence certainly would not abate the obsession of the religious and nationalistic power heads with the colonization . Furthermore, the Occupied Territories is an enormous source of wealth in land, water, cheap labor and markets for Israel as the colonial power. Besides that, a substantial number of settlers are not living in the Occupied Territories out of ideology but because they enjoy living in a suburb of an Israeli city, and both big political parties regard them as important voters.

As to stepping up violence, there seems to be a widespread understanding among the Palestinians for those who engage in violent resistance in spite of the collective punishments that follow, although parents naturally try to keep their children from doing dangerous things, But a great deal of violence could give certain Israeli leaders and their substantial followers the pretext they need for another mass exodus of Arabs from Palestine.

Insofar as the Jewish Agency or individual Jews acquire property in the Occupied Territories through purchase, this almost always happens because the owners are in dire economic straits or the settlers or the soldiers make life unbearable for them in their homes. Efforts are being made by the Palestinians to buy land where the owners have no choice but to sell. How far this is practicable I don't know. If enough funds were available, they might be used to buy back land from the Jewish real estate brokers who have been mushrooming in the Occupied Territories.

## *Resistance to Economic Dependence*

As long as nothing much can be done about the seizure of land and water, the Palestinians must take compensatory measures to mitigate the harsh effects of the confiscations. As I already mentioned, the dependency which follows from these compensations is worsened by a variety of other restrictions which Israel has imposed in its own interest.

If the Palestinian economy could develop independently of the colonial power, it would be a haven for the stream of unemployed who finish their studies or come back from the Arab states or Israel when they are not needed. Besides that, it would make independent political institutions more feasible.

The development of the Palestinian economy can only come about if important changes are made with regard to the influx of capital, freedom to invest, market opportunities and the training of workers. American and Israeli leaders have been talking for some months about improving the living conditions of the Arabs in the Occupied Territories. The Israeli minister who is in charge of these areas, Rabin, has announced that a bank, a cement factory and a medical center will be permitted. Moreover, the Israeli Mayors who have been appointed by the Military Government will be replaced by Arabs.

These few changes surely would not be enough to absorb coming waves of unemployment. And one wonders how far Israel will allow Palestinian investments and markets. The news about the cement plant has turned out to be misleading: any cement that it produces will have to be sold in an Arab country, it may not compete with the two existing Israeli cement factories! To be sure, Israel might be willing to give in here and there to keep the unemployed from resorting to violence, but an appreciable amount of freedom for investments and markets could lead to so much development that groundwork for a political entity would be laid – something that every Israeli government has fought tooth and nail. And where are the huge sums to come from that the bank would have to channel into the economy? Almost all of what has been saved in the Occupied Territories must have gone to Jordan for investment there or in other Arab countries. Because of the slowdown in the Arab oil-producing states less rather than more money is to be expected from there. Apparently a group of wealthy American Arabs and Jews want to invest in the Occupied Territories. Whether strings would be attached that would affect the decision-making power of the Palestinians in the matter of investments has not yet come to light. What the USA has up its sleeve – Is all this an overture to a new issue of the Reagan Plan? – has also not become known.

If no large-scale development occurs, the Palestinians will have to go on pumping in as much money as possible simply for upkeep.

As in the past they will have to work out small employment-producing projects for farms, workshops and other institutions and call upon various voluntary organizations, the United Nations and some states to help obtain Israel's approval.

In this connection I want to show what one state, the Federal Republic of Germany, could do in this matter. During a visit at the West German Embassy in Amman, I was told about the gift of two garbage disposal trucks by the FRG to a city in the West Bank. When the plan was made known to the Israelis, they agreed to allow the delivery only if the FRG paid them a sum equal to the value of the trucks plus transportation costs. Now, West Germany is not just any poor sucker who has had to pay the « Mafia » when it wanted to help the needy. It holds several levers which it could apply against Israel. Consider, for example, the so-called « development aid » – about 200 million German marks a year – which it gives Israel. The FRG could have deducted the « pay-off » for the garbage disposal trucks from its next « development aid » grant to Israel. Even more important: The FRG could make its grants to Israel on condition that it be allowed to grant the Palestinians the same amount for genuine development, say, 100 million marks for each side. In my study on West Germany and the Palestine question I argue that suggestions of this kind are practicable<sup>13</sup>.

How far the Arabs in the Occupied Territories are supporting their own economy by buying from Arabs and boycotting Israelis when they have a reasonable chance to do so is a question that I can hardly begin to answer. In East Jerusalem souvenir shops, Zionist symbols, especially the star of David, Israeli T-shirts ( with vulgar emblems ) and picture postcards made by Israeli companies are conspicuous. One sees many Hebrew labels in food shops, pharmacies and elsewhere. Shopkeepers with whom I discussed the matter said they were doing all they could. They had to make a living – The American and European tourists wanted the star of David more than anything else – Having to « Collaborate » troubled them too – the Israelis insisted that Jewish wares be displayed – Printers can only buy paper from the Israelis – They bought from Arabs, if Arabs produced what they needed, even if similar Jewish wares were considerably cheaper. Maybe some student will take an interest in exploring this matter. Merely asking such a provocative question might well stimulate some worthwhile thinking.

Another matter that I cannot deal with is the relationship between education and economic resistance. I can only report that much discussion is going on about the reform of higher education in the light of the conditions that exist in the Occupied Territories. Some of the issues that have arisen are: Hasn't the importance of English, mathematics and physics been exaggerated? Isn't it a mistake to imitate the American college system? Shouldn't they be reformed in the direction of polytechnical colleges? Can more be done in the

area of agricultural training? Some Europeans who have taught in the West Bank are exasperated because of the «American» content of many courses in economics and politics: they are no help to people living under military occupation, problems of the Third World and economic systems are treated from the standpoint of reactionary ideology<sup>14</sup>.

### *Resistance Against Harassment by the Settlers*

On the road between King Hussein bridge and Jerusalem there is a sign in Hebrew and English ( not in Arabic ) which warns of a dangerous curve. It certainly is symptomatic of the callous attitude of the Military Government toward the Arabs it rules. Among other things, it allows the settlers to carry weapons, although their arrogance and cruelty are well-known. It has been unwilling to investigate crimes by settlers against Arabs and their property, and it has prevented the Israeli police from doing so. In these matters, the Military Government has had the support of the Government which, among other things, stopped an investigation of the attacks on the Arab mayors which occurred in 1980 and forbade the publication of a report on Jewish terrorism for a whole year<sup>15</sup>. When one also considers the harassment of the Palestinian population by the Israeli soldiers themselves, one cannot be very optimistic about the willingness of the military Government to keep the settlers' provocations in check.

Nevertheless there are grounds for assuming that vigorous non-violence in these cases can be fruitful. Since the spring of 1984, members of the Jewish underground have at last been put on trial for a number of murders and other crimes and sentenced. The decision to prosecute may have been made because the Government was having trouble controlling the underground, it may well have been the result of bad publicity which followed some rather spectacular attacks, for example, the mining of five buses in Jerusalem and the killing of three students and wounding of thirty-three others at the Islamic University in Hebron where settlers simply walked into the campus and opened fire. Some hope for the utility of non-violence in these cases is also justified in the light of the fact that vigorous demonstrations, strikes and hunger strikes and other efforts to call attention to the mistreatment of prisoners has forced the Government to ameliorate their conditions at various times.

Why have the Palestinians had a slight measure of success where they have fought with publicity and disturbances against harassment by settlers and mistreatment of prisoners while their similar efforts against confiscations and settlements have been fruitless? Presumably the former evils are much more dramatic and appealing in the eyes of Israel's political friends and large parts of its own population, although the taking of parcels of land hurts too and the sum of the confiscations is a disaster for the Arabs. The taking of land is the essence of the matter for the Zionist state. Terrifying the population has its

uses, but Israel's power over the Palestinians is so overwhelming that it can easily afford to make an occasional show of humanity. This does wonders for its reputation for liberalness among its sycophants in the Western World, and it is likely to take some pressure off the pot.

Notwithstanding the enormous amount of abuse which the Palestinians have had to take, the great majority of them have neither given up nor departed – of course, many have been forced out – nor have they collaborated with the enemy in any unseemly way. Palestinians attribute this steadfastness in large part to the fortifying bond of Palestinian nationalism, the feeling of belonging together which is rooted in their common history, culture and language. The urge to nurture Palestinian art, literature, handicraft, the study of Palestinian history and Arab music, which is so conspicuous among Palestinians – this urge is inspired with national patriotism. It involves two aspects – delight with the unfolding of something distinctly Palestinian as an end in itself and the desire for a bond ( national patriotism ) which will enable the Palestinians to persevere. In the midst of these strivings, another movement is underway which catches one's eye, namely the Americanization of parts of the Palestinian population. An indiscriminate introduction of the American way of life is hard to square with the wish to nurture the Palestinian way of life. Are the schools of higher education in the Occupied Territories preparatory schools for life in the USA or in an Americanized Palestine? Is an essential part of what it is to be a Palestinian being hollowed out? And the consequences for steadfastness? These questions have to be given a lot of serious thought.

### *Leadership*

In conclusion, a few remarks about the organization of Palestinian resistance. It is an open secret that the PLO leadership outside the Occupied Territories works together with various groups in the Occupied Territories: Journalists, labor unions, businessmen, lawyers, teachers and students, women and others. Everybody knows that they make agreements about various resistance activities and the distribution of funds. I shall not venture a judgment on how well they have organized the resistance, except to mention that people obtain a tremendous amount of help from them.

The Palestinian leadership is faced with painful organizational problems that come from a few sources. For one thing, the Israelis attempt to break the chain of resistance by eliminating or neutralizing leaders. They deport them, they put them in prison or under town arrest. They prevent Palestinian journalists from gathering news under the pretense that they are inciting or participating in demonstrations, and they plague them with censorship. They refuse to allow members of the Palestinian National Council from the Occupied Territories to attend meetings of the PNC ( and thereafter return to

their homes). The repeated suppression of the Palestinian News Service interferes not only with the gathering and distribution of news, but also with the meetings of various journalists, politicians, scholars and others. The removal of many of the most active Arab Mayors has blocked an important channel of resistance.

Part of the trouble also arises within the PLO itself. It may be true that the split among its factions has not stood in the way of their willingness to work together within the Occupied Territories, but it certainly has cost an enormous amount of time and energy that could have been dedicated to the resistance there. I have not examined the complaint against the PLO concerning favoritism in the distribution of funds.

One wonders what the best possible leadership could achieve in the Occupied Territories under the present conditions.

A PLO leader told me the following witticism about a Jewish settler who travelled in an Arab bus one morning. He had missed the Jewish bus. Later when he met a friend he complained bitterly about the difficulty he had had getting on and out of the bus because of the total disorganization. But his friend told him that he really should be content : if the Arabs had been able to organize well, he would never have gotten into the bus.

But this surely exaggerates the possibilities which exist for any Palestinian Leadership under the prevailing conditions. For the reasons which I have elaborated in this study, I doubt very much whether the activities of the Palestinian leaders within the Occupied Territories could affect the confiscations, the settlements or the matter of economic dependence, although an improved leadership might be able to wring concessions with regard to other affairs.

---

## FOOTNOTES

---

1 ) For the first systematic study of this question see Awad, " Non-Violent Resistance: A Strategy for the Occupied Territories ", *Journal of Palestine Studies*, Vol. XIII, No.4 ( Summer 1984 ), pp. 22-36.

2) For a detailed study of the significance of the settlements see Abu-Lughod, "Israeli Settlements in Occupied Arab Lands: Conquest to Colony", *Journal of Palestine Studies*, Vol.XI, N°. 2 ( Winter 1982 ), pp.16-54.

3 ) According to Israeli statistics, the number of Arab workers from the Occupied Territories who were employed in Israel fell by more than 11,000 between July 1983 and July 1984. See *Ha'aretz*, August 16, 1984.

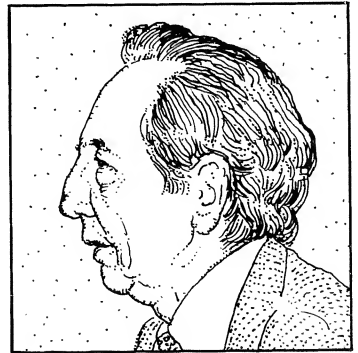
- 4) Yizhar Beer, **West Bank Police Pinned In**, *Al Fajr* (Jerusalem), Nov. 2, 1984.
- 5) Metzger, "West Bank und Gaza-Streifen: Ist eine Umkehr noch möglich?" **Der Schwierige Weg Nach Palestina** ( Stuttgart ) no. 2, pp.57-74.
- 6) For the statements of facts in the legal cases which I discuss in the text see Lustick, "Israel and the West Bank After Elon Moreh: The Mechanics of *de facto* Annexation", **The Middle East Journal**, N<sup>o</sup>. 4, 1981, S.557-577 and Raja Shehadeh, **The West Bank and the Rule of Law** ( Geneva: International Commission of Jurists and Law in the Service of Man, 1980 ).
- 7) **Al-Fajr** ( Jerusalem ), December 21, 1984.
- 8) Leibowitz, "Gaining Land, But losing Soul", **Ha'aretz**, September 16, 1983, reprinted in **The Journal of Palestine Studies**, vol. XIII, N<sup>o</sup>. 2 (Winter 1984), pp. 169-174.
- 9) The List of events which follows in my text is taken from a collection of newspaper reports in **The Arabs under Israeli Occupation**. ( Beirut: The Institute of Palestine Studies ).
- 10) See **Davar**, August 3, 1984.
- 11) See David Richardson, "Hebron Test," **Jerusalem Post**, July 15, 1983, reprinted in **Journal of Palestine Studies**, Vol.XIII, N<sup>o</sup>. 1. ( Summer 1984 ), pp. 185-187.
- 12) "Litani, West Bank, Gazan Workers Need Real solution to Unemployment Woes", **Al-Fajr**, October 5, 1984.
- 13) See Kenneth M. Lewen; **Suhne Oder neue Schuld: Deutsche Nahostpolitik im Kielwasser Der USA** ( Ottawa: Jerusalem International Publishing House, 1984 ).
- 14) See, for example, Mathias Verster, "Zum Winderstand Der Palestinensischen Studenten Der BirZeit Universitat", **Der Schwierige Weg Nach Palestina** ( Stuttgart ) N<sup>o</sup>. 1, pp. 35-ff.,40.
- 15) Beer, Supra, and Khalifa, "Terror in Israel", **Al-Yawm al-Sabah**, May, 21, 1984, reprinted in **The Journal of Palestine Studies**, Vol. XIV, No. 1, Fall 1984, pp.152-157.

---

# COMMENTARY ON PROFESSOR K. H. LEWAN'S PAPER PALESTINIAN RESISTANCE TO ISRAELI SETTLEMENTS

By

**Claude BOURDET** \*  
*Journalist and Writer  
France*



**K**enneth Lewan's study concerns itself, as was intended, with resistance to « settlements », and leaves aside, quite naturally, most of the other aspects of popular reactions to Israeli rule and methods. However, one should not forget that, here as in similar cases, defense against a foreign occupier is a general

---

\* *Mr. Bourdet is a journalist and writer.*

*During World War II, He was a leader in the French Underground and was arrested by the Gestapo in 1944. He was deported to Germany and held in four concentration camps. The last was Buchenwald where he was freed by the Patton army in 1945.*

*Among his many activities, too numerous to detail, Mr. Bourdet has been Vice President of the French Consultative Assembly; Director General of French Broadcasting; Publisher of the daily newspaper **Combat**, the weekly **France observateur**, and since 1967, foreign editor of **Temoignage Chretien**, a progressive Christian weekly.*

*He has been a member of the Paris City Council, a founder of the Parti Socialiste Unifié, and founder and chairman of the Movement for Disarmament, Peace and Liberty.*

phenomenon, and all its aspects are closely linked with each other, for instance, cultural resistance and refusal to be scared, have a direct effect on the will of Palestinian families or groups to oppose settlements, and, to a certain extent, on the settlement policy itself. In the same way, the existence of the PLO, the image of its leaders and the effectiveness of its struggle have a necessary effect on the population's readiness to fight against Israeli encroachments, in particular concerning the land. The 1982 aggression against Lebanon had, as its avowed aim, the destruction of the PLO. Despite its egregious and misleading appellation, «Peace in Galilee» the military operation had little to do with the protection of an area which had been immune from any attack since the 1981 ceasefire, one year earlier. But it has been said at the time that the main aim was to deprive the inhabitants of the West Bank and Gaza of their natural leadership, and thus make them as submissive as possible to Israeli policies, notably concerning settlements.

In the same way, any disruption of the PLO image and activity, any internal strife, even if it is not markedly reflected inside the Territories and does not create many divisions there, is detrimental to the resistance of the population, and helpful to Israel. This tends to explain why some Palestinian leaders who disagree strongly with the PNC's present policy try to keep such disagreements under control, up to a point, and why those who are ready to let the political dilemmas grow to a size which can rend the organization asunder, seem to be acting more or less openly under the guidance of countries not really concerned with the defense of the Palestinian people against Israel, or even, possibly, under the covert influence of Israel itself. This is a situation we have well known during the French resistance, when leaders inside or outside France who disagreed with some or many aspects of de Gaulle's policies, refused to be openly critical of the Free French command, for fear of shattering the confidence and fighting spirit of the rank-and-file inside the country, for whom the Gaullist leadership was even more necessary on the psychological than the factual level.

But there is a more general consequence. If we admit that the settlement policy is basic to the whole Israeli perspective, that it has been pursued for a long time, in a less open way, by the Maarakh governments before Likud took over, that it is the center of the annexation process, that the PLO, by its very existence, even when its possibilities of action are limited, consolidates and federates all kinds of resistance inside the Territories, and is therefore gravely detrimental to long-term annexation plans — we must be prepared to see the destruction of the PLO by strength or by stealth remain a central element of any Israeli policy, and take precedence over any desire to achieve «peace», whether the PLO itself pursues a warlike or a diplomatic course.

Professor Lewan appears to me to have covered exceedingly well the ground assigned to his study, and to have come out with some valuable suggestions

which I shall examine further on. We have first an excellent analysis of the difficulties and dangers created for the West Bank and Gaza Palestinians by the Israeli confiscation of land and by the establishment in the Territories of a foreign ( Israeli ) population, among which a large number of persons are to be found who are most insensitive to the rights and needs of the dispossessed, and most inclined to use violence against them. Professor Lewan describes precisely the acute and intricate problems of legal defense against these encroachments, in a system where law and its machinery are made to serve the trespasser and not the victim; he shows the difficulties and the limits of non-violent resistance against a scattering of apparently isolated yet centrally planned take-overs. He shows also how large-scale non-cooperation could be effective, but would require a huge amount of organizing and outside financial help. He also envisages as an actually feasible but politically and psychologically extremely difficult course for these populations, perhaps and *ultima ratio* if everything else fails, a Palestinian decision to turn the tables and use the enemy's cards by demanding Israeli citizenship, getting thereby a better hold on the Israeli legal system and adding to the considerable problems which the presence of a large number of Israeli Palestinians already cause to the Jewish State.

On the possibilities of violent resistance, Professor Lewan is understandably cautious and brief, it is the kind of choice which one can hardly advise from the outside, even less so if one is a foreigner. Perhaps one should add that violent resistance makes sense only if it attains a certain scope in circumstances as difficult as those of the West Bank and Gaza, with a foreign army and police force which have been entrenched there for many years and which are endowed with an effectiveness respected or feared all the world over. The necessary scope of action could be reached, it seems in two cases only: if in some way a sizable amount of armaments could be smuggled or parachuted into the country, or if, as in Lebanon, a number of persons became sufficiently desperate and/ or fanatical to act as «suicide fighters». The first alternative could hardly intervene without a new large-scale war, where a foreign country fighting Israel could organize the logistics of such operations – which would of course bring massive reprisals against that country, and against the Palestinians. The second alternative, despite the Shiite example in Lebanon and the readiness of many Palestinian fedayeen to sacrifice their lives in the past, seems arduous to handle when on the one hand, political supervision is so thorough, and on the other, massive and destructive reprisals are so much easier than in Lebanon. However, the fear, of such developments might restrain a more clear sighted Israeli leadership from causing too much suffering and despair among the inhabitants of the Territories...

In any case, it is to be hoped that the Palestinian leadership, in the country and outside, has learnt the lesson of the years of military struggle, including

recent events in Lebanon that is, that the support, or at least the *understanding* of the world at large is essential to the Palestinian cause, and that this international opinion has shown an appreciable amount of understanding for actions solely directed against the enemy's army or its more murderous civilian extremists, especially after crimes (be they reprisals) *had been committed* against the occupied populations; but that any action involving casualties among non-fighters, and especially Israeli women and children is not only barbarous but politically direly counter-productive. It is remarkable how differently the world has reacted to the strikes of the Lebanese guerrillas against the Israeli army, and to those of Palestinian fedayeen inside Israel or the Territories, when even unintentionally, civilian victims fell.

The argument that Israel has never hesitated to bomb to death Arab civilians, women and children, may have some arithmetical value in the crazy « Talion » balance of action and reprisals. But it is a politically unsound and misleading argument. The Israelis have in most countries a powerful body of unconditional supporters (most of them Christians) who will « explain away » any Israeli crime. Whereas this is not the case for the Arabs, who in their own interest should be not only scrupulous, but even overscrupulous, in respecting codified rules of warfare, which their enemies so often violate.

Most helpful, in my mind, are Professor Lewan's remarks and advice about on the one hand, outside financial help to Palestinian non-cooperation, and, on the other hand foreign assistance to purely Palestinian economic ventures, in order to make the Palestinian population self-supportive and if possible, prosperous. It is clear that these two issues are closely linked, and yet, the second one is probably a little easier to tackle than the first one. For with the dire need of Palestinian labor which characterizes the present « South African » type of economy in Israel, any coordinated and publicized attempt to deprive this economy of its heavy-duty or menial labor force, would meet with immediate countermeasures involving every possible financial, fiscal, or police *kind of repression*, perhaps with terroristic aspects. Moreover, it should be remembered that Israel needs less than 100,000 (some say 70,000) Palestinian workers; confronted with a massive refusal to cooperate, the Israeli political and economic leadership could probably find alternatives.

On the other hand, while the Israeli government would be certainly disturbed by attempts to make the Palestinian population self-sufficient (without this being linked to any formal non-cooperation perspective) — it would be much more difficult to make such schemes downright impossible, the more so as the putting up of legislation, regulations and other hindrances intended to stop this assistance would be detrimental to the Israeli economy itself. And there is of course, the suggestion made by Professor Lewan, that European countries, for instance, might make their aid to Israel conditional upon a similar amount being delivered to the population of the Territories.

Such schemes would of course have ambivalent effects: they would be on the whole, profitable to the Israeli economy, but they automatically reduce the number of Palestinians who are forced to seek their means of living in Israel.

This way of thinking opens, it seems to me, a whole new vista which should be explored by the Palestinian leadership and by sympathizers of the Palestinians all over the world, and especially by Arab governments. Of course, the fear of helping Israel indirectly would be used by some as an argument for doing nothing, and generally, what one could call, a little brutally, the « humbug » of the pro - Palestinian solidarity of certain parts of the Arab world would be put to test. But for the real friends of the Palestinians, the liberation from the fetters of dependence on Israeli enterprises and finance, and the preparation of the economic fundamentals of a future Palestinian state would outweigh any negative aspects. Moreover, making the Palestinians *richer* might alleviate some of the fears the conservative Arab leaders and the American government entertain, because of the existence of a destitute, *ergo* revolutionary, people.

Of course this is no magic-wand utopia and could not be put into effect without a lot of thinking, experimenting, and fighting. What is needed is a huge combination of legal, financial and political expertise, but the whole perspective is worth the attention of the many business leaders of Palestinian origin who have been wondering for a long time how best to help their fellow countrymen. What is needed is a project which Israel could not refuse to accept, and the West not refuse to support, without revealing many disagreeable facts about their real motivations and intentions. One should note that the help of the Israeli peace camp would be vital in order to get the scheme going and counter the inevitable maneuvers of anti-Palestinian, or simply selfish opponents.

But also a point which one should never cease to mention and even harp on, is the fact that resistance, legal and otherwise, against the constant thefts of land ( and water ) by the State of Israel or by the settlers encouraged, supported, or at least condoned by the Israeli government and military authorities, needs the watchful and active support of the greatest possible section of world opinion. This looks like a truism, and yet the efforts to obtain such support in this particular field have been too few and short-lived. Whereas the destruction of houses of Palestinian families connected to a « suspected » person is a well-known method of intimidation and collective reprisals, and torture of Palestinian prisoners has often been exposed, most notable by the *London Sunday Times* in June 1977, the seizure of land is still for large parts of international opinion an intricate process, its « legal » foundations are little known, and some people still believe that there is « State » or « vacant » land in the area, which the Israeli State has the right to appropriate.

The use and misuse of former Turkish and British legislation to deny property titles to families who have tilled a piece of land for centuries, the extension of « military necessity » to cover any kind of land grab, the use of road -building to cut up Palestinian property, the overt or covert violations of the Geneva Conventions and of international law generally, the intricate reasoning to deny the applicability of the Conventions, all these and other tricks should be clearly and repeatedly exposed before international opinion, on the general level and in particular cases. It is true one has little good will to expect from the media but this is a long-term job, and one should also note that with the invasion of Lebanon, the mass murders, and the blind reprisals, many eyes have been opened, and it could be easier today to expose actions which, however blatant, were practically ignored for years. It is also possible that among the variety of international crimes committed by governments all over the earth, one could make people understand that the *robbery of land* taken from an agricultural community like the Palestinians is perhaps an even worse crime than the political annexation of whole areas without displacement of their inhabitants, which has been witnessed all through history.

Anyhow, too few efforts and too little money have been devoted to these exposures. This is true both for exhaustive studies and for the description of single facts. For instance, the seizure of the property of the Galilee Beduins, and the imprisonment of five of them last spring because they refused to demolish their own houses, was a striking example of Israeli bad faith and cruelty. For once, these Beduins had property titles, registered in the 1957 cadastral survey – but these titles were simply rescinded in July 63 and the owner's name replaced by that of the «new owner», the State of Israel. The authorities tried to resettle the Beduins in Wadi Salameh, on land stolen from the Arab inhabitants of the villages of Arabeh and Saheen, which the Beduins naturally refused. They began a hunger strike in October 1984 with support from members of the Israeli peace groups, but with too little international publicity. Yet this was a case so heinous and so crude that it could have been made the center of a powerful international campaign.

I would like to point out that, in my opinion, Arab authorities are seldom alert enough to the need and to the effectiveness of an indisputable description of Israeli misdemeanors. I have often heard my Arab friends laugh whimsically and say: «*Everybody knows...*» Well everybody *doesn't* know, and people who « know » know in a vague way and can hardly furnish descriptions and dates and names of witnesses. The *re-publishing* by the Institute of Palestine Studies of fundamental documents like Moshe Menuhin's, Lillenthal's, Generals Burns and Von Horn's books which had strangely, or not so strangely, « vanished » from the bookshops, was more useful to the Palestinian cause than many so-called « military » actions; yet although so much money was squandered in so many ways, the IPS was always terribly

limited in its publishing possibilities, for lack of money. Let us hope this Symposium will help launch a powerful effort of precise and pungent information on the problem of the « Land Grab ». But a symposium isn't enough, or even many symposiums. What is needed is a constant follow-up. I wonder whether a specialized international organization, perhaps under the aegis of the United Nations, could not be put up with the help of all interested non-governmental organizations and of friendly states, with the object of following closely the development of Israeli land seizures and settlements created on Palestinian property, both inside Israel and its territories, and of applying all possible means to restrain or at least expose widely such actions. In order to be effective, this could become a costly effort, as it would involve not only information on a wide scale, but the study and discussion of schemes such as those suggested by Professor Lewan, and some help for their implementation. But this effort could become tremendously useful all over the world in exposing the real nature of Israeli colonialism, and I can think of few better uses for money devoted to the Palestinian cause.

Finally I would like to make a point which, theoretical as it may be, is not far from our debate. Not only Jews in Israel and in the Diaspora, but many Christians and others, while conceding that private property rights should be respected, tend to believe that the Jews of Israel have some ancient right to the possession of land in Palestine. So, if it can be proved that a piece of land is not private property ( and here the tricky use of Turkish and British legislation comes in handy ) – these people would admit that the State of Israel has some right to act as the custodian of that land... and dispose of it as it wishes. How this « right » cannot emanate from the Jewish religious heirloom – or modern Roman Catholics could claim the material property of the city of Rome, which was a possession of the church not so long ago...

*Religions*, in today's world, do not possess *Land* or *Countries*. But it cannot either be considered as a political and economic heritage from the Hebrews, as modern Jews and among them Israelis, have hardly any biological link with the Hebrews, as has been proved by many scholarly studies (among them essays by Professors Harry Shapiro and Juan Conas, in the UNESCO volume *Racism against Science*, 1962 edition). Whether such far-fetched rights of ownership could be still valid after so many centuries, if *there was* a biological continuity, might still be questioned. But the continuity is not there, and despite what many Christians and even non-believers think, the Israeli use of the Hebrew possession of Palestine during a few centuries — is a hoax.

This is not a purely theoretical problem, as it is on this kind of hoax that, finally, the Israeli land grabs are at least « morally » founded.



---

# COMMENTARY ON PROFESSOR K. H. LEWAN'S PAPER PALESTINIAN RESISTANCE TO ISRAELI SETTLEMENTS

By

**Dr. John RUEDY \***  
Georgetown University  
U. S. A.



While the Palestinian resistance outside of Palestine has been the subject of several systematic analyses, that inside the country, according to this author, has not received such systematic attention, a lack which this paper

---

*\* Born in California in 1927. He holds a Bachelor of Arts in History from the University of California, Berkley in 1948, a Master's Degree from San Diego State College in 1961 and a Ph. D. in Middle East History from the University of California, Los Angeles in 1965.*

*He occupied several academic positions. He had been an Associate Professor of Middle East History at Georgetown University, and the Professorial Lecturer in North African History at the School for Advanced International Studies at Johns Hopkins University. Now he is the Chairman of the Program of Arab Studies at Georgetown University since 1975.*

*He has travelled extensively in the Middle East and visited most of the Arab countries.*

*He is fluent in English and French and competent in Spanish and Arabic.*

seeks to remedy. Dr. Lewan sees the settlement as embodying three kinds of threats to the Palestinians:

- 1) The material threat of expropriation or confiscation of real property,
- 2) The progressive strangulation of the Palestinian economy with the correlative increase of dependency upon the Israeli sector,
- 3) The psychological and physical harassment meted out on an ongoing basis by the settlers.

The author then goes on to examine the different ways in which Palestinians have or could resist each of these three pressures. In an attempt to oppose expropriation and confiscation, Palestinians have used existing legal institutions, but with limited success. They have also attempted non-violent means with only, temporary effect, if any. Lewan believes that the Israelis' two most vulnerable points concern their economy. If Palestinians working in Israel were to call a general strike, « economic life in the cities would grind to a standstill ». Further, since the Occupied Territories are one of Israel's most important markets, an Arab boycott of Israeli commodities would be an effective tool. A further form of resistance to the threat of expropriation has been in the alacrity with which Palestinians have built houses and begun cultivation in unused land still available to them.

Lewan also suggests that a concerted demand by Palestinians for annexation and citizenship could have the effect of severely slowing down the process of land alienation, and also creating a fund to assist Palestinian landholders in financial distress. Finally, he appears to be convinced that « apart from throwing a money wrench into the Israeli economy, violence is the only means for hitting the Israeli leadership where it really hurts and thereby, obtaining concessions with regard to “ colonization ” »

Resistance to economic strangulation will require concerted efforts to increase investments in the Palestinian sector, to create market opportunities and to train workers. The author also favors a «buy Arab» campaign in the Territories and a rethinking of curriculum in the institutions of higher education to favor courses of study which are economically more relevant.

With regard to resistance to harassment, Dr. Lewan assumes that several of the techniques previously discussed can be mobilized but adds as well the possibility of appeals to the more thoughtful sector of Israeli public opinion and increasing stress upon the dignity and worth of Palestinian culture, tradition and nationalism. The author concludes with an analysis of some of the problems, internal and external, which limit the cohesion and effectiveness of the Palestinian leadership.

My own evaluation of the paper is mixed. While I agree with the author that a systematic analysis of the Palestinian resistance in Palestine is needed, I think he has provided us with only the beginnings of such an analysis. While I

like the way he has organized the problem, by his own admission, this work seems to be based mainly upon a recent two-week visit to the West Bank and is therefore largely impressionistic and lacking in the sort of rigorous research and documentation that one would like to see. It is difficult moreover to know for sure whether this paper is meant to be an analysis of resistance as it is, or a blueprint for resistance activity. It is difficult within this limited format to be both. Finally, I believe a more temperate use of language would strengthen rather than diminish Dr. Lewan's arguments.



# CHAPTER / 9



---

# THE STATUS OF ISRAELI SETTLEMENTS IN THE WEST BANK UNDER INTERNATIONAL LAW AND IN INTERNATIONAL FORUMS

By

**Richard FALK \***  
*Prof. of International Law at  
Princeton University  
U. S. A.*



## **Panel VII**

**Chairman : Lord Hugh Caradon**

**O**ver the years since 1967 there has been considerable analysis of Israeli settlements on the Occupied Territories from an international law viewpoint. I

---

*\* Dr. Falk holds a Bachelor's Degree in Economics from the Wharton School, University of Pennsylvania, an LL.B. from Yale Law School and a JSD from Harvard University.*

*He is presently the Albert J. Milbank Professor of International Law and Practice at Princeton University.*

*His professional activities are too numerous to detail. Briefly, he has served in an executive capacity and member of the Boards of Directors for the American Society of International Law, The Foreign Policy Association, The Federation Of American Scientists, The World Federalist Educational Fund and The Institute for Defense and Disarmament Studies.*

*Dr. Falk has been a member of the editorial boards of many journals and publications, including Foreign Policy Magazine, and The World Policy Journal.*

believe it is reasonable to conclude that an overwhelming consensus of experts and governments, as well as the competent organs of the United Nations, supports the view that the establishment of these settlements flagrantly violates applicable rules and standards of international law. No one has developed the legal reasoning in support of such a conclusion with greater clarity and authoritativeness than my fellow-panelist at this Symposium, Professor T.M. Mallison, generally working in collaboration with his wife, Sally Mallison. There is little that I can add to the persuasive conclusions reached by the Mallisons in a series of valuable publications<sup>1</sup>.

Of course, their assessment has been challenged by several specialists in international law who adopt positions closely identified with official Israeli thinking. Professor Yehuda Blum, who served for several years as Israel's UN Ambassador during the period of the Begin government, has advanced the argument based on the so-called «missing reversioneer» that, in effect, questioned the sovereign claims of any foreign government to the West Bank, and, thereby, released the Government of Israel from those constraints embodied in the international law of belligerent occupation<sup>2</sup>. By invoking the Zionist claim of historic title to «Greater Israel» embracing the provinces of Judea and Samaria, Blum also asserted a basis for claiming Israeli sovereignty. Somewhat analogously, Professor Eugene V. Rostow of Yale Law School argues that the absence of any resolution of the underlying territorial status of these occupied lands results in a continuing lease of life for the Palestine Mandate under whose terms, the argument runs, Jews can settle throughout the mandate territory which included the occupied territories on the West Bank<sup>3</sup>. Their arguments are so strained and artificial in character as to be hardly worth detailed refutation. Suffice it to say that the entire organized international community, including on several occasions even the United States Government, shares the view that Israel's maximum legal claim on the West Bank is based on its temporary supervisory control of the territory as a result of belligerent occupation, and hence subject to the Fourth Hague Convention of 1907 and, more significantly, the IV<sup>th</sup> Geneva Convention of 1949, Relative to the Protection of Civilian Persons in Time of War<sup>4</sup>. Once these provisions are made relevant their application is impossible to reconcile persuasively within the Israeli settlements policy and practices. As a consequence, it is a diversion to argue as Professors Blum and Rostow do, that the disputed sovereignty or the territory allows Israel's occupation to avoid being assessed by reference to the standards imposed by the international law

---

*Dr. Falk has published some 24 books on international law and politics. Most recently, his works include **Human Rights and State Sovereignty, Vol. I Toward a Just World Order; Indefensible Weapons: The Politics and Psychological Case Against Nuclearism; Israel in Lebanon: The Report of the International Commission to Inquire Into Reported Violations of International Law by Israel during Its Invasion of Lebanon; and the End of World Order.***

of belligerent occupation. To argue that the Palestine Mandate survives is to ignore both terminating acts by Great Britain as mandatory power and the unanimous intention of the United Nations to substitute its partition plan for the mandate, as of May 14, 1948. It is perverse in this setting to invoke the Namibia litigation in the World Court, which sustained the survival of the mandate as the sole means to avoid the full consequences of South Africa's extension of its system of **apartheid** to the detriment of the inhabitants of the territory administered under the same « South-West Africa ». More pertinent is the action by the political organs or the United Nations to revoke South Africa's authority as mandatory power, and its substitution of the organized international community, as embodied in the United Nations on the widely accepted reasoning that there was no other way to carry out « the sacred trust of civilization » on the primary issue of well - being of the inhabitants. Here, such reasoning does pertain as a new set of post-mandatory circumstances involved with legal and political consequences, despite the aura of ambiguity that arose from the Arab governments' refusal since 1948 to accept the legitimacy of partition of the mandate, and their recourse to war and a state of belligerency as an expression of the political depth of this refusal . In my view, such a stance, however interpreted, does not provide Israel with any justification for avoiding international legal obligations toward territories occupied subsequent to 1967, nor does it compromise the political rights of the inhabitants to a destiny independent of Israel.

More important, to be sure, is professor Allan Gerson's argument that the special, prolonged character of Israel's occupation makes it a trustee-occupant rather than « a belligerent- occupant»<sup>5</sup>. The effect of the distinction is to give Israel greater discretion during the period of occupation, provided only that it acts for the benefit of the inhabitants as determined by the Israeli Government. Gerson acknowledges that the inhabitants possess a legal entitlement to some reasonable form of autonomy to be shaped by an eventual agreement among governments and political entities that partake of an overall negotiated settlement between Arabs and Israelis. Here again, the legal argument resorts on little more than the personal authority of this author. There is no real support in the relevant legal literature or in the appraisals of legal status made by competent international organs for such a position. Similarly, various ingenious proposals for regarding the territories in question as having a distinctive status of « associated statehood » also fail to meet any of the general tests of legal acceptability. At best such proposals are expressions of the political opinion of a particular author that ignore the international consensus insisting since 1967 that Israel refrain from « creating facts » that alter the character of the territory or make its occupation acquire over time the character of permanence. It is precisely because the establishment of settlements, especially the larger post-1977 ones with a suburban character alters the fundamental character of the Occupied

Territories and manifests an intention to maintain a permanent presence that it is so objectionable. Nor are these attractive proposals on either political or moral grounds, as they basically have the effect of depriving the civilian population of the central effort of international law rules to guard against encroachment by the occupying power upon their economic, political, and cultural rights. The whole purpose of the law of war is to accord this protection as effectively as possible in circumstances of combat and post-combat occupation where uncertainties persist as to the eventual disposition of territory. Throughout this protracted occupation the inappropriateness of any permanent Israeli presence has never been questioned by the organized international community that has confirmed *total withdrawal* from all occupied territory, and it is expected to be a central feature of any resolution of the basic conflict. «Total» has been understood to mean not only administering forces, but settlements and settlers. Given the identity of the occupied societies, there is no doubt about their refusal to be integrated, directly or indirectly (economically, culturally) into the state of Israel.

The Israeli position has been to create facts, establishing settlements as permanent encroachments upon the occupied territory, promoting integration with Israel's economy (exports, jobs) in utter defiance of both international law and the repeated manifestations of the will of the organized international community and the inhabitants on the subject<sup>6</sup>. This process has now reached such extraordinary proportions that an estimated 42,500 Israeli settlers living in 118 settlements widely distributed geographically among an Arab population of about 800,000 have acquired control over 52 % of the 5.5 million dunums of land on the West Bank, as attested to by the latest publication of the widely quoted Benvenisti study. The Israeli official position, reflecting the influence of Blum's argument, is that Israel is not obliged to apply the Geneva Conventions on belligerent occupation because there was no legitimate sovereign displaced by the so-called «defensive conquest» of the territories in 1967. Israel goes on to argue that as a matter of discretion, it has administered the territory in harmony with these Conventions, interpreting Article 49 (6) in the narrowest possible way so as to exclude an inference of violation. The plain wording of 49(6), as well as authoritative interpretations of applicable law, including by specialists within the U.S. Government, refute this Israeli claim<sup>7</sup>. There is no effective way to reconcile the settlements with the international law of belligerent occupation.

The more recent stance of the U.S. Government is to suggest that legal assessment of the settlements is an obstacle to the peace process<sup>8</sup>. The argument here seems to suggest that the settlements as established are *faits accomplis* and, hence, their ultimate disposition would have to await the implementation of the second phase of the Camp David Accords or some

analogous process to resolve outstanding issues in dispute between Israel and its Arab neighbors. In this view, to argue back and forth on the legality of the settlements is a meaningless propaganda battle that enables both sides to avoid a peace process. The most that the Reagan Administration has done is to call upon Israel to establish a freeze on further settlements so as to promote Arab-Israeli negotiations. This element of the Reagan Plan, put forward, on September 1, 1982, has been superseded to a large degree by Israel's refusal to halt the settlement process, creating a situation that is now claimed by some observers to have established a relationship on the ground that is tantamount to annexation. Even a freeze would not be very meaningful at this stage. President Reagan had further confused the situation by apparently contradicting earlier U.S. assessments when on February 2, 1981 he declared at a press interview that the settlements were « legal ». Quite obviously, no legal weight should be attached to an isolated and unsubstantiated pronouncement by a political leader.

The argument I would like to stress here is how to regard the relevance of international law in the light of these developments in the 18 years of occupation. To summarize, first of all, the legal status of Israeli activity on the West Bank is most appropriately treated as an instance of belligerent occupation. Israel is bound by these legal standards, and the establishment of settlements on the scale that has occurred and for the professed purpose ( at least after the accession to power of the Likud in 1977 ) of realizing historic dreams to « Greater Israel » is a profound, continuing violation of international law of gravest consequence for the rights and prospects of the Palestinian inhabitants of these territories, severely complicating their supreme rights of national self-determination.

Secondly, Israel has consistently defied the virtually unanimous views of imperial legal experts, of the United Nations, and even of its closest supporter, the U.S. Government with respect to its obligations under international law as pertaining to the territories occupied during the 1967 war. Not only has it failed to comply since 1967, but it has deliberately proceeded to create a set of circumstances making it increasingly difficult to bring satisfactory political arrangements into being, thereby jeopardizing for the indefinite future the well-being of the inhabitants. That is, the cumulative effects of Israeli violations of international law is to deprive the civilian population of the Occupied Territories as a whole of their most basic concern to avoid having the pretext of occupation achieve many of the results of conquest or annexation. Meron Benvenisti's *West Bank Data Project* has received wide attention as an authoritative account of the magnitude of the settlements process, especially with respect to land alienation. Since the study is based in Israel and Benvenisti was the former deputy mayor of Jerusalem, the project has an added quality of credibility, and indeed its findings do seem both accurate and

alarming, fully confirming Arab allegations of a consistent pattern, accelerated after 1977, of establishing a set of conditions assuring permanent effective *de facto* sovereignty matter what was the *de jure* solution evolving out of diplomatic maneuvering. Benvenisti's further contention that the situation is not irreversible, and that a circumstance of virtual annexation has resulted, could play a destructive role on negotiation, influencing perceptions as to what is reasonable. In my view, the situation has assumed the appearance of irreversibility, but with less than 50,000 Israelis living among 800,000 or more, Palestinians, the situation can be reshaped to fulfill nationalist aspirations if the political will is present and supported. It is not, in this sense, helpful to accept uncritically Benvenisti's interpretations of the present situation<sup>9</sup>.

Finally, despite the overwhelming evidence of these violations and their harmful effects, available political leverage has not been brought to bear. On the Arab side, rhetorical denunciations of these illegal policies, repeated year after year, have served to reinforce the impression of the impotence of international law and of the relative indifference of Arab governments. Even along the channels of international law, available options have not been used. For instance, the Security Council or General Assembly could request an Advisory Opinion from the International Court of Justice on the disputed legal questions. Even if blocked in the Security Council by a U.S. veto, the Assembly could seek confirmation of its international law positions, generating some further political pressure.

More to the point, of course, is the United States refusal to back up its legal assessment with some pressure by way of diplomatic persuasion and economic policy. Given Israel's high level of dependence on U.S. foreign aid, especially considering the high costs associated with subsidizing the settlements, it must be realized that the U.S. Government by its failure to assert leverage is an accomplice to the illegal policies. To take the view that these levels of illegality are in distraction from the search for « peace » is to depreciate, possibly unwittingly, the value of international law in general, as well as to contradict earlier official views on the precise issues. From almost any point of view the U.S. Government, by this stance, assumes a measure of direct responsibility for these illegal policies that so severely impair the human rights of the civilian population of the Occupied Territories.

On the basis of this line of analysis it might seem as if international law has no practical bearing at this stage on the search for peace and justice in the Middle East. Such a skeptical conclusion would miss my main argument. To be sure, if the main antagonists treat international law as irrelevant then indeed it is. Israel, and to a lesser extent, the United States, have a clear incentive to dismiss international law ( including the scholarly form of dismissal in the form of such a strained interpretation of the legal issues in the manner of

Blum, Gerson, and Rostow that only a true believer would be taken in)<sup>10</sup>. After all, international law, reasonably and authoritatively understood, condemns their settlement policy, and hence, their entire posture toward a resolution of the basic conflict. It is pure polemics to contend, as Gerson does, that the legal issues get in the way of the peace process. These issues only get in the way of the Israeli one-sided definition of the peace process, that is, a conception of peace that is a bargain struck at an inter-governmental level that neglects the rights of those Palestinians victimized by the occupation of their lands since 1967.

Looked at from the Arab-Palestinian side the peace process should be understood in a quite different way. For one thing, it is one role of international law to help clarify the content of a reasonable and fair solution. Especially here in the setting of the humanitarian goals of the laws of war, it is essential to emphasize the fundamental right of the civilian population in a territory subject to belligerent occupation to retain the societal integrity of their territory once occupation is ended. The Israeli settlements, hardly even making a pretext of military necessity, represent an undisguised plan to shift resources and effective sovereignty from the inhabitants to the settlers, thereby greatly limiting the actual significance of steps that might be taken to relinquish control and grant some kind of autonomy or even independence to the territories. Since the implementation of international law requires the removal of the settlements, it embodies an *indispensable substantive* precondition of an acceptable peace process. To insist on the relevance of this implementation helps justify the demands that must be made from the Arab-Palestinian side in negotiations. Otherwise, a political bargaining process is likely to accept the *status quo* on the ground, and merely alter the superstructural elements of the status and political identity. Put differently, international law is important both for bargaining purposes and to clarify a reasonable substantive solution. In this sense, having international law on one's side means much more than a propaganda advantage.

Finally, in this specific setting, there is no way to protect the basic interests of the civilian population except by insisting upon implementing their rights under international law. To lose sight of this feature, is to accept the recent U.S. position that the international law issue should be avoided because it is an obstacle. My point is that it must remain an obstacle if a satisfactory solution is to be achieved, not for carrying on debate, but to reach an acceptable outcome in accord with the agreed political framework set forth in Security Council Resolution 242. It is up to Arab-Palestinian diplomats and advocates to make clear the principled basis of their stand on the international law status of the settlements. Such a stand is also an implication of the wider international law insistence that it is inadmissible to achieve territorial changes as a result of the use of force.

In conclusion, the establishment, expansion, character and scale of the settlements, as we argue, represents a massive, continuing violation of the laws of war. As such, in a technical sense, it engages Israeli responsibility at the governmental level. The civilian population has not been protected, but rather it has been exploited in a wide variety of ways, most fundamentally, by taking steps associated with permanent encroachment on resources, economic and cultural life, and political independence under the guise of « occupation » achieved as a result of military action. At minimum, compensation is due. Here, however, the reach of international law exceeds the political necessities of a fair solution. The entitlement of the civilian population to compensation is more « a bargaining chip » at this stage than it is a vital ingredient of a solution. To insist, in other words, on complete compensation could indeed make international law an obstacle rather than an instrument in the search for a just peace. It is critical, in other words, to distinguish reliance on international law for the practical expression of an essential position in a negotiating setting from a more academic appreciation of the literal merits of competing views of a political dispute. It would not serve the interests of the aggrieved Palestinian civilian population to insist on this overall satisfaction of their legal rights as a condition for moving ahead on the most vital claims.

---

## FOOTNOTES

---

1 ) For convenient crystallization of their basic legal analysis see Sally V. Mallison and W. Thomas Mallison, « Settlements and the law : A Juridical Analysis of the Israeli Settlements in the Occupied Territories », a pamphlet published by the American Educational Trust, 1982, pp.1 - 27.

2 ) See Blum, «The Missing Reversioner: Reflections on the Status of Judea and Samaria», *Israel Law Review* 279 ( 1968 ).

3 ) Rostow, « Palestinian Self- Determination : Possible Futures for the Unallocated Territories of the Palestine Mandate », *Yale Studies in World Public Order*, Vol. 5, 147 — 172 ( 1979 ).

4 ) The formal U.S. position on the international law status of the settlements was clearly outlined in a letter written in 1978 by Herbert, J. Hansell, then Legal Adviser to the Secretary of State. The letter was addressed to two important Congressmen, chairmen of subcommittees of the International Relations Committee of the House of Representatives. Mr. Haziatt's letter, after referring to expert opinion, concluded in a key paragraph, as follows : « On the basis of the available information, the civilian settlements in the territories occupied by Israel do not appear to be consistent with these limits on Israel's authority as belligerent occupant in that they do not seem intended to be of limited duration or established to provide orderly government of the territories and, though some may serve incidental security purposes, they do not appear to be required to meet military needs during the occupation ». *International Legal Materials*, Vol. 17, No. 1-3, 19-8, pp. 777-779, at 778. The letter proceeds to regard the settlements as inconsistent with Article 49 ( 6 ) of the Fourth Geneva Convention, and supports the view that however long the occupation lasts, these obligations remain ; it also accepts the standard view that since the intention of these limits on occupying authority is for the benefit of the civilian population they apply whether or not Jordan is regarded as « the legitimate sovereign » with respect to the territory in question. The conclusion reached at the end of the letter is that « for the reasons indicated above, the establishment of the civilian settlements in those territories is inconsistent with international law. » ( *Id.*, p. 779 ). Cf. also statements by U.S.

representatives before various UN bodies to the effect that Israel's actions in the Occupied Territories including Jerusalem are to be considered only as interim measures that should not in any way prejudice the outcome of future negotiations between the parties. Cf. e.g. U.S. Representative William Scranton's statements before the UN Security Council on March 22, 23, 25, 1976 in *U.S. State Dept. Bull.*, April 19, 1976, pp. 526-530 ; earlier statements by U.S. Representative Daniel P. Moynihan can be found in the *Bulletin*, Jan. 5, 19, 6, p. 21, and Feb. 16, 1976, p. 189.

5 ) Gerson, « Trustee-Occupant : The Legal Status of Israel's Presence in the West Bank », *Harvard International Law Journal*, Vol. 14, pp. 1-49 ( 1973 ).

6 ) Cf. e.g. Report « Israeli Settlements in Occupied Areas, » *International Commission of Jurists*, 1977, pp. 27-36.

7 ) See Legal Adviser's succinct analysis of the applicability of Article 49 ( 6 ) in the letter cited in note 2 .

8 ) See e.g. Statement by Allan Gerson, U.S. Representative in Special Political Committee, Nov. 30, 1981 on « Israeli Practices in the Occupied Territories, » on p. 3 : « The issue of whether the settlements are legal or illegal has received so much attention that has effectively diverted debate from what should be the fundamental issue — Does the continued establishment of Israeli settlements advance or hinder progress toward « just and lasting peace ». And on page 4 : « .. my government has decided, as reflected in our vote, to eschew participation in the legal debate and to focus instead on the policy aspects of the problem. We hope other members of this body will decide to do so as well. »

9 ) For Benvenisti's interpretation of the effects of the settlements process see *The West Bank Data Project : A survey of Israel's Policies*, Washington, American Enterprise Institute, 1984, esp. pp. 64-69: see also the subsequent report of Israeli land alienation practices on the West Bank that reinforces the conclusions of the earlier report as discussed in *the New York Times*, April, 11, 1985, pp.A1, A6.

Contrast U.S. Ambassador Scranton's 1976 statement to the Security Council in which he says clearly that when it comes to the matter of the Israeli settlements « my government believes that international law sets the appropriate standards ». And further, « the presence of these settlements is seen by my government as an obstacle to the success of the negotiations for a just and final peace between Israel and its neighbors ». Note 2, p. 528.



---

# ISRAELI SETTLEMENTS IN OCCUPIED ARAB TERRITORIES UNDER INTERNATIONAL LAW AND IN INTERNATIONAL FORUMS

By

*Sally V. MALLISON & Thomas MALLISON \**  
Professors of Law  
George Washington University  
U. S. A.



## ***I. Israeli Domestic Law: The «Jewish People» Claims***

Shortly after the then newly elected Prime Minister Begin returned to Israel following his July 1977 visit to the United States, the *Israel Digest* ( August 12, 1977 ) published an article which included some of his views on the Israeli settlements :

---

\* *Dr W. T. Mallison is Professor of Law and Director of the Internatinal and Comparative Law Program at George Washington University, Washington, D.C. and holds the J.S.D. degree from Yale University. He has also served as an international law consultant to law firms, organizations, and individuals.*

*His past experience includes private practice from 1948-49 ; Instructor, Ohio State University College of Law, 1949-50 ; Sterling Fellow, Yale University Law School, 1950-51 ; Assistant Professor and Associate Professor of Law, George Washington University, 1951-57 ; Charles H. Stockton Chair of International Law at the Naval War College, Newport, Rhode Island, 1974-75. In 1957-58 he was the Chief of the Asian-African Branch of the U.S. Atomic Energy Commission where he served as the principal U.S. negotiator of various « Atoms for Peace » agreements with various countries.*

Israel's Prime Minister was asked why Jews should not live side by side with Arabs In Judea and Samaria just as they do in Israel..... Replying to American questioners on this point, he told them that there are several dozen Bethlehems, Hebrons, Shilohs and Bethels in the United States. «Imagine if the governors of some states were to ban Jews from settling in these towns. What an outcry there would be against such racial discrimination! How can we, a Jewish government, prevent the Jews of Eretz Israel from buying land or building their homes in the original Bethlehem, Hebron, Shiloh and Bethel? »

The analogy Mr. Begin draws between Jews moving into the towns in the United States and into towns in the Occupied Territories is false. Jews moving into any town in the United States do so as individuals with the same domestic legal rights and obligations as any other Americans. In contrast, Jews moving into any place in the Occupied Territories do so as members of « the Jewish people » claimed entity in law with alleged national rights to establish exclusivist Jewish settlements and later to make the claim to sovereignty on behalf of Israel. The meaning of the word Jew is entirely different in United States law from the same word in Israeli law. In United States law a Jew is a private individual who, like the adherent of any other religion, is entitled to practise his religion and to be protected from the imposition of a state religion. In Israeli law, a Jew is a member of a legally defined nationality group ; termed « the Jewish people » which is entitled to special rights and benefits denied to other Israelis. The U.S. Government has rejected « the Jewish people » claim as a valid concept in international law-8 Whiteman, *Digest of International Law* 34 ( 1967 ). The claim is also inconsistent with the human rights provisions of the United Nations Charter ( articles 55 and 56 ).

In a careful study entitled *The West Bank Data Project* ( Amer. Enterprise Inst., 1984 ) the Israeli scholar and former vice-mayor of Jerusalem, Meron Benvenisti, has documented the segregated character in domestic law and practice of the Israeli settlements. Overwhelming primary evidence of this Zionist-Israel intention to acquire the territories under military occupation is contained in the World Zionist Organization's *Master Plan for the Development of Settlement in Judea and Samaria* ( W.Z.O., Jerusalem, Oct.

---

*He has co-authored with his wife, Dr. Sally V. Mallison, numerous works including : The Palestine Problem in International Law and World Order ; Armed Conflict in Lebanon, 1982 : Humanitarian Law in a Real World Setting ; Los Derechos Nacionales del Pueblo de Palestina ; Settlements and the Law : A Juridical Analysis of the Israeli Settlements in the Occupied Territories, and An International Law Analysis of the Major U.N. Resolutions Concerning the Palestine Question.*

1978 ), also known as the « Drobles Plan » for its principal author. Substantial financial inducements are offered to persuade Israelis who meet the legal criteria under the law for «Jewish people» identity to move to these settlements. The preeminent definition of such identity appears in the discriminatory Law of Return, 4*Israel Laws* 144 (1950) as amended which is a major subject of litigation in Israeli courts. The «Drobles Plan» makes clear the fact that the civilian settlements have a military purpose and that their chosen locations are part of an overall strategic plan by the W.Z.O. and the State of Israel, the Plan belies any claim that the civilian settlements are the result of private or spontaneous acts. The acceleration of the building of settlements following the Camp David Accords and the announcement of the Reagan Peace Plan demonstrates clearly the Israeli intention of creating facts to prevent any possibility of meaningful self-determination for the Palestinian people. A recent updating of the Benvenisti study is reported in the *Washington Post* on April 1, 1985, p. A1, Col. 3. It states that through « outright expropriation and land - use restrictions » Israel now has « effective control of 52 per cent of the West Bank ».

Another basic law of the State of Israel which implements the « Jewish people » claim is the Absentee's Property Law, 4 *Israel Laws* 68 ( 1950 ) as amended. The definition of « absentee » covers, among others, a refugee who is denied his right of return by the Government of Israel. This notorious law is one of the several methods of depriving the Palestinians of their property with the illusion of a legal process. If private individuals achieved control of property by the same methods, it would be classified as theft in any civilized and non-discriminatory domestic legal system. The *Defense Regulations* adopted by the British Government during its administration of the Palestine Mandate and continued in force by the Government of Israel provide a further method of discriminatory control of the Palestinians. During the period of the Mandate, Zionist lawyers denounced the *Defense Regulations* as worse than the Nazi Nuremberg laws. The practical implementation of the Zionist-Israel dual legal system is described and analyzed by the distinguished Jewish scholar, Ian Lustick, in *Arabs in the Jewish State : Israel's Control of a National Minority* ( Univ. of Texas, 1980 ).

## ***II. The Applicable International Humanitarian Law***

It is clear that the Palestine problem is one of the greatest contemporary threats to peace and that the Israeli policy of creating settlements in the Occupied Territories constitutes one of the major obstacles to arriving at a solution to this problem. It is not always understood that there is a well-established applicable law relating to settlements. The Reagan Administration has emphasized the character of the settlements as a major obstacle to peace because, Administration spokesmen say, of its policy

importance. This has eliminated reliance upon the law while encouraging the Government of Israel to build more settlements. Apparently the U.S. Administration does not understand that the humanitarian law is the most basic policy of all.

International law may be conceived as the decisions of the community of states, either expressed through implicit agreement (customary law) or through explicit agreement (international agreements or treaties) designed to regulate the behavior of states in such a way as to promote the common interests of all. It is this common interest in certain basic values, whatever the political ideology of a particular government, which is the primary sanction for the enforcement of international law. Like much domestic law, the enforcement process is imperfect. However, the basic agreement on standards is the critical first step in the creation of a more perfect world order. It is important, therefore, to examine the existing relevant legal regulations when a major problem in the international community threatens the peace and security of all.

One of the clearest features of the relevant customary law, as developed in the 19th Century, was the rule that the occupant had no authority to disturb private property rights. As early as 1833 Chief Justice Marshall held in *United States v. Percheman*, 32, U.S. 82 at 86 :

The modern usage of nations, which has become law, would be violated.... if private property should be generally confiscated, and private rights annulled.

The Hague Conferences of 1899 and 1907 codified some aspects of existing customary law and added new provisions designed to provide more protection for both the lives and the property of the indigenous civilian population of occupied territory. Article 46( 2 ) of the Regulations of Hague Convention IV of 1907 provides : « Private property cannot be confiscated ». Article 55 states :

The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.

Article 56 ( 1 ) provides that :

The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and

sciences, even when State property, shall be treated as private property.

Thus, even at the time of the Hague Conventions there was neither private nor public property in occupied territory which could be confiscated by the occupying power under the established customary and treaty law. The Israeli Supreme court has stated in the *Elon Moreh Case* ( H.C.J. 390-79, Oct. 22, 1979 ) that Israel is bound by Hague Convention IV because it has become universally accepted as customary law.

During the Second World War the Nazis in Europe and the Japanese militarists in Asia flagrantly violated the then existing customary and treaty law concerning, *inter alia*, the property rights of civilian populations under their control. They attempted to evade the application of the law by annexing territory or bringing it under the rule of puppet regimes. The International Military Tribunal at Nuremberg held that such purported annexations were invalid and that the provisions of Hague Convention IV of 1907 continued to be applicable. A notorious practice particularly associated with the Nazis was the establishment of «Aryan» or «racial German» civilian settlements in occupied territories.

The Geneva Diplomatic Conference of 1949 produced four conventions designed to prevent the repetition of World War II abuses. Israel became a state-party to all four Conventions on July 6, 1951. The fourth of these, the Convention for the Protection of Civilian Persons in Time of War, 75 U.N.T.S. 287, gives particular attention to occupied territory. Article 49 ( 6 ) of the Civilians Convention prohibits in broad and unequivocal terms the establishment by the occupant of civilian settlements in occupied territories without regard to the purported purposes of such settlements :

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.

### ***III. Claims Advanced on Behalf of the State of Israel to Evade the Humanitarian Law.***

Article 158 ( 3 ) of the Civilians Convention provides that during an armed conflict, including an occupation, a denunciation of the Convention :

shall not take effect until peace has been concluded, and until after operations connected with the release, repatriation and re-establishment of the persons protected by the present Convention have been terminated.

Since Israel is thereby prohibited from denouncing the Convention, it has

had to attempt various arguments to avoid its application. Dr. Yehuda Z. Blum, then a lecturer in international law at the Hebrew University of Jerusalem and later the Permanent Representative of Israel at the United Nations, made such an article entitled, «The Missing Reversioner: Reflections on the Status of Judea and Samaria,» *Israel Law Rev.* 279 (1968). The significance of this article is that the Government of Israel has acted upon each of the arguments advanced by Dr. Blum.

There are two primary legal claims made. The first is that the entire law of occupation only applies when the «legitimate sovereign», the holder of a perfect *de jure* title, is displaced by the occupying power. Dr. Blum's only authority for this point, Von Glahn, *The Occupation of Enemy Territory* (1957), fails to provide legal support since it uses the term «legitimate sovereign» only in contrast to the occupying government. Blum's claim is unsupported by either the negotiating history or the text of the Civilians Convention, which are the accepted sources for legal interpretation. The words «legitimate sovereign» do not appear in either, and there is no support for the idea that the validity of the displaced government's title depends upon its acceptance by the occupying power. It has never been doubted that the word «territory» as used in the Convention and the customary law would include a mere *de facto* title as well as a *de jure* one. For example, as long ago as the American Civil War, the United States claimed to be the «legitimate sovereign» of the entire country but placed territory which had been in the *de facto* control of the Confederate Government under the law of military occupation when it was reacquired.

Israel has placed much emphasis upon the allegation that only two states, Great Britain and Pakistan, recognized Jordanian sovereignty over the West Bank. Dr. Nathan Feinberg, who is professor emeritus of international law at the Hebrew University of Jerusalem, pointed out in 1977 that this is a vulnerable argument since no states had recognized the Israeli annexation of Jerusalem – and he referred to West Jerusalem.

The other primary legal claim is that Israel is in the occupied territory as the result of «defensive conquest» and, consequently, the humanitarian law is inapplicable. The concept of «defensive conquest» is unknown in international law. Even if the premise of an Israeli defensive role in the intense hostilities of June 1967 should be accepted, it is clear that the customary right of national self-defense incorporated in article 51 of the United Nations Charter is limited to the conservation of existing values or interests and is no basis for the extension of values by acquisition of title to enemy territory even if it is alleged that the enemy is the aggressor. Professor R. Y. Jennings in *The Acquisition of Territory in International Law* 55 (1963) sets forth this accepted rule. It should be apparent that a contrary rule would provide an irresistible attraction to a militaristic and expansionist state.

The claims just considered, along with others, are appraised in more detail in Mallison & Mallison, *Settlements and the Law: A Juridical Analysis of the Israeli Settlements in the Occupied Territories* (Amer. Educational Trust, 1982). All of the claims of the Government of Israel have a common feature: they stress alleged governmental rights and ignore or minimize the humanitarian rights. Since the Geneva Civilians Convention was written by governments, it is reasonable to assume that they could have specified governmental rights if they had intended to do so. The official International Committee of the Red Cross *Commentary* 77 (Pictet ed., 1958) on the Civilians Convention characterizes it this way:

[I]t is the first time that a set of international regulations has been devoted not to State interests, but solely to the protection of the individual.

Professor Eugene V. Rostow, while accepting Professor Blum's arguments, has developed some claims of his own in an article entitled, « Palestinian Self-Determination: Possible Futures for the Unallocated Territories of the Palestine Mandate, » 5 *Yale Studies in World Public Order* 147 (1979). His thesis relies upon alleged analogies drawn from the *Namibia Advisory Opinions* of the International Court of Justice including the *International Status of South-West Africa: Advisory Opinion*, (1950) I.C.J. Reps. 128 (hereafter the *Status Opinion*). Professor Rostow sets forth the Balfour Declaration of November 2, 1917 as repeated in the League of Nations Mandate for Palestine (1922), but does not appear to understand the first safeguard clause which was inserted over Zionist objections by Edwin Montagu, the only Jewish member of the British Cabinet. It provides that it is « clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine. » The dispossession of the Palestinians through the confiscation and other acquisition of their private and public real property produces injury going far beyond mere prejudice.

Professor Rostow accurately relies upon the *Status Opinion* as providing authority for the continuation of the « sacred trust of civilisation », specified in article 22 (1) of the Covenant of the League of Nations for the benefit of the inhabitants of the mandated South - West African Territory (now Namibia) even after the termination of the League of Nations. The *Status Opinion* specifies the comprehensive authority of the General Assembly as the successor to « the supervisory functions previously exercised by the League of Nations ». At this time the League Mandate for South-West Africa was still in effect. From this, Professor Rostow concludes that the Palestine Mandate provision in article 6 permitting « close settlement by Jews on the land » is still in effect and he attempts to support his argument by citing article 80 (1) of the

United Nations Charter which provides that the rights « of any peoples » shall not be altered by the Charter until United Nations trusteeship agreements have been concluded. This provision is not relevant to the Palestine Mandate because the General Assembly's Palestine Partition Resolution 181 of November 29, 1947 did not place Palestine under trusteeship but, in addition to providing authority for two states in Palestine, also specified: « The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948 ». Both the State of Israel and the Palestine Arab State now draw authority from the Partition Resolution and are bound by its limitations including Part IB, Section 10 ( d ) which provides that each state shall include in its constitution a provision :

Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association.

Israel has no constitution and its discriminatory laws are in flagrant violation of the requirement just quoted. This provision also necessarily prohibits the segregated « Jewish people » settlements established throughout the Occupied Territories .

Even if the League of Nations Mandate for Palestine were still in force, it would prohibit such discriminatory settlements. Its article 15 (1) provides in its relevant part:

No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language.

Perhaps Professor Rostow's difficulty arises from confusion between the « Jewish people » nationality claim and individual Jews. The former is the core of Zionist-Israel public law. The latter comprises individuals who are adherents of a monotheistic religion of universal moral values. Jews in this religious sense, like Muslims and Christians, were protected by the non-discriminatory provisions of the Palestine Mandate. « The Jewish national home » referred to in the Mandate was not to result in a Zionist discriminatory state. This was made abundantly clear in the *Churchill White Paper* ( June 3, 1922 ) which was agreed to by the Zionist Organization at that time — but only for the time being.

It should be mentioned that the Government of Israel has also violated article 47 of the Civilians Convention which was adopted to prevent repetition

of Nazi practices. It prohibits annexation by the occupying power « of the whole or part of the occupied territory ». The Israeli domestic law annexation of East Jerusalem and the building of segregated settlements in it violates article 47 as well as article 49 ( 6 ).

When the Palestinians exercise their natural and inalienable right of self-determination along with their right to self-determination specified in the Palestine Partition Resolution, the inhabitants of the state of diverse religious identifications will not be subject to discriminations. This is required by the human rights provisions of both the Partition Resolution and the United Nations Charter. It may be hoped that the State of Israel will decide to abandon its system of governmentally legislated and enforced apartheid and honor the human rights provisions of the instruments under which it seeks to exercise authority. This would be a significant step toward being accepted as a law-abiding and legitimate member of the Middle Eastern community of states.

#### ***IV. The Role of the United States Government in Words and Deeds***

The basic conclusions which necessarily follow are that the Israeli settlements in occupied territory are in violation of both the law as developed in the 19th Century and the contemporary conventional law. Those Israelis who are concerned with legitimate national interests, rather than the present Government of Israel's policies, are aware of the function of the humanitarian law to protect the interests of all peoples. Among them, Professor Emeritus Feinberg, writing in *New Outlook*, 60 ( Oct. - Nov. 1977 ), has decisively rejected the legal arguments of the Government of Israel on the subject of the settlements as fundamentally inconsistent with international law.

Unfortunately, the United States Government, in spite of its earlier words that the settlements are illegal and its recent ones concerning « obstacles to peace », has continued to encourage them in many practical ways including paying for them. The U.S. Government has consequently retreated from its historic position of support for the self-determination of all legitimate national peoples and now is in violation of the common article 1 obligation in each of the Geneva Conventions of 1949 « to ensure respect » for the Convention.

It is in the genuine national interest of all members of the world community that the applicable international law should be enforced and that whatever sanctions are required should be applied to achieve this goal. The alternative to enforcement of the law is the acceptance of an international system based upon the use of military power outside the law.

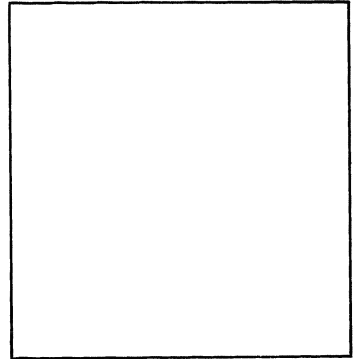


---

# COMMENTARY ON PROFESSOR RICHARD FALK'S PAPER: THE STATUS OF ISRAELI SETTLEMENTS IN THE WEST BANK UNDER INTERNATIONAL LAW AND IN INTERNATIONAL FORUMS

By

***Oki - OOKO - OMBAKA \****  
*Public Law Institute, Nairobi*  
*Kenya*



## ***Introduction***

It is a well-settled matter in the law of war that an occupying power

---

\* *Dr. Ombaka completed his Intermediate Legal Education at the University of Nairobi, Kenya, and holds an LL. B. degree with honors in law from the University of Dar-es-Salaam, Tanzania, and his LL.M. and JSD degrees in International Legal Studies from Harvard University.*

*He is presently the director of the Public Law Institute in Nairobi, Kenya, where he is also a member of the Faculty of Law. He is a member of the Law Society in Kenya, and a correspondent with The International Business Legal Bulletin of Cambridge, Massachusetts.*

*Dr. Ombaka's publications include An Assessment of National Machinery for Women; Political Justice in Kenya: Prolegomena to an Inquiry into the Use of Legal Procedures for Political Purposes in Post-Kenyatta Era; The Legal Framework of Economic Planning Process in Kenya; and a forthcoming title Law and the Limits of National and International Reform.*

exercises solely *military* authority subject to international law<sup>1</sup>. Such authority does not displace or transfer sovereignty of the territory<sup>2</sup>. The status of Israel on the West Bank is against this legal background, that of an *interim military administration*<sup>3</sup>.

### ***Legal Issues***

Israeli civilian settlements in the occupied territory go beyond the rights of a belligerent occupant power. Professor Falk's brief paper addresses this legal position comprehensively, clearly showing that Israel's action is contrary to overwhelming international legal consensus. The brief comments which follow are aimed at emphasizing and amplifying some salient points raised.

Reviewing legal opinion which either supports or justifies Israeli position, Professor Falk points out and I concur, that most of these are made out of political conviction rather than legal analysis. Professor Falk supports his view by reference to extensive non-Israeli sources. It is important to note however that contradiction within Israel's own legal fraternity strengthens the argument by indicating the real motives behind the settlement strategy, thus further challenging their legality. A good illustration in this regard is the Israeli Supreme Court judgements in the Elon Moreh settlement petition<sup>4</sup>.

In dismissing the Israeli government contention against the petitioners that the Elon Moreh settlement was a military operation necessary for security purposes ( and thus within the rights of a belligerent occupying power ), the court held that : « The *political* consideration was ... the dominant factor in the... decision to establish the settlement at that site... »<sup>5</sup> (emphasis added). The court observed that the action presented « insurmountable » legal obstacles because the « military government cannot create in its area facts for its military needs which are designed *at initio* to exist even after the end of the military rule in that area, when the fate of the area after the termination of military rule is still not known<sup>6</sup> ». It concluded that « there is a contradiction between seizing land for military purposes, which is temporary, and establishing a civilian settlement as a permanent settlement »<sup>7</sup>.

The Elon Moreh decision also challenges Israeli government position on application of the « Geneva Convention Relative to the Protection of Civilian Persons in Time of War » ( the Fourth Geneva Convention ), to the occupied territory.

The convention grants the rights of an Occupying Power to take measures to protect its security so long as military exigencies do not override the basic human and political rights of the civilians under occupation<sup>8</sup>. Israel is signatory to this treaty but has not promulgated any municipal legislation for its implementation. A separate judgement in the Elon Moreh case commented that it was a « mistake to think... that the Geneva Convention does not apply

to Judea and Samaria. It applies, even though... it is not justiciable in this court». This position has been supported by impartial bodies such as the International Committee of the Red Cross<sup>9</sup>, and the International Commission of Jurists<sup>10</sup>.

### ***Polity and Political Issues***

Professor Falk concludes his paper by raising some broad policy issues arising from Israel's illegal settlement on the West Bank. Of particular interest, is Israel's disregard of international legal opinion and the failure of the US Government to exert pressure on Israel to comply with her international legal obligations. Once again, I am in basic agreement with the professor's evaluation of these issues and only wish to expand on them.

Were Israel's violation of her international legal obligations in the Occupied Territories an isolated act of non-compliance with international law, it would be sufficient to assess it as purely a legal problem. This is however not the case. Israel has shown consistent contempt for international law and international legal consensus on many issues, the Palestinian conflict being just one blatant instance<sup>11</sup>. This orientation which sets a clear pattern raises legitimate questions which should be addressed to the place of the Zionist State in the community of nations.

How seriously should the international community take arguments of a state whose activities on the international plane conflict with the basic framework of international intercourse? To what extent should such a state be to basic standards of international conduct?

Israel's cumulative violations of international law are of such consistency and magnitude as to warrant some sanction. On this point, we are in agreement, with Professor Falk, that the US Government, the closest ally and supporter of Israel has done little to ensure the latter's compliance with international law. On the contrary, evidence abounds as to overt and covert assistance given by Washington to Israel in violating international law<sup>12</sup>. It is fair to suggest that the contemptuous attitude Israel has adopted in disregarding international opinion is to a large extent based on Washington's total and blind support to the Zionist State.

---

## FOOTNOTES

---

- 1) *Starke J.G. An Introduction to International Law ( 4th Ed. ) Butterworth, London p. 374 ( 1958 ).*
- 2) *Id.*
- 3) *Id.*
- 4) *H CJ 390-79 34 Pskei Din, ( 1980 )*
- 5) *Id.*
- 6) *Id.*
- 7) *Id.*
- 8) *Ibid., N<sup>o</sup>. 4*
- 9) *ICR Annual Report , pp. 33-34 ( 1968 ).*
- 10) *ICJ 19 The Review of the International Commission of Jurists ( December 1977 ).*
- 11) *See generally S.B.O. Gutto & O. Ooko-Ombaka « A Note on the Israeli Air Raid of Iraqi Nuclear Installations in International Law and Implications for World Peace », Indian Journal of International Law, p. 90 ( January-March 1982 ).*
- 12) *On the illegal Israeli bombing of the Iraqi nuclear facility, the Washington Post reported that the US Government had given assistance in assessing how much damage would be inflicted prior to the sortie. See id, pp. 104-105.*

# CHAPTER / 10



---

# THE IMPACT OF SETTLEMENTS ON PEACE EFFORTS, PRESENT AND FUTURE

By

**Lorne KENNY \***

*Prof. of M. E. and Islamic Studies  
University of Toronto  
Canada*



**Panel VIII :**

**Chairman : Ambassador Dean Brown**

## **Preface**

Canadians in general are very smug about their country's Middle East involvement : its financial support for UNRWA and its participation in peace-keeping activities in the Middle East. As a Canadian, the author finds little justification for this smugness when he recalls that in 1947 our then UN delegate, Lester B. Pearson ( later Minister of External Affairs and then Prime

---

\* Professor Kenny holds a B.A. in Philosophy and Religion from Greenville College, Illinois, a B.D. of Divinity from Asbury Theological Seminary, Kentucky, and an M.A. in Islamic Studies from the American University, Cairo and McGill University, Quebec.

*He is presently Professor Emeritus, Department of Middle East and Islamic Studies at the University of Toronto, Canada.*

*Dr. Kenny has written extensively on Egypt and the Arab World, and has travelled extensively in the Arab World.*

Minister of Canada ) has been dubbed the « midwife » of the 1947 U.N. Partition Plan that proposed to create an Israeli State on Palestinian territory at the expense of the right of the Palestinians to self-determination, denying them also the further right of appealing their case to the International Court of Justice at the Hague.

Another cause for dismay is Canada's voting record in the UN General Assembly, too often supporting Israel, the USA and possibly Guatemala against votes of censure of Israel over her conduct in the Occupied Territories or in the rape of Lebanon <sup>1</sup>.

### *Introduction*

Israel's present policy of establishing settlements throughout Arab Occupied Territories is integral to Zionism and has been ever since its inception. Theodor Herzl was aware that Palestine was not uninhabited and that, therefore, there would be some problem in settling Jewish immigrants there. He blithely dismissed the question, however, suggesting that the Arabs could be « spirited » across the border by denying them the means of livelihood in Palestine. Since some 70 % of the Palestinians on the West Bank and in the Gaza Strip derive their income from agriculture, it is clear that one of the aims and results of the Israeli policy of the expropriation of agricultural land for the founding of exclusively Jewish settlements is to rob Palestinians of their livelihood and encourage them to emigrate.

The right arrogated by the Jews to themselves to settle anywhere in Eretz Israel is based on their claim to sovereignty over the whole area, whose optimal boundaries are the Euphrates and the Nile. For the Herut Party, the core of the Likud Bloc , Trans-Jordan is also included in Eretz Israel, which makes it easier for a magnanimous person like Ariel Sharon to propose forcing the Palestinians of the West Bank and the Gaza Strip to settle there, at least for the time being. Israel, of course, does not yet exercise control over the whole of this territory, but they do claim the divinely given right to settle anywhere in the Occupied Territories : in this, there is little difference between the Likud Bloc and the Labour Alignment, as we shall see presently.

Reference has just been made to Israel's divine right to sovereignty over the area, a right that is held not only by the Israeli Jews, politicians and people, but also by fundamentalist Christians in America. In Canada, too, textbooks approved by the Ontario Department of Education trace the right of the Jews to Palestine to God's promise to Father Abraham<sup>1</sup>. This twentieth century anomaly of a tribal deity interested only in the welfare of one chosen people to the exclusion of the rights of others, is in contradiction with the universalism of the later Hebrew prophets, as well as the message of both Christianity and Islam. And yet we find his divine right to the land inhabited by Arab

Palestinians used as justification for the exercise of Israel's sovereign right to settle anywhere within the bounds of Eretz Israel, to expropriate the land of its inhabitants and to use the terror of the car bomb, torture and murder to rid the land of its rightful owners. This evocation of a tribal God in support of settlements was an oft repeated theme in Israel's 1984 election campaign, but one quotation from Michael Dekel, then Deputy Minister of Agriculture, at Ramat Modi'in, stated to be the one hundred and twenty- seventh settlement to be built in Judea, Samaria and Gaza since the Likud came to power in 1977, will have to suffice. Paraphrasing the Maccabean call to battle against the Seleucids, he declared : « Whoever is for God should come here, to all of Eretz Yisrael up to the Jordan<sup>3</sup> » .

The Israeli government may not have officially annexed the West Bank and the Gaza Strip, but this cannot hide the fact that it does exercise *de facto* sovereignty over these territories, their lands, their water and their inhabitants<sup>4</sup>. A symbol of this viewpoint is the habit of Likud leaders to refer to the West Bank and the Gaza Strip as « districts of Judea, Samaria and Gaza in Eretz Israel<sup>5</sup> », and to all the Occupied Territories as « liberated », having been « redeemed » from the *goyim*, i. e. persons of non-Jewish mothers, to remain henceforth under Jewish ownership in perpetuity<sup>6</sup>. What room is there for a homeland for the Palestinians or peaceful coexistence of any kind with such a governing philosophy ?

### *The Labour Alignment and the Likud Bloc*

Having briefly examined the Zionist philosophy underlying Israel's settlement program, let us look at this philosophy in operation under the two government coalitions that have been in office since the June War of 1967.

During the war, thousands of Arabs were expelled from their homes and lands in East Jerusalem, the Latrun salient, Qalqilia and other areas. An action of our Canadian government which deeply distresses the author as a Canadian was its acquiescence in the infamy of designating part of the area on which the Palestinian villages of Yalu, Beit Nuba and Emmaus once stood northwest of the Latrun Monastery as « Park Canada ».

A total of 300,000 Palestinians, many of them twice refugees, fled to Jordan, the flood continuing until the Jordan bridges were closed, while tens of thousands fled from the Gaza strip to Egypt and from the Golan Heights to Syria. A national government had been formed in Israel as war loomed on the horizon, in which the former Irqun leader, Menachem Begin, served under the Labour Prime Minister, Golda Meir. For all the Exodus of refugees, some members of the government were distressed that so many Arabs were left in the Occupied Territories<sup>7</sup>.

Following the 1967 war, the Labour government began at once to integrate

the Occupied Territories into Israel by a policy of establishing para-military settlements, soon transformed into civilian settlements, the expulsion of Arabs from parts of the Old City and the annexion of Jerusalem with expanded borders in 1970. The first settlement was established in the Golan Heights five weeks after the end of the war and Kfar Etzion in the West Bank shortly thereafter<sup>8</sup>. « The settlements established in the territories », declared Moshe Dayan, « are there forever and the future frontiers will include these settlements as part of Israel ». For him, as well as others, the question was not one of security, but « the territory of the homeland. »

The settlements could not be founded without the expropriation of the land and the brutal expulsion of the inhabitants. To make way for the city of Yamit, near Al-Arish, with a further six *Kibbutzim* and nine villages in the district, General Ariel Sharon, in January 1972, « drove off some ten thousand farmers and bedouin, bulldozed or dynamited their houses, pulled down their tents, destroyed their crops and filled in their wells<sup>10</sup> ». In view of such horrors perpetrated on the defenceless inhabitants, one wonders how anyone could have claimed that settlements were an example of « Arab-Jewish co-existence<sup>11</sup> ».

Upon the termination of the Labour regime ten years after the 1967 war, seventy-six settlements had been established in the Occupied Territories, at a total expense of three quarters of a billion dollars, with 803 millions having been spent by the Likud government in their stepped-up settlement program during their seven years in office<sup>12</sup>. These figures do not include military expenditures.

Since the Allon Plan, still official Labour Party policy, has been extensively written about, suffice it here to mention that its 20 kilometer wide defensive strip in the Jordan Valley and a further string of settlements commanding the Judean highlands, all connected by a fast access road system, would provide for the annexation of 40 % of the West Bank<sup>13</sup>. The federation of the heavily Arab - populated areas with Jordan was designed in part to safeguard Israel's Jewish ethnic character, but primarily, according to Dr. Joseph Algazy, « to prevent » the foundation of a Palestinian state<sup>14</sup>.

If the Likud leaders believe in the sovereignty of the Jews over the whole of Eretz Israel and have pursued a policy of settlement throughout the Occupied Territories as a means of asserting that sovereignty, so does the Labour Alignment. « There is no argument in Israel about our historic rights in the land of Israel. The past is immutable and the Bible is the decisive document in determining the fate of our land », declares Shimon Peres. If the Labour leader is willing to accept the « territorial compromise » of the Allon Plan, it is only in order to free Israel of an unwanted Arab population which « would eventually endanger the Jewish character of Israel »<sup>16</sup>. Thus when Prime

Minister Yitzhak Shamir, during the July 84 election campaign, attacked the Labour Alignment over their willingness «to conduct talks with Jordan on Jordanian Palestinian sovereignty over the administered territories, as well as Jerusalem »<sup>17</sup>, it was merely a war of words about tactics to gain a political advantage. The real question, however, is what King Hussein or the Palestinians would have to negotiate about, if Israeli sovereignty and the right to settle anywhere in the Occupied Territories is held to be inviolable.

The West Bank settlements created under the Likud were attacked by Ra'anana Weitz, «the dominant force behind Israeli rural development for more than three decades», and member of the Jewish Agency Settlement Department, who dubbed them as «empty balloons», neither «economically *self-sufficient nor socially coherent*»<sup>18</sup>. *The Benvenisti report, too, states that* only about one third of the settlements are actually viable concerns, the rest having been founded for political purposes. Since Israel's critical economic situation was one of the top election issues, it was good politics for Peres to claim that he could save 500 million dollars by freezing settlements in non-essential areas without, of course, touching Israel's sacred settlement rights. We should note that Peres's willingness to cut down on certain settlement wastes did not prevent him from visiting many settlements during the election campaign, such as Efrata, part of the Etzion Bloc of settlements rebuilt by the Labour government after the 1967 War on the ruins of Jewish settlements captured by the Jordanians in 1948<sup>20</sup>.

It is little wonder, then, that Palestinians and other informed people see no essential difference between the basic views of Labour and Likud on the settlements issue. In this regard Noam Chomsky remarks :

Contrary to illusions fostered here (i. e. in the United States), the two major political groupings in Israel do not differ in a fundamental way with regard to the Occupied Territories. Both agree that Israel should effectively control them ; both insistently reject any expression of Palestinian national rights west of the Jordan, though the Labour Alignment contains a margin of dissidents<sup>21</sup>.

The same author reminds us that it was the Labour government that opened the door to the Gush Emunim and the illegal settlements they founded in the West Bank.

### ***The July 23rd 1984 Election and Settlement Activity***

It is instructive to note that the Likud government under Prime Minister Shamir considered it good policy to appeal to the Israeli voter by instituting a

rush to found new settlements just before election day. The «drive» began on July 15th with the inauguration of the Adomim settlement northeast of Jerusalem, by Science and Development Minister Yaval Ne'eman (of the Tehiya Party). Fifteen other settlements were established in the final week before election day, including one of three in the Gaza Strip on July 22nd. The Trade-off electoral support in return for expropriated Arab lands and government services was so blatant that «even squatter settlers received unofficial government approval and material assistance from the army for their incursion into Palestinian land»<sup>21</sup>.

The settlements campaign did not cease with the election, however. The following acts of aggression against the rights and property of the Palestinians in the Occupied Territories were detailed in *al-Fajr* between August 10th - 24th, 1984.

On **August 9th**: Moshe Arens, the Likud Defence Minister, was reported to have officially endorsed the establishment of the new settlement, Ramat Eshai Yishai, on a Muslim cemetery *waqf* property in the centre of Hebron, on top of the 300 Israelis who now live in this predominantly Muslim city, along with reports of plans to take over extensive new areas.

The same issue of *al-Fajr* gave an account of bulldozers opening roads through lands of which the Arab owners had been defrauded.

**August 17th** : A front page headline : «Settlers Destroy Arab Home near Gilo Settlement», after several unsuccessful attempts to buy the **land**.

The same number reported the Israeli Electric Company's annexation of the Nablus Electric Company's western area on August 15th<sup>23</sup>.

Also : news of the arrival of four other «caravans» to strengthen the Hebron settlement reported a week earlier.

**August 24th** : headline : «Bulldozers at work in Batter» — near Bethlehem, on recently confiscated so-called “ state lands ”, accompanied by officials and scores of settlers; on August 20th two rooms were constructed on the site.

Also : an article on Pisgat Ze'ev settlement northeast of Jerusalem, on which construction began in January of 84, to house 60,000; to be linked with Neve Ya'acov, Pisgat Amir and the French Hill, with a main arterial road running north and south without touching the Arab areas, the aim being to surround and cut off East Jerusalem, making it into an Arab Ghetto.

As to the returns of the election itself, there is no agreement whether they represent a move to the right or the left. The voters in fact registered their disillusionment with both major parties. The Likud Bloc did suffer a serious loss of seven, from 48 to 41, but the Labor Alignment was unable to capitalize on the situation in Lebanon and the current inflation rate of 400% in Israel,

losing two of their 47 seats. It is true that the Tehiya Party, hardliners on the settlement question, increased the number of their seats from three to five; and that Rabbi Meir Kahane, of the Kach «lunatic fringe» was successful in his bid for a Knesset seat, a man who demands amnesty for the Jewish terrorist network and called out publicly for «death to the terrorists, expel the Arabs», (for which he received applause)<sup>24</sup>. Nevertheless, as Ivor Crewe points out, this has to be balanced against Likud's losses and the fact that the Citizens Rights Movement and the Sinui Party, who support the Peace Now Movement and their demand for a freeze on settlements, increased their representation from four to six<sup>25</sup>. In any case, this minority voice has not been able to call a halt to the settlement program of the Israeli government and the Jewish Agency <sup>26</sup>, let alone roll back what Benvenisti calls «galloping annexation».

### ***The Settlements as Obstacles to Peace : The Tightening Noose***

The War of the Settlements goes on ! Make no mistake — this is a war on the Palestinians and their most basic rights. Israel's oft repeated claim to be ready to sit down to negotiate peace with the Arabs is a travesty as long as the War of the Settlements is not ended. The thesis that this is indeed a war may be summarized under the following heads :

1 — The settlement drive is intended as an assertion of Israeli sovereignty over the occupied areas and is therefore an attack on Palestinian sovereignty, on the very idea of a homeland for the Palestinians. There can be no peace for the Palestinians or the Israelis without a confession that the land which the Palestinians inhabit belongs to them. Speaking of the ringing of Nablus with Israeli settlements, *à propos* Sharon's visit to what is to become «Upper Nablus» on Mt. Gerezim, Amos Elon, an Israeli dove, declared, «Here around Nablus the possibility to redivide Eretz Israel among the two peoples living here is being sabotaged (maybe forever)... Here is being decided whether we will have peace with our neighbours from the East or whether we will go — we and our children — from bloody war to bloody war»<sup>28</sup>.

2 — The settlements are a denial of the basic right of the Palestinians to their homes and lands. The confiscation of Arab land is being carried out as though the Palestinians had no rights whatsoever, as pointed out by Paul Quiring in the many examples he gives to refute the Zionist claim that the settlements do not displace or compete with the indigenous population<sup>29</sup>. In a letter addressed to the Prime Minister of Israel, Rafiq Nammari refers to the law passed by the Knesset declaring the right of the Jews to live and expand their settlement in Hebron on the basis of having *rented* homes there from Muslim Hebron residents, and goes on to demand the right of Arabs to return

to scores of places he lists within Israel and the Occupied Territories, from which they have been expelled<sup>30</sup>.

3 — Israeli settlement policy is exclusivistic and racist in both theory and practice. This is clearly shown by two examples from among many. The first has to do with the expulsion of all Arabs from the «Jewish Quarter» of Jerusalem and further, the denial of the right of a Christian Zionist couple from Scandinavia studying at the Hebrew University to rent a flat from a Jewish family on Sabbatical leave, the purpose being to keep the quarter «clean» of Arabs and Christians. This action was held to be in keeping with a democratic society by both the High Court and Justice Minister Nissim ! The Jewish author then asks why the Israeli government and police were not obliged to prevent the brutal invasion of the Muslim Quarter by the Birkat Abraham Yeshiva, whom she calls «a gang of criminals»<sup>31</sup>.

With regard to the appearance of «Arabs, get out» signs, Amnon Rubenstein, a leader of the Sinui Party, cites among other incidents of a racist nature the fact that the Israeli State Construction Company refuses to let apartments to an Arab in *mixed towns* «for his own good»<sup>32</sup>.

4 — The Israeli settlements are a threat to the civil and legal rights of the Palestinians. That it is illegal for an occupying power to do anything to «permanently change the nature of the occupied territory», or to «annex» or «deport or transfer part of its own civilian population into the territory it occupies» is unambiguously stated in Article 43 of the Hague Convention and Articles 47 and 49 of the Fourth Geneva Convention, and has been argued with detailed documentation by many authors<sup>33</sup>. I am glad to say that the Canadian Government recognizes the applicability of the above Conventions to the settlement question, but places little emphasis upon it out of deference, it is alleged, «to American interests in the region and the successful lobbying tactics of the Canada-Israel Committee»<sup>34</sup>. Appeals against the illegal expropriation of Arab land in the Occupied Territories has to be made to a committee appointed by the military commander from military reserve officers — in effect there is no hope of redress. If the Palestinians in the Occupied Territories have no protection from the courts, how can Palestinian leaders be expected to make peace with Israel, even if Israel would talk to them?

5 — That the human rights of the Palestinians are daily sabotaged by the Israeli settlement drive, as well as by other policies imposed on the Occupied Territories, has been abundantly documented<sup>35</sup>. These rights have been savagely violated by the upsurge in settler violence, encouraged, it is alleged, by Erik Cohen, by Ariel Sharon and Yoram Aridor, with former Prime

Minister Shamir merely slapping the perpetrators on the wrist for going «too far» because they are in «too big a hurry...»!<sup>36</sup>

6 — The War of Settlements goes on without any evidence of compromise or heed to protests from within Israel or the world community without. The “moderate” mayor of Bethlehem, Elias Freij (the only mayor of a major Palestinian town left in office by the occupying power), who advocates making the first move by recognizing the State of Israel, declares, too, that «the thing on the West Bank is for all settlements to stop immediately. All else has to be settled by negotiation». But he also confesses that «if Arafat raises an olive branch tomorrow, what are the Israelis prepared to give?... Nothing»<sup>37</sup>. Two years later Freij estimates that 80% of the land surrounding Bethlehem has been taken over by the occupying power.

The only Power with any leverage over Israeli policies, the United States, indulges in nothing but pious hopes that Israel would impose a freeze on settlements. Though Begin and the Israeli government met President Reagan’s suggestion embodied in his Peace Plan of September 1, 1981, with angry defiance and the launching of several new settlements, the Reagan administration approved a massive increase in aid to Israel, in effect financing the new settlements ! The Reagan Plan is rightly described by Chomsky as rejectionist, since it excludes the PLO and the right of self-determination for the Palestinians<sup>38</sup>.

## **Conclusion**

Is there, then, any hope for peace in the Middle East on the basis of a just, equitable settlement of the Palestinian Question ? Hope for peace depends first of all on the Palestinians and their ability, not only to maintain strong self-identity, but also to retain control over their land — now in jeopardy, as we have seen. In the second place, peace depends on *united* action by the Arab World to utilize all of its resources and influence to attain that goal. Thirdly, peace would be furthered by the growth of the Peace Now Movement and other forces of opposition within Israel to her current settlement and rejectionist policies. Fourthly, peace can be brought about if the world community can be aroused to the seriousness of the danger and the need for action, especially if the United States can be brought to see that her own interests in the Middle East are realizable only on the basis of a just and lasting settlement of the Palestinian-Israeli question, and if the Middle East can be excluded from the cold war between the two Super Powers<sup>39</sup>.

Speaking of the «world community», one cannot blame the Palestinians for despairing of action in support of their national and human rights. We deplore

terrorism on both sides, that is attacks on defenceless civilians, especially women and children — not merely because terrorism has now become counter-productive for the Palestinians, but because it is morally wrong. Nevertheless, we cannot deny the Palestinians the right to collective self-defence by every means at their disposal.

Noam Chomsky sets out the stark realities of the situation thus :

It might be argued that as a result of U.S.-Israeli rejectionism... a peaceful settlement is no longer possible, that the U.S. financed program of Israeli settlements in the Occupied Territories has « created facts » that cannot be changed short of war. If persistent U.S. rejectionism brings about this state of affairs, as sooner or later it will if U.S. policy does not change course, the primary objective of Americans concerned with peace and justice will no longer be to try to bring the U.S. into line with the international consensus, now irrelevant, but to block American support for the next step : expulsion of a substantial part of the Arab population on some pretext, and the conversion of Israel into a society on the South African model with some form of Bantustans, committed to regional disruption<sup>40</sup>.

The outlook is not bright. However, I think the PLO and the PNC could take action to put the ball more clearly in the Israeli court, namely by a declaration, as Walid Khalidi has suggested, of their readiness to accept mutual simultaneous recognition ( not unilateral recognition ) of the State of Israel. I support this move, not by way of appeasement, but in order to prevent the actualization of Israel's ambition to swallow the Occupied Territories, by thus making a strong appeal to world public opinion, including the supporters of Israel.

---

## FOOTNOTES

---

1) See also the reference on p. 470 to the establishment of «Park Canada» on the site of three Palestinian Villages.

2) See the author's « *The Image of the Arab in Ontario Social Science Textbooks* », p. 8 ( typescript, to be published in late 1984).

3) *Jerusalem Post*, June 24 July 1, Supp. p. IV.

4) See J. Kuttab and R. Shehadeh, *Civil Administration in the West Bank ( Ramallah : Law in the Service of Man, 1982 )*, p. 15.

5) Dr. Joseph Algazy, « *Israeli Policy in the West Bank and the Gaza Strip* », delivered at a Seminar on the State of Israel and the Palestine Question, Oslo, April 2-4, 1984, p.5.

- 6) Israel Shahak, *Chairman of the Israel League for Human and Civil Rights*, quoted by Paul A. Hopkins, Liaison officer for the United Presbyterian Church, U.S.A., in a typescript article: «Peace for Galilee: Report and Reflection on Twenty Days in Lebanon, Israel, West Bank and Gaza», dated 23 November 1982.
- 7) Algazy, *ibid.*, p.1.
- 8) N. Chomsky, *The Fateful Triangle: The United States, Israel and the Palestinians* ( Boston : South End Press, 1983 ), pp. 103 f.
- 9) *Ibid.*, p.104.
- 10) *Ibid.*, p. 106, quoted from *Middle East International*, July 1975, translated from an article by A. Kapeliouk in *Le Monde*. May 15, 1975.
- 11) Paul Quiring, «Israel Settlements and Palestinian Rights», *Middle East International*, N° 87 (September, 1978), p. 10.
- 12) Algazy, *ibid.*, p. 3 and Meron Benvenisti's report released 24 April, 1984, entitled *The West Bank Data Base Project: A Survey of Israel's Policies* ( Washington : American Enterprise Institute, 1984 ), p. 55.
- 13) Chomsky, *ibid.*, p.48, who also mentions Kapeliouk's estimate of one-third.
- 14) *ibid.*, p.4.
- 15) Chomsky, *ibid.*, p.54.
- 16) *Ibid.*, cited from S. Tillman, *The U.S. in the Middle East*, p. 143, quotes from the NYT, Aug 6, 1978.
- 17) *Jerusalem Post*, May 27 June 30, p.3.
- 18) *Ibid.* July 15-21, p.10.
- 19) *Ibid.*, June 24, July 1, Supp. p.II.
- 20) *Ibid.*, Supp. p.III.
- 21) Chomsky, *Ibid.*, pp.44 f.
- 22) *al-Fajr*, July 27, 84, p.4 ; *Palestine Perspectives*, August-September 1984, p.7.
- 23) Bassam Shak'ah, the deposed mayor of Nablus and victim of a car bombing incident that deprived him of both of his legs, recounted to the author in 1982 how he had fought for some years, in the end successfully to secure permission to buy new dynamoes to replace worn out equipment. Nevertheless, Arab factories within the city and Arab villages nearby were not allowed to purchase electricity from the Nablus municipality, in spite of the fact that they could not secure sufficient amounts from the Israeli grid.
- 24) *Jerusalem Post*, July 15-21, Supp. p. V.
- 25) " Israel's Jigsaw Politics and the Perils of PR ", *Manchester Guardian*, Aug. 5, 1984. *The Jerusalem Post*, however, has them **increasing** their representation from three to six.
- 26) See Algazy's excellent discussion of Jewish Agency plans as set forth by Matityahu Drobles, Chairman of its Settlement section, in 1983 — *Ibid.*, pp.5 ff.
- 27) William Steif's expression, " No quiet on the West Bank ", *The Progressive*, Nov. 1983, p.26.
- 28) « View from Mt. Jerzim ( Gerezim ) », distributed by *al-Fajr*, March 11, 1983.
- 29) « Israeli Settlements and Palestinian Rights », *Middle East International*, N° 87, Sept. 1978, pp.10 f.
- 30) « Alleged Rights and Legitimate Ownership », *Arab Report*, published by the Arab League Information Center, Ottawa, Canada, January 1984.
- 31) Shulamith Aloni, « What is Mine is Mine and Yours is Mine », *Arab Report*, Dec. 1983.
- 32) *Ha'aritz*, Mar. 19, 1982, quoted by Paul Hopkins, in *ibid.*, p. 11.
- 33) See, for instance Ibrahim Abu-Lughod, ed., *Palestinian Rights: Affirmation and Denial*, ( Wilmette, Ill. : Medina Press, 1982 ) ; and J. Kuttab and R. Shehadeh, *Civil Administration in the West Bank* ( Ramallah : Law in the Service of Man, 1982 ).
- 34) See the Canadian Council of Churches « Submission on Palestinian Human Rights and Israeli Settlement Policy in The Occupied West Bank and Gaza to the Canadian Ambassador to the 40th Session, United Nations Commission on Human Rights », 1984, p.4.
- 35) See The C.C.C. Submission cited in the preceding note, pp.11 ff. for documentation of « Israel's clear violation of fifteen out of thirty articles in the Declaration of Human Rights » ; also « The Zionization of

Palestine », *Journal of Palestine Studies*, Vol. XIII, N° 4 ( Summer of 1984 ), pp. 144-49, trans. from the Beirut newspaper *al-Safir* of March 11, 1984.

36) *Jerusalem Post*, June 3-10. p.12.

37) Quoted by W. Steif in *ibid.*, p. 29.

38) *Ibid.*, p. 34.

39) Some of Algazy's concluding suggestions are embodied here - *ibid.*, pp.18 f. See also George Ball's proposal for the execution of U.N.Resolution 242, in *Foreign Affairs*, vol. 55, no. 3, 1977, p. 460.

40) *Ibid.*, pp. 24.f.

---

# COMMENTARY ON PROFESSOR LORNE KENNY'S PAPER THE IMPACT OF SETTLEMENTS ON PEACE EFFORTS, PRESENT AND FUTURE

By  
**Dr. Charlotte M. TEUBER \***  
*Prof. of Political Science  
University of Vienna  
Austria*



## **Introduction**

With compassion and erudition Professor Kenny portrays the philosophy underlying the actions of Israeli settlement policy . And he justly points to the consequences of international acceptance of the quasi-religious and mythical claims on which the UN - created entity of Israel bases the ethnic, political and economic destruction of the Palestinian people. In the face of generally

---

\* Ms. Teuber holds a Ph. D. in Archeology from the University of Innsbruck, and an M. A. and Ph. D. in Political Science from Harvard University.

Presently, she is a professor of Political Science at the Institute of Political Science, University of Vienna, Austria.

She has worked and studied in Africa and the Middle East and published on the problems of the Middle East and other field-related topics. She was a member-expert in the United Nations «Regional Seminar on the Paltestinian Question» in New York and is a member of the Austrian Peace Research Institute.

accepted covenants of international law on occupied territories and the behavior of occupying powers, the settlements grow in number and size, no matter what peace initiatives emanate from whom. Here it may be interesting to note, that neither the settlements nor the right to return of those Palestinians whose land is being systematically alienated turn up in the peace proposals of the past years. There was quite an ado made about the destruction of the few settlements in Sinai after that piece-of-lands returns to Egypt, but Israeli politicians made no bones about the low emotional value of Sinai and the completely different, unwavering and militant stance of «Judea and Samaria» with regard to the colonization there. While pointing out that subsequent Israeli governments, whatever their political brand, have as their sole justification Theodor Herzl's malapropos of «a land without people for a people without land». Professor Kenny does not go into the deeper roots of the acceptance of this slogan by European and American statesmen and public alike. Considering the disastrous results for the cause of the Palestinian people by this thoughtless acceptance of modern Zionism's rationale for the Israeli policy, one has to delve into the early developments of Jewish and non-Jewish Zionist thought. The latter laid solid foundations for present day murky thinking about the question of Palestine, it also fore-shadowed the strange mixture of coolheaded power-politics and high-sounding religious expostulations.

Two generations before Herzl was born, Napoleon Bonaparte issued a manifesto, from Jerusalem, to «the Rightful Heirs of Palestine», in which he offered European Jewry Palestine as their patrimony<sup>1</sup>. During the 19th century a number of concepts developed which led to the present Euro-American stance on Israel in Palestine. The British and French calculations concerning the foundation of a Jewish state in Palestine, clad in a variation of the Divine Rights theory were solidly based on commercial and financial power aspirations, in the words of Prime Minister Lord Palmerston of 1840:

...don't lose sight of my recommendation to the Porte to invite the Jews to Palestine. You can have no idea how such a measure would tend to interest in the Sultan's cause all of the religious party in this country, and their influence is great and their connexion extensive. The measure moreover in itself would be highly advantageous to the Sultan, by bringing into his dominion a great number of wealthy capitalists who would employ the people and enrich the Empire<sup>2</sup>.

While British statesmen stressed the deep affiliation of Protestant Biblical ideas and imperial designs, French politicians based their early Zionism on

intellectual premises and the emphasis on the “mission civilisatrice” of France. In the words of the Secretary to Napoleon III, Ernest Laharanne:

... Do you still doubt that France will help the Jews to found colonies which may extend from Suez to Jerusalem and the banks of the Jordan to the Mediterranean... France will extend the work of redemption also to the Jewish nation... Frenchmen and Jews. It seems that in all things they were created for one another<sup>3</sup>.

It was also during the 19th century that scholarship in Britain, France and Germany developed the discipline of Orientalism which was mainly devoted to create a negative image of the Arabs, religion and culture. Images that left stereotypes which were gladly forwarded by modern social sciences and were to become another means of disregarding the people of Palestine in more recent times<sup>4</sup>. On the American scene the Anglo-Protestant foundations of Zionism were enriched with another national myth which was to be specifically disastrous for the Palestinians with regard to the Israeli settlement policy. While in the calculations of Europeans, Israel's settlement policy was something not too much to be discussed, it struck «positive chords only» in most American minds. From John Haynes Home's statement during the Mandate time:

... As I met and talked with these (Jewish) toilers of the land, I could think of nothing but the early English settlers who came to the bleak shores of Massachusetts, and there amid the winter's cold in an untilled soil, among an unfriendly native population, laid firm and sure the foundations of our American Republic... Here is the same heroism dedicated to the same ends... It is obvious that the native Arabs while not less savage and stubborn than the American Indians, cannot be removed from the scene<sup>5</sup>.

to President Carter's statement in Jerusalem 1979:

Seven Presidents have believed and demonstrated that America's relationship with Israel is more than just a special relationship. It has been and it is a unique relationship. And it is a relationship that is indestructible, because it is rooted in the consciousness and the morals and the religion and the beliefs of the American people themselves.. Israel and the

United States were shaped by pioneers — my nation is also a nation of immigrants and refugees — by peoples gathered in both nations from many lands... We share the heritage of the Bible...<sup>6</sup>

There is not much difference in the blank acceptance of especially the settlement policy as an optimum bonus.

One consequence of this tacit understanding between power-politicians and intellectuals as well as men of the cloth, regarding the human, economic and political disaster the Israeli settlements wreck upon over 70 % of the Palestinian people whose livelihood derives from the land, is the fact, that very often so called «moderates» on both sides of the Palestinian-Israeli dispute, do not clearly emphasize the existence and continuation of the settlements, the number one obstacle to peace.

Thus it was possible that the Reagan Administration could go a step beyond the tiptoeing statement of his predecessors with regard to the settlements and explicitly call them not to be illegal, and the U.S. State Department, which has previously done so, failed to put the illegality of the settlements in its 1981 annual Human Rights Report.

Professor Kenny concludes his introduction with the practical consequences of the governing philosophy of official Israel, such as the total disregard of intellectuals as well as men of the cloth, regarding the human, economic and political disaster the Israeli settlements wreck over 70% of the Palestinians or peaceful coexistence of any kind with such a governing philosophy ? » I would submit that there is a need for a change in philosophy of the European and American statesmen who interact with Israeli claims and see, beyond any consideration for the rights of the four and a half million Palestinians, the security of the Israelis in that region as the only basis of any accommodatin with the Palestinians. And that all the time while the scope of the settlement policy extends even further and «security» becomes a meaningless idol worshipped by Israel's protectors and used as a means to further repress, rob and humiliate the conquered.

### ***The Labour Alignment and the Likud Bloc***

Professor Kenny shows that from the first National Government of 1948 to the present National Coalition the most stable policy factor is the elimination of the Palestinians. From Golda Meir's insistence on the non-existence of

Palestinians to Sharon's presumption that there is already a Palestinian state in the shape of Jordan runs the Leitmotif of Israeli policy.

The success of «the preventive war» of 1967 showed to a still indifferent world anew what «Israel's need for security» meant for the Palestinians – the execution of a step by step plan to squeeze them inward and out. By loudly agitating against the meek U.N. Resolution 242, and thus creating a smoke-screen for the de facto annexation of the remnants of Palestine, the Labour governments started in a tandem tactical and strategic policy to build settlements along the Jordanian border and in Gaza. In Moshe Dayan's dictum «The settlements established in the territories are there forever and the future frontiers will include these settlements as part of Israel»<sup>8</sup>. Parallel to the rise of settlement went a well developed water policy, adding hardship and economic loss to those Palestinian farmers who were not yet expropriated. This water policy did not arouse special consideration in international premiums although it was already stated in the Memorandum of the World Zionist Federation to the Peace Conference at Versailles in 1919<sup>9</sup>.

That document presented the territorial claims for the future Jewish state based on the waters of Mount Hermon, and the attached map showed the borders of the proposed Jewish State which with the exception of a strip of land East of the Jordan, are identical with the present expansionist frontiers. The Allon Plan remained as a driving force in Labour's policy with regard to settlements and the necessary infrastructure thereof. Towards the end of their tenure, however, the Labour government added to the Allon Plan by not only indulging but actively fostering the settlements of the Kach movement and its brutal part, the Gush Emunim. Kach and Gush Emunim's methods and aims did not differ much from the thereto practised settlement policy but their location did: while the Allon Plan seemed to squeeze the Palestinians in, the Gush Emunim was clearly aimed at squeezing them out.

In this connection it is interesting to note that Labour, in its platform for the 1981 elections not only stated that any eventual territorial arrangements with Jordan would have to guarantee that settlements remain under Israeli sovereignty, but that they also should be increased «as outposts of Western Civilization»<sup>10</sup> a claim that did not fail to please Israel's Euro-american sponsors. After Labour lost to Likud in the 1977 elections, the new coalition conservative Zionist forces replaced, but not decried, the Allon Plan with a «Master Plan for the Development of Settlement in Judea and Samaria» by Matatyahu Drobles<sup>11</sup>. What both the Allon and the Drobles Plan meant for the

Palestinians is best illustrated in a booklet by the distinguished Lawyer F. Langer<sup>12</sup>. There are the incredible brutality and lawlessness, case after case, which show the bare bones of the continuing settlement policy, as justly branded by Professor Kenny who plainly quotes from the few and not widely heard criticisms of the Likud settlement policy within Israel, such as the Benvenisti Report. Besides the destruction wrecked on the precarious ecology of Palestine, the new element in Likud's policy was the dotting of the landscape with «dormitory Townships» which destroyed valuable farming land without replacing farm production, but building apartment houses from which the displaced Palestinians stay excluded. When the elections of 1981 came nearer, the Likud Bloc and Labour vied with each other in confirming their settlement policies, Likud pointing to the new, Labour to the older Master Plans. Likud won not as a great surprise, with the Palestinians observing in anger and, sometimes, with the grim humour of survival. During my visit there I heard frequently the answer to my question as whom they would prefer; «it does not matter really, Labour made one announcement for 20 Settlements to be built, Likud makes ten for 2 Settlements!» Thus the chain of threats, expropriation, sometimes juridical surface struggles between military and civilian «justice», the ripping of deep gushes in the soil for strategic roads and feeder roads, and the speedy erection of new settlements went on.

### ***The July 23rd 1984 Election and Settlement Activity***

Professor Kenny gives a vivid description with a chronological summary of the frenzied settlement discussion and action before and after last year's Israeli elections. Complementary one would have to point out that the genocidal war in Lebanon, in 1982, had as its first declared aim «the security of the Jewish settlements in the Galilee». The enormous costs of the war and the subsequent occupation of Lebanon did not lead to a slowing down of the building activity on the West Bank and Gaza. The guided terror against Palestinians, mostly in connection with land-grab activities, even gave a group the cheek to call it «terror against terror» and in most cases the authorities looked the other way. The United States as a main financier did not put any strings on the billions of aid, strings which might have moderated the settlement plans. Quite ambiguous is the question as to who in the Israeli state does profit from the settlement and road building and maintaining. Even in Israel there are sharply differing views on the cost efficiency of the settlements. There is no doubt that the building industry is mostly sustained by the settlement construction, and the military sector owes it to the settlements to warrant its domestic expenditure. Nevertheless, the latter in conjunction

with the military needs of the occupation of Lebanon can only be sustained by the billions pumped into the Israeli economy by the United States. I would submit that the advantages of settlement policy are not on the economic but on the ideological sector. The heavily guarded convoys of construction materials are deemed to give the average Israeli a constant demonstration of the productivity of a garrison state and thus make it more palatable to be part of it.

### ***The Settlements as Obstacles to Peace: The Tightening Noose***

In his concluding remarks Professor Kenny calls the Israeli settlement policy and its consequences for the Palestinians «the War of Settlement» and bases his inference that this indeed is a war in a six point summary:

- 1 — The settlement drive is an assertion of Israeli sovereignty over the territories conquered in 1967;
- 2 — The settlements are the grossest denial of the most basic rights of the Palestinians — those to home and land;
- 3 — The settlements prove Israel's racist stance versus the Palestinians', by their exclusiveness and offensive discrimination;
- 4 — The settlements run against the provisions of International Law concerning the treatment of the population of occupied territories (Article 43 of the Hague Convention and Articles 47 and 49 of the Fourth Geneva Convention);
- 5 — The war settlements goes on without any evidence of compromise. The weak efforts of Israel's patrons, mainly the United States, are answered by the Israelis with anger and arrogance.

With a view to this stock-taking, Professor Kenny poses the question whether there can be any hope for peace in the Middle East and then he arrives at four preconditions for such a hope to become reality: for the Palestinians to retain not only their self-identity but also control over their lands, united action by the Arab World to utilize all of its resources and influence, the growth of serious opposition to the settlement drive within Israeli society, and finally by action of the world community after the latter is aroused to the seriousness and danger of this "War of Settlement" .

I would concur with these preconditions, except for the fear that there may be no time to realize them. At the time this is written — February 1985 — the auspices for peace based on liberty, sovereignty and the right to return on the basis of regaining their expropriated lands seem to be more in jeopardy than ever. The settlement drive goes on like a steam roller and those parts of the

international community who discuss peace with some sense of reality are still mostly concerned with Israel's «security» and the demands for «recognition of Israel» by the Palestinian leadership and the Arab World are still as shrill and ambiguous as ever. Ambiguous because it is never clearly stated just what the Palestinians should «recognize» — the right of Israel to go with its ethnocide in the Palestinian lands expropriated between 1948 and 1969, plus those between 1967 and the present? That is to say their own extinction as a nation with the rights that notion includes. The Israelis have proven for over thirty years that they do not care about international and in many cases even their own law, and the settlement policy of the subsequent Israeli governments is the clearest proof of that. Thus it might only be possible to help the Palestinians by a concerted effort of the Big Powers and the Arab World to enforce the various United Nations provisions concerning Palestine and the Palestinians. The power to do just that is there — but is the will?

---

## FOOTNOTES

---

- 1) Regina Sharif, *Non-Jewish Zionism, its Roots in Western History* (Zed Press, London, 1983) pp. 50-51
- 2) *Ibid.* p. 54.
- 3) *Ibid.* p. 53.
- 4) Edward Said, *Orientalism*, (London, Keegan Paul, 1978).
- 5) John H. Holmes, *Palestine Today and Tomorrow, A Gentile's Survey of Zionism*, (New York, Macmillan, 1929). Holmes is referring to a visit he made in 1922.
- 6) Department of State, *Bulletin*, March 1979, (Washington, D.C.).
- 7) Department of State, *Human Rights Report 1981*, (Washington, D.C.).
- 8) Noam Chomsky, *The Fateful Triangle: The United States, Israel and The Palestinians*, (Boston, S. End Press, 1983) pp. 103 ff.
- 9) Memorandum Submitted to the High Powers at the Peace Conference at Versailles, by the World Zionist Federation, in: *Documents of the Versailles Peace Conference* (London 1922).
- 10) From William W. Harris, *Talking Report: Israeli Settlement in the West Bank, The Golan and the Gaza-Sinai 1967-1980*, (New York, 1980).
- 11) *Memorandum of the Labour Party*, (Tel Aviv, November 1980), *Mim*.
- 12) Matatyahu Drables, *Master Plan for the Development of Settlements in Judea and Samaria, 1979-1983*, (Jerusalem World Zionist Organization, Oct. 1978), *Mim*.
- 13) Felicia Langer, *Anatomy of Expropriation* (Ar. and He. Jerusalem, November 1983).
- 14) *Jerusalem Post*, June 24 - July 1, Supplement.

*There is a remarkable documentation of the Settlements and their consequence for the Arabs. Among the most important collection are the papers of the U.N. Committee on the Inalienable Rights of the Palestinian People. Of great importance are also the Documentation contained in the MERIP (Middle East Research and Information Project) Reports, esp. Nos. 59/77, 47/76, 78/79.*

---

# COMMENTARY ON PROFESSOR LORNE KENNY'S PAPER THE IMPACT OF ISRAELI SETTLEMENTS ON PEACE EFFORTS, PRESENT AND FUTURE

By

**Merle THORPE Jr. \***

*President of the Foundation  
for M.E. Peace – Washington  
U. S. A.*



## ***I. Issue of West Bank Settlements***

The principal issue of the Middle East is whether the Arab-Israeli conflict can be defused; more specifically whether the Israeli-Palestinian conflict can be resolved peaceably by letting the Bank and the Gaza Strip, whose population is 98% Palestinian, become a Palestinian homeland to which the residents and diaspora Palestinians can relate and in which Palestinian culture can be continued. Blocking such a peace possibility are the expansionist and annexationist forces in Israel who are determined not to let any portion of contested Palestine be Palestinian.

---

*\* Mr. Thorpe holds a Bachelor's Degree in Economics and LL. B. in Law from Yale University.*

*For forty years he was a practising attorney in Washington, D.C. and was the founder and now president of the Foundation for Middle East Peace in Washington, D.C. He is also chairman of the Organization of American Near East Refugee Aid, Trustee for the Middle East Institute and a director of WETA public Television, Washington, D.C.*

*He is the author of a book entitled **Prescription for Conflict.***

The Palestinian-Israeli conflict is often discussed or analyzed in terms of the Israeli settlements in the West Bank and Gaza Strip — their numbers, the number of settlers, and the level of settlement activity at any given time. This short-hand approach has both advantages and disadvantages. One of the advantages is that it serves as a crash course for educating the uninformed. Most Americans, for example, have only a blurred view of the Middle East. They are under the impression that a large number of Israelis and Palestinians live in close quarters, but not peaceably, and their sympathies are with the Israelis. To people so uninformed, the realization that only 30,000 plus Israelis live on the West Bank can suggest that the land may not belong to Israel, but to others. Similarly the uninformed and disinterested may not understand the intricacies of the many sophisticated Israeli techniques for taking Palestinian land, but pictures of barbed wire settlements and armed settler patrols can raise the question in their minds of why the Israelis are there.

Focus on the settlements also permits the most telling of arguments by those interested in peace, namely that by increasing the Jewish presence on the West Bank and the Gaza Strip Israel forecloses the one option, the one path to peace, which world opinion has agreed upon since the territories were conquered by Israel in 1967, the principle embraced by U.N Resolution 242 of exchanging land for recognition.

While focus on settlements has these advantages, it has the disadvantage of encouraging certain specious arguments. «Why should any area be closed to Jews?», it is asked, or «Why the fuss? There are *only* 30,000 settlers on the West Bank».

The answers to these diversionary arguments should be obvious. The American Jewish intellectual, Irving Howe, best responded to the first when, speaking of settlers in Hebron, he said :

«If these settlers had come to Hebron saying they wished to live peacefully with the Arabs under whichever national authority prevailed, then no one could legitimately object to their presence. But they have not come to coexist. They have come to dominate, they have come to rule»<sup>1</sup>.

As to the «only» argument, if 30,000 settlers are inconsequential, why do so many Israelis believe the West Bank has already been annexed?

And so it is that numbers and level of settlement activity provide only a superficial picture, an imperfect index of the conflict. The central question is Israel's territorial limits and its intention toward the Palestinians.

For seven years under Mr. Begin and the Likud, Israeli policy was clear. The West Bank was Israeli. «You do not annex your own land», said Mr. Begin<sup>2</sup>. Even though the Camp David Accords Stated that U.N. Resolution 242 applied «in all its parts», Mr Begin repudiated Israel's commitment with respect to the West Bank and the Palestinians almost immediately upon signing the agreement. Historically, Labour had spoken of territorial compromise, but in the 1984 elections, sensing the electorate had little interest in the Palestinian or territorial questions, Labour made no issue of settlements. The price it paid for its coalition agreement with the Likud was to reaffirm Israel's commitment to continued settlement. In January 1985 the sites of six settlements were agreed upon.

After the 1984 elections, it is true that a slowdown in settlement activity set in, but it reflected Israel's economic crisis, the decrease in the ideologically motivated, and the distaste of those looking for cheap housing for travelling through hostile Palestinian neighborhoods. It did not reflect any calculated change in attitude toward the territories or the Palestinians.

As 1984 came to a close, the scene for West Bank Palestinians, as Professor Kenny has shown, was indeed bleak. One thousand military decrees control virtually every aspect in the life of the Palestinians and their cultural, economic and political development. Elected Palestinian officials had been effectively removed. The right of travel, of speech, press, education, even the right to grow grapes or to buy a tractor or bulldozer are restricted.

«We are the rulers here», an officer high in the occupation authority told me in the fall of 1984, «We know what is best for the people».

Mernon Benvenisti, the former Israeli Deputy Mayor of Jerusalem, is a recognized expert on Israeli settlements and because he has been deeply offended by Israel's attitudes toward Palestinians, his views take on a special significance. In 1984, Mr. Benvenisti expressed the opinion that Israel's expansionists had won, that the annexation was irreversible, and that the conflict had become an «internal, ethnic» struggle between «superiors and inferiors»<sup>3</sup>.

Early this year Mr. Benvenisti elaborated on his 1984 study. Pointing out that the Council of Settlements now raises funds abroad to reduce its dependence on government funds and that regional councils have established their own development companies for the same purpose, Benvenisti argues that «We have passed the point where the West Bank was one item on the budget. In 1979-80, there was one budget for the settlements, and if you stopped that, you stopped the settlements. But ever since 1981, when they

established regional councils in the West Bank, it changed from a frontier zone to a normal part of the administrative system. They now get funds from the different ministries, just like any other municipality<sup>4</sup>». The fact that the vast majority of settlers work in Jerusalem and Tel Aviv and that the settlements have no responsibility of providing jobs showed, said Benvenisti, «the whole misconception about the settlements, that they can somehow be stopped and started at will. That is false. If you want to choke off the settlements now, you can't turn off just one faucet. You have to turn off the whole Israeli economy»<sup>5</sup>.

Mr. Benvenisti is a respected demographer and civil libertarian. His research has been invaluable. In February, 1985, for example, he reported that the settler population had grown in 1984 at a greater rate than generally assumed, from 27,500 to 42,000<sup>6</sup>.

Mr. Benvenisti, however, has done a great disservice by encouraging the fanatics. His judgement as to irreversibility must be rejected. The Palestinian sense of national identity is ever increasing, and as the twentieth century draws to a close, it is simply unacceptable to take the position that a territory has been successfully conquered when the settlers of the small conquering nation number only three percent of the territory in question.

I prefer to approach the future and base my efforts on another analysis, that of Abba Ebban:

« After seventeen years of Israeli occupation, including seven years of control by an avowedly annexationist Likud leadership, the territories remain tenaciously unintegrated.

The Jewish population has increased from zero to 29,000, an average of 1,700 a year. But the Arab population increase has outstripped this, despite the many Arabs who have emigrated; Arabs now number 1.3 million, constituting “only” 98 percent of the population of the West Bank and Gaza. And this meager Jewish population was achieved under optimal conditions — funds were provided for politically motivated settlements that were strongly encouraged by the prime minister and the defense minister.

These conditions no longer exist; financial stringency makes further huge investments in settlements impossible...»<sup>7</sup>.

## ***II. The U.S. position on the settlements***

For eighteen years it has been the world view that peace will not be

possible unless Israel relinquishes territories conquered in 1967. Many Israelis and Jews worldwide share this view. We see, however, that there is no leadership in Israel today which unqualifiedly supports this view. What is the U.S. position?

While the U.S. has supported U.N. Resolution 242 since its adoption, subsequent U.S. action has permitted the impression that our commitment has waned. When Mr Begin repudiated his Camp David commitment to respecting the West Bank and the Palestinians, the U.S. did not protest. Belatedly, President Carter, in a U. N. vote in March 1980, sought to reestablish U.S. opposition to Israeli settlements, but the U.S. quickly disavowed supporters.

President Reagan, either uninformed or insensitive to the implications of settlements, stated early in his first term that they were «not illegal». Israeli negotiator Yosef Burg quickly observed that if the settlements were «not illegal, then surely... they were legal from the very first day».

Subsequently, the U.S. Secretary of State stated that the U.S. would not support settlements as «extra-territorial outposts»<sup>8</sup>, but by associating himself with the thought that the settlements were simply a protest against housing discrimination rather than recognizing them for the political statement they were intended to be, the Secretary further eroded the U.S. position.

In September 1982, when the Reagan peace plan was announced, the Israeli government immediately rejected it. U.S. pronouncements since then have been more or less limited to statements in support of improving «the quality of life» of Palestinians under occupation, further suggesting that the U.S. has resigned itself to the view that Israel has succeeded in internalizing the conflict. While the U.S. professes that it «makes every effort to ensure that U.S. government funds are not used for settlement activity on the West Bank»<sup>9</sup>, the facts are to the contrary. Not «a single official at the State Department or the Agency for International Development (AID) [has] ever been assigned to supervise the use of our funds by the Israeli government»<sup>10</sup>.

Against this background, it is not surprising that Prime Minister Peres, when asked following his October 1984 visit to the U.S. whether he was pressured by the administration «about the West Bank problem», responded «Not at all»<sup>11</sup>.

### ***III. Explanation of lack of U.S. leadership***

The United States provides very substantial financial and military support to Israel. How does one explain the seeming U.S. indifference or ineffectiveness

in diverting Israel from a policy which world opinion so opposes and which would seem to insure the permanency of the conflict?

I suggest four reasons:

1 — Americans admire the Jewish people and their contribution to civilization. They are offended by anti-semitism. These considerations together with the unparalleled treatment of Jews during World War II produce an overwhelming support for Israel.

2 — Americans are poorly informed about the Middle East. A generation of Americans, for example, was reared on Leon Úris' novel, *Exodus*. His recent novel, *The Haj*, was a best seller in the United States for months. *The Jerusalem Post* reviewer describes *The Haj* as «a raving diatribe against the Arabs, their culture and their religion... (it) depicts Arabs in a manner that would make Meir Kehane blush»<sup>12</sup>.

3 — There is a high political cost in the United States in appearing indifferent to Israeli interests. The respected political writer, Robert Kaiser, has observed that «Israel and its American friends constitute probably the single most effective lobbying force in the country»<sup>13</sup>.

In 1980, Senator Adlai Stevenson introduced legislation to discourage the use of U.S. aid for West Bank settlement. The Senator did not propose any reduction in U.S. aid, but rather that a sum equal to Israel's estimated \$ 150 million annual expenditure on settlements be withheld until the President could certify that a satisfactory policy was being followed. His amendment attracted only seven votes.

In 1983, Jimmy Carter and Gerald Ford expressed the view that Israel's settlement policy «is the major obstacle to any moderate Arab initiatives for a peaceful resolution of differences»<sup>14</sup>, but significantly their statement was made *after* they ceased to hold office.

Last year, Americans were exposed to the spectacle of two Presidential candidates charging each other with failure to support Israel. In Illinois, a non-resident spent \$ 1.5 million to defeat an incumbent Senator that he considered anti-Israeli. Though it is now widely acknowledged in Israel that the 1982 Lebanese invasion was undertaken to destroy Palestinian nationalism as a political force, American political figures never miss the opportunity to tell their audiences that it was not.

Since 1970, the U.S. has cast thirteen solo vetoes in the United Nations Security Council to defend Israel from censure or sanction, many of the votes

relating to the settlement question<sup>15</sup>. Such a voting record raises the question of who is out of step with whom, world opinion with the U.S., or the U.S. with world opinion?

4 — American Jewish leaders are fearful of appearing disloyal to Israel if they speak out on Middle East issues. Whereas a long and impressive list of Israeli political scientists, military and political leaders, philosophers and writers have spoken eloquently against Israeli policies in the territories, American Jews are largely silent. Rabbi Kehane attracts crowds of enthusiastic supporters when he speaks in the United States, while thoughtful American Jews who are concerned that Israel is foreclosing the path to peace with its West Bank policies express themselves so guardedly that their message is not heard.

#### ***IV. The Prospects For Peace The Positive Forces are Few***

One can view the future only with pessimism. The United States does not seem to be seriously interested in the Israeli-Palestinian conflict. It is currently preoccupied with assisting Israel in its economic difficulties. It resists including the Soviet Union, Syria, and the P.L.O. in any peace process. It shows no disposition to discourage the annexationist forces in Israel.

Rather than elaborate on the many negative factors and the risk of giving a false sense of optimism, I will identify a few positive forces in the hope that by so doing they may be encouraged.

**1 — Dissent In Israel.** A growing number of Israelis are speaking against Israel's West Bank policies. Here are but a few examples:

«We hold the [West Bank] as trustees only. It is elementary that a trustee who takes for himself from the trust property is stealing in one of the ugliest ways». Haim Cohen, Deputy President Emeritus, Israel High Court of Justice (1981).

«Let a researcher in Political Science point to one country except Israel whose foreign policy is based on a principle that the whole world rejects, namely that the territories conquered in 67 are an integral part of Israel». Abba Eban (1983)<sup>16</sup>.

« World public opinion universally denounced the current [settlement] policy as a violation of international law, indeed,

as a unilateral provocation that makes the idea of negotiation seem ridiculous...» J.L. Talmon, historian (1980)<sup>17</sup>.

«What kind of normality can there be when 3,500,000 Jews are prepared to turn nearly 2,000,000 Palestinians into second-class citizens, with all the cultural, social, and economic degradation this means?» Jacobo Timerman, author (1982)<sup>18</sup>.

«The name of our sickness is the Palestinian problem... Self-determination was the flag we waved decades ago when we demanded our own state. How can we now deny it to others?» Zvi Kdssd, educator (1983)<sup>19</sup>.

«Every passing day brings us nearer to an apartheid state... [M]any are still affronted... when you say that. “This is not apartheid, it is security”, they say, or, “Let the Arabs agree to autonomy”. But people who speak this way have usually not troubled to read what we actually offered to the Arabs in the autonomy proposal — even less than the South Africans have accorded to their bantustans...» Amos Elon, writer (1983)<sup>20</sup>.

Some twenty Knesset members outside the Labour-Likud coalition disapprove of the settlements program and favor some form of recognition of Palestinian nationalism, though differences among them on other issues prevent their being an effective block. Additionally, a group of thirty Labour members disapprove of the settlement program but they have found no common ground with other dissidents.

The annual poll of the newspaper *Ha'aretz* reflects the growing opposition to Israel's settlement activity.

**2 — Improved Debate Within The American Jewish Community.** Ten years ago a Jewish organization was formed to argue to the American Jewish community that Palestinian nationalism would have to be addressed if Zionist dream were to succeed. It was ostracized and destroyed by the organized Jewish community. Today a parallel Jewish organization, New Jewish Agenda, offers the same message, and, though its support is limited, it has functioning chapters in forty cities.

Ten years ago, the Jewish Defense League could and did disrupt

appearances of Israeli doves before American audiences. Today, even Palestinian nationalists are received in some U.S. synagogues. Last year, a distinguished Israeli who is now a Knesset member toured the U.S. on behalf of peace together with a Palestinian nationalist who is now a member of the P.L.O. Executive Committee.

In sum, dialogue in the United States between Palestinians and supporters of Israel is improving, though it must be added that U.S. government restrictions on travel in the U.S. by Palestinian spokesmen are a serious handicap to such discussions.

**3 — *The Attitude of West Bank Palestinians.*** The occupation has sharpened the Palestinian sense of identity and increased their determination to hold their land. Many leaders have been deported and others have left because of limited job opportunities. Nevertheless, education, the classic weapon of the less privileged, has served well those that have remained. Farm cooperatives are stronger, despite harassment from the authorities. A new breed of Palestinian lawyers is working within the occupation system to oppose land taking and rights violations. Progressive Israelis and Palestinians are working more closely together. Despite the continued general brutishness of the occupation and barring some mass expulsion, the Palestinians will not be easily separated from their land. Concurrently, they may be better able to work with the Diaspora leadership in developing more effective peace strategies.

## ***V. Suggestions***

All commentators on the Middle East feel privileged to offer suggestions for improving the outlook. I am no exception. Here is my list:

1 — For some time it has appeared that the P.L.O. leadership has recognized the wisdom of a two-state solution, but they have not made this judgement clear either to their own people or in their public pronouncement. It is time that they abandon their old rhetoric, recognize the limitations of consensus, and develop more explicit peace positions.

2 — Fouad Ajami recently wrote: «One by one, the Arab states are freeing themselves of their Palestinian burden»<sup>21</sup>. Arab leaders should dispell the feeling that their support of the Palestinian cause is only lukewarm. Secondly, while public opinion in the United States may be unreasonable in asking a diverse Arab World to speak with one voice, public support of Israel is such that if the Arab World is interested in changing U.S. attitudes, it should make clear the terms and conditions under which it will accept Israel. While many

feel the Fez Declaration did this, others believe it fell short.

3 — On the reporting level the American media has done an excellent job in demonstrating that there are two sides to the Middle East conflict. At the editorial level in much of the media, however, news analysis and commentary are clearly overly protective of Israel. It does not serve Israel's interest to dwell on Arab shortcomings while underplaying Israeli policies which foreclose peace.

4 — American political leaders properly consider U.S.-Soviet relations the number one U.S. foreign policy question, but the Middle East should not be ignored. Support of Israel is understandable, but the sensibilities of 150,000,000 Arabs and 800,000,000 Islamic peoples should be a matter of concern, even for a country as powerful as the U.S. The U.S. should reconsider its policy of insisting that third parties speak for the Palestinian people.

5 — The involvement of the American Jewish leadership in discussions of the conflict could improve. There are limits to what the country of 3,000,000 to which they are dedicated can achieve by force, even when supported by a superpower. «Security» is a legitimate concern for Israel but the issue should be subjected to military analysis. Many, many Israelis consider the annexation of the West Bank would complicate Israel's security, not enhance it. The «security» argument should not be used as an excuse for taking the land of others.

Israel and the Jewish people have much to lose in the failure to achieve peace. 500,000 Israelis today make the U.S. their home, and Israel is dependent on ever more U.S. aid. The separate Egyptian peace may not last forever, and the time may also come when Arab numbers and improved military capability will balance Israel's technological superiority. Israel should offer recognition to the Palestinian people on reasonable and dignified terms. Only then can it find peace with its neighbors and realize its potential.

---

## FOOTNOTES

---

- 1) «*The West Bank Trap*», **The New Republic**, April 7, 1983.
- 2) «*Israel And the Palestinians: Will Reason Prevail?*», PBS documentary produced by John Wallach, January 1981.
- 3) Meron Benvenisti, **The West Bank Data Project**, American Enterprise Institute for Policy Research, Washington, D.C., 1984, p.x.
- 4) Thomas L. Friedman, «*In Israel's West Bank Debate, Money Is Now the Main Issue*», **The New York Times**, February 3, 1985.
- 5) *Ibid.*
- 6) **The New York Times**, February 10, 1985, p.17.
- 7) «*Prophets of The Holy Land*,» **Harpers Magazine**, December 1984, p.39.
- 8) Statement to Foreign Affairs Committee (House of Representatives), September 9, 1982.
- 9) **The Mideast Observer**, February 1, 1985.
- 10) Ian Lustick, «*Israeli Politics and American Foreign Policy*», **Foreign Affairs**, Winter 1982-83.
- 11) NBC «*Meet The Press*», December 30, 1984.
- 12) S.T. Meravi, «*Tribal Diatribe*», **The Jerusalem Post Magazine**, September 7, 1984.
- 13) Robert G. Kaiser, «*The U.S. Risks Suffocating Israel With Kindness*», **The Washington Post**, May 27, 1984.
- 14) Jimmy Carter and Gerald Ford, «*A Time For Courage In The Middle East*», **Readers Digest**, February, 1983.
- 15) George W. Ball, **Error And Betrayal In Lebanon**, Foundation For Middle East Peace, Washington, D.C. (1984); Official Information Sheet, U.S. Mission to the United Nations, May 9, 1984.
- 16) Interview by Yaron London, **Ha'ir**, September 23, 1983.
- 17) «*The Homeland Is In Danger*,» **Dissent**, Fall 1980.
- 18) **The Longest War**, New York: Alferd A. Knopf, 1982, p.32.
- 19) Interview, **Newsweek**, February 21, 1983.
- 20) «*Shame On The West Bank*», **Dissent**, Spring 1983.
- 21) «*Prophets of The Holy Land*,» **Supra**, p.34.



# CHAPTER / II



---

**REPORT PRESENTED BY THE RAPPORTEUR OF  
THE SYMPOSIUM**

By  
**Dr. Saaduddine IBRAHIM**  
Egypt



Over three days, the Symposium entailed the presentation and deliberation of eight scholarly papers, fifteen written comments, five speeches by distinguished international figures, a film and a slide show. There were over forty interventions by participants from the floor.

Summarizing this volume of scholarly and intellectual work will do their authors much injustice. Likewise, it would be difficult to recapture in this final remark the restrained passion, the spiritual and moral pleas which permeated the entire proceedings of the Symposium.

As a Rapporteur, therefore, I have opted to point out some of the major and recurrent themes and conclusions of the Symposium. There are six such themes. Allow me to go over them briefly.

***Bigger Question***

The Symposium was devoted to the Israeli Settlements in the Occupied Arab Territories, there was an awareness that this issue is only one of the bigger questions of the Palestinian tragedy. These were sounded in the opening remarks by Sean MacBride, H.E. Mr. Chedli Klibi and HRH Crown

## REPORT

---

Prince Hassan. This awareness was reiterated by nearly all presenters and by Rev. Jessie Jackson, Chancellor Bruno Kreisky and Lord Caradon. It was emphatically pointed out by Mr. Hassan Abdel Rahman, the PLO representative. It was also graphically and artistically displayed by a film and slide show on the settlements and the Palestinian resistance. The introduction by Vanessa Redgrave and Nafez Nazzal to the film and slides reinforced this general theme. These propositions were restated this morning by Professor Lorne Kenny, Charlotte Teuber and Mr. Merle Thorpe Jr..

The implications of this clear awareness by participants are plain. Israeli settlements, serious as they may be, should not be looked at in isolation of the bigger and continuing tragedy of the Palestinian people. The process of Israeli settlements is an extension and embodiment of the type of colonialism many speakers have called "**settler-colonialism**". *The latter is more than an economic exploitation and political subjugation. It entails total human uprooting, replacing one population by a regime in South Africa known as **apartheid**.* Other ideologies with French settler colonialism in Algeria and other similarities with Nazi practices.

Rather, the destruction of **national identity** and **cultural genocide**. Several authors and speakers drew the analogy between Israeli practices in this respect and those of the superpowers.

Another implication is that whatever may be said or done about the settlements, they should not cloud the vision or slow our quest for resolving the bigger question of Israeli-Palestinian conflict. In this vein, Crown Prince Hassan, Mr. Klibi and Chancellor Kreisky outlined possible broadlines for resolving the conflict. U.N. resolutions, the Arab Fez Plan and the 1982 Reagan Plan were mentioned as providing the basics for such resolution. All speakers here noted with anguish and regret the continuous Israeli intransigence and rejection of these plans.

### *Second Theme*

#### **Israeli Settlements in Arab Territories as an Expression of Aggression, Expansionism and Racism**

Several papers and speakers went to great length in the meticulous documentation and analysis of current Israeli practices in the Occupied Arab Territories.

William Harris, David Ott and Donald Will highlighted the fact that those settlements built since 1967, are manifestations of a deeper process of transformation from **Little Israel** to **Greater Israel**. This became especially more explicit during the period of the Likud Government (1977-1984). This expansionism is perceived by the Likud and a substantial sector of the Israeli society as a **historical** and a **religious** right. For them, Israel is not just a state, bound by normal criteria of statehood, but a «**particular state**», with a Messianic mission to fulfill.

Where expansion is hard to justify on religious and/or historical grounds, Israel emphasizes **security and military grounds**. This was shown by M.S. Agwani and Ann Lesch with special reference to the Sinai, Gaza and the Golan Heights to substantiate this point.

Most speakers on this theme noted that Israel went about its scheme by **military conquests, continuous aggression** and **racist practices** against captive peoples and territories. Such practices are not confined to harassment, physical and psychological coercion and denial of basic human rights. They equally entailed subtle as well as not so subtle land grabbing, expropriation and economic strangulation. The papers and written comments by Ibrahim Oweiss, Timothy Niblock, Manabu Shimizu, Kenneth Lewan, John Reudy, and Claude Bourdet — all substantiated these points.

The old city of Jerusalem and the Arab areas surrounding it represent an acute case of the Israeli settlement process. Here we find convergence among the historical- religious and security-military arguments of Israeli power blocs and political parties. As a result — the Arab population and Arab property in the Greater Jerusalem area have been subjected to the harshest measures since 1967.

### ***Third Theme***

#### **Illegality, Immorality, and Irreligiosity of Israeli Settlements in the Occupied Arab Territories**

Several papers and speakers took issue with the various Israeli arguments in building the settlements.

International lawyers Richard Falk, Thomas Mallison, and political scientist Dan Tschirgi expounded on Israel the viewpoint of international law. Their consensus of its illegality was unequivocal. Both the **Hague Convention of 1907**

## REPORT

---

and IV Geneva Convention of 1949, regarding **Belligerent Occupation and the Protection of Civilian Persons in Time of War**, respectively make the Israeli actions outright illegal. Ambassador K. Wasiuddin, Vice-President of the 39th UN General Assembly, stated the international organization's position on the subject, «**Israeli Settlements in the Palestinian and other Arab Occupied Territories are illegal and are definite impediments to the achievement of a comprehensive solution of the Middle East problem**». Those who spoke on the illegality of Israeli settlements wondered why the Arab states have not yet gone to the International Court of Justice for at least an **advisory opinion**.

The immorality of Israeli settlements was sounded by Rev. Jessie Jackson, Sean MacBride and Lord Caradon among others. They, along with other Israeli practices against Palestinians, were described as **evil** and **shameful** — more so because they are committed and perpetuated by a **yesterday's victim**, turned today **into a victimizer**.

Jewish, Christian and Moslem biblical scholars exposed the fallacy of Israel's **religious argument** in usurping Arab territories in Palestine. The papers and written comments by Henry Cattán, Rabbi Elmer Berger, Saedudine Dar and Mahdi Abdulhadi demonstrated the ill-founded religious rationale of Israeli and Zionist leaders in this regard, especially in the context of Jerusalem; they showed that the exclusive Zionist conception of this Holy City not only represents a misinterpretation of the text, but also displays an utter disrespect towards other monotheistic religions and their followers.

### *Fourth Theme*

#### **The Role of the U.S. and Others in Perpetuating the Israeli Settlement Program**

Several papers and commentators, especially American participants noted the duplicity of the U.S. government in Israel's actions in the Occupied Arab Territories. While the U.S., in principle, is against building those settlements, it has done virtually nothing to stop Israel. Furthermore, its **continued economic, military and diplomatic support to Israel** has enabled the latter to free needed resources for the settlement program and **emboldened Israel to defy international law, UN resolutions and world public opinion**. Even the language of the U.S. official position on the issue has steadily eroded — from considering the settlements as «illegal» to considering them «merely an

obstacle to peace», to virtual silence. Authors and discussants did not fail to take note of the expediency and cynicism rampant in the American political scene when it comes to anything concerning Israel . The remarks by former Congressman Paul Findly and former Senator James Abourezk and Merle Thorpe were the most expressive of this sentiment.

Other Western powers bear responsibility as they have not used whatever available means to them to pressure Israel to halt the settlements.

The Arab States did not escape blame from several speakers for not doing enough to help the Palestinians, to address WPO and pressure the Big Powers, especially the U.S.A., with which they still conduct business-as-usual.

### *Fifth Theme*

#### *The Resistance to Israeli Settlements*

Despite overwhelming odds, the Palestinians continue to put up a gallant resistance to Israeli schemes in uprooting them, usurping their land, expelling their leaders. The papers and comments of Kenneth Lewan, John Reudy, Claude Bourdet, as well as the film and slides introduced by Vanessa Redgrave and Nafez Nazzal showed **the variety of this resistance**.

The human suffering inflicted on the Palestinians seem to have only been equalled by their resolve to resist. Younger generations seem to be even more resilient in this regard.

A small but growing sector of Israelis are also resisting their government's settlements program. The **Peace Now Movement** and other groups in Israel are alarmed not only by the injustice but also the **growing fascism entertained and fed up by the settlement program**. The papers and comments by Edward Witten, Mark Tessler, and Rabbi Elmer Berger, highlighted these growing trends and fears in Israel and the World Jewry at large.

### *Sixth Theme*

#### *What to Be Done : Action*

Participants in the Symposium oscillated between pessimism and optimism.

Those who sounded **pessimistic** were more than justified as one speaker

## REPORT

---

after another was documenting the steady onslaught on the people and land of Palestine year after year. More than 52% of the West Bank land has been expropriated, the economy is manipulated and the people continuously **dehumanized and oppressed** by the Israelis. Help from the Arab countries is limited. The Big Powers have nearly forgotten the Palestinians and the rest of the world community though sympathetic, seems quite impotent in halting this onslaught.

Those who sounded **optimistic** were equally justified. They were impressed by the gallant and relentless resistance of the Palestinians, the growing moral outrage among some Israelis and the World Jewry, the mounting difficulties of the Israeli economy and demographic base, world pressure for an overall resolution of the conflict, the bitter lessons of the Israeli invasion of Lebanon and the rediscovery of the limitation of coercive and military power. Some optimists poured their feeling in a renewed faith in human nature and their hope that good must, at the end, prevail against evil. For other optimists, the sentiment is grounded in arid **contingent on action**. In this regard, all means and resources, human and material at the disposal of the Palestinians, Arabs and people of good will all over the world must be mobilized to halt the Israeli settlement program. The optimists believe that the whole process is **reversible**. **It was reversed in Algeria, Rhodesia and even in Sinai.**

### *Resolutions*

These and other measures of actions are essential minimum. This Symposium has done much to bring about the attention to the complexity of the settlement issue and also its many intricate links to the whole and bigger question of the Arab-Israeli conflict.

Despite each complexity and seemingly monumental task of resolving the settlement issue and the bigger question, we must continue to work for it. (Dr. Bruno Kreisky, this professional optimist, made it clear that we must not give up hope — we cannot afford to give up hope). The Rev. Jessie Jackson, this professional moral monger, suggested that the way to break the cycle of pain is to all work for justice and equality among all peoples regardless of color, race, national origin or religion.

Lord Caradon, this great world statesman implored all of us and especially the Western world to work together to end what he termed the biggest

international disgrace... There is no cause in the world today more deserving than that of the Palestinian people.

Bruno Kreisky, a self-proclaimed professional optimist, made it clear that we must not give up hope — that we cannot afford to give up hope.

### **The Resolutions are :**

- 1 — International legal action, especially the I.C.J. ;
- 2 — Continuous consciousness-raising of the Western, and especially American public opinion;
- 3 — Moral and material support of Palestinians in the Occupied Arab Territories to continue their resistance and to stay on their lands;
- 4 — Encouraging Israelis, World Jewry and Palestinians who share the conviction in justice, desire for peace and belief in equality and co-existence, to work together against forces of expansionism, fascism and racism in Israel;
- 5 — Calling upon international lawyers, intellectuals and statesmen in the West to speak up and to declare publicly what they express privately or in closed circles. Reaching out to the neutrals and down to the grass-roots is a **must**;
- 6 — To continue the pressure on the Big Powers to end their benign or malignant neglect of the suffering of the Palestinians and the explosive Middle East conflict, and to recognize that the settlements make the quest for peace more difficult;
- 7 — To coalesce all governmental and non-governmental forces to pressure for a just, comprehensive and lasting peace in the Middle East. The question of settlements, while urgent and ought to be dealt with immediately and in its own right, **must also be parallel with relentless efforts to bring about the long elusive peace.**



*Dr. Muhammad El-Farra, H. E. Mr. Chedli Klibi, Mr. Sean MacBride, Ambassador Khwaja Wassiyuddine and Dr. Saaduddine Ibrahim.*



*Reverend Jesse Jackson giving his speech in the Symposium with H. E. Mr. Chedli Klibi listening.*



*Lord Hugh Caradon giving his speech at a Luncheon held in honour of the participants in the Symposium.*



*Dr. Bruno Kreisky giving a speech at a banquet held in honour of the prominent figures, the diplomats, the professors and other guests who attended the Symposium.*



*Senator James Abu Rizk passing the floor to H. E. Mr. Chedli Klibi, who welcomed the guests of the Symposium in the banquet held in their honour.*



*Professor Jacques Berque intervening in the discussions at one of the sessions of the Symposium.*



*H. E. Ambassador Dean Brown presiding a session of the Symposium with Mr. Merle Thorpe Jr., Professor Lorne Kenny, Professor Charlotte Teuber, Professor Saaduddine Ibrahim and Mr. Abd-Essalam Dajani (left to right).*



*Dr. Bruno Kreisky giving a press conference to the representatives of press agencies and journalists who covered the works of the Symposium.*



*Senator James Abu Rizk addressing the guests of the banquet of the Symposium.*



*Part of the audience who participated in the works and discussions of the Symposium. Left to right are Dr. Henry.Cattan, Reverend Jessie Jackson, H. E. Mr. Mahmoud Riyadh, H. E. Ambassador Clovis Maksoud.*



*H. E. the Secretary General of the League of Arab States, Mr. Klibi, with Dr. Maksoud, welcoming the guests of the Symposium.*



*Dr. Muhammad El-Farra, Under Secretary General for Palestine Affairs, listens with a wide smile to a conversation between Mr. Dajani, the Executive Coordinator of the Symposium, and Mr. Gabriel Habib the Secretary General of the World Council of Churches.*



*H. E. Mr. Mahmoud Riyadh talks to Mr. Assad Mukaddem, the official spokesman of the Secretariat General of the League and Dr. Henry Cattani.*



*H. E. Dr. Bruno Kreisky with H. E. the Austrian Ambassador in Washington after his speech delivered at the banquet.*



*Some of the guests and participants in the Symposium. Mainly from the left Miss Sanaa' Hassib Sabbagh, Dr. Clovis Maksoud, Mrs. Vanessa Redgrave and Mrs. Mary King.*



*H. E. Mr. Klibi talks to Mrs. Redgrave after showing her documentary film on the Israeli Settlement in the Occupied Arab Land.*



*Dr. Farra talks with the French journalist Mr. Claude Bourdet, who presented a paper study in the symposium while Mr. Jamil Mattar, the Vice-Chairman of the Department of Palestine Affairs at the League, listens to the conversation.*

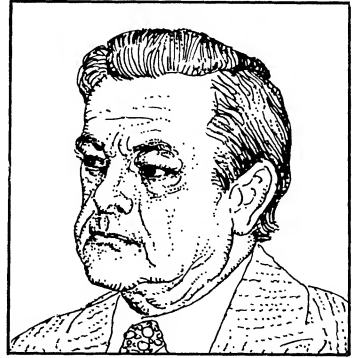


*The Syrian Ambassador in Washington, Mr. Rafik Juwayjaty, talks to Dr. and Mrs. John Davis, the former Commissioner General of UNRWA.*

---

# SPEECH OF AMBASSADOR DEAN BROWN AT THE CONCLUSION OF THE SYMPOSIUM

By  
**Dean BROWN**  
Former U.S. Ambassador  
U. S. A.



I want to thank the Rapporteur for distilling and bringing to mind again as we close this Symposium the issues that have been discussed at length intelligently and well. I want to pay tribute to the Arab League for bringing us all here together, to thank Muhammad El-Farra and Clovis Maksoud and all the staff that they assembled to make this very good conference, and to congratulate the paper writers, who produced a fine body and the speakers. We had a first class and thoughtful discussion and recreated a solid set of papers which I hope that some day will appear in a book, but much more I hope that it will sell more than the usual thousand copies that books on the Middle East sell in this country. I thank you for summarizing what some of the leading speakers said, because if I only learned from the *Washington Post* what happened in this session I would be rather ignorant indeed. If you remember the *Washington Post* only gave two sentences, one from the Secretary General and one from Crown Prince Hassan, that was it. As to Chancellor Kreisky, the *Post* did not mention what he said, it just called him "a well-known Palestinian supporter". You know that the *New York Times* had nothing. I haven't read it today but I can imagine that it is probably a little less than nothing.

We have talked a bit about vagaries of American policy on the settlement issue and that is true. We have moved from «illegal» to «not illegal» which, of course, have moved the thought that if they were not illegal that means they

are legal. We see that what happened with the American position is a slow but constant retreat before the inflexible, intractable position of Begin and his successors. Yesterday Dr. Hudson said it was important that this meeting was taking place only a few blocks from the White House. Yes it may be a short distance on foot, but I think the difference in light years of understanding is quite enormous between what is happening here and what happens there. What is the policy? George Shultz said only this week that the Arabs must play a more active role. Our suggestion, he said, is for the Arabs to let King Hussein step forward, and then he said «there is no alternative to direct negotiations». Now, of course, he did not give the advice to the Arabs in this room, he gave it in AIPAC meeting where there were no Arabs but lots of people very much in favour of direct negotiations between Arabs and Israelis. that is some Arabs of course, not including any pro-Palestinian PLO ? And of course the call for direct negotiations is sound for the Middle East but not for Nicaragua. Senator Lugar, the New Chairman of the Senate Foreign Relations Committee, put it in another way : “ we are interested in peace but cannot compel the parties to accept it ”. Add it together and it comes to where we have been for quite a while in the United States: direct negotiations among the parties but no pressures from the United States. This policy that most of us know has not, and will not succeed. It has never been enough for the United States to simply say that why don't you two guys argue and I will stand here and hold your cults. Now I myself sort of like the idea of direct negotiations, but I think I would like to see it somewhere else other than between some Middle Eastern group and the Israelis. One place we could have a direct negotiation would be between the USA and Israel. We have not discussed, this country of mine has not discussed the Middle East in a serious way with Israel since the Camp David meetings. Every trip that is taking place in one way or another, has avoided that. Mr. Shultz will be in Israel next week, he will be talking not about the relationship between the United States and Israel, he will be talking about tactics and about the withdrawal from Lebanon or something like that, but not the real issues.

Meanwhile our approaches in sending the Assistant Secretary Murphy wandering around the Middle East substituting «foreign travel» for «foreign policy» which has been a great accomplishment by the United States, and carrying messages of no particular importance. When I say direct negotiations between the United States and Israel, I say what is it that Israel has asked the United States to guarantee? Within what borders? And what price are we expected to pay for all of this? I don't mean only in Dollars, what I am talking about is our military preparedness, and our ability to hold friends and influence them, and even, Lord Caradon, the future of the United Nations.

Those are part of the prices that we may have to pay. What does the United States get in return? Where is the cooperation and trust? I don't think that until the United States and Israel have a much better understanding of where they are going together over the long run that they can contribute in anyway to a solution of the Middle East problem. What about Israel? There is another direct negotiation to go on, that is Israeli with Israeli, and it is going on, but if we can trust what Marrow said to us about the changing attitude in Israel, we see none of that reflected in the negotiations of political nature that are going on top of the Israeli government. Where are some other direct negotiations? Where are the Arab-Arab negotiations? Where are the Palestinian-Palestinian negotiations? I think that we have to ask ourselves is Fez enough? Can we just simply look back at Fez and say that's it. I am not sure we can do that, I think if that is the end of Arab-Arab negotiations, then the Fez Plan goes into the same watery historic grave as the Reagan Plan. I would even ask some of our European friends here, where are the US-European negotiations which we were promised years ago? If you ask most Americans now what is the Venice Declaration, they would think it is something that Romeo said to Juliet! What is going on? Well I would suggest that the Middle East is not the top priority in this country, not with the Reagan Administration in those four past years and not in the last two years of the Carter Administration. That's over six years. I think that the top priority here is a domestic one, of course not the deficit, not spending, not social security, but rather an attempt in the past four years and in the next four to change American attitudes towards government from the belief in a big all powerful, social state which can run the country, to less involvement and the induction of Adam Smith as a new forefather. In foreign policy, the principal preoccupation of the United States is of course the Soviet Union. We see here a strange mixture of confrontation and accommodation within an administration trying to please very opposite domestic constituencies and opposed to the alliance in line. The foreign policy issue, whether anybody in this room believes it or not, is Central America. The President is determined that there will be no Cubas in this hemisphere, and if you want to think of the total amount of time that the President, the Secretary of State and others have been putting on in Central America in the last couple of years compared with the total amount of time that has been put on the Middle East, which wasn't more than a day or two, then I think you would see where the priorities lie. Yet it remains that the Middle East is a high priority, but what happens is that when other crises come up, it tends to drift away from the power complexes of this country. We have not had any Israel-US negotiations. We have not had any intelligent discussion in the US Congress of the Middle East in many years. It has avoided discussing

these issues in public or in the myriads of committees or sub-committees which now make the web of the American Government, and those who transgress this, speak up of Paul Findly and learn the price of bravery and integrity. I am reporting, I am not preaching; I regret but I report, I don't believe and I don't promise it is going to change. Efforts to link US aid to Israel's settlement activities have all failed in Congress. Efforts to link US aid to rapid withdrawal of Israeli forces from Lebanon have also failed in Congress. Israel has been in Lebanon which has been highly visible on T.V. and which is a dramatic thing. I doubt, I am very doubtful, that we will ever see linkage on the subject of creeping annexation in the West Bank, which it doesn't at that same dramatic effect. The tide is all in favour of an increase in US aid and not against it. We want to remember back in the sixties and seventies that American aid to Israel was perhaps more compared to what is today, perhaps about \$ 50 million a year. In 1980 it was 1.4 billion most of them in loans for military aid and \$ 785 million economic. In 1985 it jumped to \$ 1.4 billion for military aid and \$ 1.2 billion for economic, all of it grants and no more loans.

There will be more this year. Israel now expects at least \$ 1.3 billion military aid and \$ 1.9 billion economic. That puts it up by 42 % from 1985, it is a far cry for almost 50 million Dollars. It is changing the entire picture of American aid. It is quite possible that aid to Israel will be increased by Congress, but that the ceiling will remain the same, which means that American aid in other parts of the world will have to be cut, and the American aid to Israel will amount to 40 or 45% of all our bilateral aid by the end of this year. We used to give aid to bridge a gap between mutually recognized needs and resources locally available. That was the theory of aid, now it has nothing to do with that, it is rationalized politically; the figures have no relations whatsoever to needs or resources available. If for instance, this year, the Israelis have on hand in the bank well over two billion Dollars which they have not to spend on military assistance, they are not going to spend it, they just want more in the bank. That is not the point, it is a rationalization, a political rationalization which will go on, I believe, as long as the political relationship remains unchanged, Now we are up for answering the military and you saw from papers that we have finally agreed with Israel on the Free Trade Zone. This, interestingly enough for our European colleagues, will free Israel from the dependence on the European market. If you look at the pattern of Israeli exports recently that have been growing and growing to the United States, largely because of the Dollar, but once there is the Free Trade Zone it will move this way. But what will it be? This is rather interesting. First of all, it will move much trade in the other way, the market is too small and there is a great escape in this agreement which says that if foreign exchange is not available, Israel

can impose any rules at once on imports into Israel. What we are going to see is a very large increase of trade coming this way of goods and materials. I think that probably this is not really a very great advantage to Israel because it postpones once again Israel's examination of who or what it is. Is it a country in the Middle East or is it an economic appendage of the United States like Porto Rico where the 20 mile port along the Mexican-United States border and where industries are set-up to manufacture goods to be exported to the United States. It will be very interesting if this is the fact of transferring American industries to Israel because labour, of course, will be provided by the Arabs. I suppose, if you look at it over the very long run, that geography and what will be the inevitable internal reaction in Israel, that is a demand for independence of political and economic decisions which will not come from increased dependence on the United States, that these two things geography and that the constant demand on the part of the Israelis to run themselves, will prevail. But that is a very long run indeed and meanwhile what we are doing is mostly living with the illusion that some way or another there is a magic gimmick that no one of us thought about again, yet which will solve our problem.

I just read again, to keep my mind straight, what President Carter says in his first and second books. He talks about the Settlement thing. This was the only serious post Camp David disagreement about our decision, so our badding average was good. I think that the real analysis is that what he missed was the most important one: what to do about settlement. I think that when you go back to his new book *The Blood of Abraham* he talks about returning to Israel in 1983 and meeting with Mr. Begin: «It is no secret that he and I had strong private and public disagreements concerning the interpretations of the Camp David Accords, the settlement policy in the West Bank and Gaza and his recent invasion of Lebanon». So the President says: «I talked about all this», he says «while he sat without looking at me I explained again why we believed he had not honoured the commitment made during the peace negotiations to refrain from building new Israeli settlements in the West Bank. He responded with just a few words in his surprisingly funky manner. The exchange had been cool, distant, and non-productive». Mr. Carter was no longer in office, Mr. Begin was dealing with new people. It is a kind of a tragic thing, a paragraph, a little section to read what post-presidential Carter says in contrast to Presidential Carter talking the last couple of years.

One of the things that seem to disturb is the acceptance in this country and elsewhere of Mr. Benvenisti's remark that is to say «annexation is irrever-

sible». It is accepted as the authentic truth and quoted widely by people who do not quote anything about the Middle East and haven't ever read anything about, it is accepted. Dr. Kissinger bases his thinking on it, besides some of the Washington D.C. thinkers like Merle Thorpe; however I disagree; I think it is a pernicious and unacceptable argument which confronts you, if you accept it, without throwing out just about everything that has been said here. We are talking and various figures have been used in this conference which show that 30 or 42,000 Israelis are in the West Bank.

History shows us that the French, after their withdrawal from Algeria were able to move one million French men and 250 thousand Algerians. Mr. Benvenisti's ideas are not rational for staying on the part of Israel and for not protesting on the part of Americans. I am not sure what the future will bring, I should have brought along a copy of your recent edition of the *Middle East Journal*, which I am sure will all run out to buy after all of this. We have an article by Zief-Sheef, who was here for eighteen months at an American Institute. He said that in the next five, ten, may be as far as twenty years of continued occupation, he sees more settlements and fewer rights and he sees that nothing will come out of it except a civil war between Palestinians and Israelis which he believes will be joined in by the Arabs in Israel and will lead to a most bloody repression. He blames this in his article on both the Palestinians and Israelis, particularly the Labour Party, saying there is an ideological bankruptcy in regard to new proposals to ending the conflict. The next issue will put up a different approach on this question and which will be along the line that there are constant changes taking place in Israel, the argument applies there and the analysis lies between the two. We will see. But I say as I said before «don't expect much of the United States». If you notice from the papers what has happened to Mr. Reagan on the way to the Bitburg Cemetery in Germany, then you won't expect much if it demands the major political decisions involved in the Middle East.

Allright. Let us summarize the meeting in the sense it was useful. Knowledge has come forward. Knowledge leads to truth and perhaps to wisdom. I want to ask you, so many of you said to take the knowledge out of this rather small gathering in this room and tell it to others, and that certainly will be the hardest task.

Now, one of the things that I have learned in many years in Washington is that if I am in a room in front of a microphone and Clovis Maksoud is nearby, he will break my arm unless I give him the microphone, so I would like to turn it over to Clovis!!!

---

# REMARKS OF Dr. CLOVIS MAKSOU D AT THE CONCLUSION OF THE SYMPOSIUM

By

**Clovis MAKSOU D**

*Permanent Observer of the League of Arab States  
at the U. N.*



Dean Brown and Friends,

First of all I must say that all of us in the League of Arab States who are here are overwhelmed by the knowledge, the wisdom and the graciousness of this international constituency of conscience. Needless to say that we are deeply appreciative, but I know that if we express appreciation you would think that in a way what you have done by coming here, by participating, is part of a moral obligation that you have committed to humanism and humanity. Although at many instances, we, in Washington sometimes feel lonely, this international gathering has given us impetus to pursue and therefore to overcome. As the Secretary General of the League of Arab States in his first public statement said, you are a beautiful people and the best and the brightest.

Let me just say that as we come to the termination of this phase of the Symposium, because this Symposium is going to be a continuous one in different ways and in different forms, and I know what I am going to say right

now is not going to be liked by one person but I want to say it anyhow : this Symposium, its conception, its realization, was the idea of a very experienced and committed person, not only a diplomat and a writer, but a nationalist, liberationist to the core. Somebody who has undertaken to make within the department that he has, namely the Department of Palestine Affairs, the vehicle of enlightenment on a broad level. He has conceived with his associates in the Department of Palestine Affairs, in the League of Arab States this Symposium. And although it focused on one aspect of the very complex and multidimensional issue of the Palestinian question, I know that he thought that if we can come to grips, in the fullest sense of the word with this particular issue which tries to mutilate the Palestinian Arab patrimony through the proliferation of settlements, if we can come to grips with that, open the insight and the sights especially of the United States' and of the Western World to the inherent dangers that the unravelling of these settlements constitute, all the other issues that have eluded us would come to grips and would coalesce into our knowledge and perception. I would like to pay, not an official tribute, because that would be rejected and outlined, I would like to pay a personal tribute to the person who conceived of this Symposium, Dr. Muhammad El-Farra, Under-Secretary General for Palestine Affairs of the Arab League, his associates, Mr. Dajani and others in the Department. I would not want to mention the devotion and the contacts that they had which overwhelmed us here, we who have provided minor logistical support for this Symposium, but I know that Dr. El-Farra would want me to convey to all of you our sincere appreciation especially to our staff who were doing their minimum duty to be at your service in this symposium. But most of all I would like to articulate the deep emotional and rational appreciation of the Arab Diplomatic Community in this town who would find in this gathering the impetus for renewed efforts of communication. I am sure that what we have done at this Symposium is a breakthrough into a friendly people and a hostile political entity. How do we translate the potential goodwill, which remains undoubtedly through the vehicle of this Symposium, into a policy of reaffirmation of a commitment to the noble purposes which you have come to serve. In this respect, we would like to clarify that we have, and we will continue to open our hearts and minds to dialogue and controversy. Washington is a difficult place for the Arabs to be in, but we shall continue to endeavour to be and to become a mirror of your conscience in this great country.

Thank you very much.

# CHAPTER / 12



1



*The Israeli occupation forces throwing an old Palestinian woman out of her home.*

2



*Land confiscation usually starts by blowing up houses into ruins.*

3



*A Palestinian Family watching with broken hearts their home in ruins.*

4



*Two Palestinian women sitting on what they could save from their blown up house.*



*A photo showing the blowing up of Palestinian houses as a preparation to build settlements. Settlements are a major obstacle to peace in the region.*

6



*Another Palestinian woman mourning her house and garden, crying and calling the world to witness the Israeli practices.*

7



*Palestinian women demonstrating against the policies and practices of the occupation forces.*

8



*Israeli soldiers holding their arms in the face of Palestinian women demonstrating against the settlement policy.*

9



*Israeli armed forces in the Arab occupied cities and villages.*



*The Israeli forces throwing gas bombs on the Arab inhabitants. Israel practices repression as a major cornerstone of its policy in the occupied Arab land.*



*Israeli armed men hiding and on the alert to shoot at the Palestinian civilians.*



*Israeli armed settler standing at the crossroad of several Arab cities. They come to dominate and rule; their main aim is to evacuate the land of its original inhabitants the Palestinians.*

13



*Zionist settlers holding guns roaming the streets of Arab towns and cities. Their main aim is to expel the inhabitants of the land and build new settlements.*

14



*A Palestinian family looking for shelter after their house has been blown up.*

15



*A Palestinian family whose house was blown up took shelter at another family's house.*

16



*A Palestinian boy helping a girl whose house was blown up to take some of what remained for the family.*

17



*A Palestinian man walking away from the ruins of his house while his wife hides her face crying and his children sit watching.*

18



*Israeli armed forces chasing the Palestinians all around the occupied Holy Land.*



*They blow up houses and expel the Arab families to build up their settlements on expropriated land.*



*Several houses were brought to ruins and their inhabitants scattered in preparation for building a new settlement.*



*Their houses are lost and so is their cattle.*



*An Arab Family who lost the house, the truck and a member of the family. He has been arrested while they cry bitterly for all this loss.*



*Ruins all around in preparation for building up more settlements. Israel's settlement policy aims at forcing the Palestinians to leave their land.*



*A pregnant woman holding her child with her husband, who is trying to give her a hand. They walk between the ruins of what had been their home.*



*A Palestinian couple sit inside the shell of what used to be their home.*



*After the house was lost, where are they going to take refuge?*



*Nablus, in the West Bank, was again the scene of violent confrontation between Israeli Forces and the Palestinian demonstrators.*



*Israeli illegal settling in the West Bank. The Jews arrogated to themselves the right to settle anywhere in the occupied Arab land.*



*Israeli armed soldiers beating fiercely an Arab young man who was demonstrating against settlement in the Arab land before arresting him.*



*The Israeli Army surveilling the city of Khalil (Hebron) where clashes take place between the settlers and the Palestinians living in the city and its surroundings.*



*Building up new illegal settlements on the borders of an Arab village.*



*The Israeli soldiers guarding a new Israeli settlement in the West Bank.*



*An old Palestinian woman who is left lonely at this age. She has lost her home and family.*



*Confrontation between Israeli armed men and the civilian inhabitants of Nablus. The soldiers throw gas bombs at the Palestinian youth.*

36



*Palestinian young men closing up streets and burning tires demonstrating against the Israeli practices and policies in the occupied Arab land.*

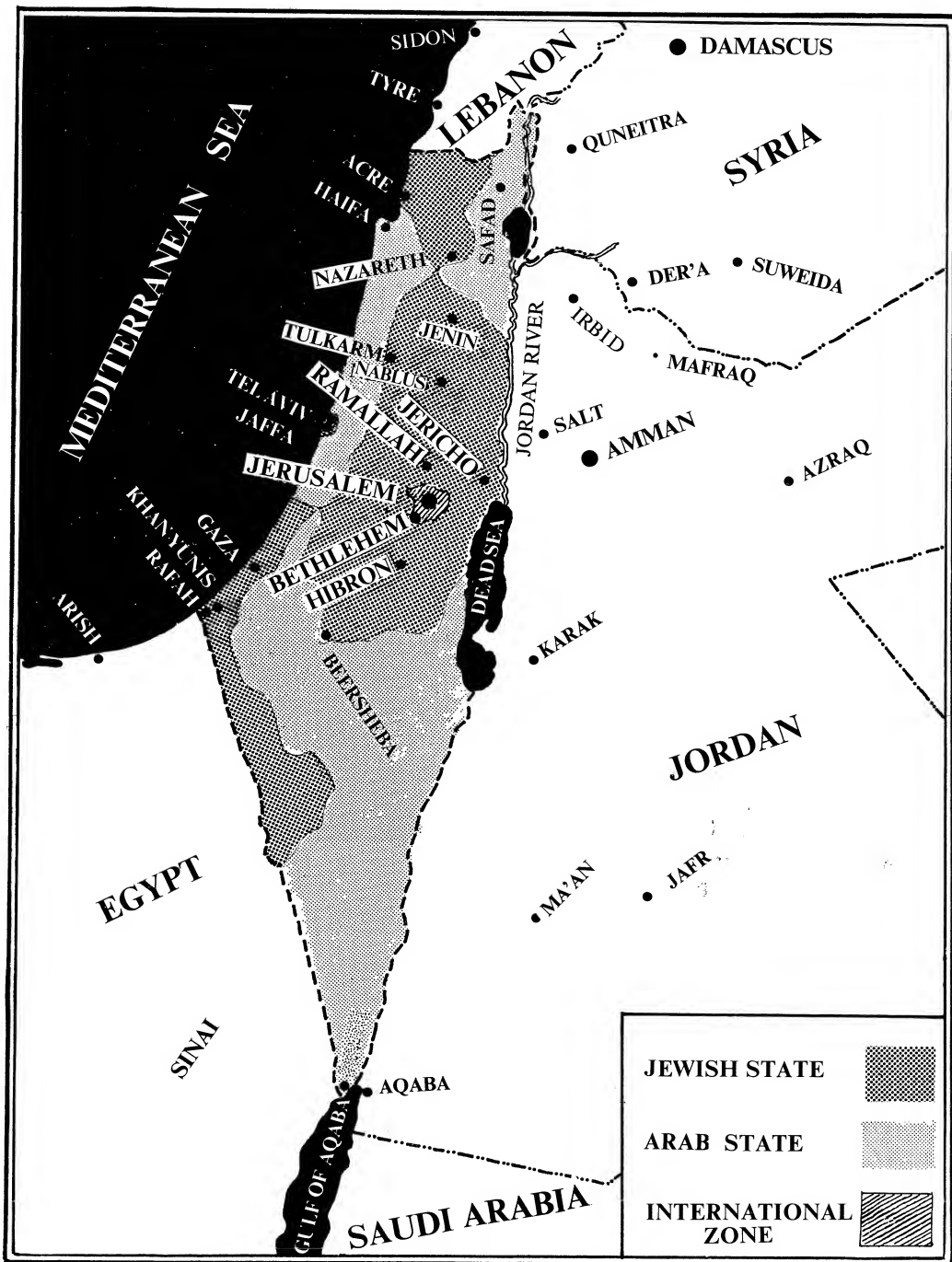
37



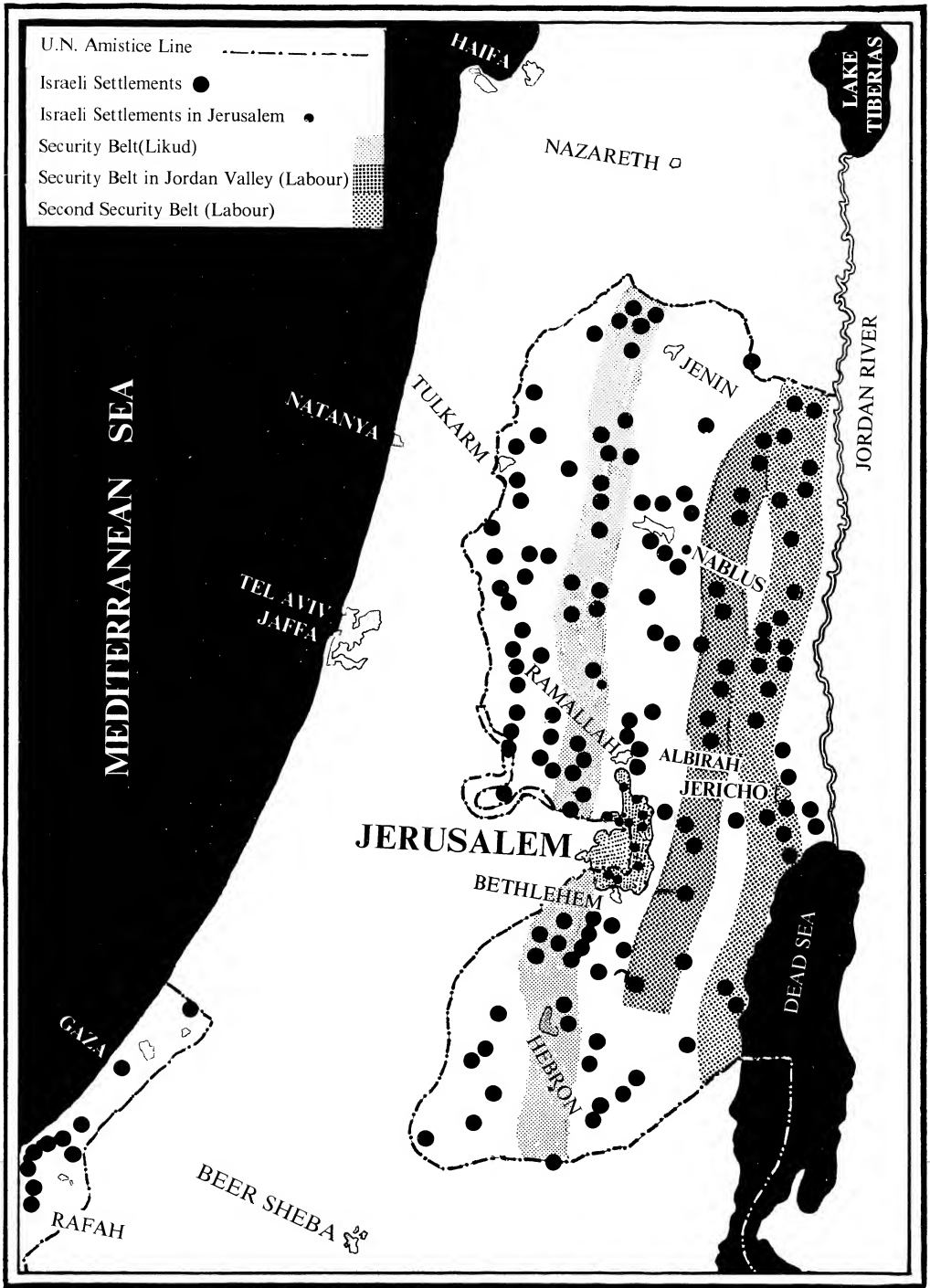


37 — 38 — 39

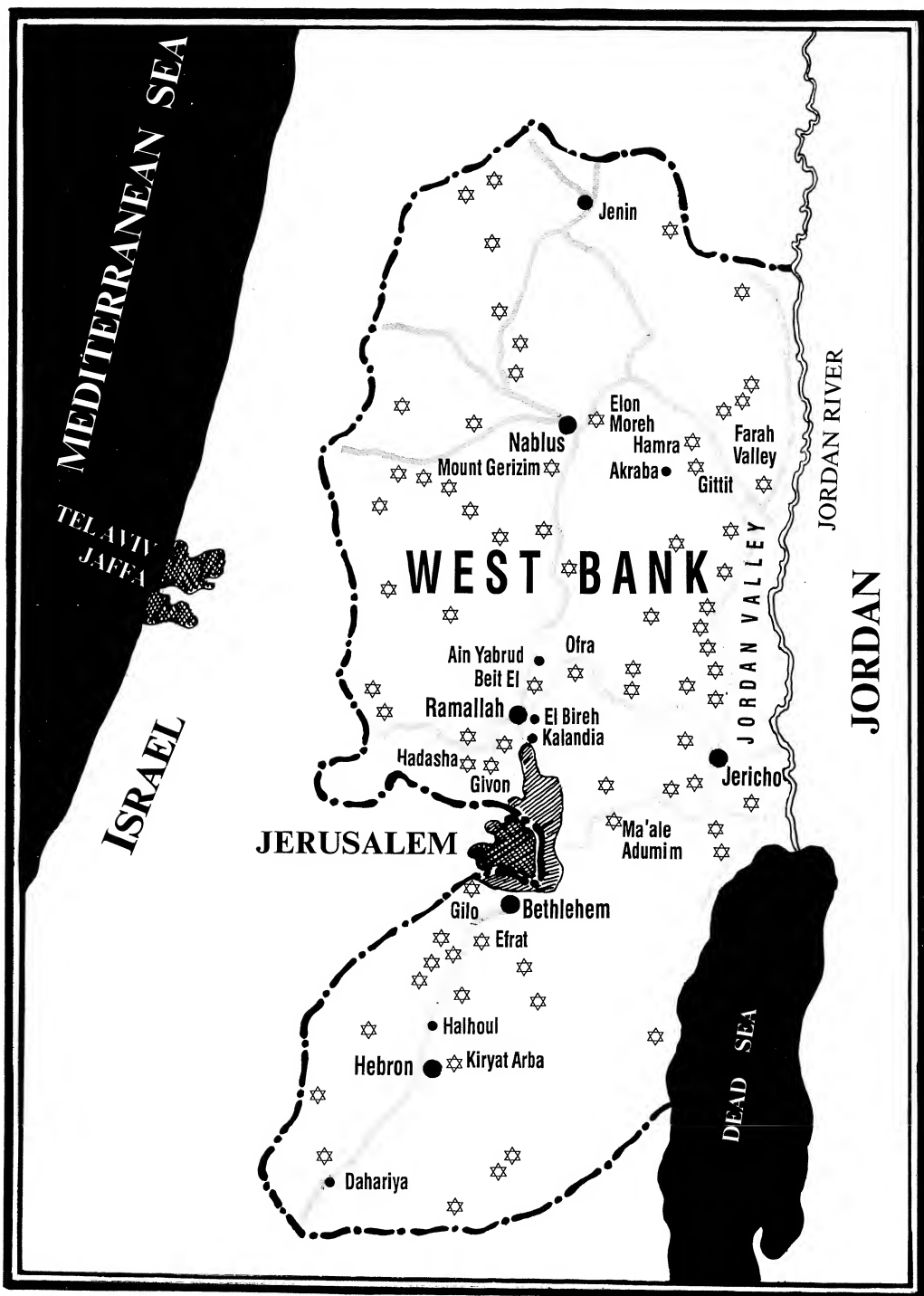
About three hundred Zionist rural colonies, collective and noncollective, were established between 1882 and 1948 in Palestine. Throughout this period, however, the vast majority of the Jewish population continued to live in the three main cities: Jerusalem, Haifa, and Tel Aviv. Collective colonies (kibbutzim and moshavim) were not introduced until the first decade of this century. Even by 1948 less than 7 percent of Palestine was Jewish-owned, chiefly by the central Zionist land-acquisition organization, The Jewish National Fund (Keren Kayemeth). The sites of many colonies were chosen with geopolitical or military considerations in mind. Some, as in these photographs taken in 1946, were straight military strongholds. The bulk of the rural male population, especially in the collective colonies, belonged to the official Zionist military organization, the Haganah. (Source: Photos and comment are taken from: Walid KHALIDI, *Before Their Diaspora*, Institute of Palestine Studies, p. 248.)



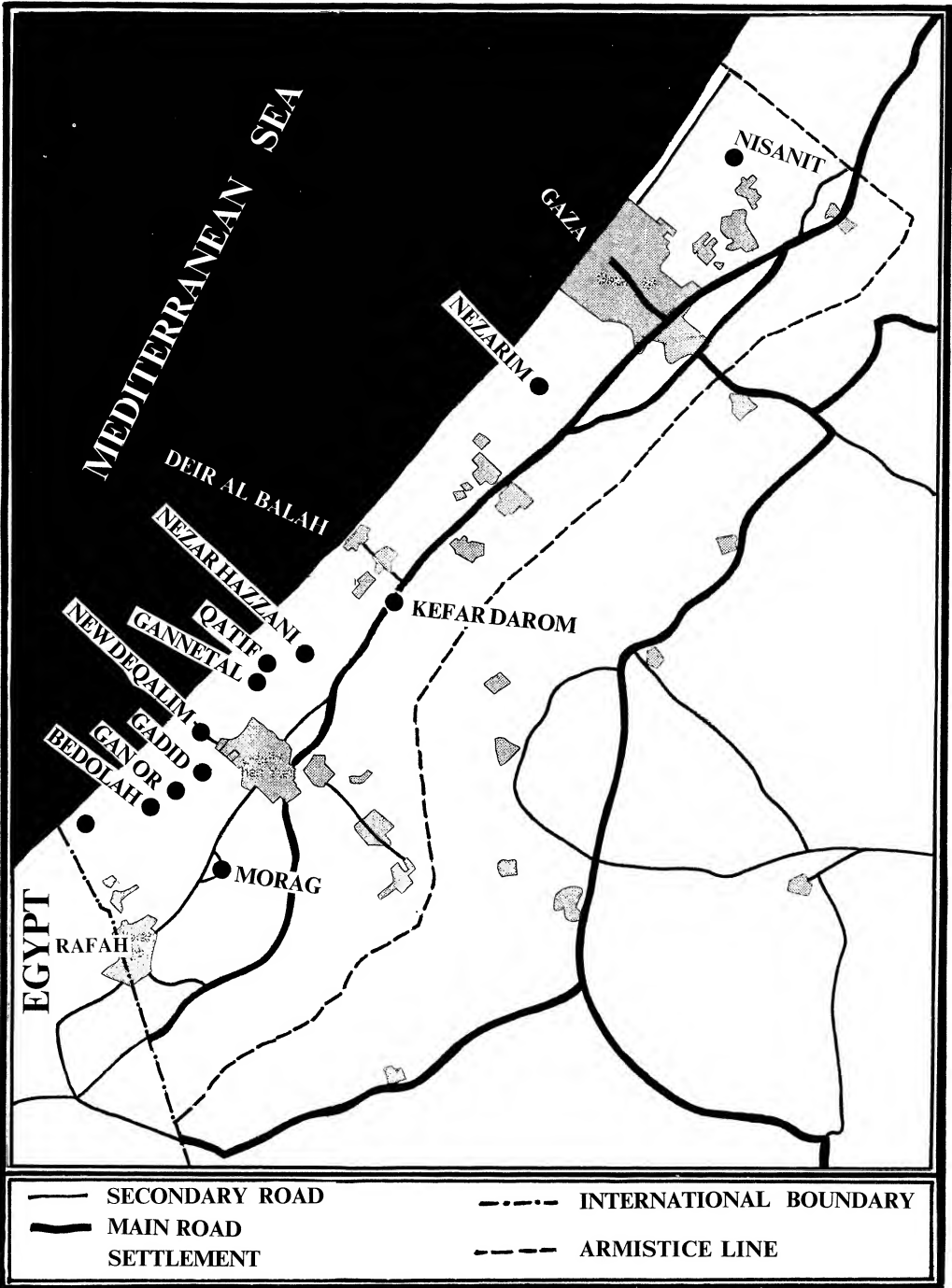
THE UNITED NATIONS PARTITION PLAN 1947



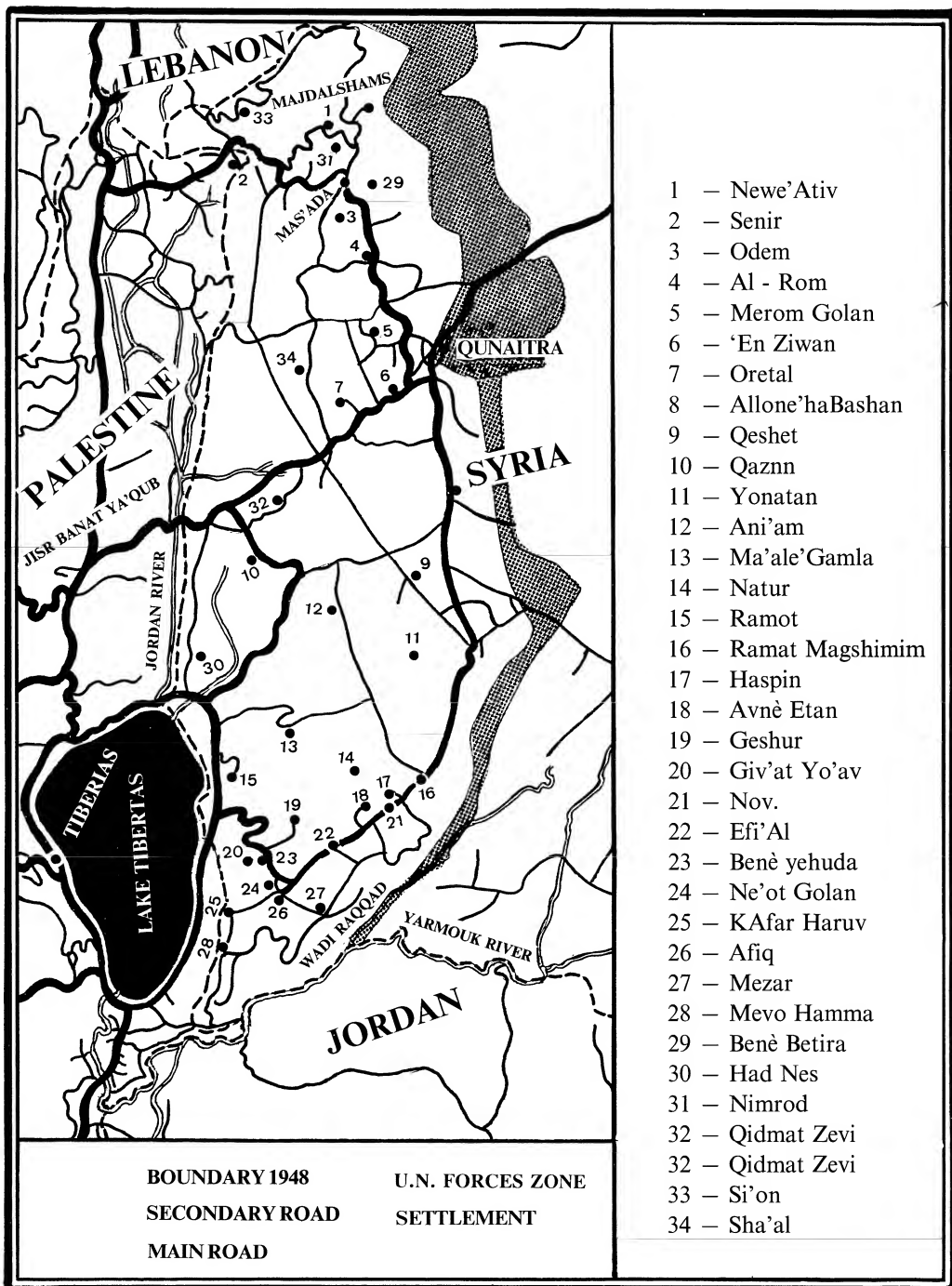
ISRAELI SETTLEMENTS & SECURTIY BELT  
IN THE WEST BANK & GAZA STRIP



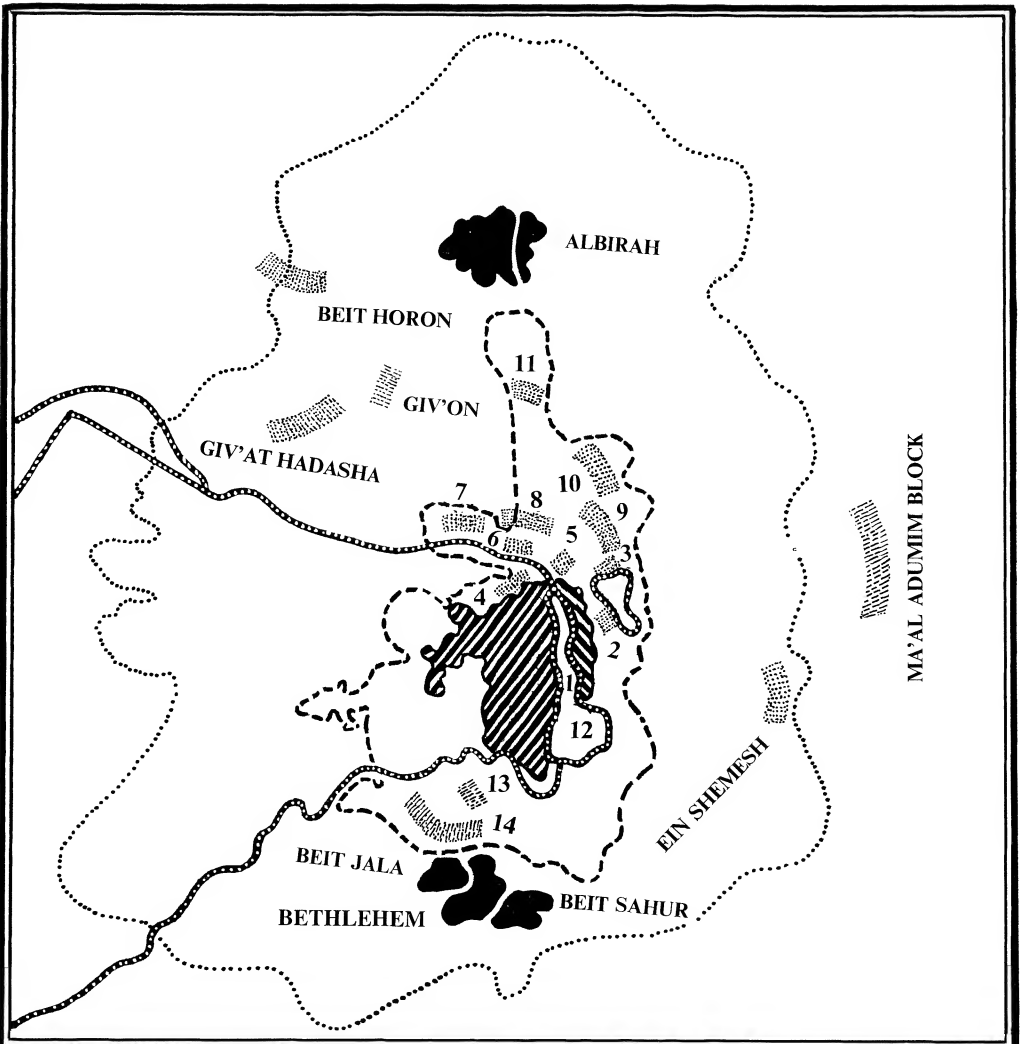
ISRAELI SETTLEMENT IN WEST BANK



ISRAELI SETTLEMENT IN GAZA STRIP



ISRAELI SETTLEMENTS IN GOLAN



JERUSALEM CITY	1 Jewish Quarter	8 Nahlat Defna
U.N. ARMISTICE LINE 1949	2 Hebrew Univ	9 Anatot
ARAB MUNICIPALITY 4 JUNE 1967	3 French Hill	10 Neve Ya'qub
JEWISH MUNICIPALITY 4 JUNE 1967	4 Ramat Eshkol	11 Atarot
MUNICIPALITY OF JERUSALEM 28 TH JUNE 1967	5 Giv'at Hamivtar	12 East Talpiot
METROPOLITAN JERUSALEM (PROJECTED) 1973	6 San - Hadria	13 Sharafat
ISRAELI SETTLEMENTS AFTER JUNE 1967	7 Ramot	14 Gilo (3 Suburbs)

## JERUSALEM



# **APPENDIXES**



## LIST OF PARTICIPANTS

- Abourezk, James
- Abdul-Hadi, Mahdi
- Agwani, M.S.
- Ahmad Dar, Saeeduddine
- Berger, Elmer
- Berque, Jacques
- Bourdet, Claude
- Brown, Dean
- Butenschon, Neil
- Caradon, Hugh
- Caradon, Silvia
- Cattan, Henry
- Davis, John
- Falk, Richard
- Findly, Paul
- Habib, Gabriel
- Harris, William
- Holstein, Walter
- Ibrahim, Saaduddine
- Jackson, Jessie
- Kenny, Lorne
- Kreisky, Bruno
- Lesch, Ann
- Lewan, Kenneth
- MacBride, Sean
- Mallison, Sally
- Mallison, Thomas
- Milhem, Mohamed
- Nazzal, Nafez
- Niblock, Timothy
- Ombaka, Ooki-Okoo
- Ott, David
- Oweiss, Ibrahim
- Redgrave, Vanessa
- Ruedy, John
- Riyadh, Mahmoud
- Sabbagh, Hassib
- Sayegh, Anis
- Shimizu, Manabu
- Tessler, Mark
- Teuber, Charlotte
- Thorpe, Merle Jr.
- Tschirgi, Dan
- Wasiuddin, Khwaja
- Will, Donald
- Witten, Edward
- Ziadeh, Farhat

## **The Governmental and Non Governmental Organizations that Attended the Symposium**

- The General Secretariat of the United Nations (New York)
- The United Nations Commission for Human Rights (Geneva)
- Political Affairs Office : The United Nations Division for Palestinian Rights (New York)
- The United Nations Christian Peace Conference (New York)
- The General Secretariat of the Organization of the Islamic Conference (Saudi Arabia)
- The Non-Aligned Movement
- The International Organization for the Elimination of All Forms of Racial Discrimination (England)
- The Middle East Council of Churches (Geneva)
- Association Belgo-Palestinienne (Belgium)
- International Association of Democratic Lawyers (Belgium)
- European Coordinating Committee of Friendship Societies with the Arab World (France)
- Parliamentary Association for Euro-Arab Cooperation (France)
- Association de Solidarité Franco-Arabe (France)
- The International Progress Organization (Austria)
- Israel and Palestine Magelan (France)