

1992

Nationalism, legitimacy, and sovereignty : the case for Palestinian statehood

Barbara J. Oskoui
San Jose State University

Follow this and additional works at: https://scholarworks.sjsu.edu/etd_theses

Recommended Citation

Oskoui, Barbara J., "Nationalism, legitimacy, and sovereignty : the case for Palestinian statehood" (1992). *Master's Theses*. 492.
DOI: <https://doi.org/10.31979/etd.8zvq-zaxk>
https://scholarworks.sjsu.edu/etd_theses/492

This Thesis is brought to you for free and open access by the Master's Theses and Graduate Research at SJSU ScholarWorks. It has been accepted for inclusion in Master's Theses by an authorized administrator of SJSU ScholarWorks. For more information, please contact scholarworks@sjsu.edu.

INFORMATION TO USERS

This manuscript has been reproduced from the microfilm master. UMI films the text directly from the original or copy submitted. Thus, some thesis and dissertation copies are in typewriter face, while others may be from any type of computer printer.

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleedthrough, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send UMI a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

Oversize materials (e.g., maps, drawings, charts) are reproduced by sectioning the original, beginning at the upper left-hand corner and continuing from left to right in equal sections with small overlaps. Each original is also photographed in one exposure and is included in reduced form at the back of the book.

Photographs included in the original manuscript have been reproduced xerographically in this copy. Higher quality 6" x 9" black and white photographic prints are available for any photographs or illustrations appearing in this copy for an additional charge. Contact UMI directly to order.

U·M·I

University Microfilms International
A Bell & Howell Information Company
300 North Zeeb Road, Ann Arbor, MI 48106-1346 USA
313/761-4700 800/521-0600

Order Number 1351063

**Nationalism, legitimacy, and sovereignty: The case for
Palestinian statehood**

Oskoui, Barbara Joan, M.A.

San Jose State University, 1992

Copyright ©1993 by Oskoui, Barbara Joan. All rights reserved.

U·M·I

300 N. Zeeb Rd.
Ann Arbor, MI 48106

NATIONALISM, LEGITIMACY, AND SOVEREIGNTY:
THE CASE FOR PALESTINIAN STATEHOOD

A Thesis

Presented to

The Faculty of the Department of Political Science
San Jose State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by

Barbara J. Oskoui

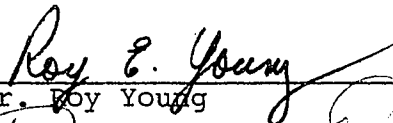
December, 1992

All rights reserved

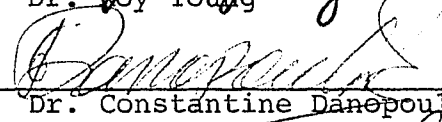
© 1993

Barbara Joan Oskoui

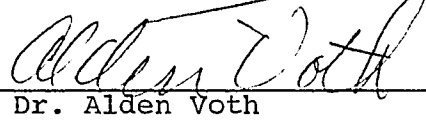
APPROVED FOR THE DEPARTMENT OF
POLITICAL SCIENCE



Dr. Roy Young



Dr. Constantine Danopoulos



Dr. Alden Voth

APPROVED FOR THE UNIVERSITY



ABSTRACT

NATIONALISM , LEGITIMACY, AND SOVEREIGNTY:
THE CASE FOR PALESTINIAN STATEHOOD

by Barbara Joan Oskoui

This thesis explores the Palestinian-Israeli conflict in the context of regional history, concentrating on the inherent contradictions between two visions of nationalism (one Palestinian Arab and the other Israeli Jewish) which are mutually exclusive. These mutually exclusive visions make it impossible for Palestinians to accept the legitimacy of a Jewish state as sovereign over them.

Needs and desires of both peoples are studied, foremost of which are security, self-determination (exercise of nationalism), and acknowledgment by the other of both the existence of both of the peoples and the right to do so in the land known both as Israel and as Palestine. The thesis concludes with a proposal for conducting peace negotiations which might satisfy both parties' needs.

Thesis Advisor: Dr. Roy Young,
Professor of Political Science

ACKNOWLEDGMENTS

Many people have assisted in the preparation of this thesis by providing data, opinions, access to prominent people well-versed in the subject, and moral support. Of course, the support of San Jose State University faculty members, especially Dr. Alden Voth, who chaired my thesis committee during the conceptual period, and Dr. Constantine Danopoulos, who also served on the committee, was essential. Special thanks go to Dr. Roy Young for agreeing at a late moment to serve on the committee and chair it during the completion of the thesis.

In addition, I am greatly indebted to Crown Prince Hassan bin Talal, of Jordan, for providing me with a term which describes the new genre represented herein, "Anthropolitics." Having long felt that the potential for world peace and regional stability lies both in the realm of politics and that of human relations, I was elated to hear such an important political figure as the Crown Prince of Jordan coin the term which so aptly describes my own sentiments. His call, via satellite hook-up at the May, 1992, annual convention of the American-Arab Anti-Discrimination Committee in Washington, D.C., for a

politics that involves "transnational cooperation on a human basis," including the protection of human rights and "a willingness to engage in dialogue," was precisely the basis upon which this thesis was written.

Special thanks also go to David Salah, former President of the San Jose Chapter of the National Association of Arab-Americans, for reviewing the thesis and commenting on it from a Palestinian-American perspective. Having been present at official Palestinian deliberative sessions, he is well able to comment on the feasibility of the suggestions made in the thesis. In addition, I am grateful to Scott Kennedy and Deena Hurwitz, of the Resource Center for Nonviolence in Santa Cruz, and to the staff of the American-Arab Anti-Discrimination Committee in Washington, D.C., for the many times they have made it possible for me to meet and speak directly with several of the people who are quoted in this paper. Those persons quoted, of course, as well as many other Jewish, Arab, and other peace activists, politicians, and journalists, have all helped to shape the final outcome of this project.

Finally, I must thank my family, colleagues at my teaching sites, friends, and co-members of various organizations to which I belong. Their patience with me as I made numerous trips out of the area for research purposes,

spent hours in the library, and seemed always to be behind schedule in everything I was doing has been gratifying. Without their moral support, this thesis would not have come to fruition.

It is my sincere hope that the contents of this work will give both guidance and hope to those who have a sincere interest in the peaceful resolution of this most intractable problem, the Arab-Israeli conflict. Everyone on earth deserves peace, justice, and security, regardless of who or where they are, or where they have been in the historical past. How to achieve these goals in the situation under discussion here will be, I hope, enhanced somewhat by the suggestions which are contained in this thesis.

TABLE OF CONTENTS

ACKNOWLEDGMENTS iv

Chapter

1. DESCRIPTION OF THE SUBJECT 1

 Definition of Terms

 Resources Utilized

 Conceptual Framework

 Hypotheses

 Procedures in the Study

2. INTRODUCTION 16

 History

 Soviet Immigration

 Gulf Crisis: Setback or Opportunity?

 Creating a Nation/State

 Israel: Beginnings in Europe

 Land, Borders and Disputed Territory

 Superpower Role

 A Conflict of Nationalisms

3. SUPERPOWER AND CONFRONTATION STATE ROLES
 IN THE PEACE TALKS 88

 Lebanon

 Syria

 Jordan

 Egypt

 The Superpowers

 The United Nations

Chapter

4.	REGIONAL ISSUES	114
	The Question of Terrorism	
	Riparian Rights	
	A Nuclear-Free Middle East?	
	Regional Demographics	
5.	A PROPOSAL FOR PEACE NEGOTIATIONS	135
	Israel's "Wish-List"	
	The Arab "Wish-List"	
	A Connecting Road	
	The Preliminaries	
	An Alternative Methodology	
	Jerusalem	

Appendix

A.	PALESTINIAN DECLARATION OF INDEPENDENCE	224
B.	THE BALFOUR DECLARATION	226
C.	REPORT OF THE KING-CRANE COMMISSION	227
D.	PEEL COMMISSION REPORT	236
E.	BRITISH STATEMENT OF POLICY, 1938	238
F.	WHITE PAPER (1939).	240
G.	FIRST UNSCOP REPORT, 1947	252
H.	THE PARTITION PLAN--U.N. Sec. Coun. Res. 181	257
I.	ISRAELI DECLARATION OF INDEPENDENCE	267
J.	MAPS OF WEST BANK SETTLEMENTS	268
K.	U.N. SECURITY COUNCIL RESOLUTIONS 242 AND 338	271

Appendix

L. FRAMEWORK FOR A PUBLIC PEACE PROCESS AND
REPRINT, "PALESTINIANS UNDER OCCUPATION
PRESENT STEPS TOWARD PEACE" 272

M. CIA POPULATION MAP 285

N. PALESTINE/ISRAEL AT FOUR TIMES IN HISTORY . . . 286

O. THE PLO AND THE GULF CRISIS: OFFICIAL
POSITION 290

BIBLIOGRAPHY 291

CHAPTER 1

DESCRIPTION OF THE SUBJECT

This thesis will investigate the question of whether or not Palestinian desires for self-determination meet the criteria of nationalism, how that nationalism is in conflict with Israeli nationalism, whether the government of Israel will ever be considered a legitimate one to govern the Palestinian Arabs, and if not, who will be able to find legitimacy as their government. Further, the question of sovereignty as it pertains to the limited territory available to the two peoples will be explored. Finally, the thesis proposes a potential plan for peace which would accommodate a two-state solution, wherein a state of Palestine is carved out of the West Bank and the Gaza Strip. The plan deals with the security concerns of both peoples.

The Middle East has been in an almost constant state of hostilities from the beginning of recorded history. This has even greater significance when we speak of the land known as Palestine, currently consisting of Israel and the Occupied Territories of the West Bank

and the Gaza Strip. The historic claims of Arabs and Jews to this land of their ancestors has been a constant source of rivalry and conflict. The picture is further complicated by the fact that there are three major monotheistic religions in the area (Judaism, Christianity, and Islam) which all consider the land to be holy and which lay claim to it as their own. This is especially true when the question of the city of Jerusalem is considered. Absent a peaceful resolution of the conflict, that city, and the Holy Land surrounding it, could become a land unavailable to pilgrims of one or more of these three faiths. Historically, as the conflict has escalated, fewer pilgrims have visited Jerusalem. If the sacredness of the city to all three faiths is not respected, the omission of any of their needs from the final negotiations will have destroyed the unique character of Jerusalem as a Holy City, and therefore have destroyed precisely that which the conflict set out to save.

A lot of hard work and dedication on the part of all concerned will be needed, according to most analysts of the situation, if the parties are to save the area and emerge as neighbors instead of enemies. To settle the dispute, the parties, as any adversaries, need to meet together and to make compromises. Such meetings have, in the past, most frequently led to no more than a

stalemate. But other states in the region have an interest in a peaceful resolution of the conflict, as do non-Middle Eastern states--especially the United States and the former Soviet Union. Much of the world community is supportive of the desire of the Palestinians to have their own state. But the manner in which that state is established, the direct participation of all concerned parties, and the compromises made by each side deserve careful thought. Many believe the Palestinian issue is the key to regional peace and stability and that, without resolution of that issue, conflict in the region will only continue.

In this particular set of negotiations, as in most, compromise is a key to the success of such talks. Peaceful resolution of conflict is facilitated when each side makes concessions. But parties are always reluctant to make concessions unless they feel they also have something to gain. Peace and security are gains which could result from a peace agreement and be enjoyed by all parties to the conflict. From the perspective of United Nations ideals, the challenge is to create a situation in which both Arab and Jew can feel safe within a political order they feel is legitimate.

Definition of Terms

The question of peace between nations is one of general concern to all governments and peoples on earth. Regional conflicts tend to have repercussions in the international arena. What constitutes nationalism, legitimacy, and sovereignty is significant in determining how to solve disputes between nations and achieve peace and harmony. If certain groups profess nationalism, establish a government which they believe to be legitimate and responsive to their needs, but have no territory over which to exercise sovereignty, there will continue to be conflict. Conversely, if a nation recognized as a sovereign state within the international community of nations finds itself unable to gain the respect of a large portion of the population it purports to rule, efforts to control that dissident population will become increasingly costly in social, economic, and political terms. It is, therefore, important to establish criteria upon which the right of any group to exercise sovereignty over territory (and the people dwelling on that territory) can be determined. War is not a practical solution to conflict in today's world, especially in the case of extremely small states considering the use of powerful modern weaponry.

Sovereignty is described as the power to rule. This can involve physical power, as in rule of a despot by force, or the power to govern as exercised over a

willing population when they have confirmed the government's legitimacy through an electoral process. This paper makes an assumption that the latter form of sovereignty is preferable to the former.

We must understand the other primary terms under study in this thesis as well. Nationalism is defined for the purposes of this paper as a belief that the group with which one identifies is a separate group from all others, based on commonality of religion(s), ethnicity, cultural, social, and political experiences, a shared common history and hope for the future, and a strong desire to form a separate nation based on these common bonds. It manifests itself in certain actions, including the formation of governmental and social structures and institutions, the creation of and loyalty to certain symbols--such as a flag and a national anthem--and the creation of an infrastructure to service the needs of the group's members.

Legitimacy of a government is bestowed upon it by the people themselves. It is based upon their willingness to respect the leadership's rule over them. Governments lacking legitimacy find that the only way to maintain control over the population is through force. Many governments of this latter sort have existed over time, but nearly all have met their end when the people have decided that they will not put up with the exercise of power over

their lives by leaders whom they deem not to have the people's interests at heart. Such a change can occur rapidly, as recent events in Eastern Europe have shown, or can be the result of a protracted series of flare-ups that do not succeed, leading to a final, successful coup, or can result from peace negotiations which diminish the power of the sovereign or cause it to relinquish that power altogether. The end result is a change in rulers, and sometimes in method of rule.

Resources Utilized

A variety of research sources have been consulted. Much of the research done encompasses the historical facts and their interpretations by a variety of authors espousing a myriad of views on the conflict. The topics surveyed include superpower involvement in the Middle East, the economic consequences of Middle East policy-making, the religious aspects of the conflict, territorial integrity, the question of Jerusalem, involvement of the so-called "confrontation states" (the four states sharing common borders with Israel--Jordan, Egypt, Syria, and Lebanon), and factors contributing to increased hostilities. Other topics dealing with the historical aspects and potential solutions (peace plans, superpower suggestions, interim plans, etc.) have also been included.

A major resource utilized is the author's personal notes taken during over 160 interviews with prominent persons representing a variety of governmental and non-governmental organizations in the region. These interviews were made during the years 1983-1991, but represent ongoing trends in thought from official Israeli and Arab sources, as well as unofficial ones. Wherever specific interviews are cited as evidence of trends in thought, the interviewees will be identified as to affiliation and some attempt will be made to explain to what extent their viewpoint is representative of a larger number of persons.

Another source of a large portion of information is the writings and speeches of a variety of experts in the subject of the Middle East. Many of the speeches were given at various conferences sponsored by private organizations and by the United Nations on the question of Palestine. An evaluation of written works cited, and identification of the authors, including those publications which are the result of studies made by the working group of the United Nations Non-Governmental Organizations on the Question of the Inalienable Rights of the Palestinian People, is also included.

Conceptual Framework

The question of peace among nations is one of general concern to all governments and peoples on earth.

What constitutes legitimacy, nationalism, and sovereignty is significant in determining how to solve disputes between nations and achieve peace and harmony. If certain groups profess nationalism, consider themselves a nation, establish a government which they believe to be legitimate and responsive to their needs, but have no territory over which to exercise sovereignty, there will continue to be conflict. It is important to establish criteria upon which the right of any group to exercise sovereignty over territory can be determined. Achieving this will go a long way toward reaching a peaceful resolution of conflict.

This thesis makes only one basic assumption: With determination on the part of all parties to achieve a peaceful resolution of the Palestinian-Israeli conflict, such a solution will be possible.

Many controversial terms will be used in the thesis. The use of the term Palestine is probably the most controversial of all. For the purpose of this work, Palestine is defined as the territory lying to the south of Lebanon, southwest of Syria below the Golan Heights, west of Jordan, and north of Egypt, including the Gaza Strip, with boundaries as those which existed prior to 1948. Jordan is not included, and the border on the east is delineated by the Jordan River. This is not to say that the existence of Israel is denied. The State of Israel has established

itself upon a portion of that territory and the only portion of Israel which remains in dispute is territory occupied or annexed by Israel following the 1967 Six-Day War.

Jerusalem will be spoken of as a whole, although reference will be made to East (Arab) Jerusalem and to West Jerusalem. East (Arab) Jerusalem shall be defined as the part of that city which was under Jordanian control from 1948 to 1967, and which is predominantly Arab in character.

Israeli Arabs are Arabs who resided in Palestine and remained in the part which became Israel in 1948, taking up citizenship in that nation. Palestinian Jews are those Jews born in Palestine prior to the creation of the State of Israel in 1948 and whose birth documents indicate their place of birth as Palestine. Their descendants are also thus classified. Any other terms that occur within the text shall be defined as they are mentioned.

Hypotheses

A number of hypotheses will be tested in the text of this thesis. They include the following:

1. Palestinian desires for self-determination meet the recognized criteria of nationalism, or nationhood,

which does not, in itself, establish the right of sovereignty.

2. Jewish nationalism, as embodied in the acquisition of the territory of Israel and demonstrated through the government of that state, cannot satisfy the nationalistic desires of the Palestinian Arab people and, in fact, is designed specifically to exclude them from national rights, even though citizenship can be conferred upon Arabs living in the state of Israel.
3. Because the state of Israel excludes Arabs from its own definition of nationalism, and of nationality, Palestinian Arabs will not recognize the state of Israel as their legitimate government.
4. Given the conflicting nationalisms of these two peoples, one Arab and one Jewish, both of whom wish to claim sovereignty over the same territory, further violence and bloodshed are likely to occur unless compromise and accommodation is made to satisfy at least some of the desires and needs of each group.
3. A two-state solution, one being called Israel and the other Palestine, will only be successful if both the aspirations and the security interests of both peoples are accommodated.
6. Direct negotiations between the legitimately chosen representatives of the two peoples are necessary

in order that the interests of each of the parties will be made known.

7. Other parties, including the United States and the former Soviet Union, as well as the states commonly termed the "confrontation states," have an interest in the outcome of these negotiations, and should be included in the process in at least an advisory or consultative role.
8. Palestinian self-determination has progressed to such a point as a goal that many believe eventual statehood is inevitable, even though it is the desire to achieve this goal that currently makes these negotiations of extreme urgency.
9. A plan for peace that takes the security interests of both parties into consideration, while also offering economic and other incentives to both, can be presented to the negotiators by outside parties as a starting point for their discussions, or in the event that on-going talks break down.
10. The "confrontation states" and the superpowers must assist in the implementation stage and in the guaranteeing of security to the parties for an initial time period until normalized relations between two states, equally recognized as states in the world community, can exist.

Procedures in the Study

The population under study is limited of necessity. It is not possible to survey the entire Jewish or even the entire Israeli population. Nor is it possible to survey all Palestinians, and most certainly not all Arabs. Instead, the representatives of a broad spectrum of public opinion from these groups have been studied, with data from their written and oral commentary on the various issues under study utilized in the paper, based upon the approximate number of persons whom they can reasonably be assumed to represent. It is significant, however, to note that the Israeli Jewish population living in 1948 Israel and in the Occupied Territories of the West Bank, Gaza Strip, and Golan Heights totals approximately 3.5 million persons at this time (calculated on the basis of available information about new arrivals and the somewhat less precise information about those persons holding Israeli citizenship who have recently migrated out of the country), while the Palestinian Arab population living in the Occupied Territories (including East Jerusalem), in Israel, and in refugee camps in the neighboring states of Lebanon, Syria, and Jordan, or in exile in those countries and in Egypt is at almost precisely that same figure. For the purposes of this study, the coincidence of these corresponding statistics is an asset, as it gives greater credence to

the theory that the two populations have approximately the same needs for their physical survival, and that equal treatment of the two populations will result in a more equitable solution to the dispute.

The data in this study will not be arranged on a quantitative basis, although statistical data will be used when helpful to explaining shifts in the population and patterns of land acquisition since the creation of the state of Israel in 1948. Most interviewees selected to represent a portion of the populations under study have been chosen due to their prominence within their respective group. Each person's affiliation will be mentioned when information emanates from a particular source, and an attempt will be made to place the importance of that source into perspective based on the size of the constituency which that person can be assumed to represent, or some other measure of importance.

Data collection has consisted of three methods: Notes from personal interviews conducted in the West Bank, Jordan, Syria, Egypt, and Israel by the author or by groups in which she participated between 1983 and 1991, including relevant commentary on the issues under discussion; a search of relevant literature published since the 1967 War (Six-Day War), including reports from various conferences relevant to the topic, as well as transcripts and

notes from recent conferences and speeches by prominent Arab and Israeli persons speaking to the issues covered in the paper; and other source material relied upon, which includes relevant documents from the periods both prior to and since the establishment of the State of Israel.

An attempt is made herein to include objective data in support of this researcher's analysis. Some data is indicative of a trend in opinion, or of a shift in opinion, and some is actually the result of opinion surveys. Where such data is relevant to the topic at hand, it will be included.

Unfortunately, though, since many peace plans have been offered and frequently ignored by one party or the other, there is no objective criteria available to evaluate whether or not any aspect of the proposed plan contained herein can be successful. Quite simply, none of the plans previously suggested has ever been implemented, making it impossible to know if any of them, or the current plans under discussion in peace talks, or the plan contained herein, have any real possibility of success. This paper merely aims at moving the process forward and suggests a means for implementation of a specific plan of action in that regard.

It must further be stated that this plan is by no means a comprehensive solution to the entire problem

existing between Arabs and Israelis. Such a solution will not be worked out on paper, nor will it be achieved within a short period of time. It took many years for the level of conflict to reach its present stage, and it may take just as long to achieve a normal level of relations between the nations in the region. This, however, should not be taken as yet another excuse to delay attempts to reach some interim agreement that will move the parties in that direction. In fact, it should be an added impetus for moving the process forward. Any steps which move the peace process forward are relevant ones, if all parties agree that peace is the objective which they want to pursue.

In summary, this project seeks to present a number of logical proposals which will contribute toward a viable peace process. It aims to do so by simultaneously showing that the present situation is not leading to improvements in the quality of life for any of the parties concerned, and that a continuation of the status quo is not a desirable situation for any of the parties involved in this dispute.

CHAPTER 2

INTRODUCTION

This thesis will investigate several questions: whether or not Palestinian desires for self-determination meet the criteria for nationalism; how that nationalism is in conflict with Israeli nationalism; whether the government of Israel will ever be considered a legitimate one to govern the Palestinian Arabs; and if not, who will be able to find legitimacy as their government. Further, the question of sovereignty, as it pertains to the limited territory available to the two peoples, will be explored. Finally, an outline of a potential plan for peace which would accommodate a two-state solution will be considered. In the plan, a state of Palestine will be carved out of the West Bank and the Gaza Strip, with consideration of security concerns for both Israelis and Palestinians.

It has been said that there are those who are interested in "liberating the territories occupied by Israel" and those who wish to "liberate Israel from the territories it occupies." Certainly, no one looking at today's Palestinian-Israeli conflict can doubt that the

situation of 3.5 million Israelis ruling over a population of as many as 2.5 million Palestinian Arabs in the West Bank, Gaza Strip, and East Jerusalem, is one without its own special problems. Instead, what many suggest is that it is necessary to relieve Israel of the burdens imposed by the occupation, while at the same time providing the necessary safeguards for the security of the Israeli state. Some of the many means suggested for such an un-burdening will be listed here, although this paper will not attempt to give a complete survey of those suggestions.

The need for solving the Palestinian-Israeli dispute can be described as delineated by the need for solving the greater Israeli-Arab dispute. The two cannot be totally separated, for the introduction of a non-Arab state into the midst of the Arab world in 1948 has had repercussions throughout the entire Middle East. The first direct relationship which can be seen results from creation of a gigantic refugee problem which has impacted in economic and social ways most greatly upon the states frequently referred to as the "confrontation states" (those bordering Israel directly). As viewed by those states, Israel's insatiable appetite for territory poses a threat to these nearby regimes. Even if the territory they possess is not being eyed as part of a future "Greater Israel," they have

reason to be concerned with the many threats of expulsion made against the Palestinian Arabs in the West Bank and Gaza Strip. The ability of these neighboring states (Jordan, Syria, Lebanon, and Egypt) to absorb refugees has its limits. All are faced with the problems of increasing population and diminishing resources. Water, for example, is scarce in both Jordan and Egypt. Despite this, renewed deportation activity and threats have been intensified recently by Israel. But the problem of refugees and dislocations is not unique in the history of the modern Middle East.

History

The Middle East has been in an almost constant state of hostilities from the beginning of recorded history. This has even greater significance when we speak of the land known as Palestine, currently consisting of the state of Israel and the territories it occupies in the West Bank and the Gaza Strip. The West Bank was controlled between the end of the British Mandate period in 1948 by the Hashemite Kingdom of Jordan (or Transjordan, as it was previously called), while the Gaza Strip was under Egyptian control. Both countries lost control over those areas in 1967, due to their losses in the 1967 War with Israel.

The historic claims of both Arabs and Jews to this land of their ancestors has been a constant source of rivalry and conflict throughout the ages. The picture is further complicated by the fact that there are three major monotheistic religions in the area (Judaism, Christianity, and Islam) which all consider the land to be holy and which claim it as an essential worshipping place for members of their faith. This is especially true when the city of Jerusalem is considered. Without a peaceful resolution of the conflict, that city, and the Holy Land surrounding it, could become a land unavailable to pilgrims of one or more of these three faiths. The conflict would then have destroyed precisely what it set out to save. The events of October 8, 1990, when 17 Palestinians were killed in the confines of the Haram as-Sherif (referred to in the press as "The Temple Mount," its ancient Jewish religious name), marked the first period in 700 years during which the Islamic area was completely closed to worshippers, although only temporarily. But, during the Jordanian period (1948-1967), and at various other historical times, the Wailing Wall just below the Haram as-Sherif was inaccessible to Jewish worshippers. Each of these closures has caused the Israelis to claim that they are the only ones who would keep the

religious sites open to all faiths and would protect them. Their record, as we shall see, has not been very good in that regard. These closures may also have taken a toll on the prospects for peace because, to whatever extent there is a religious conflict in the area, it is most often over the possession of, or right of access to, religious sites located within Jerusalem and its environs.

Let us take a moment to examine Israel's record of protecting religious sites. This is important because Israel currently claims Jerusalem as its "eternal capital," and refuses any and all control over any portion of the city to the Arabs, a situation which is offensive to many Christian and Muslim Palestinians, who fear for the continued sanctity of their religious shrines. Since Israel took control over the city of Jerusalem in 1967, the following incidents have taken place: A gunman opened fire in the courtyard and inside the Dome of the Rock, killing several worshippers and the elderly Arab caretaker of the mosque;¹ a plot was uncovered involving the proposed dynamiting of the Haram as-Sherif by members of a right-wing extremist group who believed that destroying the Muslim religious sites would hasten the arrival of

¹Walid Fahoum, attorney, personal interview by author, Jerusalem, July 14, 1985; also refer to Grace Halsell, Prophecy and Politics (New York: Macmillan, 1986), in which several such incidents of Israeli terror are recounted.

the Messiah;² a fire was set in the al-Aqsa mosque which destroyed much of the mosque's structure along one wall and several of the huge carpets which line the floor;³ Israeli soldiers have evicted religious organizations and entire congregations from Christian churches and other structures which had previously been constituted as protected religious property in the Old City of Jerusalem, especially in the Armenian quarter, moving Israeli civilians into those same buildings, most recently into a hospice run by the Greek Orthodox Church for many years;⁴ and, finally, construction of a new highway heading north from Jerusalem has caused the destruction of two ancient Christian churches dating to the Byzantine era, as well as angering Jewish residents of neighborhoods which profess Orthodoxy and normally used the previously-existing

²Ann Mosely Lesch and Mark Tessler, Israel, Egypt, and the Palestinians: From Camp David to Intifada (Bloomington: Indiana University Press, 1989), 148; "Al Aqsa Since 1967," Al Awdah (English), 19 January 1986, 8; and "When Will Their Attempts End? Jewish Zealots Plan to Take Over Al Aqsa," Al Awdah (English), 19 January 1986, 16.

³Al Awdah (both references), *ibid.* This incident was also recounted to this author by a guide in the mosque during a 1985 visit, while repair work was underway and the fire damage was still evident.

⁴Personal tour through the Old City in August 1991, during which confiscated buildings were pointed out to the author. Also see Frank Collins, "Israelis Bulldozing Christian and Muslim Graves and Archeological Sites," Washington Report on Middle East Affairs, March 1992, 23.

road to walk to the Old City for Friday evening shabbat (sabbath) services, since they eschew the use of vehicles during the sabbath period.⁵

Israel's claim that it will protect all holy places and the right of access to them is not borne out by recent history. Jews, Christians, and Muslims all have reason to doubt whether freedom of worship is something they can rely upon if sovereignty over Jerusalem is awarded to advocates of another faith than their own.

Despite this, we must not characterize the conflict as simply a religious one. It has been, in fact, quite secular in nature. Many believe that the modern conflict dates back to the beginnings of the Zionist movement in Europe at the end of the 1800s. In many respects, this interpretation has a great deal of merit. But Zionism is not simply a religious movement, as such, nor does it claim to be. Modern Israel is a very secular state. Even more so now that a large influx of Soviet Jewish immigrants without ideological or religious backgrounds is being "absorbed" into the Jewish state. They are being "absorbed" due to ethnic ties to Jewishness, not religious ties to Judaism. All that is necessary is the claim of descent from a Jewess (female Jew) or marriage to a Jewish woman. The repression of religion within the Soviet

⁵Ibid.

Union has led to a far more secularized Russian Jewish community than might have been believed by Israeli Jews who had lost touch with their counterparts within the Soviet Union. But many of these new "olim" (persons newly making "aliya," or being in-gathered to Israel) have never practiced Judaism as a religion and have no intention of becoming "observant" while in Israel.

It further complicates any study of the region to have to deal with the fact that the state of Israel describes itself as a "Jewish state," while so much of the world, including many secular and many religious Jews, utilize the same term to refer to both an ethnicity and a religion. In many ways, the two have become inseparable in the lexicon of the world, and it is tempting to depict the struggle as one of Jews versus Muslims, or as a religious conflict. This, of course, would deny any role to the Arab Christians, as well as to the other minority sects, such as the Druze, who inhabit the region, or the Samaritans, as well as to those secularists of all backgrounds who also dwell there.

Therefore, in this paper, the issue of religion will not be given a major priority. It is only one of many issues. Where the issue is relevant to a specific historical perspective or to an area of conflict relevant today in the context of resolution of the overall conflict, the

particular relevance of that religious issue will be described. "Jewishness," not Judaism, is the definition of Israeli nationality. In its nature, that definition excludes Arabs of all faiths, but it is an issue of ethnicity, not of religion, in most regional interpretations of its meaning.

Nor can we say that the conflict is evenly divided as one of secular Jews versus Arabs of any religion. It is, in fact, true that many Jews, including some high in the leadership of the state of Israel, take the position that there must be a two-state solution. It is also true that there are some Palestinian Arabs living inside the state of Israel and holding Israeli citizenship who believe that they have a better future by remaining Israelis. Some even wish to be joined by the population of the Occupied Territories, if that population would agree to live under Israeli sovereignty.⁶ This solution is roughly equivalent to the "secular, democratic state" proposed by the Palestine Liberation Organization (PLO) in its early struggle. But the proposal was rejected by Israel, because the Jewish leadership of Israel feared that absorption of so many Arabs into its population would undermine the demographic advantages the Jewish people

⁶Personal interviews conducted by the author with a dozen Arab villagers (all Israeli citizens) in the Galilee region in November 1988, at the time of Israel's elections.

held, and might one day lead to their loss of majority status within the power structure of the government. The solution of a single state, whether under Jewish or Arab sovereignty, is not a particularly popular one at this time, however, because of the implications it would have for creating an internal power struggle in which one or the other of the two distinct populations would dominate, most probably due to its numerical advantage over the other.

This "demographic problem," referred to often over the years, especially by Israelis attempting to make a case for keeping the status of the two populations bifurcated, refers to the tendency of the Arab population to grow at a faster rate than the Jewish one. Palestinian families have been generally larger than Jewish ones, although many Sephardic Jewish (Oriental Jewish) families are also large. There has been a fear among some in the Jewish establishment that the Arab population's rapid growth rate would lead to increases in population that might one day make the Jewish population into a minority within a state that is self-described as "the Jewish state." Therefore, many say, Israel is forced to choose: Will it be a democratic state, or will it be a Jewish state? For this reason, the "Jewish state of Israel is reluctant to change the status of the territories it

occupies, for the granting of citizenship to all of the residents of the territories would soon result in the undoing of the state of Israel, which chooses to describe itself as a "Jewish state," because its population would no longer be primarily Jewish. This potential is somewhat lessened by the aliya of thousands of Soviet Jews and so-called "Falasha" Jews [those coming from Ethiopia]. It is also lessened by the "transfer"--a euphemism for expulsion--of several dozen Palestinian Arabs due to political or economic reasons, which generally leads to their being followed out of the land by their relatives.

Another factor in this population balance might be seen as the economic crisis which has resulted from the Palestinian uprising. Many Palestinian Arabs have left the Occupied Territories, on what most believe to be a temporary basis, in order to pursue a livelihood elsewhere. Opportunities for monetary gain are minimal under the conditions imposed by the uprising (or intifada) which began in late 1987. To this should be added another unknown: How many of the Jewish residents of Israel will leave? Many of the Soviet Jews who arrived in Tel Aviv after 1989 have already begun to express an interest in leaving, because large numbers of them are trained professionals, such as doctors, and there is no work for them in their chosen fields in such a small country.

There has also been an on-going out-migration of several thousand Israeli Jews each year due to a variety of factors, not least of which is the constant state of preparation for war and the concomitant need to spend from one month to a full seven weeks on active military duty each year for every male member of the society. The strains of such a requirement have caused many to choose to leave Israel.

Soviet Immigration

It is impossible to ignore the many consequences of the massive influx of Soviet Jews now in the process of being integrated into the state of Israel. Many problems accompany the process, most of them bearing negatively on the prospects for peace. Included in the list of problems are such topics as the reduction of Soviet leverage in the peace process (also hampered by other world events such as the breakup of the Soviet Union and the failed coup attempt and ensuing chaos in the Soviet Union in August 1991), the need for housing for the immigrants and the consequent further land confiscations and settlement-building within the Occupied Territories. Such land confiscations have been stepped up recently even inside Israel (where Bedouin villages in the Galilee are scheduled for demolition to expand existing

Jewish towns). The scarcity of available housing and the subsequent inflation caused by that scarcity (and by the leaking of information regarding the amount of money handed to the new immigrants for their housing allotments) have tended to present additional problems. The need to find employment for the immigrants, a process which has meant the elimination of employment opportunities previously reserved for and filled by Palestinians from the Territories has been both an economic and personal nightmare for both Jewish and Palestinian unemployed.

Despite these negative consequences, the massive Soviet Jewish immigration has caused many people--both Palestinian and Israeli--to see the need for moving the peace process forward at this time. This conclusion has been drawn partially as a result of the high levels of tension which have resulted from the land confiscations, settlement construction, and lack of job availability to the Arab population. Therefore, although the long-existing "demographic problem" for Israel may have been temporarily relieved by the increase in numbers of Jewish citizens of Israel, the problems caused by their arrival, and this "relief" of the demographic problem, could in the end be added incentive for the conclusion of peace negotiations which will result in a clear definition of the boundaries of the state of Israel and her neighbors, including the

status of both the land and the people living on it, and a procedure by which tensions in the region can be eased.

In regard to the importance of the demographic problem, some statistics might clarify the issue. According to the 1986 book, Fateful Decisions, by the prominent Israeli Professor Yehoshafat Harkabi:

Even now, according to the 1983 census, there are 348,000 Arab children ages 0-4 in the area west of the Jordan (i.e. Israel and the territories)--as compared to 359,000 Jewish children of the same age group. ... In the year 2000, given current trends ... there will be 20 percent more Arab than Jewish children in this age group west of the Jordan. ... By the year 2015, the Arab and Jewish populations will be equal in size, with the ratio continuing to worsen from the Jewish perspective.⁷

Harkabi continues here with a prediction:

The problem is not just quantitative. One ethnic group can rule over another where there is a significant qualitative gap in the dominant group's favor. But the Arab population is advancing; the status of its intellectuals will continue to rise; its demands will grow stronger, and rule over it will become increasingly difficult, even before the Arabs retain a majority.⁸

More recently, in 1988, Harkabi's book, Israel's Fateful Hour, cites additional statistics in support of the same point. Some of his commentary about these statistics is also instructive:

Were the Arabs of the West Bank to somehow disappear, Israel could annex the West Bank with equanimity.

⁷Yehoshafat Harkabi, Fateful Decisions (New York: Harper & Row, Publishers, 1986), p. 146.

⁸Ibid., p. 147.

But the Arab population will not only not disappear, it will continue to grow. This being the case, annexation of the West Bank will create a strategic problem of demography more serious than the strategic problem of territory. In the stretch of land between the River Jordan and the Mediterranean Sea--Israel and the occupied territories--there are currently (1986 census) 379,000 Arab children below the age of four, compared to 370,000 Jewish children in the same age group. Extrapolating from present trends, the Demography Department of Hebrew University has calculated that by the year 2000 there will be 20 percent more Arab than Jewish children in this age group west of the River Jordan. The 1986 Statistical Annual for Israel informs us that in 1986 there were 24,241 births among Israeli Arabs and 58,224 among the Arabs in the occupied territories, or a total of 82,465 Arab births within Greater Israel, compared to 75,036 Jewish births. The ratio in the entire area today is 62 percent Jews to 38 percent Arabs, but the Jewish population is older.⁹

Even more telling is a calculation regarding the total percentages of Jews and Arabs in the area, based upon all age groups, which appears several pages later in the same book.

It is simply untrue that the demographic threat is the same whether only the Israeli Arabs are included within the borders of the state or whether the Arabs of the West Bank and Gaza Strip are also included. Demographers estimate that if current trends persist, Israel's Arab minority, today 18 percent of the population, will reach 23 percent in the year 2000. However, within Greater Israel, including the West Bank and Gaza, they are expected to constitute 45 to 50 percent by the year 2000 or shortly thereafter. The natural increase of Israeli Arabs has declined, but on the West Bank and in the Gaza Strip it remains very high. It may yet start to decline, but by then the ratio of Arabs to Jews will be an ineradicable fact. A Jewish minority will not be able to rule over an Arab majority for long.¹⁰

⁹Yeshoshafat Harkabi, Israel's Fateful Hour (New York: Harper & Row Publishers, 1988), pp. 46-57.

¹⁰Ibid., p. 114.

For the past several years, Israel has been experiencing massive out-migrations of Jews, many of them unable to tolerate conditions inside the Jewish state. According to Gideon Spiro, a founding member of Yesh G'Vul, the Israeli soldiers' resistance movement, "There are close to one million ex-Israelis in the United States already".¹¹ Estimates of the number of Jews arriving from the former Soviet Union vary, but all of the analysts say that the Likud government's prediction of a million arrivals is not going to be met soon. According to Frank Collins, a free-lance journalist specializing in the Middle East, who divides his time between homes in Washington, D.C. and Jerusalem,

In view of the fact that Israel's Soviet Jewish immigrants are largely unemployed and that very few have been able to obtain positions in their profession or skill categories, it is hardly surprising that their rate of immigration to Israel immediately dropped in July. It is now highly dubious whether one million Soviet Jews will finally immigrate to Israel.¹²

In the same article, Collins quotes a Jerusalem Post editorial as stating on August 27, 1991 that "the housing

¹¹Gideon Spiro was interviewed by this author and others in Jerusalem on August 21, 1991.

¹²Frank Collins, "The Real Reasons for the Israeli Loan Guarantee Demand," Washington Report on Middle East Affairs, November 1991, p. 16.

units rising all over the country risk becoming uninhabited eyesores".¹³

This information is confirmed by many, including Middle East specialist Rachelle Marshall, who writes:

The influx of immigrants to Israel stems from the fact that the Israeli government does everything in its power to force Soviet Jews, however unwillingly, to come to the Jewish state rather than go elsewhere. And once they arrive it denies them passports to prevent them from leaving ...

The sordid truth behind Israel's image as a haven for beleaguered refugees is that, once they arrive, the newcomers are treated with callous neglect. ...

As a result of these conditions, 30 percent of Soviet Jewish respondents to a recent poll said they hoped to be living somewhere else within five years. Immigration to Israel has dropped by a third.¹⁴

For this reason, many suggest it is necessary to relieve Israel of the burden of "administering" the territories before the eventuality of the Arab population becoming greater than the Jewish one occurs. The March 1992 Washington Report on Middle East Affairs stated on a back inside cover brief on a picture montage, "Now, Israel may end up with neither enough settlements nor enough immigrants,"¹⁵ as a result of the refusal of the

¹³Ibid.

¹⁴Rachelle Marshall, "Israel's Cynical Use of Soviet Jews to Justify U.S. Loan Guarantees," Washington Report on Middle East Affairs, February 1992, p. 9.

¹⁵Washington Report on Middle East Affairs, March 1992, back inside cover, descriptive brief.

U.S. to back Israel's request for \$10 billion in loan guarantees. They continue:

Meanwhile, in Israel, the diversion of funds to the West Bank has created catastrophic unemployment among immigrants. The flood of Russian immigrants dwindled to fewer than 7,000 in January 1992 and an estimated 3,000 in February. Because normal emigration from Israel is 30,000 to 50,000 per year, Shamir's choice of settlements over immigrants will result in a net loss of Israeli Jews in 1992.¹⁶

Therefore, it can be seen that, despite arguments to the contrary, the massive influx of Soviet Jews into the region will not provide a permanent solution, and it has, in fact, exacerbated existing tensions, since it has led to further displacement of the Arab population from their lands and homes. No one can doubt after over five years of the Palestinian uprising that the population of the territories is hostile to Israeli rule. Neither can the Israeli government succeed in attempts at mass deportations, as recommended by some of the smaller right-wing political parties, in order to solve the demographic problem. Such expulsions, even when only three or four Palestinians are involved, have been met with an international outcry when they have been attempted in the past. That outcry could also destroy the Israeli state. The international condemnation of such expulsions has its legal basis in the 4th Geneva Convention. It is highly significant that the

¹⁶Ibid.

outcry against the expulsion of four so-called leaders of the Hamas (Islamic fundamentalist) movement in the Gaza Strip in December 1990 was led by the United States, the one nation which previously had been far less critical of Israel's policies than other nations had been.

It is this writer's contention that the only valid solution is for Israel to somehow divest itself of the territories, since they cannot be deemed an asset,¹⁷ while at the same time preventing, or at least reducing, many of the negative consequences of the creation of a Palestinian state: security threats, relocation of Israeli settlers living in the territories (or arrangements for them to stay), payment of reparations to those Palestinians who fled or otherwise left the area, and dealing with a potential flood of Palestinians returning from outside who might still harbor desires to return to homes inside Israel, rather than in the West Bank or Gaza Strip.

None of these issues will be easy to resolve. An essential element in negotiating a settlement to conflict is trust between those negotiating. Too much negative contact between the Arab population and the Jewish one has occurred over the years. The element of trust appears to

¹⁷For a discussion of the moral, strategic, and demographic reasons retaining the territories impacts negatively on Israel, refer to Deena Hurwitz, ed., Walking the Red Line (Philadelphia: New Society Publishers, 1992), p. 6.

be absent between Arabs and Jews and, for this reason, the mediation of outside parties (nations or international bodies) will probably be necessary. Whether this mediation is by particular nations or by international organizations may or may not be the primary issue. Despite its creation by the United Nations, the state of Israel has long objected to mediation by that body, citing votes against Israel over the years as its reason. That obstacle may have been removed by the U.N.'s 1992 revocation of the "Zionism is racism" resolution. Both the United States and the former Soviet Union offered to mediate the dispute, and joint mediation has begun at this time. This has occurred despite a diminished level of world power for the former Soviet Union due to internal conflict and the end of the Cold War. The outcome of the peace conference is as yet difficult to assess, as it has for most of its duration been largely bogged down in procedural issues.

Gulf Crisis: Setback or Opportunity?

Although many optimists, especially within what is known as the peace camp, predicted as early as 1989 that negotiations might begin, or even that Israel might agree to international mediation of its disputes over the occupied lands, if not to an international conference, events that followed the August 2, 1990, invasion of Kuwait by its neighbor, Iraq, set back the potential peace process,

or at least served to put it on hold for an extended period of time. Most nations are now more interested than ever in achieving results through an international conference, as evidenced in repeated votes confirming such a process taken at the United Nations, but for many years this was met with strong rejection by the Israeli leadership, which refused to allow participation by states outside the region, except the United States and the Soviet Union. That same Israeli leadership insisted on "no pre-conditions" for a conference or negotiations only a few months earlier, but then set its own pre-conditions, which included the right to choose or reject the Palestinian list of delegates to such a conference, the exclusion of all such Palestinian delegates who are from Jerusalem (undoubtedly Israel's definition of Jerusalem, which has been extended to include some twenty villages which were previously suburbs of Jerusalem and which extends south to the border of Bethlehem and north to the border of Ramallah, areas which previously were considered by all to be in the West Bank), the exclusion of the topic of Jerusalem from all discussions, and the denial of all possibility to reconvene the peace conference once it has been dismissed.¹⁸

¹⁸Hanan Ashrawi, member of the Palestinian advisory team to the Middle East peace talks, speaking on a panel in Jerusalem, at Notre Dame Center, August 20, 1991, sponsored by the Young Leadership of Israel's Labor Party.

According to Sa'eb Erakat, Professor of Political Science at An-Najah University, Nablus, in the Occupied West Bank, in an interview on August 19, 1991, in Jerusalem, "Never in the history of conflict resolution has one side decided who represented the other."¹⁹ These sentiments have been widely reflected within Israel, the Arab states, and many other nations throughout the world.

Prime Minister Yitzhak Shamir was also determined that he must make a separate peace with each Arab nation, as was done with Egypt, or with none at all. But few Arab states are willing to negotiate directly with Israel without the blessing of the Palestine Liberation Organization (PLO). Several states have committed themselves to participating in the international conference, but none is capable of representing the Palestinians, for only the Palestinians themselves have experienced the direct conflict with Israel that has resulted from the occupation. There is an acknowledgment of this fact in most of the Arab world. Arab states regularly participate in meetings with the PLO to discuss strategy in regard to the region. According to the Jordan Times,

A spokesman for the Democratic Front for the Liberation of Palestine (DFLP) said the PLO called an urgent meeting with Syria, Egypt and Jordan to draw

¹⁹ Sa'eb Erakat, interview by this author and a group of others in East Jerusalem, August 19, 1991, at the National Palace Hotel.

up a joint stand before next month's expected visit to the region by U.S. Secretary of State James Baker.²⁰

Since that meeting, several others have taken place and all of the participating Arab states have committed themselves to the principle of "no separate peace" with Israel.

The Palestinians are keenly aware that their ability to have a part in direct negotiations with Israel is limited by Israeli threats to leave the bargaining table. Their direct participation in the conference which will determine their future is currently less than they feel to be a minimal necessity. This lower level of participation is a constant irritant to the Palestinian leadership.

In the August 19, 1991, interview conducted with Professor Erakat, he stated that he had directly told Secretary of State Baker that he (Baker) must start dealing with the "trunk" (the Palestinians, around whom the troubles revolve), instead of dealing only with the "branches" (the other Arab states).²¹ Like many other Palestinians and persons throughout the Arab world, Professor Erakat finds it hard to believe that any lasting peace could result if such an agreement did not

²⁰Jordan Times, 1 September 1991, p. 1.

²¹Erakat interview, August 19, 1991.

satisfy the basic needs of the Palestinian people for national self-determination.

A previous suggestion to hold an Arab summit which would determine what the Arab states were willing to agree to as a minimum for peace between their states and Israel never came about. Such a summit might have authorized the PLO to negotiate on behalf of the Arab states, requiring Israel to talk directly with representatives of the PLO. It would also have offered Israel the promise of peace with its neighbors, the other Arab states. But, most recently, the outcome has tended toward the opposite, due to Israel's refusal to talk directly with anyone who speaks on behalf of the PLO. The technicality by which the current negotiators for the Palestinian side have been admitted to the peace table is that "We do not represent the PLO," as Dr. Hanan Ashrawi, spokeswoman for the delegation asserts. Instead, she says, "They represent us."²²

The concept of the other Arab states negotiating on behalf of the Palestinian people, into whose land they are generally not even allowed to travel, seems to offer less of a real prospect for peace than the other proposal. But constraints upon the possibilities for

²²Dr. Hanan Ashrawi, speaking at a televised press conference following the Madrid peace conference opening session.

negotiation seem to still be in the realm of Israel's choice.

Another possibility would be to place the matter into the hands of an Arab party capable of representing all of the Arab states, while not favoring any single one of them. The logical candidate for such a role in the past would have been the Arab League, but the position of that organization in the Arab world has been diminishing recently. This idea would still not satisfy the requirement of the Israelis for separate negotiations with each Arab state.

So, at least for the present, the Palestinian leadership is involved in direct talks with each Arab state to help consolidate a united Arab stand, should the Palestinians be excluded at any point from direct participation in the on-going talks about the subject of peace. Israel has on several occasions since talks began threatened to halt the talks or to refuse to admit certain Palestinians to the negotiating rooms. In one such confrontation, the Palestinians excluded themselves from the Moscow talks when Israel refused to allow Palestinians from Jerusalem or outside the territories to be seated.

During the Gulf crisis and the Gulf War which followed it in 1990-91, the U.S. and Israel were accused by the Arab world of manipulating news reports to show that the PLO and

the Palestinians under occupation were blindly supporting Iraq in its invasion of Kuwait. This is contrary to what both official PLO statements and the reported content of graffiti on walls in the Occupied Territories would indicate. The official PLO stance in regard to the invasion is as follows:

- 1) In the present Gulf dispute, the PLO is playing the role of the mediator and it is not a party to the dispute nor does it stand with one party against the other. That is why the PLO reserved its vote on the Arab League resolution because the resolution emphasized condemnation and ignored any other form of solution.
- 2) A solution of all critical and unresolved problems in the Middle East including those in the Gulf, Kuwait, Palestine, Lebanon, and the Golan Heights must be found. A solution to one of these problems was actually started with the mutual withdrawals of Iranian and Iraqi forces. It is possible for such a solution to be applied to other problems in the area, including Palestine, Lebanon, the Golan Heights and Kuwait.
- 3) The crisis in the Gulf must be solved through negotiations within an Arab framework where the rights and interests of all parties are taken into consideration and preserving the dignity of all. ...²³

Besides this official position, numerous interviews conducted by this researcher and others with Palestinian leaders inside and outside the Occupied Territories have confirmed that Palestinians did not and do not approve of the occupation of the land of others by means of force and against the will of the population of occupied land.

²³PLO handout dated October 1990.

There are dissenters to this viewpoint, of course, but here is what the largest circulation Arab English-language newspaper in Jerusalem has to say about their role:

... during the Gulf War ... the media made the whole world imagine that the Palestinians had moved their tanks and rockets in order to combat the allied forces, while the Palestinians were really expressing their indignation at foreign interference in the Gulf.

... If the freedom of expression is still a fundamental foundation of democracy, then Palestinians and others should have the right to voice their opinion freely on any event without being wrongly interpreted on purpose.²⁴

The official Palestinian position was consistent with the Palestinian position about their own lands which were occupied in 1948 and 1967. Their "support" of Saddam Hussein was related primarily to his strong statements requesting the equal treatment of his aggression against Kuwait and the aggression against the Arabs of Palestine and their occupation for decades. In other words, many Palestinians supported Saddam Hussein due to their wish for an even-handed treatment of their own cause by the international community. When this researcher visited the region in August of 1991, she was repeatedly told that Saddam Hussein was wrong to invade Kuwait, but he was no more wrong than were the Israelis for invading Palestine. Those who stated this were adamant in their support for

²⁴"Freedom of Expression for Everyone," Al Fajr (English), 26 August 1991, p. 4.

an even-handed approach to all of the disputes in the region. The question of "dual standards" is one that frequently has come up in conversations, articles, and interviews about this subject. The so-called support was "not out of any great love for Saddam Hussein," as one interviewee stated it. Palestinians merely saw Saddam Hussein as a leader who was willing to speak out for Palestinian rights and to state his commitment of troops to that effort, if necessary. This does not constitute approval of his aggression, as a broad spectrum of Palestinian leadership and common people confirmed in television interviews. Therefore, the argument that the PLO lost credibility to negotiate with Israel is one that is less than fully factual.

Despite this disinformation campaign, and the subsequent erosion of support for the Palestinian cause within the Israeli "peace camp," much of the previous support for the peace process has since been regained due to a realization that the "cause" is still justified and that the seeming Palestinian support of Saddam Hussein was merely a result of the Palestinians' own high level of frustration, according to Ms. Roni Ben Efrat, an Israeli peace activist with Derech Hanitzotz, who was interviewed in Jerusalem on August 30, 1991.²⁵

²⁵Roni Ben Efrat, interview with this author and group, East Jerusalem, Aug. 30, 1991, National Palace Hotel.

Creating a Nation/State

When the leadership of the Palestine Liberation Organization pronounced their declaration of independence in November 1988 (see Appendix), heralding the creation of the state of Palestine, this did not automatically create such a state. Nor did the statement in August of 1988 by King Hussein of Jordan that he relinquished all claims to the West Bank of the Jordan River automatically cede possession of that territory to the existing state of Israel. Instead, the West Bank was being prepared for non-Jordanian Arab sovereignty, for governance by the Palestinians themselves. The basis for this in international law can be noted in the following statement by Hassan bin Talal, Jordanian crown prince and the brother of the Jordanian monarch:

International law recognizes a limited number of methods whereby a State may acquire title to territory, namely occupation, cession, prescription and accretion ... Today international law has rejected title to State territory by conquest as inconsistent with the UN Charter. Aggression is today unlawful and accordingly territory acquired by aggression is not lawfully acquired. Likewise, State territory cannot be acquired in exercise of the right of self-defense. Also the law is clear that belligerent occupation of enemy territory does not confer territorial sovereignty upon the occupant.²⁶

He continues to say that the sovereignty remains in the

²⁶Hassan bin Talal, Palestinian Self-Determination: A Study of the West Bank and Gaza Strip (London: Quartet Books, Inc., 1981,), pp. 54-55.

occupied state and its residents. "Thus," he concludes, "the occupant acquires no sovereignty over the territory occupied but exercises military authority over it and prevents the legitimate sovereign exercising its authority in it."²⁷ In the case of Palestinian territory in the West Bank and Gaza, the land has not been ceded by either its inhabitants or any previous sovereign to the state of Israel and, therefore, its sovereignty remains in its people, the Palestinian Arabs. Other pertinent law is the Fourth Geneva Convention, which prohibits the moving of the occupier's own population into territory being occupied, and thereby presents a counter-argument to the claim of Israel that, by moving Israeli Jews into the territories Israel occupies, they will be able to "create facts" which will show that the population of the area is not entirely Arab and that the sovereignty is not, therefore, with the Arabs.

Many nation-states have come into existence, ceased to exist, or adjusted boundaries with other states, old or new, throughout history. Since World War II, a spate of new states have come into being throughout the world. The pace of nationalist movements' headlong rush to statehood has never been so rapid. Some list Zionism as the earliest of these movements, culminating in the creation of the

²⁷Ibid., p. 55.

State of Israel in 1948. It is, in fact, quite relevant to explore how that state, which had never before existed in terms of what might be called a modern nation-state, came into being. Many Palestinian leaders profess to have learned their political lessons from the Zionists and their early endeavors at creating the State of Israel.

Israel: Beginnings in Europe

Things were different when the State of Israel was created in 1948 by the United Nations, following ground-work laid by the then-defunct League of Nations. Let us examine how that state came into being. We should do this in an attempt to assess the legitimacy of the Palestinian Arab claim to statehood, whereby they claim the right to the land of their ancestors, upon which they were residing at the time of the creation of the Israeli state.

Prior to 1948, the entire Middle East had come under the rule of the Ottoman Empire for approximately 400 years, as the result of various conquests. With the break-up of that empire, spheres of influence were created and acknowledged to be only temporary. These so-called "mandates," established under the League of Nations, were exercised by the European nations victorious over the Ottoman Turks in the First World War. The mandate for Palestine was the responsibility of the British. At the time, the

population of Palestine was approximately two-thirds Arab and one-third Jewish, reflecting a Jewish increase that had taken place during the previous ten years. The Jewish population prior to the 1930s is placed by many credible sources as between six and ten percent of the total in the territory then known as Palestine.²⁸

Under Ottoman rule, there had not been much movement toward separate nationalisms. Any such tendencies were suppressed. The British were aware of the separate identities, differing religions, and other possible areas of contention between those living under the Mandate. But little was done to either encourage or suppress those feelings. The most successful means for distracting subjects from political thoughts was economic pressure in the form of taxes. The Ottomans taxed their subjects whenever the people thought of politics, historians note, making it necessary for them to work harder. This led to exhaustion and, in most cases, made people too tired to think of rebelling. This does not mean there were no nationalistic desires, but only that they were not brought to fruition. Local autonomy, under the Ottoman milliyet system, gave people an impression they were independent, even while being ruled from afar and paying

²⁸ David Hirst, The Gun and the Olive Branch (London: Futura, 1983), p. 132. Also Meron Benvenisti, The West Bank Data Project: A Survey of Israel's Policies (Washington, D.C.: American Enterprise Institute, 1981), p. 27.

a portion of their taxes to the Sultan. This was because larger portions of the money were being used by the local rulers of their region and there was only minimal interference in local affairs, as long as they behaved and paid the levied amounts.

The Zionist movement, at that time, was still small in Europe, sometimes gaining adherents and at other times being reviled, even by the Jewish communities it was attempting to recruit. According to Hirst, "Among the human wreckage of Hitler's war were some 300,000 Jewish survivors of the Holocaust. Few of them would," he states, "have gone to Palestine rather than the United States or Western Europe."²⁹

It took the horrors of Nazi Germany and the Holocaust to bring the goals of the Zionist leaders to fruition. The U.S. refused to accept large numbers of the refugees, and placed the burden of accepting large numbers of them on the shoulders of Palestine. It was in the wake of the Holocaust that the British Mandate authorities decided to turn the matter of the future of Palestine back to the League of Nations and its successor, the United Nations. Even the Balfour Declaration of 1917 had not been able to create the state for which the Zionists of Europe had so long been campaigning. In that

²⁹Hirst, *ibid.*, p. 114.

declaration, a British Lord, Arthur James Lord Balfour (1848-1930), wrote in a letter to Lord Rothschild the words, "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people."³⁰ This final series of events lent credibility to the Jewish claim that a safe haven was needed for their people. The United Nations was moved, through a series of circumstances well documented in many texts, to declare the solution to the problem of the Jewish refugees from Europe to be found in the land of Palestine, to which their ancestral linkages might possibly be traced.³¹

Needless to say, such a decision failed to take into consideration that the consequence of a partition of the land between its current Arab residents and the new refugees from Europe would create a new set of refugees, this time Palestinian Arabs. But the primary question plaguing Europe after the Second World War was reconstruction. The existence of thousands of starving, penniless refugees from Hitler's concentration camps was simply another problem Europe was being asked to solve.

³⁰For the full text of the letter known as the Balfour Declaration, refer to the Appendix.

³¹Various other documents leading to the world body's decision are also included in the Appendix.

Those refugees, some the sole survivors of their families, remained fearful of a return to the scenes of the horrors which they had experienced. Zionism, for these destitute souls, represented an escape, a "new life" in the land of their forefathers, a faraway place once known as Israel, but always called Palestine. That land contained Jerusalem, the city which they had been taught to toast annually (as part of the Passover celebration) by saying, "Next year in Jerusalem."

Even before the Balfour Declaration, the Jewish Agency had put forth the slogan proclaiming Israel as "a land without people for a people without land." This slogan is only a slight variation from the original statement made in 1901 by one of Theodor Herzl's contemporaries, Israel Zwingli, that the land of Palestine was really a "land without a people, waiting for a people without a land."³² The fact that an Arab population lived in Palestine, with roots dating back several centuries, never occurred to most of these desperate souls, clinging to a hope of a better life in a place where their recent horrors could be forgotten.

There is little doubt that the leaders of the Zionist movement were more familiar with this truth than were those they sought to lead. But it would have been

³²Hirst, Gun and Olive Branch, *ibid.*, p. 19.

self-defeating to advertise the fact that people already lived in Palestine. If potential immigrants to Palestine asked, they were told that "nomads" lived there, moving from place to place, but not owning, or claiming to own, property of their own. No mention was made of the existence of deeds or land-tenure documents, most of which dated back to the Ottoman era.

Today, there are many "unrecognized" Bedouin villages in Israel, all threatened with being bulldozed out of existence. In one, Husseiniyeh, located in the Galilee region, we spoke with Ta'ur Sawahed Hussein on August 27, 1991. He told us his grandfather had registered all the land of the village during the Ottoman Empire, as the Turkish rulers had wished them to do so.³³ The possession of tax receipts for property dating back to that period (at least 30 years before the creation of the State of Israel) is no guarantee, he said, of ownership for its Arab residents. It has been the policy of Israel to hold these documents as invalid proof of ownership, despite the fact that new arrivals from Europe had not so much as a slip of paper to prove that their own families had ever resided on the land, even generations before. And these Bedouins are also Israeli citizens, who even do their military service, as do any

³³Ta'ur Sawahed Hussein was interviewed by this author and a group in Husseiniyeh village on August 27, 1991.

of the other citizens of Israel. The difference, according to him, is that the Jewish citizens of Israel have more privileges because they are bestowed with the all-important "nationality" denied Israeli Arabs: They are Jewish.³⁴

According to Israeli peace activist Amos Gvirtz, a representative of the Fellowship of Reconciliation living on Kibbutz Shefayim, interviewed August 27, 1991, this sequence of events can be "compared with South African apartheid laws."³⁵ Mary Cook, an American working with the Arab Association for Human Rights (in Israel), states that "more than 93% of the land in Israel has been taken from Arabs."³⁶ The ironies of such interpretations of land ownership laws become greater when such books as The Thirteenth Tribe, by Arthur Koestler (Random House, 1976), refute the belief that world Jewry originated in the Middle East. Koestler contends that, caught between Western pressure to become Christian and Eastern pressure to adopt Islam, the ancient Khazar Empire which ruled from the Black Sea to the Caspian, chose instead to convert to Judaism, migrating to Poland and forming what has come to be known as the

³⁴Ibid.

³⁵Amos Gvirtz was interviewed by this author and a group at Kibbutz Shefayim on August 27, 1991.

³⁶Mary Cook was interviewed by this author and a group in Tel Aviv on August 26, 1991.

cradle of Western Jewry.³⁷ If this contention is correct, there is no historical genetic linkage of most European Jews to the land of Palestine or the ancient land of Israel. This gives rise to the question of God's promise, frequently used as justification for mass Jewish migration to Israel. To whom was the "promise" made? Jew by religion? Or by ethnicity?

Land, Borders, and Disputed Territory

It is important here to say a word about the significance of land in Arab culture. Because the Arab world is largely desert, all land sufficiently fertile to sustain agriculture, even if it requires intensive farming methods, has a very high value. To the Arab, land and water signify life. The possession of land, water, and animals hold such great significance in Arab culture that inheritance is often measured in these items, rather than in money, gold or silver. The loss of any of these items is mourned as the loss of life and denial of a future to one's heirs. One's whole life can be described in relation to land in the Middle East. This is yet another conflict between Jews and Arabs. Palestinians are often surprised that Jews could so easily leave their "homes" in Europe and then move into houses built by

³⁷Arthur Koestler, The Thirteenth Tribe (New York: Random House, 1976).

Arabs as their homes, while having no consideration for their true owners. One writer, John Ruskaya, a 1974 doctoral candidate in Middle East Politics at Columbia University, summarized as follows:

An often heard charge is one that holds that Palestine was a barren desert, a wasteland before the state of Israel was created. The Arabs have millions of acres of other land. Only anti-semitism among Arabs and Arab government manipulation of their people can explain the hostility to Israel's presence on this small strip of desert.

But the Arab perspective on this 'small strip of land' is quite different. Although Arab states control vast land areas, they are only able to live in a relatively small area. The availability of water is the basic fact of social and demographic life in the Middle East. The Arabs live on the banks of rivers, near the sea, or around oases, in areas of relatively high rainfall. The Arab people are located, for the most part, within a few miles of the Mediterranean in North Africa, in the Nile Valley, in the Tigris Euphrates River basin, and in the Levant, the Fertile Crescent, that area which today comprises parts of Israel, Lebanon, Western Syria, and Western and Northern Jordan. So the creation of the State of Israel was not from millions and millions of acres of unused land in the Arab World but rather from one of four relatively small areas where 80,000,000 Arabs live.³⁸

Palestine, which included in 1948 coastal plains, a fertile region in the north (Galilee), a warm climate with sandy topsoil covering fertile bottom-soil and ideal for citrus in the south (Gaza), and a rocky terrain with good climate in the Eastern hills (the West Bank of the Jordan River), was one of the prime agricultural areas,

³⁸ John Ruskaya, Fellowship magazine, December 1974, p. 6.

capable of sustaining its own population, as well as exporting crops and livestock to other areas of the Middle East less favorably endowed. Such a geography was conducive to more permanent living conditions. The large majority of the population of Palestine at the time of the creation of the state of Israel was a settled, not a nomadic, one.

Many descriptions of the fertility of the land of Palestine prior to the creation of the state of Israel attest to the fact that it was not the Jews who "made the desert bloom," as they so often claim. For example, in his book, A Bedouin Boyhood, Isaaq al-Diqs wrote in 1948,

In the early summer ... the wheatfields [in the Negev], lentils, and barley were yellow and ripe. Here and there I would see some newly reaped strips of land: they were clean, except for the big heaps of [wheat] ready to be carried either on camels or in the new carts pulled by mules.³⁹

The population of Palestine in 1948 was concentrated in several large cities, such as Jerusalem, Nablus, Khalil (Hebron), Acco, Nazareth, Haifa, Jaffa, Bethlehem, and Beit Jala. Many of these Arab communities consisted primarily of Christians, some of whom could trace their families' ownership of their homes to the time of Christ. These settled Arabs of Palestine, and the population of over 475 villages known to have existed at that time,

³⁹ Isaaq al-Diqs, A Bedouin Boyhood (New York: Praeger, 1948), p. 6.

could not be classified as nomadic. Nor could they be made to simply disappear, no matter how their presence seemed to complicate the situation for the newly-arriving Jewish settlers.

The last thing that the Jewish refugees from Hitler's concentration camps expected, or wanted, to encounter on their arrival in Palestine was a large native population which not only laid claim to the land the new immigrants wished to settle upon, but which was willing, if not ready, to resist its settlement. Even if we assume that the refugees did not wish to evict the rightful owners off their land, and that they did not know that there existed legal documents to prove such ownership, the effective result of the creation of the state of Israel was to take land away from those who had legal and documentary claim to it, and to place the land in the hands of European foreigners whose only claim to that particular land was that they believed their ancestors had once lived in the region, albeit under foreign (Roman, primarily) rule, nearly 2,000 years previously. This claim was coupled with United Nations approval, and bolstered by a religious faith that the land had been given them by God.

Did the proclamation of the United Nations that the state of Israel existed in the land of Palestine cause

the state to exist? Did it cause the previous claims to the land to become invalid? To explore this, let us look at the text of some relevant documents. The one most often cited as the basis for the establishment of the state of Israel is not, in truth, an official document at all. Following some discussions at the British cabinet level, and with consultation with some Jewish leaders, a letter was written by one British Lord, Arthur James Balfour, to Lord Rothschild. The date of the letter was November 2nd, 1917. The full content of the letter is as follows:

Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations, which has been submitted to, and approved by, the Cabinet.

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

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Yours sincerely,
Arthur James Balfour⁴⁰

⁴⁰This is the entire text of the Balfour Declaration.

There are several aspects of this letter which should be examined and analyzed carefully. First, we should note that the terminology used is to call this a "declaration of sympathy" and not a legally binding document. Then, we should take note of the phrase "a national home for the Jewish people," which could be broadly interpreted to either mean a nation-state or a place in which the "nation," composed of people with a specific Jewish identity would be able to have their homes. The fact that the term "in Palestine" comes directly after this might indicate that there was never any intent to create an entirely new state for the Jewish people. The commentary following this segment in regard to the protection of the rights of "non-Jewish communities in Palestine" tends to support the latter interpretation over the former. Finally, the fact that the rights of Jews living in other nations were to be protected and maintained infers that the British did not foresee the later attempts of the Israeli state to bring all Jews living in all parts of the world to the newly created state of Israel.

In August of 1919, the King-Crane Commission, appointed by President Woodrow Wilson, was formed to determine which of the Western nations should act as a mandatory power for Palestine, as well as the rest of the region.

In its comments on the Zionist program proposed for the region of Palestine, the Commission commented in Section 3, subsection (3) of its report:

For "a national home for the Jewish people" is not equivalent to making Palestine into a Jewish state; nor can the erection of such a state be accomplished without the gravest trespass upon the "civil and religious rights of existing non-Jewish communities in Palestine". The fact came out repeatedly in the Commission's conference with Jewish representatives, that the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine, by various forms of purchase.⁴¹

The Commission's report took note of the fact that "it is to be remembered that the non-Jewish population of Palestine--nearly nine-tenths of the whole--are emphatically against the entire Zionist program."⁴² The Commission went on to say that "the initial claim, often submitted by Zionist representatives, that they have a 'right' to Palestine, based on an occupation of two thousand years ago, can hardly be seriously considered."⁴³ They recommended a "greatly reduced Zionist program" be allowed to be supported at the upcoming Peace Conference, and called for the inclusion of Palestine within the proposed Syrian state.⁴⁴

⁴¹Recommendations of the King-Crane Commission (1919) are from The Israel-Arab Reader (New York: Bantam Books, 1969). Complete text is in the Appendix.

⁴²Ibid.

⁴³Ibid.

⁴⁴Ibid.

The British obtained the mandate for Palestine, while the French obtained the mandate for Syria and Lebanon, directly affecting the character of those lands. But the British faced not only the project of attempting to help the population of the land to become self-sufficient and able to govern itself before the expiration of the mandate, but also the problem of dealing with two separate populations, both hostile to one another, and neither amenable to compromise.

A Royal Commission headed by Lord Peel was appointed in 1936, following disturbances in Palestine. The report of the Commission stated that the problem was largely due to the unacceptance by the Arabs of the presence of the Jewish people on their land and their own hope for independence. In light of this, the Peel Commission recommended partition of the land between the two parties, predicting that they were not able to get along together. Their partition plan would have granted the Jewish people about 20 percent of the land, while the Arabs got 80 percent. This was more in keeping with the historical percentages on the land. But the Arab portion was to unite with Transjordan, and not to become a separate state. This, of course, was unacceptable to the Arab leadership, who felt that the Palestinians were a distinct people, and that the

most fertile land was also being allocated to the Jewish people.⁴⁵

As the British mandate over Palestine was coming to a close, increasing illegal immigration of Jewish refugees from Europe into Palestine was leading to greater levels of friction between the two populations. A series of incidents between the newly arrived Jewish population and the longtime Arab residents led many in the British contingent to believe that separation of the two peoples would be necessary to prevent further bloodshed. Despite the recommendation of British officials residing in Palestine and the creation of a Palestine Partition Committee engaged to study the feasibility of separating the land into two states, that Commission reported in 1938, and the British government accepted the conclusion, that the partition of the land would not be possible.⁴⁶ The reason: Although it was anticipated that the Jewish state would be economically viable, such a prediction was not made for any Arab state which might result.

As a result of the failure to separate the two peoples, hostilities continued, and their level continued to rise. Then, on May 17, 1939, the British government

⁴⁵Information from the Report of the Palestine Royal Commission (Peel Commission) (1937) is taken from The Israel-Arab Reader, *ibid.*, p. 57. The full report can be found in the Appendix.

⁴⁶*Ibid.*, British Statement of Policy, 1938. The full text can also be found in the Appendix.

issued a White Paper in which the first possibility of creating a Jewish state, rather than simply a "homeland" for the Jews, in the land of Palestine was mentioned. At the same time, the White Paper included limits on the number of Jewish refugees who would be allowed to immigrate to Palestine. The maximum rate for the next five years was set at 15,000 immigrants per year.⁴⁷

There are many who believe that the failure of the Jewish leadership to abide by these limits is a direct cause of the many years of conflict in the land of Palestine. Whether or not a state was to be created, flooding the land with refugees, attempting to "settle" massive numbers of them on land already owned by others, was bound to create animosity.

The authors of the White Paper also considered the nature of the Jewish homeland and, although they spoke of the creation of a state, they clearly did not advocate it.

I. 5. ... When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a

⁴⁷The White Paper formula specified 10,000 immigrants each year for five years, and an immediate influx of 25,000 immigrants, for a total of 75,000 immigrants, with the 25,000 figure being allocated specifically to the category of "refugees." Ibid., p. 74. Full text is in the Appendix.

whole may take, on ground of religion and race, an interest and a pride.⁴⁸

As of that date, there were approximately, according to the White Paper, 450,000 Jews in Palestine, or approximately one-third of the population of the land. More than 300,000 of them had arrived, the document disclosed, since 1922. But, despite the failure to urge that Palestine become a Jewish state, it was also urged that it not become an Arab state. It was suggested that the Mandate not end until it was possible for the Arabs and the Jews to govern the area together.⁴⁹ This can be seen as an early vote in favor of creating what later came to be called a "secular, democratic state". The idea was firmly rejected by the Jewish people once the State of Israel had been declared.

Another important part of the White Paper declared that the immigration of Jews into Palestine should not be in such great numbers as to "exceed whatever may be the economic capacity of the country at the time to absorb new arrivals."⁵⁰ This particular clause was never adhered to, and the failure to abide by such a practical standard has caused much grief and hardship for many of the region's occupants over the years.

⁴⁸Ibid.

⁴⁹Ibid., p. 75.

⁵⁰Ibid.

In numerous other documents produced by various commissions and government study groups, the same principles were brought forward, all the way through 1947. During that period, the Jewish advocates of statehood continued to insist on the right of unlimited immigration to Palestine for Jewish people from all over the world, while the Arabs of Palestine continued to resist such immigration and to oppose it, sometimes with physical force. Numerous incidents occurred in which many were injured, and even killed, on both sides. These incidents served only to increase the levels of tension and to create stronger resistance from each of the groups, as they stood up for what they believed to be their legitimate rights in the land of Palestine. Although a strong case could be made for bi-nationalism, the controversies made this impossible.

It was in this environment that the matter was turned over the United Nations for final decision. The British government turned the matter over to the international body on February 14, 1947. The United Nations' first move was to set up the United Nations Special Committee on Palestine (U.N.S.C.O.P.), which was composed of members from eleven member states.⁵¹ The result was a plan to partition the land of Palestine between its Arab

⁵¹The first report of the United Nations Special Committee on Palestine (U.N.S.C.O.P.) was issued on August 31, 1947. See Appendix for its text.

and Jewish residents, with economic union between the two separate entities. Although the Jewish Agency, representing world Jewry at the time, was amenable to such an agreement, the Arab governments and the Arab Higher Executive rejected it. Despite this disagreement, the U.N. General Assembly endorsed the Partition Plan by a vote of thirty-three to thirteen on November 29, 1947. The two-thirds majority included both the Soviet Union and the United States, but Britain did not agree. It was still Britain's contention that it was not possible for two viable states to exist on the land and govern themselves well.⁵²

Under the Partition Plan, Palestine was to be divided into an Arab State, a Jewish State, and the City of Jerusalem. Following a two-year transitional period beginning on September 1, 1947, the Arab and Jewish states would become independent. Each was to adopt a constitution comporting with U.N. recommendations and declare to the United Nations that they would make certain guarantees pertaining to the other party. They were also to sign a treaty establishing economic collaboration, thereby creating the economic union of Palestine. The United

⁵²The text of the Partition Plan was issued on November 29, 1947. The full content of the plan can be found in the Appendix.

Kingdom was to administer Palestine during the transitional period, under the supervision and auspices of the United Nations. Constituent assemblies of both the new states were to be drawn up and their duty was to draft the proposed constitutions. (See Appendix.)

Also under the Partition Plan, the city of Jerusalem was to be placed under the International Trusteeship System by means of a Trusteeship Agreement, following the transition period, and the United Nations would be the Administering Authority. Boundaries were proposed for each of the states, as well as for the City of Jerusalem. At the same time, a minority proposal for the establishment of a united federal state comprising all of the area of Palestine was submitted. It did not achieve sufficient support to come into being. Therefore, the will of the United Nations was that a two-state solution to the question of Palestine should take place, to be supervised by the United Kingdom, with assistance from the United Nations.

There has been much speculation regarding what might have happened if the United Nations had chosen any other method of dealing with the question of Palestine. Many in the international body believe that the Partition Plan was a grave mistake, since there was not sufficient thought given to how to enforce its provisions. There was certainly no physical force or pressure available to

deal with the level of tensions created by the attempt to impose its provisions upon the two peoples. Typical of the commentaries made within and outside the United Nations regarding what has happened since proclamation of the Partition Plan is this one, made official in U.N. Doc. 89-04264, coming out of the United Nations Symposium on the Inalienable Rights of the Palestinian People, held in 1989 and attended by a variety of international non-governmental organizations:

The question of Palestine has been inseparably linked with the activities of the United Nations. On 29 November 1947, resolution 181 (II) was adopted by the General Assembly, by which the British Mandate was to end and two States, one Arab and one Jewish, were to be established. Jerusalem was to be a corpus separatum under a special international regime. Economic unity and the safeguarding of fundamental rights were to be ensured. But over 40 years after its adoption, the resolution had yet to be implemented in full. That resolution had been implemented allowing for the creation of the Jewish state, but its full implementation required also the creation of the Arab State envisaged in the resolution.⁵⁴

It is obvious that the intent was to create two states, one Arab and one Jewish. This situation would have created displacement of many thousands of Palestinians, but they would have been going to a state of their own, on a portion of the original land of Palestine. Their share

⁵⁴U.N. Doc. 89-04264, a commentary resulting from the United Nations Symposium on the Inalienable Rights of the Palestinian People, held at the United Nations, New York, July 1989.

of the land was less than one-half, and it is this fact that led to Arab rejection of the Partition Plan and the subsequent war of 1948, which ultimately made the Arabs' potential share even smaller than had been anticipated in the original resolution.

Israel made its Proclamation of Independence in Tel Aviv on May 14, 1948. (See Appendix.) A Provisional State Council existed at that time, and later became the body today known as Knesset. It is important to note that Israel's Proclamation of Independence declared it to be a Jewish state, and opened immigration to all "Jews from all countries of their dispersion," but did not welcome others to its shores. Although the document stated a willingness to cooperate with the United Nations in the implementation of the resolution for partition, that was not to be the case. War broke out, an inevitable result of the failure of the Arab states to recognize the political circumstances which had led to their separation from their lands, which they had lived upon for hundreds of years. The creation of a state openly proclaiming itself to be Jewish, they reasoned, would eventually lead to their exclusion, or their treatment as second class citizens. The Law of Return, Promulgated on July 5, 1950 by Israel, made massive Jewish immigration possible, while not allowing for the immigration of other groups. This proved the Arab point was well taken.

Following the War of 1948, the United Nations issued its Resolution on the Internationalization of Jerusalem. It was hoped that the implementation of the resolution would somehow make up for some of the injustices done to the Arabs who had become refugees in their own land. But, to this date, such implementation has never taken effect.

To evaluate the Arab perspective on what had taken place, let us again refer to the work of Jordan's Crown Prince, Hassan bin Talal:

Israel relied upon those parts of the UN Partition Plan of 1947 which were favourable to its new statehood. It disregarded the remainder. Its historic right had minimal legal validity. Its natural right is ambiguous and amorphous. It could refer to the fact of its existence on 14 May 1948, which was problematic, or to its exercise of a right of self-determination of peoples. If so, it ignored the Arab population of Palestine, Moslem and Christian, whose right of self-determination was no less. Israel avoided referring to its frontiers. The omission was deliberate.⁵⁵

To this day, Israel has never proclaimed any border, and the Arab states around her believe that the state of Israel is expansionist in nature, as evidenced by its acquisition of territory by force during the 1967 war and its subsequent invasion and colonization of the south of Lebanon since 1982. But even these occupations of Arab lands have not nullified the rights of the Arab inhabitants of the areas to their own self-determination, which is a value

55

Talal, *ibid.*, p. 63.

braodly recognized today within the international community. It is advocated in the basic documents of the United Nations. But, in practice, self-determination is an ideal to be hoped for, while the reality of power politics often makes it a nearly impossible goal. The powerful determine the manner in which the powerless, or less powerful, will be ruled. This equation can be changed when the power of world public opinion, or pressure from more powerful nations, is brought into play.

Again, taking the statements from Hassan bin Talal, we can examine the Arab viewpoint, which is much in keeping with the international legal status regarding belligerent occupations (those resulting from hostilities).

The inhabitants of the Mandated area of Palestine were not deprived of their right of self-determination by the termination of the Mandate. On the contrary, that right became active, in possession and not in futuro, and more meaningful. ... It is probably common ground between the disputants that the territory under scrutiny was not terra nullius at any time since 1920. Territorial sovereignty had been relinquished by the Ottoman Empire, but from 1920 it was destined for the inhabitants. In 1948-9 both Israel and Jordan gained effective control and authority in their separate parts of the Mandate territory of Palestine.⁵⁶

Further, we should examine the words of David Ben-Gurion, admired by many Jews the world over as one of the greatest statesmen their people have ever produced:

⁵⁶Ibid., pp. 76-77.

There is a principle known as the right of self-determination; we have ever been proponents of and fighters for this principle. We are fully in favor of the right of self-determination for every people, for every part of a people, for every group of persons; and the Arab people in Eretz Israel certainly has the right of self-determination. Nor is this right limited by or dependent on the effect it has on us and our cause. The Arabs' freedom of self-determination should not be reduced for fear lest it make our work more difficult. ... Just as we want the Jewish people to be its own master and to be able to determine its own historic fate without depending on the will, even the good will, of other nations, so must we demand the same for the Arabs. ... The Arabs' rights derive from their own interests and needs, and they rest on general human principles. It may be that the fulfillment of Arab aspirations and self-determination will make our situation that much more difficult, but that cannot serve as a basis for denying the Arabs their rights. ... Only one kind of politics may be practiced by Zionism: that which can stand up to moral scrutiny. There can therefore be no doubt as to the Arab inhabitants' right of self-determination. We must recognize it and give it our support.⁵⁷

It is interesting to look at how far from that initial vision of the State of Israel the modern state has drifted. Instead of two nations in the territory of Palestine, both sovereign and democratic, the State of Israel exists, while the national aspirations of the Arabs of Palestine, the indigenous people of the region, have not been realized. Instead, many of the negative behaviors which Ben-Gurion warned against have become commonplace, magnifying the friction between the two communities and intensifying the level of conflict. Instead of learning

⁵⁷ David Ben-Gurion, "Our Neighbors and Ourselves" (or "We and Our Neighbors") [Anahnu U'Sheineinu], Tel Aviv, Davar, 1929 (Hebrew). Reprinted in Al Hamishmar, 16 May 1986 [translated].

to tolerate one another, the level of tolerance has decreased and the sense of alienation has increased on both sides.

Because only one of the two envisioned states came into being, those who identify themselves as Palestinian Arabs find themselves increasingly more insecure, more oppressed, and less amenable to compromise. While under Jordanian rule between 1948 and 1967, Palestinians did not have those feelings. Their language was spoken, they took part in the social and political life of the state, and their communities received essential services. Let us examine some of the Israeli actions which tend to exacerbate the negative feelings listed above. We should look first at human rights abuses.

Al Haq, formerly known as Law in the Service of Man, the West Bank Affiliate of the International Commission of Jurists, is probably the best known and most respected human rights organization operating within the State of Israel and the Occupied Territories. According to their Newsletter No. 19, published in May-June 1987,

As a human rights organisation, al-Haq endeavours to support the human rights of the Palestinian population under occupation. Al-Haq has documented in the past serious violations of such rights, including torture and maltreatment in prisons, administrative punishments like deportations and house demolitions, censorship of publications, and repression of trade union activities. In al-Haq's view, the fundamental problem which gives rise to these violations--a problem that is rarely voiced in discussions about

the Palestinian-Israeli conflict--is the systematic colonisation of the West Bank and Gaza: a consistent expropriation of Palestinian lands, exploitation of human and material resources, and undermining of the social and physical infrastructure. This goes hand in hand with a refusal on the part of the occupier to maintain the status quo in the Occupied Territories, much less to allow the area's development in a manner beneficial to its population or to agree to negotiate seriously the Territories' final disposition.⁵⁸

Although it is true that the Palestinians in 1948 rejected the proposed Partition Plan, this rejection is often brought up as justification for denying them a right to a separate state today, although irrelevant to current events. We should examine the reasons for the early rejection of the proposal, which range from demographic through historical ones. Some of them have already been touched upon in this paper, but a few more statistics may be helpful here for clarification. The following statistics regarding the Partition Plan may be the most relevant:

Palestine comprises some 10,000 square miles. Of this, the Arabs were to retain 4,300 square miles while the Jews, who represented one-third of the population and owned some 6 per cent of the land, were allotted 5,700 square miles. The Jews also got the better land; they were to have the fertile coastal belt while the Arabs were to make do, for the most part, with the hills.⁵⁹

Add to this the fact that documents granting land title to the Arabs existed, and that very few of the Arabs

⁵⁸Al Haq/Law in the Service of Man, Newsletter No. 19, May-June 1987, p. 3.

⁵⁹Hirst, Gun and Olive Branch, *ibid.*, p. 132.

whose land was to become a part of the "Jewish state" were ever compensated for the land which was taken.⁶⁰ In his book, The Gun and the Olive Branch, David Hirst details some of the many ways in which the new state of Israel managed to avoid paying compensation. It can be seen that these tactics only served to increase the animosity between the settlers and the newly landless Arab refugees:

It was Herzl himself ... who first proposed that the problem of the Arabs should be solved by their physical removal from their homeland. ... In reality a 'population transfer' was never far from their thoughts. ...

Already, in the thirties, they had begun pressing the case for a forcible transfer of the Arabs.⁶¹

Such a transfer was to be carried out forcibly if the Arabs would not leave willingly. In order to make them more willing, massacres were engineered at Deir Yassin and elsewhere in order to frighten the Arabs off their land. To a certain extent, such tactics were successful. The Deir Yassin event occurred on April 9, 1948 and the following morning, according to Israeli figures, approximately 240 people were dead, including men, women, and children. Thousands of Arabs fled the region in fear and were unable to return.

The Arabs had a tremendous feeling of loss and betrayal, which might have been lessened if compensation

⁶⁰ Palestine Human Rights Information Center, Jerusalem, 1991.

⁶¹ Hirst, *ibid.*, p. 132.

had been fairly allotted. But, to many Arabs, nothing could compensate them for the loss of lands upon which their whole family history could be based. Numerous other factors also impacted upon the outcome of these events, not the least of which was the disruption caused to neighboring states-- Syria, Jordan, Lebanon, and Egypt--to which the refugees fled. These states found it impossible to absorb the flood of refugees. The newly dispossessed Palestinians needed all of the services the states already made available to their citizens, as well as a means to earn a livelihood. Their reception varied in each of these nations, but everywhere the belief was that their stay would be only temporary, for Palestine was their homeland and they would be going home.

But, alas, this was not to be. And the neighboring states, hard-put to accommodate the refugees, set about to find a way to assist in their repatriation. To this end, wars were fought, as well as many minor skirmishes which did not escalate into wars. The most significant of these was the 1967 War (or the 6-Day War, as the Israelis refer to it). It was by means of this war that the occupation of the West Bank and the Gaza Strip came about. And it is significant that, to this day, the war is known in Arabic as "the second catastrophe," the first having been the creation of the Israeli state and the subsequent disinheritance from their land.

The end result of all of the wars fought over the territory has been that none of the land formerly known as Palestine remains under Arab jurisdiction, or sovereignty. Instead, those who rule in the land are mostly foreign-born. This is beginning to change, however, since "sabras," those Jewish people who have been born inside Israel since the creation of the state, are reaching the age when their political activity is achieving its early peaks. Those born during 1948 are in their early 40s and have begun to take seats in Knesset elections. Despite arguments from some Israeli quarters that Jordan is Palestine, there is little real support for such a theory, and therefore this theory is not a subject for this paper.

One of the greatest ironies of the region is that the Israelis refer to the Palestinian Arabs, both in conversations and in the press, as "foreigners". Another common term used inside Israel, where only 17 percent of the citizens are Arab, is "the minorities," an incredible choice of terms in a land that was 93 percent Arab only three-quarters of a century ago! Palestinians often refer to themselves as "the disinherited," while others draw the analogy of being like the "red Indians" of the United States.⁶²

⁶²Walid Fahoum, Palestinian attorney, personal interview with the author, Jerusalem, July 1985.

Superpower Role

Despite the apparent injustice of such a situation, neither the other Arab states nor the superpowers have moved dramatically to assist the Palestinian Arabs in regaining even a portion of their land. Diplomacy cannot be ruled out, nor should it be. The truth is that, despite claims to the contrary, diplomacy is the one solution that has not been tried. And, sadly, the greatest obstacle to the implementation of a diplomatic solution for many years has been the United States. According to Noam Chomsky, professor of linguistics at the Massachusetts Institute of Technology and well-known author who, as a Jew, has often been critical of the way Middle East politics is carried out:

With regard to US policy towards the region, two views have been counterpoised in Israel. The first has been developed in several publications by former military intelligence chief Yehoshafat Harkabi, who sharply criticizes the common belief in Israel "that our services to the United States are so vital that the United States will continue to support us, whatever we do," so that US criticisms of Israel are not to be taken seriously but are merely "performance of a duty and throwing sand in the eyes of the Arabs" in the course of a "family quarrel," tactical and not strategic, and we will soon have our way.⁶³

Chomsky goes on to state the second position, which he describes as being expressed clearly in a headline in

⁶³ Noam Chomsky, "Israel's Role in U.S. Foreign Policy," in Intifada, edited by Zachary Lockman and Joel Beinin (Boston: South End Press, 1989), p. 255.

the Israeli newspaper Yediot Ahronot, following the U.S. presidential elections of 1984: "Jewish money buys the vote."⁶⁴ Such an implication has not been lost on the Bush administration, which has repeatedly, in its attempts to forestall the stalemate over comprehensive Middle East peace talks, accused the Israeli government of intransigence. For the first time in over three decades, the U.S. in 1991 put a stop, however temporary, to the concept that the U.S. will approve any request for financial assistance made by the state of Israel, without any oversight as to where those funds will go. The mere fungibility of those monies, according to U.S. Consul Mollie Williamson, chief of the U.S. diplomatic mission in West Jerusalem, creates a situation where the "sense of complicity is wrenching."⁶⁵

Former American Friends Service Committee representative in the Middle East Ron Young says:

There is little support for the idea that the United States can or should impose a settlement in the Middle East, but there is widespread agreement that a peace settlement is extremely unlikely without direct U.S. encouragement and support. While both Arab and Israeli leaders at times turn to the United States for help as a way to avoid taking the difficult steps toward peace which they must take, nevertheless, U.S. policy is a very important factor in the search for peace in the Middle East. U.S. influence in the region is such that whatever the United

⁶⁴ Ibid.

⁶⁵ Mollie Williamson, U.S. Consul, interviewed by author and a group in West Jerusalem, August 30, 1991.

States does or does not do in relation to the conflict has significant effects on prospects for peace.⁶⁶

As has become clear since the invasion of Kuwait by Iraq on August 2, 1990, the U.S. lacks credibility with many of the peoples of the Arab world and is not viewed by them as an honest broker in the Israeli-Arab conflict. It is important to remember that the Arab leadership with whom the U.S. frequently deals is not an elected one. Even in conservative states like Saudi Arabia, Kuwait, and the United Arab Emirates, where monarchs rule and the press is regulated by the government, the common people have tended to believe a solution to the conflict will not be found by other nations negotiating on behalf of the Palestinians, but that the dispute is between Israel and the Palestinians and will be solved only by direct negotiations between the two parties. For this reason, the two-track approach in Secretary of State James Baker's shuttle diplomacy, and the subsequent peace talks stemming from this approach, is believed to be on the right track. But there remains a high level of skepticism about the ability of Baker to "pull it off."

This view finds support even in Israel, among peace activists and some of those who would take a centrist view in regard to the conflict. It is bolstered by the massive

⁶⁶Ronald J. Young, Missed Opportunities for Peace: U.S. Middle East Policy 1981-1986 (Philadelphia: American Friends Service Committee, 1987), p. 3.

amounts of aid provided by the U.S. government to the State of Israel, the lack of oversight of these funds as to the human rights record of the Israeli state, and the fact that the U.S. has wielded the veto power it possesses in the U.N. Security Council for many years as a defensive weapon to protect Israel by stifling international criticism of that state, thereby encouraging Israeli repression of those Arabs living under Israeli control and tending also to encourage Israeli intransigence in regard to the peace process as a whole.

The Soviet Union, on the other hand, as an early supporter of Israel--at least while the state followed a socialist line--soon saw the writing on the wall. Since 1967, Soviet-Israeli relations did not exist, and only recently have relations begun to thaw with the end of the Cold War and the freedom to emigrate from the U.S.S.R. which was finally afforded Soviet Jews shortly before the collapse of the Soviet Union. The Arabs have in the past benefitted more from the Soviet ability to provide balance against the one-sidedness of the U.S. in its support for Israel than from any material assistance from the other superpower. In spite of their superior numbers and the moral support provided by the Soviets, the Arab states have never triumphed in any dispute with Israel. The closest

to a triumph was the 1973 October War, in which it might be said that Egypt was in an advantageous position because it did not lose, although it also did not win in that conflict.

The unsuccessful coup attempt which took place in the Soviet Union in August of 1991 was applauded by many Palestinians who believed restoration of a hard-line communist regime in the U.S.S.R. would result in a return to a balance of power between the two superpowers. This was interpreted negatively by Israel as anti-democratic sentiment. Palestinian leadership and intellectuals preferred to view the coup attempt as an "internal matter" to be solved within the Soviet Union, regardless of its affects on the Middle East conflict.⁶⁷

Despite the U.S. contention that it has the support of the Arab world in its new peace initiative following the Gulf War--an initiative which would provide Israel with separate peace agreements with many of the Arab states--there are some important factors which the U.S. seems to be neglecting in regard to whether the proposal would have any chance of success:

1. Ultimately, the Palestinians are unlikely to allow any entity other than the PLO to represent them officially, and the only other Palestinian

⁶⁷Al Fajr (English), August 12, 1991, p. 6.

organization claiming any significant support (primarily in the Gaza Strip) is Hamas, an off-shoot of the Islamic Brotherhood, an Islamic fundamentalist group which does not recognize Israel's right to exist and which has vowed not to negotiate with Israel. At least the PLO has recognized Israel and has repeatedly called for negotiations. Israel has hardline supporters of the "Jordan is Palestine" theory, and prefers to negotiate with a Jordanian team, something which might result in minimal concessions of territory and maximal "transfer" of the population, the word "transfer" being a euphemism for forced expulsion, usually to Jordan.

2. Even though all of the "confrontation states" sharing a common border with Israel have agreed to enter into negotiations, and have attended at least some of the early sessions, they may be unwilling to continue to participate if the PLO is to be entirely excluded from the process, or if the Palestinians are denied a separate delegation or a separate negotiating track with the Israelis. Under the current negotiating agreement, Palestinians are only conducting certain portions of the talks as a separate delegation, and the rest in a joint format with Jordan as the other portion of their negotiating team. They are in a

disadvantageous position due to their lack of recognition by the Israelis as a separate nation, and due to Israel's insistence that they are only part of a joint Jordanian-Palestinian delegation. The fact that Israel has refused to recognize the statehood of Palestine, despite its recognition by 126 states, more than officially recognize Israel, is a further negative factor. The PLO is present, though unofficially, for now.

3. The bringing in of Syria as a player in the negotiations is viewed as a step forward, since it has been the chief supporter of the more militant factions, such as the Popular Front for the Liberation of Palestine (PFLP), the Popular Front--General Command, as Saiqqa, and the Palestine Liberation Front (P.L.F.), which have opposed the mainline Fatah branch, mainly opposing Fatah's "moderation." The reputation and credibility of Syria's Hafez al-Assad, who brutally slaughtered an estimated 20,000 of his own citizens in the town of Hama in February 1982⁶⁸ might also be called into question, as it was by the Israeli Prime Minister. This, of course, led the Syrian representative to bring up Yitzhak Shamir's background as a

⁶⁸Thomas L. Friedman, From Beirut to Jerusalem (New York: Anchor Books, 1989), p. 76.

member of a terrorist organization during the period before and during the creation of the state of Israel. It has become obvious that the role of Syria is crucial in these negotiations, because the Golan Heights is an occupied territory (despite its unilateral annexation by Israel), and leaving it in dispute would mean there was really no resolution to the conflict. But Syria could also be the nation which is able to prevent the talks from going forward or to endanger all possibilities of a "comprehensive" peace.

4. Despite the U.S. belief that the leaders of the states making up the Gulf Cooperation Council--Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, and the United Arab Emirates (UAE)--represent the views of their people, the U.S. Administration seems to forget that these are all absolute monarchies and do not claim to be representative governments. Making peace with the Israelis without a just outcome on behalf of the Palestinians would have repercussions for each of these regimes. Rather than leading to regional stability, the U.S. would see various "friendly nations" lose their credibility within the Arab world and many of those regimes might be overthrown. This would be a less-than-desirable outcome for both the U.S. and

Israel, as regional stability would not be assured. The wide gap between rich and poor in all of the Gulf states should be taken into account, and the regimes should not be the only ones consulted in regard to the implications of any possible outcome of the peace talks. Their populations tend to be far more sympathetic to the plight of the Palestinians.

5. Even if the peace process were to move forward without the PLO, any settlement reached without their participation, or at least their concurrence, would be doomed to failure. Such a settlement would not have their full commitment, might not have their interests at heart, and surely would exclude at least some of the elements which they would have considered essential to a peace settlement. In excluding one of the major parties from the negotiations (largely at the request of the other major party, Israel), the process would be seriously damaged. The probability of a new war breaking out as a result of a high level of dissatisfaction created would be greatly increased, according to Israeli, Arab, and other analysts. The Palestinian delegation has been very forthright in asserting their right to consult with the PLO at every juncture, something which has been done to assure widespread approval of participation in the process from the large majority

of those Palestinians living inside the occupied areas, since it has always been their belief that the PLO is their "sole, legitimate representative." Without PLO consent, there would be no Palestinian agreement to any solution, and this would not be a real peace.

A Conflict of Nationalisms

It is safe to say that the major reason there is an Arab-Israeli dispute is because there is a conflict of two distinct nationalisms, one Jewish, the other Palestinian Arab, both hoping to exercise their sovereignty over the same soil, and each claiming to be the legitimate one to do so. When two nationalisms are in conflict, there is always the likelihood that even small problems will be intensified. The longer such conflict is allowed to continue, the more complex become the procedures necessary to reach a solution which will satisfy at least the major needs and desires of both sides, and the less likely either side is to willingly sacrifice any of its cherished desires. This is especially true when a belligerent occupation exists and the occupying power is intent on "creating facts" (i.e., building new housing and transferring its own nationals into the occupied and/or disputed territory). Such additional stresses upon the situation tend to further

escalate tensions and to create additional work for those attempting to negotiate an equitable solution to the conflict. The objective of this paper is to present a possible means by which the maximum desires of both sides in this particular conflict can be met, with the minimum of pain, suffering, and inconvenience to the other. This is not an easy task, but it is one which must be done, and the sooner it is attempted, the greater the chances for its success.

CHAPTER 3
SUPERPOWER AND CONFRONTATION STATE
ROLES IN THE PEACE TALKS

A basic assertion of this paper is the centrality of the issue of peace between Israel and the Palestinians. But, as has been mentioned, Israel is insistent that there will be no peace in the region unless it is a comprehensive agreement, at least one which brings peace to all of Israel's borders. Given this fact, it would be impossible to neglect the role of the so-called confrontation states in this process. As mentioned before, those states are Syria, Lebanon, and Jordan. The remaining state sharing a mutual border with Israel is Egypt and, although a peace agreement already exists between Israel and that southern neighbor, improving relations between Egypt and Israel will also be discussed briefly.

Each of the confrontation states has reasons to desire peace with Israel, but each one has its separate conditions, based on realities as well as needs. Acknowledging this, Israel has undertaken separate peace talks with each of these states. These separate "tracks" of peace talks, although essential, have their own problems.

It will be impossible for any of them to proceed without at least some difficulties. But proceed they must, and all must succeed, or Israel threatens to invalidate or stall any other agreements reached.

Here, we will examine what each of these important neighboring states will require in order to make peace with Israel, what Israel expects from each of them, and how these wishes and expectations impact against the other on-going negotiations.

Finally, this chapter will discuss the role of the United States and the former Soviet Union, the co-conveners of the peace talks. As the role of the United States as a financial sponsor of Israel diminishes, and the role of the former Soviet Union as arms supplier to Syria has already done so, both nations could find themselves in the position of possibly being viewed, finally, as honest brokers in the region. Yet, since financing on-going military efforts may be deemed by all the parties to be important until such time as a peace agreement is hammered out, certain shifts in alliances have been turning up. For instance, Israel has been courting China, and Syria decided to participate in the anti-Iraq coalition during the Gulf War, probably to mend fences with the United States. How these shifting alliances affect the role of the superpowers will be discussed as well.

Lebanon

For many years, Lebanon prided itself on its ability to remain aloof from the Israeli-Arab conflict. Even though Lebanon accepted large numbers of Palestinian refugees in 1948, as well as significant numbers of additional refugees in 1967, it did not take part in the 1967 conflict. It was only a minimal participant in the 1948 war, as indicated by this information from Simha Flapan, founder and editor-in-chief of the monthly New Outlook, a peace-oriented magazine published in Tel Aviv:⁶⁹

... the Israelis were not outnumbered. In spite of differences in their estimates, particularly over Jewish figures, various observers agree on this fact. Below are three such estimates, from Jon and David Kimche, a Jewish, pro-Israeli source; John Bagot Glubb, a British source; and Walid Khalidi, a Palestinian source. The figures are for May 15, 1948.

	Kimche	Glubb	Khalidi
1. Palestine Arabs	---	----	2,563
2. Qawukji's ALA	2,000	----	3,830
3. Egypt	10,000	10,000	2,800
4. Transjordan	4,500	4,500	4,500
5. Iraq	3,000	3,000	4,000
6. Syria	3,000	3,000	1,876
7. Lebanon	1,000	1,000	700
Total Arab Forces	<u>23,500</u>	<u>21,500</u>	<u>20,269</u>
Israel:	25,000	65,000	27,000
			+ 90,000

Two things should be noted from these figures. First, the Lebanese claim of non-participation in the 1948 War, although not entirely accurate, is a reminder of the

⁶⁹ Simha Flapan, The Birth of Israel: Myths and Realities (New York: Pantheon Books, 1987), pp. 195-196.

insignificant number of troops they sent to the conflict. Secondly, the "+90,000" figure on the bottom of the table is the total of Western European forces, including Jews who arrived from Europe to participate in the war, who fought for Israel.

As might be expected, the unrest of the refugees in Lebanon grew, and a new generation was born into the squallor of the camps. Attacks and counter-attacks across the northern border of Israel began. The Israeli government protested when Katyusha rockets were fired into towns in the Galilee region. Retaliatory attacks were always made with the aim of proving that Israel operated from a position of strength. Since civilian areas of Israel had been hit, most retaliatory attacks into Lebanon were aimed at civilian targets as well: refugee camps, towns, or villages in the general area from which the rockets had been fired. Israel often attacked from the air.

In 1978, following a series of cross-border exchanges Israeli troops invaded South Lebanon, sending much of the population, both Palestinian and Lebanese, fleeing for their lives. No reliable statistics are available on the number of deaths or the extent of injuries or property destruction resulting from that invasion. Following strong protests from the international community, and urgings to

respect the territorial integrity and sovereignty of her northern neighbor, Israel was compelled to withdraw her troops.

But the cross-border clashes did not stop entirely. From mid-1981 to mid-1982, though, the number of attacks from the Lebanese side of the border was reduced to nearly zero, an order having gone out from Yasser Arafat of the PLO to refrain from such exercises.⁷⁰ But, despite this situation, the Israelis continued to fire their own weapons into South Lebanon, seemingly to provoke some response from the Arabs. Finally, after several of these one-sided attacks, Palestinians responded by firing three Katyushas into the northern Israeli city of Nahariya.

This was all of the "provocation" needed for Ariel ("Arik") Sharon, Israel's Minister for Commerce and Industry under the 1988-1992 Israeli government led by Likud, to put into effect a plan which had been on the boards for several years in Israeli military planning. This plan, officially called "Operation Peace for Galilee," was a massive invasion of South Lebanon. Because Lebanon was at that time undergoing a state of civil war, accompanied by a near total collapse of all of its infrastructure, the invasion was met with little resistance. Despite

⁷⁰ Mark A. Heller and Sari Nusseibeh, No Trumpets, No Drums (New York: Hill and Wang, 1991), p. 50.

its promise to go no further than a few kilometers into Lebanon's southern territory, Israel pressed forward all the way to Beirut, effectively taking a dominant role as conqueror of half of Lebanon's territory.

An agreement was worked out to protect women, children, and the elderly in the camps. The PLO fighters were to leave Lebanon. The U.S. was to guarantee the safety of the remaining civilians. When the fighters left, though, the women and children remaining in the camps were left unprotected and, under the cover of darkness, and with Israeli soldiers blocking the exits from the camps, members of the military arm of the Phalange (Lebanon's Christian force) entered Sabra and Shatila refugee camps, on the outskirts of Beirut, slaughtering hundreds of men, women, and children.⁷¹ Israeli army flares lit up the night sky while the massacre was carried out.

Months later, following massive protests, including one in Tel Aviv estimated at up to 400,000 participants (or the equivalent of 8.5 percent of the total population of Israel), Operation Peace for Galilee was called off. Israeli troops returned home, but Israel retained a

⁷¹Report of the Kahan Commission of Inquiry into the Sabra-Shatila Massacres, commissioned by the Israeli government; Sabra and Shatila: The Massacre, prepared by Asaad Abdul Hady and reprinted by the Palestine Information Office, Washington, D.C., 1982. Lebanon, Summer of Agony, Arab Information Center, New York, July 1982, gives an overview of events leading to the massacre in photo-essay format.

self-proclaimed security zone in South Lebanon, a zone which constitutes nearly 400 square miles of that tiny country's territory.

According to Fadi Saab, writing in the MEPF Newsletter, a publication of the Middle East Philanthropic Fund, in Spring 1989,

In an alarming development over the last three years, the Israeli Army (IDF) has begun settling Ethiopian Falasha Jews in more than fourteen towns and farm communities totalling more than 100 sq. kilometers (over 60 sq. miles).⁷²

The new settlers have, he states, begun to cultivate land which was previously owned by Lebanese farmers. He cites as his source al-Shark al-Awsat, 12 July, 1988. He lists the following villages and farm communities of South Lebanon as being included: al-Mafer, Fashkoul, Zibdine (upper and lower), Khalat al-Gazaleh, Rub'a, Beit al-Baraq, Kufr Dora, Jorat al-'Aqareb, Berkhta, Ramta al-Nakheeleh, al-Qurn, Qufour, Berna'iya, and Mashhad al-Tair.

The isolation of these Lebanese communities was accomplished, according to the author, by blocking access roads in the area, which forced many of the villagers to leave their homes, because it cut off all forms of communication for them. Israel installed both electricity and telephone wires to the occupied area from Israel, and has

⁷²Fadi Saab, "Israeli Settlers Move into South Lebanon," MEPF Newsletter (Somerville, MA: Middle East Philanthropic Fund), Vol. 2, No. 1, Sp. 1989, p. 15.

taken over the access to water for use by the settlers. Roads have been created to link the villages with Israel, and regularly scheduled bus service, with military escort, transports the settlers back and forth from Israel. Two settlements, according to attorneys for the region, were established as early as 1985. This issue has been raised with U.N. representatives, according to the article.⁷³

The establishment of as many as 10 permanent Israeli settlements in the zone, the rechanneling and diversion of water resources from Lebanon's Litani River into Israel, and bombing sorties into South Lebanon at least once a week have added to a Lebanese belief that Israel does not intend to return this southern region of their country to Lebanese sovereignty.

Israel's apparent plan for the currently occupied territory of Lebanon seems to be to impose a de facto annexation with land and water resources diverted to Israel's use. ... Israel has already imposed travel restrictions that isolate the occupied territory from the rest of Lebanon and has exerted economic pressures to make the area dependent on Israel. Measures have included land confiscations and relocating of borders that make land and water resources available for Israel's sole use.⁷⁴

What Lebanon hopes to get from the peace talks can therefore be summarized as three things: 1) a return of

⁷³Ibid.

⁷⁴Salim Madi and Jeanne Butterfield, "South Lebanon, The Forgotten Occupation," MEPF Newsletter, *ibid.*, p. 2.

its southern territory; 2) cessation of hostilities on its southern border; and 3) reduced economic, social, and political impact on the country, which will be the result of the repatriation of Palestinian refugees into their own land. This latter goal is a significant one. The Palestinian population of Lebanon was estimated at 492,240 in 1984.⁷⁵

It is harder to say what Israel wants from the Lebanese. Publicly, Israel states that it desires peace on its northern border. But what do the actions of Israel indicate? Various analysts have surmised that Israel craves the waters of the Litani, or even other rivers, and therefore has no intention of leaving Lebanon's fertile south. Others believe that the land is needed for Israel's "refugee" settlement (Soviet and Ethiopian Jews). Still others believe that Israel, in its expansionist drive, intends to swallow up all of Lebanon. That is a theory often put forth by Syrians, who justify Syria's continued residence in the north of Lebanon as a protection against Israeli expansionism. It remains to be seen which, if any, of these motives and/or desires describes Israel's real intentions regarding Lebanon.

⁷⁵Palestinian Statistical Abstract, 1984 (Damascus, Syria: Palestinian Central Bureau of Statistics, 1985), p. 42.

Syria

Syria's primary interest in attending the peace talks, though, is related to resolving the final status of the Golan Heights, the occupied area which generally gets the least attention in the media. To understand the nature of the conflict between Syria and Israel, we should look at the history of the relationship between the two nations.

Following the breakup of the Ottoman Empire, Syria came under an independent Arab government briefly in 1919, held an assembly of its Syrian National Congress in Damascus, calling for Syrian independence, a constitutional monarchy, and rejection of the Zionist program for Palestine. Despite these independence moves, France won the mandate for Syria at the San Remo conference the following year, and Syria submitted to that decision. That same year, 1920, France began a policy of dismembering Syrian territory. The area known as Mount Lebanon (traditional home to the Maronite population) was joined to other (mostly Muslim) areas encompassing three times its original area. This became Greater Lebanon (later known as Lebanon). It was detached from Syria, and the remainder of Syria was cantonized into districts segregated according to religious identification, in what some believe was

a move to discourage a Syrian national identity. Eventually, in 1925, Syrians revolted against French rule, and, in 1930, the French made the concession of allowing a Syrian Constitution, which remained in effect until 1950. In 1936, Syria gained nominal independence from France, but by 1939, the French had repudiated the treaty granting this independence, refused to ratify it, and had suspended the Constitution.⁷⁶

In 1941, the French mandate authorities in Syria were accused of allowing German planes supplying their ally in Iraq to refuel at Syrian facilities. On the eve of the Allied invasion, Free French forces pledged independence and the right to vote to both Syria and Lebanon. By 1943, with British encouragement, the Syrian constitution was restored, a President was elected, and a nationalist government was formed. France, wishing to maintain control, conducted a 3-day air and artillery bombardment of Damascus. Still, the last French withdrew from Syria in 1946.⁷⁷

A series of coups in 1949 were over unification with Iraq--an idea discussed but never implemented--and over Syrian impotence in the face of the creation of the State

⁷⁶An Annotated Mideast Time Line (Claremont, California: Claremont Research and Publications, February 1985).

⁷⁷Ibid.

of Israel. Finally, in 1954, a more stable coalition of nationalist parties took power in Damascus. It was only two years later, in 1956, when the Syrian government asked to buy French weapons in order to respond to an Israeli attack on Syrian posts near Lake Tiberius that had occurred in late 1955, but the request was rejected. Syria then signed a contract to purchase arms from Czechoslovakia.⁷⁸

The next year, the Syrian government began to receive aid from the Soviet Union, and in 1958, Syria and Egypt joined to form the United Arab Republic. This unification had a stinging effect on Israel, which saw powerful enemies to its north and south joining forces in what appeared to be an organized fashion. Syria's government fell to a coup in 1961, in opposition to Nasser's proposed nationalization of banks and industries. Syria withdrew from the UAR, and Israel could almost be heard heaving a sigh of collective relief.⁷⁹

Another coup in 1963 brought a Baath [pan-Arab nationalist] military government to power, and in 1966, a radical wing of the Baath took power, calling for a "popular liberation war" to liberate Palestine. Israel responded with strong rhetoric, including threats to

⁷⁸Ibid., p. 7.

⁷⁹Ibid.

topple the Syrian regime.⁸⁰

The next year, 1967, found Syria involved in the June war, during which it lost the Golan Heights to Israel. The Jewish state had been complaining for months about raids on its northern towns, kibbutzim, and moshavim (collective farms), launched from the Golan Heights, according to their sources. During the 1967 fighting, 13 of the 17 Druze villages on the Golan Heights were destroyed.⁸¹

In 1970, when King Hussein of Jordan sent his troops into Palestinian refugee camps in his country to root out the Palestinian resistance, an operation later dubbed Black September, Syrian tanks led by progressive elements of the Baath party attempted to assist the PLO. But they were forced to withdraw when the Baath's right wing, headed by Air Force General Hafez al-Assad, refused to provide air cover. Soon afterwards, Assad wrested power from the more left-leaning wing of the party. By 1973, he had executed more than 40 army officers who were alleged to have been planning his assassination.⁸²

⁸⁰Ibid., p. 8.

⁸¹Suleiman Fakhr al-Din, spokesman for the Golani Druze in the village of Majdal Shams, occupied Golan Heights, was interviewed by this writer and a group on February 5, 1983.

⁸²Claremont Research, *ibid.*, p. 13.

In October 1973, Syria launched a coordinated surprise attack, along with Egypt, against Israel. Israel succeeded in pushing Syrian troops back, after some initial gains by Syrian forces. When the fighting ended, Israel had gained control of one more large Syrian town, largely leveled in the fighting. That town was Quneitra. In 1974, to get that town back, Syria agreed to stop commando infiltration across the cease-fire line of 1967. Israel also agreed to return to that border.⁸³

In 1976, Assad sent Syrian troops into Lebanon to thwart any chance of a Lebanese National Movement-PLO victory in that country. The U.S. maneuvered behind the scenes to prevent Israel from entering Lebanon, as well. A "red line," over which Assad would not cross, was established.⁸⁴

A few years later, in 1982, Assad ordered an artillery bombardment of the northern Syrian city of Hama, killing an estimated 20,000 of his own people, in an effort to suppress unrest from the Muslim Brotherhood group, a fundamentalist Islamic faction.⁸⁵ Assad is a member of the minority Alawite sect.

But in 1982, when Israel invaded South Lebanon, Syria restrained its troops, consolidating its control

⁸³Ibid., p. 14.

⁸⁴Ibid.

⁸⁵Thomas L. Friedman, From Beirut, ibid., p. 77.

over the north, in which it claimed to be maintaining the peace. It was maintaining a sense of peace, because the Lebanese militias are no match for Syria's well-organized military force and well-maintained weaponry purchased from the Russians. By 1984, Syria had fully consolidated its position in Lebanon, and many question whether an ulterior motive is to regain control of Mount Lebanon, which was severed from Syria in 1920. Israel, especially, is concerned about such an eventuality. Having a well-organized Syrian army, highly politicized in favor of Palestinian nationalism, at its northern border--and for the full expanse of that border--is far more of a threat than that demonstrated by Lebanon. Lebanon is a country in no way capable of posing an immediate threat to Israel, having been devastated by a dozen years of civil war. Although some of the Palestinian fighters have returned to the south of Lebanon, their numbers are not great, and it is no longer the primary possibility of attack by these fighters that is of greatest concern to the Jewish state.

Syria's current position of military power may be a strong asset to that nation in the Middle East peace talks. Since the Soviet Union is no longer able to supply Syria's military needs, the Syrian government must now re-evaluate its alliances. Syria's decision to side with the allies against Iraq in the Gulf War has boosted

its credibility with the West, much to the consternation of the Israeli Likud leadership. The newly-elected Labor government has been remarkably non-committal on this topic.

Syrian officials are also careful to stress their belief that the Palestinian question is at the root of the Middle East conflict. According to Mrs. Bushra Kanafani, deputy chief of mission at the Syrian Embassy in Washington, D.C., and a spokeswoman for the Syrian delegation to the peace talks, Syria bases its approach to the talks on U.N. Resolutions 242 and 338, and "the will of the international community" in regard to the return of all Occupied Territories. She stated after round four of the talks that Syrians believed "when sitting in a negotiating room and discussing international law that Israel would drop their unilateral interpretation"⁸⁶ regarding the ownership of territory and the irreversibility of their annexations.

Israel, meanwhile, hopes to maintain its possession of the Golan Heights, which it has unilaterally annexed. Intensive settlement building is under way in the area. The Israelis have even built a ski resort on Mt. Hermon, the tallest peak in the Golan. But Druze residents of the area have rejected Israeli control, refused to accept

⁸⁶Mrs. Bushra Kanafani, Deputy Chief of Mission, Syrian Embassy to the United States, speaking at the national conference of the Arab American Institute, Washington, D.C., January 18, 1992.

Israeli identity cards, staged peaceful protest rallies, strikes, and other non-violent resistance to their occupation. Says one leader among the Golani Druze, "They can't tell us we're Israeli; we know who we are. We're Syrian Druze of the Golan."⁸⁷ Both Israel and Syria believe that their opponent is strong and presents a real threat to their security. The small, but highly sensitive region of hills known as the Golan Heights is believed to be a valuable strategic asset to whichever country possesses it.

Jordan

Jordan's stake in the peace negotiations is as great as that of the other confrontation states. Technically, the West Bank was taken from Jordanian control in the 1967 War, but that has become a moot issue, since King Hussein renounced all claims to the West Bank in 1988. Still, Jordan shares a long border with Israel, and it would be a mutual benefit to have peace across that border.

Additionally, Jordan has an interest in the future of the thousands of Palestinian refugees living in refugee camps and outside them, who drain a variety of resources which would be scarce even without the existence of this extra population burden on the country. These include

⁸⁷This statement by one of the dozen or so young Druze men interviewed in Majdal Shams represented the sentiments of the group. The interview was February 5, 1983.

water, electricity, food, education, and jobs, all of which have been severely taxed due to the additional influx of refugees from the Gulf states and Iraq following the Gulf War.

Jordan has several times attempted to create a more peaceful situation on its Western border. Allowing the free flow of tourists and pilgrims, and the only somewhat restricted flow of other persons, across the border has been the most successful such attempt. But it is the illegal crossings of the same frontier that have caused the greatest problems for Jordan. Israel has threatened reprisals across the border whenever an "infiltration" occurs, prompting Jordan to crack down on the Palestinian population in order to prevent an Israeli attack.

Such a continued stalemate, coupled with the threats of right-wing Israeli factions to "deport" large segments of the Palestinian population across the border into Jordan, presents an on-going frustration for the Jordanian regime. Jordan is forced to maintain one of the largest standing armies in the region, largely due to the continued lack of settlement in Jordan's international relations. There is no guarantee, as far as Jordan is concerned, of security from Israel.

The threat of Israeli expansionism is also taken seriously by Jordan. The Hashemite Kingdom is a prime

player in the peace talks. It will most certainly have a major role to play in regard to the disposition of the land under dispute, as well as in the method chosen for repatriating refugees at such time as this becomes possible as a result of the establishment of Palestinian autonomy or statehood.

One idea which has not been discussed previously might facilitate some movement in the peace process. But it is an idea which would initially meet resistance. Yet, it is deserving of being placed on the peace table. Jordan might consider ceding some portion of the land on the East Bank of the Jordan River to a new Palestinian state, as a means of easing the burdens imposed by Israel's massive settlement-building and land-confiscation program in the West Bank during the 1980s and early 1990s. Although Palestinians will object that this land was never a part of Palestine and might say it fails to meet their needs to return home, extending the size of the Palestinian state to the east may be the only remaining solution, since western expansion is no longer an option. Those who lived within the new area would be able to travel freely throughout the rest of Palestine, and there are many development needs in that area, which means there are many possible job opportunities.

On the other hand, Israel might seize the opportunity to enhance the claim that Jordan is Palestine. It would say that Jordan is suddenly admitting to being Palestine, were Jordan to make this offer. This would, despite such arguments, increase the geographical size, and therefore the viability, of the Palestinian state. This would be to the advantage of all parties to the negotiations. The viability of a Palestinian state is essential to maintaining the peace, once it is achieved. For Israel, this eastward expansion would make the possibility of some settlers being allowed to remain in the West Bank more viable, as well. For the Palestinians, it would reduce the demographic strains of attempting to repatriate large numbers of people onto only a small portion of the original territory of Palestine. More land would be available for re-settling them. For the Jordanians, it would ease the burden of caring for such huge numbers of refugees, as they would be under Palestinian sovereignty, and engaged in the process of state-building, which would mean that they were gainfully employed in an economy divorced from that of the Jordanian national economy. Both Syria and Lebanon might be led to creative solutions to their border disputes with Israel based on the concept that compromise can be successful.

Egypt

Finally, although Egypt has already made peace with Israel, as a bordering nation, its role in the peace process should not be discounted. There is much to be learned from both the successes and failures of that peace agreement. On the positive side, peace across borders is possible on paper. Maintaining such a peace simply means that disputes are discussed, and that any resort to arms is a less than desirable option, and only to be used as a last resort. But it must also be noted that, if all issues are not resolved at the bargaining table, the impact of those unresolved issues upon the relations between states will be great. The need to resolve all issues, without leaving any important decisions to be settled at an unknown later date, becomes obvious when the strained relationship between Israel and Egypt is observed.

In addition to this, Egypt, being the only state which has concluded a peace treaty with Israel, is in the unique position of being able to talk with the Israelis without having the status of enemies. This has thus far been used only to a small degree in the peace discussions. It should be encouraged, especially if Israel wants to stress the importance of its peaceful relationship with its southern neighbor. But it should not just be empty talk.

Egypt should take a more assertive role in suggesting means for compromise between the parties, and should be on hand to prompt the Israelis to do what is right.

The Superpowers

At this time, it is difficult to assess the role of the United States or the former Soviet Union in the negotiations. Thus far, they have acted only as co-conveners of the talks. Both have offered to step in at such time as those talks break down, or if they should stall and be unable to re-start themselves. Thus far, both have been reluctant to do so.

The diminished power of the former Soviet Union, now referred to as the Commonwealth of Independent States, or C.I.S., but more commonly as Russia, is also a cause for concern. At previous points in history, it was felt that the Soviets were the advocates for the Arab position in the peace talks, while the United States was very strongly in favor of the Israeli position. As the U.S. has been struggling to earn the title of "honest broker" for the negotiations, it has suddenly found itself being criticized by the very country which for so long described itself as "America's only reliable ally in the Middle East." This has been largely the result of United States refusal to negate its long-standing policy of objecting to the use of American money to build settlements in the Occupied

Territories, land that the United States feels is to be the subject of negotiations. This struggle over funding reached a head in early 1992, when the U.S. refused to back an Israeli request for \$10 billion in loan guarantees to Israel. Official U.S. spokesmen stated that Israel was "not forthcoming" in agreeing to stop building exclusively Jewish housing on lands confiscated from Arab owners in the Occupied Territories.⁸⁸ In exchange for this refusal, the U.S. government found itself criticized by Israel for "taking the Arab side" and accused of not being an honest broker, a claim previously heard from the Arabs.

The ability of the Soviet Union's successor to fully participate in the role of mediator is severely limited by the new nation's own internal problems. But it is still believed that Russia maintains some friendships with the Arab nations and still maintains some sympathies for the cause of Middle East peace and, more particularly, the cause of Palestinian nationalism. It is for this reason, perhaps, that Israel, feeling it can no longer

⁸⁸Following the second and third rounds of bilateral peace talks, while President Bush decried the fact that the talks seemed to be bogged down in "procedural matters" rather than substantive issues, Secretary of State Baker used somewhat stronger language, stating that Israel was "less forthcoming than we might have hoped," and that "Israel has not been forthcoming" in regard to issues of substance, comments which were broadcast on major networks.

depend on unquestioning American support, has been wooing Russia for many months. The decision to allow the emigration of Soviet Jews to Israel was one step in bringing the two countries back together. But that was before the change in government, and Israel is now assessing the role that the new Russian confederation--or whatever entity develops out of the former Soviet Union--will play in relations between Israel and its neighbors.

It is also because of this shifting world situation--and the fluid balance of powers at the moment--that Israel has been courting the Chinese government and creating trade relations as rapidly as possible. Unable to be certain of U.S. support, unsure what the Russians have to offer, the Israelis are seeking the support of at least one powerful nation which is not on friendly terms with either of the two great powers previously involved. To this end, Israel has opened relations with China and Beijing has opened an embassy in Israel. China has also expressed a willingness to participate in talks on the Middle East question.

So, we can see that there are possibly three nations with the status of superpower which may play a role in the final outcome of the Middle East peace talks. Because of the instabilities in the rapidly-changing world of the early 1990s, the role that each of these powers will play is as yet uncertain.

The United Nations

It is from the United Nations that Israel took its birthright. But for most of its short existence, Israel has flaunted the terms of that existence. It has recently openly decried United Nations resolutions against its policies. The position of Israel is that the U.N. should not be a player in the peace negotiations. That is in opposition to the opinion of most of the Arab states. The Palestinians have repeatedly called for U.N. assistance in protecting them from violence conducted by Israeli settlers and the Israeli military. Israel has tried to prevent such protections from taking place, claiming that this is not a matter for the United Nations.

Since the United Nations can only be present in a country and function there at the invitation of the government, it is difficult to see how such protection of the Palestinian civilian population can take place. It is also the hope of many Arab governments that an interim peace agreement will include a peacekeeping force to prevent problems during the transition period between the Israeli occupation of the West Bank and Gaza and full implementation of Palestinian sovereignty over those areas. This is something which will most likely be opposed if the Likud remains in control of Israel's government. Under a Labor government, less resistance to United Nations

presence can be expected. Labor officials have expressed more willingness to comply with international regimes in regard to the status of the disputed areas. This is one area where the superpowers might have something important to offer. United Nations peacekeepers could provide the buffer that is needed during the critical transition period, and it should not be something which Israel sees as a negative. A neutral force of some sort will need to be present, and at this time the only neutral force available in the world is that of the United Nations. Political neutrality and the operational neutrality of forces working under United Nations auspices should not be confused. While serving under the U.N. flags, troops must be neutral, despite personal or national feelings which would place them on one side or the other in a conflict.

As far as a presence at the bargaining table is concerned, Israel does not want the United Nations there. Even an observer role for the U.N. is resisted by Israel. To the Arabs, observer status is the least that they would request. Thus far, no one has pushed the point either way, and the United Nations has only acted through the presence of its member states. At some point in the negotiations, though, it may be critical to include that world body, if a regional peace accord is the expected outcome of negotiations.

CHAPTER 4
REGIONAL ISSUES

The Question of Terrorism

One of the most common justifications given by Israel's Likud government for continued occupation has been that "Israel needs security against terrorism". By this phrase, Israelis lightly dismiss further discussion of terrorism and also preclude any solution to it. There are many who believe that terrorism will never end until the root causes of such actions cease to exist. One of those causes, it is argued, is the continued occupation, and the repression and brutality that are a part of it.

Obviously, the question of terror in the Israeli Occupied Territories and the State of Israel can be reduced to yet another chicken and egg argument, with no seeming solution. It is, therefore, in the best interests of an eventual peace in the region to search out the root causes for terrorist acts and to see if anything can be done to eliminate the causes, thereby also eliminating the effects. Continued mutual hostility has not led to the diminution of terror, nor to the security of the State of Israel.

At the same time, it should be noted that some of the root causes of the problem may never find a solution, since it is not possible to return to the status quo ante. After 44 years of existence, the State of Israel is not going to pick up and move, nor will it cease to exist. Palestinian Arabs whose anger stems from their uprooting in 1948, or the years up to 1967, will find no comfort in the knowledge that this portion of history is irreversible. In order to assuage their anger, there needs to be a legitimate effort to both understand and deal with the hurt they feel and to accommodate at least some of their needs. Failure to recognize the deep-seated emotions that lead these deprived individuals to the acts of extreme frustration that terrorism generally represents will only guarantee the continuation of such acts. "Fighting terror with terror," the slogan of the Israeli group calling itself "TNT," or Terror Against Terror, members of which eventually were convicted in 1985 of committing several acts of terror against Palestinian civilians,⁸⁹ has only resulted in an escalation of the cycle of violence.

Terrorism, according to experts on the subject, is generally an act of extreme frustration. To stop such actions, then, it would seem that reducing frustrations

⁸⁹ Chaya Weisgal-Amir, "Prisoners and the Intifada," in Deena Hurwitz, Walking the Red Line, *ibid.*, pp. 139-143.

would be a far more positive step than increasing them. In the Palestinian-Israeli conflict, this has certainly proved to be the case historically. Israel's regular response in recent years to any demonstration by Palestinian Arabs against the ongoing occupation has been to suppress the activity by increased military force and police patrols, imposing curfews, town or house arrest orders, and orders for deportation (or, more accurately, expulsion, since one cannot technically be deported from the land of one's birth) of so-called "agitators." The inevitable response to such repression has been increased violent activity in opposition to it. This, in turn, leads to further imposition of the "iron fist," with beatings, interrogations, arrests--often without trial--and administrative detention, shop closures, and various other actions on the part of the Israeli occupation authorities to attempt to keep the people in check.⁹⁰ Rarely, if ever, has there been an attempt to listen to grievances of the occupied Arabs or to attempt to find solutions to the problems which cause such anger.

Despite the government's "iron fist" policy, and the frequently violent vigilante-style actions of right-wing settler groups such as the Gush Emunim [Bloc of the

⁹⁰Refer to Al Haq/Law in the Service of Man, the West Bank affiliate of the International Commission of Jurists, Ramallah, annual reports of 1988 and 1989.

Faithful], there are many in Israel who recognize that such acts only have negative consequences for all concerned. For example, on December 13, 1991, Jerusalem Mayor Teddy Kollek was openly critical of the role of the Israeli government in the takeover of Arab homes in Silwan (Siloah), a village located within the expanded borders of Jerusalem. He said, "We are driving the Arabs crazy and forcing them to hate us."⁸¹

Terror, then, should be viewed more as action-reaction than as isolated incidents with no motivation or justification. But, like so many other occurrences, acts of terrorism by Palestinians are frequently viewed as just such isolated events. Instead of seeking a solution to the cause, efforts are all focused on eliminating terror by eliminating the terrorist. Worse yet is the often random selection of targets for reprisals. A case in point is the numerous incursions and bombing forays into South Lebanon by the Israeli Defense Forces. These attacks generally follow an act of terror which has taken place inside Israel, against Jewish targets. Frequently, the reprisals are made after Israel has publicly announced that the event which instigated the reprisal was committed by "persons familiar with the area," thereby eliminating

⁹¹Teddy Kollek, mayor of Jerusalem, quoted in The Washington Report on Middle East Affairs, February 1992, p. 46.

the possibility that the acts could have been carried out by the Lebanese, most of whom have been forbidden to enter Israel since the creation of that state in 1948. The result of reprisal raids into Lebanon is additional Arab civilians who have cause to be angry with the government of Israel and its policies.

The same can be said for the various forms of collective punishment (i.e., curfews on entire towns because it is suspected that a few children threw stones at military vehicles, arrests of all males in the area of a protest who fall between the ages of 16 and 35, etc.) imposed by the Israeli government. Before such procedures became the standard in the Occupied Territories, the level of animosity toward Israel as occupier never reached the levels which it regularly achieves today. Those who believe that any peace accord will be reached easily must also take into consideration the depth of feelings that prolonged military occupation has engendered, and those who would seek an absolute halt to all acts of terror must come to realize that, even in societies living in peace, some such events still occur.

Of course, acts of terror should neither be encouraged nor condoned. But, in a peace settlement, one of the advantages that can occur is that each government will

have recognized boundaries or borders and will thus have recognized jurisdiction over any and all crimes taking place within those jurisdictions. Not only that, but there will be recognized procedures for the prosecution of crimes. It will not be an early part of negotiations, but at some point in the process between Israel and the Palestinians, both parties must address the problem of dealing with any remaining terrorist tendencies which translate into actions after separate jurisdictions have been established. The power to do so should be clearly understood and spelled out in great detail before the conclusion of the negotiating process. And, in this particular case, it should be considered important to provide equal vigilance and equal punishment for crimes of equal severity. Fairness and the attainment of justice under law should be the guiding principles of this portion of the negotiations.

It must also be noted that many people in the Middle East refer to something they call "state terrorism" and condemn actions against civilians carried out by the State of Israel (although, unfortunately, they are often not as forthcoming in regard to criticizing actions of other governments in the region). The simple fact that there is an inequality between occupied and occupier has left open possibilities for the abuse of power. To those living under occupation, the equation is often viewed as the

powerful versus the powerless, the armed versus the unarmed, and the strong versus the weak. This inequality of status has proved to be an obstacle at the negotiating table as well. Many argue that arrests without trial, "shoot-to-kill" orders carried out against youth who cover their faces, throw stones, write slogans, or run from the scene of a confrontation between the army and protestors are more than mere harassment. These acts, they say, are "the real terrorism" which occurs in the ongoing Israeli-Palestinian conflict.

In order to move toward some resolution of this very real problem, both parties must first acknowledge that some of their actions have the result of "terrorizing" the other side's civilians. Following such acknowledgment, both sides must resolve to control their own population, for they will have more control over the behavior of their own people than over people who perceive them to be enemies. Finally, both sides should commit themselves to the establishment of separate jurisdictions with comparable laws to control such activity, including all necessary authority.

Riparian Rights

Another area of contention which will need to be addressed before peace talks end is the allocation and use of the scarce water resources of the region. Even in a

region where there is political agreement, the existence of limited water resources can cause tensions. The region under study, largely desertified, is doubly in danger: First, because of its fragile environmental and human viability, and low ability to support a rapidly-growing population; and secondly, due to the separate national identities of the region's occupants and their tendencies to believe that their own group has a more legitimate right to this scarce resource.

It is important to discuss a regional solution to the question of riparian rights. At the same time, it will not be possible to solve this problem until other negotiations lead to a level of mutual trust and responsibility which can be relied upon to lead to a mutual belief that both problem and solution involve all of the parties. Too frequently, water rights in the Middle East have been discussed in terms of placing blame for the problem, not in terms of finding solutions which will allow for the survival of all. A regional drought from 1988 through mid-1991 led to acrimonious discussion, escalating tensions, and even to bloodshed between Israeli officials and settlers, on one side, and Palestinian farmers, on the other. Israeli laws which make it possible for new Jewish settlements on confiscated Arab lands to sink deep wells, while at the same time denying Arabs the right to

do so, have undermined existing wells of Arabs attempting to farm any remaining land. Uncultivated land then becomes subject to future confiscation, by virtue of its lying fallow, also under Israeli military order.

The issue is important to the rest of the region, as well. In another example, Israel has diverted the waters of Jordan's Yarmuk River for its own use, as has also been done by Syria. Jordan has one of the most rapidly-expanding populations in the region, a population which relies on the Yarmuk not only for drinking water and agricultural uses, but also for power generation for domestic and manufacturing uses. Many believe that water will be the most valuable liquid in the region soon, far surpassing the value of oil. This, of course, means that the need to establish guidelines for its allocation is far more critical. If not worked out in a fair and amicable manner, such decisions may become the subject of overt hostilities, perhaps escalating into regional conflicts, or wars that extend outside the region.

A recent offer by Turkey should not be overlooked, but there are reasons to believe it may not be the wonderful solution many in the West believe it to be. Turkey has been blessed with an abundant water supply, while cursed with a meagre resource of foreign capital. The Turkish government has proposed to pipe water to the Arab

world lying to its south, purportedly to satisfy mutual needs. On the surface, the offers looks quite promising, but it remains to be seen whether states which were formerly a part of the Ottoman Empire will sufficiently trust the successors to their former overlords with the custody and control of such a precious and essential resource as water. They point to the fact that this would allow the Turks to cut off the water at will.⁹²

This paper will not attempt to go into detail regarding riparian rights, but only maintains that the topic must not be neglected. To do so would peril the peace negotiations.

A Nuclear-Free Middle East?

Another topic which must be on the table during peace negotiations is the question of whether any nuclear weaponry should exist in the region at all. It has been known for several years that Israel operates a nuclear facility which produces nuclear weapons, and people by now are aware of Iraq's nuclear capabilities.⁹³ But

⁹²John Law, speaking at a Unitarian Church forum on "Water and Ecology in the Middle East," April 24, 1992, in San Jose, California. Law attributes his information to Crown Prince Hassan bin Talal of Jordan, with whom he met in Amman.

⁹³Seymour Hersh, The Samson Option: Israel's Nuclear Option and American Foreign Policy (New York: Random House, 1991).

Israel has never submitted to inspections, and for a long time denied having its facilities at all, despite information being leaked to the Times of London by Mordechai Vanunu, a former employee of the facility. Once Israel did admit to having such a facility, its reaction to the exposure of its operations was to prosecute Vanunu for exposing state secrets. Iraq, on the other hand, has never denied having its nuclear facility, and has even submitted to inspection regularly. But Baghdad has always claimed that the facility was being used for civilian purposes. These claims were proved false during the recent Gulf crisis, and the United Nations is attempting to dispose of the weaponry at this time.

But what is the future of nuclear power--or nuclear capability--in the Middle East? Should any nation in that region be allowed to pursue a nuclear research program? Should any country be forced to submit to inspections? These questions go to the heart of the questions under discussion at the peace conference, as on-going peace negotiations will determine if the parties are committed to living at peace with their former enemies, or whether the basic lack of trust that has developed between them will always make them wary of the potential success of any such peace agreements. If the determination is there, all of the parties should be willing to agree to inspections.

They should also be willing to dismantle that portion of their program which involves weaponry, and to concentrate, if they insist on having it, on civilian and peaceful uses of their nuclear capability. This, of course, will become more feasible if the Arab states agree to make the region a nuclear-free zone, a topic which has been under discussion for some time.

On the other hand, how realistic is it to believe that these nations will willingly give up something which they believe will give them the upper hand in the event of renewed hostilities? This may be a case where the imposition of an international inspection of facilities will be necessary. It would prevent abuses and provide reasonable assurances to the former opponents that they are not being targeted, and this might encourage them to scale down their programs, if they would not agree to halting the programs entirely.

Regional Demographics

An entire chapter could be devoted to the question of regional demographics, due to the very important role of the two populations--Israeli Jewish and Palestinian Arab--which has tended to fragment the two societies and to bring them into greater conflict. The dispersal, of course, has impacted upon each of the countries in which these people can be found, whether those nations are in

the Middle East or elsewhere in the world. Patterns of population dispersal, both within and outside the borders of the territory in dispute, have tended to involve conflicts over possession and ownership of land, the right of return, and questions of security. Israel's unilateral annexation of Jerusalem, despite the wishes of its Arab inhabitants, further exacerbated the already complex demographic situation, while at the same time escalating the level of conflict between the two peoples.

Not too long ago, Jerusalem was easily divided into two areas, one distinctly Arab (East Jerusalem), and the other distinctly Jewish (West Jerusalem). Such a distinction can no longer be easily made. Under a massive settlement program referred to as "creating facts," the Israeli government has confiscated Arab-owned land on every hilltop overlooking East Jerusalem. Fortress-like Israeli settlements now dominate the once-peaceful landscape. Where Arab shepherds once tended their flocks amid rolling hillsides dotted with stones and an occasional building, the Arab homes that remain now seem dwarfed by the huge apartment blocs that tower over them.

But the real significance of "creating facts" is that it represents an attempt to change both the demographic balance and the population distribution patterns in such a way as to render the annexation of Jerusalem by

Israel a fait accompli. By causing "pockets" of Jewish residence to spring up and to ring the city, the Israeli government has obtained the de facto annexation, if not the de jure. This annexation has been flatly rejected by not only the Arab population of Jerusalem, but by the large majority of the world community of nations, including the United States. As recently as August of 1991, during preparations for the proposed conference on the subject of Israeli-Palestinian peace, U.S. Secretary of State James Baker reiterated the stand of the United States on Jerusalem as being a part of the Occupied Territories.⁹⁴

Jerusalem itself is one of the most difficult issues for negotiation, and its status has been deemed by all parties except Israel to be an appropriate topic for discussion at the peace table. Israel's position is that, because of the facts that have been created, i.e., the massive re-distribution of population which makes it no longer possible to distinguish between Arab and Jewish areas and to refer to East Jerusalem as distinctly Arab, the annexation should stand. This is in flagrant disregard of the United Nations Partition Plan which is used as the legal basis on which the State of Israel was founded. In that plan, Jerusalem was to be treated as a

⁹⁴Richard H. Curtiss, "U.S.-Israel Confrontation Over Jewish Settlements Has a Long History," Washington Report on Middle East Affairs, March 1992, p. 86.

corpus separatum, a separate entity belonging in its entirety to neither the Jewish state nor the Arab one. In that manner, and with the aid of an international policing body, it was felt that the sacred sites would remain open to those worshippers of all faiths who wished to go there. Although neither of the two states created in 1948 by the Partition Plan (Israel and the Arab state envisaged to represent the indigenous Arab population) would "own" Jerusalem, both could claim those aspects of the city which they felt to be important to them as their own.

The statistics on the population of Jerusalem, as well as the failure of the Partition Plan's clauses in that regard to go into effect, have both tended to disprove Israel's claims to validate the annexation. Despite the massive Israeli building campaign and the prominence of the settlements on the landscape, the most recent survey of population statistics for Jerusalem indicates that the Jewish population of "Greater Jerusalem" is still heavily concentrated in the Western sector. Only about 10 percent of the population of East Jerusalem (including the areas as far south as Bethlehem and as far north as Ramallah, which Israel has also unilaterally annexed to the city, and therefore to the state) is Jewish. The other 90 percent

of the population is Arab, including both Christian and Muslim Palestinians, as well as a few others of various religious faiths.

One needs only to drive through one or two of the more massive settlements to realize the residents believe themselves to be "permanently" there. And one day this may be the case, for, despite the small percentage of East Jerusalem's population which is currently Jewish, it is not an easy task to uproot nine or ten thousand people from modern homes, where they have landscaped, cared for the property, and built a life, even during a short term. The Israelis have perhaps learned this through their own difficulties in trying to uproot the Palestinian Arab population, whose roots are hundreds of years deep, from the same land. That, many believe, is why they insist on seeing that they have some roots--to prevent a reversal of the annexation.

In the territories, excluding Jerusalem, the distribution of settlements has not been so thick. But the Israelis have followed a pattern of land confiscation which has assured their dominance of the landscape. On nearly every large hill or mountain peak throughout the West Bank, one can find either an Israeli settlement or some military outpost. The commanding position held by these structures is another form of "creating facts" and preventing the later return of the West Bank to Arab sovereignty.

In the Gaza Strip, where the terrain is nearly flat, the location of settlements has not followed a discernible pattern. In spite of Israel's lengthy stay in Gaza, there has only been a minimal interest by Israelis in taking up residence there. The Gaza Strip is a remote area, requiring a trip of one and a half hours to Tel Aviv or Jerusalem, sometimes longer. The sandy soil, hot, humid air, and the decidedly Muslim character of the area make it seem decidedly inhospitable to Israelis considering moving there. Because of its isolation, and a lack of ideological and historical connection to Gaza for the Israelis, thus far only .2 percent of Gaza's population (according to the U.S. Central Intelligence Agency)⁹⁵ is thus far composed of Israeli settlers.

The specific population distribution for Israel and the Occupied Territories is as follows:

Israel

Total population	4,222,118	
Jewish	3,504,358	(83%)
Non-Jewish (mostly Arab)	717,760	(17%)

West Bank (including East Jerusalem)

Total population	969,386	
Jewish	116,326	(12%)
Palestinian Arab & other	853,060	(88%)

⁹⁵From map supplied by the Central Intelligence Agency, dated 1990.

Gaza Strip

Total population	559,849
Jewish	1,120 (0.2%)
Palestinian Arab & other	558,729 (99.8%) ⁹⁶

According to other sources,⁹⁷ the numbers of both Arabs and Jews listed by the C.I.A. are low estimates of the actual population, although most agree that the percentages are probably correct. With settlement construction, the Jewish population may have recently increased to as much as 15 percent of the West Bank, while immigration from the Soviet Union and Ethiopia into Israel may have swelled Israel's Jewish population statistics to 87 percent.

A map of West Bank settlements (see Appendix), denoting type and location, will indicate that two "rings" of settlements have been built around Jerusalem. The first, smaller ring is on the hilltops above the city. Settlers

⁹⁶Ibid.

⁹⁷Refer to statistics of the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA), as well as Meron Benvenisti, The West Bank Data Project (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1983), or to the statistics of Claremont Research. Although Israel keeps records indicating who is in its borders, both within the state and in the territories it occupies, these records are not readily available to others. As might be expected, Arab sources rely on higher Palestinian Arab population figures, while Jewish and Israeli sources list a higher population in the Jewish sector.

living in these homes have a 10-30 minute commute to jobs in West Jerusalem, and can travel for an hour to one and a half hours to jobs in Tel Aviv. The map indicates those settlements that have already come into existence, as well as those that are planned. Most urban settlements are like small cities or towns, while some of the rural settlements have as few as eight or ten families, generally either heavily armed or with a military post nearby to protect them. It is especially helpful to view the map taking note of the scattered effect of the settlements, which have been built on land which was previously inhabited exclusively by Palestinian Arabs. By acquiring and settling land in this manner, the Israelis make it increasingly difficult to distinguish between neighborhoods or areas and to classify them as being either Arab or Jewish.

Despite this, the predominant character of both East Jerusalem and the West Bank is still Arab, while small pockets of intensive Jewish settlements are located in the first "ring" around Jerusalem, the outlying second "ring," and a series along the mountainous "spine" dividing the East (Jordanian) Bank from the West Bank of the River Jordan.⁹⁸

According to a July 8, 1991 article in Al Fajr, Jerusalem's English-language Arab weekly newspaper, the

⁹⁸This information is from notes taken on a tour of settlements conducted by representatives of the Palestine Human Rights information Project in Jerusalem, August 1991.

Israeli Housing Ministry was "working on a new multi-year program to build another 106,000 apartments in Judea and Samaria [the West Bank] on more than 90,000 dunums of land [a dunum equals 1,000 sq. meters]. The program would add 400,000 Jews to the population" of the West Bank. The article goes on to say that the "new program encompasses 110 sites, nearly all of them enlargements of existing settlements."⁹⁹ There are two conclusions to be drawn from this: 1) The Israelis have no intention of leaving Jerusalem and the West Bank, but intend to stay there on a permanent basis, and 2) the Israeli government prefers to defy U.S. pronouncements that settlements are an obstacle to peace and to practice deception by claiming that they are not building new settlements but are only expanding existing ones.

Additionally, the building of settlements on confiscated land inevitably means the displacement of its former tenants. If the persons displaced relied upon the land for their income, through agriculture, and no other land is available for them to farm, they might be forced to leave the area, perhaps going to one of the neighboring states, where there is at least a chance of earning a living. If the displaced person loses his land due to high

⁹⁹"106,000 Apartments in Judea and Samaria," Al Fajr, July 8, 1991, p. 8.

taxes, which could also apply to commercial property, or to dwellings within urban areas, then the only alternative is often to leave the country. We must then deal with the consequences of larger and larger influxes of refugees upon the domestic economies of the neighboring states. All of this displacement is causing extremely high levels of tension in the region.

In the area of demographics, it becomes necessary to take an account of the amount of available land, the population which it can support, and a reasonable way to make it possible for everyone to have a place to call his or her own. If this is not a result of the peace talks, regional conflict will continue to be the rule, rather than the exception. The next chapter will deal with the most important issues of the peace discussions, attempting to determine some of the methods by which such issues can be resolved in a way which will be fair to all of the parties involved.

CHAPTER 5

A PROPOSAL FOR PEACE NEGOTIATIONS

Perhaps the most difficult element of putting any peace plan into effect is the attitude taken by the parties when entering the negotiating process. In order for negotiations to be successful, the parties must do something which is extremely difficult for adversaries to do, but which is absolutely essential for progress toward peace: They must not only understand the stance of the opposing party, but they must also be willing to sacrifice, or make concessions, to see that at least some of the goals of their enemy are achieved. In so doing, the animosity is reduced, and reciprocity is encouraged.

At the same time, concessions made must always be seen as trade-offs. The axiom, "You never get something for nothing" has another related, but equally true axiom: "You never give something for nothing." The wise negotiator in the Palestinian-Israeli conflict will know beforehand not only what his/her side desires, but what are the desires of the opposition. He/she will know which of these desires are given the highest priority by his/her side, and which by the opposition. Certain priorities,

he/she will realize, are considered to be necessities, while others are much more amenable to compromise. The longer the list, the more maneuverability there will be in the negotiations.

Finally, the negotiator must recognize that neither he/she nor his/her negotiating partner will easily give up any of his/her nation's list of desires without believing that something is being obtained in return. Again, trade-offs are important. In fact, a wise negotiator should come to the negotiating table not only with what his/her side wants to get, but also a list of what his/her side is willing to give up.

Recent developments, including changing demographics in Israel caused by the influx of Soviet Jews, straining an already over-burdened Israeli economy, may provide either obstacles to the peace process or a new negotiating card to be played when the time seems appropriate. The same may be said of the Gulf crisis, with its threat of an Arab nuclear and chemical giant in the form of Iraq's highly-touted arsenal. U.S. and U.N. post-war inspections are working to make this card an unavailable one. But such issues can also provide an opening for a needed trade-off, as will be shown later. Eventual participation of all countries in the region, including Iraq, may become desirable to see that the peace talks are validated over the whole region.

Israel's "Wish-List"

First, though, it will be useful to list what seem to be the highest priorities of each side, so we can view precisely how far apart they are as they enter negotiations. We will begin with the priorities of the Israelis.

For a long time, Israel has publicly stated, and demonstrated by action, that its highest priority is security. Such a high proportion of Israel's budget, as well as labor hours available, is dedicated to the defense of the nation that severe economic problems have been the result. In January 1985, Member of Knesset Ariel Weinstein (Likud) told a group of visiting Americans that Israel held approximately \$2.4 billion in reserve. If the U.S. had cut off its allocation to Israel at that time, the state could have run without assistance, he claimed, for "about one year."¹⁰⁰ This, he said, would apply if citizens reduced their standard of living. He told us the economic problems had to be related to the peace issue, because the real issue was one of Israel's existence.

Weinstein listed certain things that are also on the state's "wish-list": "Free trade, exports, tourists."¹⁰¹ These things come with peace, he stated. Since that time,

¹⁰⁰ Ariel Weinstein, MK (Likud) was interviewed by this writer and a group at the Knesset, Jerusalem, on January 15, 1985.

¹⁰¹ Ibid.

two new factors have considerably strained the Israeli economy: the Palestinian intifada and the influx of thousands of Soviet Jewish immigrants and a large number of Falasha Jews (from Ethiopia). Not only is there strain on the nation's budget, resulting from the uprising, but there is also a strain in the private sector, since all Israelis who have completed military service are liable for annual reserve duty until age 54 (with certain exceptions) and the amount of active reserve time was increased in 1988 to 60 days per year from its previous 30 days per year.¹⁰² This means that up to one-sixth of the potential time for taking part in the private sector economy is no longer available for individual man-hours of labor within that sector. This may be the highest percentage of the private sector of any nation on earth that is engaged in ongoing military operations.

Therefore, after "rescuing" Israel from the hyperinflation of the 1980s, the government has found that the current situation has virtually paralyzed the Israeli economy once again. The ability to create jobs and build housing for such a large immigrant population is limited, as well.¹⁰³ For many years, the majority of the physical

¹⁰²Amnesty International Index: MDE/10-/40/880, 18 Oct. 1988.

¹⁰³Washington Report on Middle East Affairs, April/May 1992, "Immigrants to Israel--The Reality," inside back cover.

labor being used in the building of Israeli settlements has been that of Palestinian construction workers, many hired on a day-by-day basis by contractors who choose their workers at the roadsides. With the restriction of permits to travel from the Gaza Strip for such work and the increase in Soviet immigrants, the nature of the labor force in Israel is undergoing massive changes.¹⁰⁴ And, it should be noted, many Soviet immigrants who were in high-status jobs in the former Soviet Union are being relegated to some of the more menial tasks needed while Israel's job market is changing.

According to an article in The Washington Report on Middle East Affairs of November 1991, written by Frank Collins, a free-lance journalist specializing in the Middle East,

Commencing last July 1, Soviet Jewish emigrants were provided with passports allowing them to go to countries other than Israel. In view of the fact that Israel's Soviet Jewish immigrants are largely unemployed and that very few have been able to obtain positions in their profession or skill categories, it is hardly surprising that their rate of immigration to Israel immediately dropped in July.

¹⁰⁴ Peter Ford, "Permits Restrict Palestinians' Lot," Christian Science Monitor, 11 April 1991, p. 3; and "Israeli Builders Hard Hit by Drop in Palestinian Labor," Christian Science Monitor, 11 April 1991, p. 3; "New Pass System Renders 75-100,000 Palestinians Jobless in April," From the Field, Palestine Human Rights Information Center, Chicago, V. 1, N. 8, April 1991, p. 1; Oded Lifshitz, "Gaza is Hungry," New Outlook, Tel Aviv, June/July/Aug. 1991, pp. 37-39.

It is now highly dubious whether one million Soviet Jews will finally immigrate to Israel.¹⁰⁵

Given this situation, and the statement in the August 27, 1991 Jerusalem Post stating editorially that, "Unless government and business can persuade potential investors that Israel's pool of talent offers unequalled opportunities for lucrative investment," (which means massive infusions of capital from abroad, "the housing units rising all over the country risk becoming uninhabited eyesores,"¹⁰⁶ it remains to be seen exactly what the nature of such changes in the demographic patterns and all of the areas affected by them, will finally be. Such questions as employment, housing, population shifts, balance of power among the various competing populations, etc., are all impossible to estimate at this time. Another of Israel's desires has already been agreed to by the Palestinians who, in 1988, finally verbalized their willingness to concede Israel's right to exist within secure boundaries. But herein lies a stumbling block, since the definition of those boundaries by either side will differ. This becomes a matter for negotiation, and perhaps for arbitration by a neutral party.

¹⁰⁵Frank Collins, "The Real Reasons for the Israeli Loan Guarantee Demand," Washington Report on Middle East Affairs, November 1991, p. 16.

¹⁰⁶Jerusalem Post, editorial, 27 August 1991, p. 6.

Another important factor here is that, the longer there is physical confrontation between the two sides, the more likely will there be a time limit associated in the minds of Palestinians with this particular concession. With the rapid confiscation of Arab lands, there is already alarm in the Palestinian community that the agreed borders will leave nothing of the West Bank for the proposed Palestinian state. Such "borders," they say, will provide no security for their proposed state, which has already been reduced to just 22 percent of the land which was originally known as Palestine.

It should be noted that recognition of Israel's right to exist was a gesture on the part of the PLO which called for reciprocity from Israel, something which has not been forthcoming. For many years, the Israelis have said that they would negotiate with the Palestinians when and if the Palestinians recognized Israel's right to exist. Now, since that recognition has come, the Israelis have attempted to impose additional pre-conditions to such negotiations. Before the negotiations began, these included: The Palestinians were not to be allowed to choose their own representative at the peace conference; they should also denounce or abrogate the Palestine National Covenant; they should not be representative of the PLO, etc. There are many who believe that the "time limit" may have already

run out; some say it did so when the Israelis failed to provide sufficient gas masks or any warning sirens for Palestinians during the Iraqi bombings of Israel and the territories, and in fact sold expired gas masks (dated "expires in 1984") to those Arabs who "qualified" by virtue of their Jerusalem residence or employment with the Israeli government.¹⁰⁷

Also high on Israel's "wish list" is peace with all Arab states. Likud, especially, has long advocated making a separate peace with each Arab state. So far, only Egypt has made such a peace agreement, via the Camp David accords, and it has not resulted in a true peace, according to many commentators, largely due to the difficulty Egypt has had in maintaining friendly relations with other Arab states. Israel's lengthy intransigence in entering further negotiations with other Arab states, and especially with the Palestinians, as called for in the accords, has further exacerbated the problem. This is in addition to a tendency that Israel has had to launch attacks and tighten its "iron fist" whenever such negotiations appear on the horizon. The increased tensions such activities have caused between Israel and the Palestinians have been a great

¹⁰⁷Conversations with Palestinians in the Occupied Territories during August 1991. This researcher was shown gas masks in two people's homes, clearly imprinted with the words, "Expires in 1984."

cause of alarm for Egyptian diplomats and politicians who have attempted to act as mediators on behalf of the Arab cause and have been rebuffed by the Israelis.

Additional tensions in this relationship, and in the relationships between various Arab states and the Palestinians, resulted from the recent Gulf crisis and the Gulf War. The leaders of most Arab countries have taken their power through processes of inheritance or through military coup. This creates a distance between the leaders and the masses. Although the Palestinians opposed Kuwait's invasion by Iraq, they also opposed the status of war and the destruction of Iraq by a coalition that included many of the more right-wing Arab regimes, as well as Egypt. Government decisions and the talk of the common people were also at odds within these countries. Making a separate peace with Israel, along the lines of the Camp David accords, might be the equivalent of signing their own death warrant for many of these governments. Their overthrow, were they to fail to reach a conclusion that included the Palestinians' aspirations, would be almost immediate. According to students spoken with over several years by this researcher,¹⁰⁸ sizable underground opposition groups

¹⁰⁸In order to protect the anonymity of the students who gave this information freely, the author of this research will not list individual students. All have been enrolled at U.S. universities in the late 1980s and early 1990s.

exist in such nations as Saudi Arabia, Kuwait, Yemen, the United Arab Emirates, and others. According to these students, the groups consist of students, intellectuals, and the disillusioned poor, categories that have traditionally championed the Palestinian cause. Unhappy, often, with their own lot, they have plans to overthrow their rulers, as well as a strong network of support that in some cases extends even to members of the various (extended) royal families. None of the students who disclosed this information wishes to have his or her name appear in print, but similar stories have been repeated with relative frequency during the last ten years to this writer.

The view that there is internal pressure for reform has also been voiced in diplomatic and political circles. In 1984, Ned Temko, writing in the Christian Science Monitor, said:

... the bleak prospects for a negotiated compromise on the Palestinian question have complicated the position of the Arab world's pro-Western monarchies. The Americans, as Israel's billionaire bankrollers, are portrayed by Arabs of all political stripes as ultimately responsible for the deadlock. ...

... the threat to the stability of Arab monarchies, if not necessarily immediate, may also be far from merely theoretical. ...¹⁰⁹

Temko goes on to say that

¹⁰⁹Ned Temko, Christian Science Monitor, 4 January 1984, p. 5.

Meanwhile, the Saudis have concentrated their energies on strengthening a recent-vintage regional organization called the Gulf Cooperation Council-- and especially on converting that group into a security alliance capable of countering internal or external threat.¹¹⁰

Again, this is an area where the situation may be viewed as either positive or negative. There has been great impetus for the Arab states to participate in the peace talks and to work for the benefit of all. At the same time, there is great division among them in regard to how to solve those problems which are bound to result in conflicting interests.

Within the first weeks after the Gulf War's end, the PLO seemed to relinquish some of its claims to be the only legitimate negotiating partner on behalf of the Palestinians. But this may not have been a sign of weakness. The PLO may have been simply retreating until there is a chance for a political solution. The need for a "liberation organization" ceases when liberation has been achieved. This has been the goal all along, and reaching it by peaceful means will not be viewed as a loss, but rather as a victory.

Another aspect discussed in the Arab world relates to Arab states' participation on the Allied side in the Gulf War. The belief is that such participation was

¹¹⁰ Ibid.

strongly tied to the relative economic weakness of some of the poorer Arab states, rather than a deep commitment to the Allied cause. The wealthy Gulf states participated because their leaders wanted to have adequate protection for their wealth. The support for the Allies was therefore deemed to be very shallow. The populations of many of the Arab states staged massive demonstrations against the U.S. and Allied bombings and against their countries' participation. The cause of the Palestinians is still deemed to have a far greater importance to the ultimate peace of the region. Governments that found themselves in disfavor with their own citizens during the Gulf war may believe that their work on behalf of the Palestinian cause (and the cause of regional peace and stability) will improve their standing with their own people.

Next on the list of Israel's priorities should be what is termed a "united Jerusalem." But, given the intricacies of this particular problem, a separate section will be devoted to the discussion of the special status of Jerusalem. This question will probably be relegated to a later position on the agenda at any peace conference because of the delicate nature of the subject. Many believe that the momentum of other concessions and agreements will assist in the solution of the more difficult questions that have always surrounded the question of Jerusalem. It

should be noted, however, that there is a growing movement of people in the region to believe that the question of Jerusalem should be placed on the table early in the negotiations. This will also be discussed at a later stage.

Yet another issue deemed important by the Israelis--and also related to their security--is the demilitarization of any areas which they would relinquish to the Arabs (and more specifically to the Palestinians) through negotiation. This particular issue may prove to be one of the easiest to manage, since an offer of demilitarization, other than a domestic police force, has been included in most discussions within the PLO, and has been no secret in the course of interviews given to the media or to private groups. This will be one area on which early agreement should be possible.

Another desire of the Israelis is for a "cooling-off" period during which a neutral force (or the Israelis themselves, as proposed by the Likud government--a suggestion unacceptable to the Palestinians) would provide a buffer between Israel and "the Palestinian entity," and during which borders would be more closely monitored.¹¹¹

¹¹¹Various "autonomy plans" have been proposed by the Israelis. All call for an interim period during which the Palestinians would have local elections and take over some municipal functions, while the Israelis would maintain control of military and/or police capacities.

In the past, a five-year period has been suggested, and was in fact agreed upon in the Camp David procedures, but the Israeli "autonomy plan" actually calls for Israeli supervision and a period which does not have a specific length. The time period may need to be lengthened or shortened due to any increased level of hostilities and especially since the Palestinian uprising, or intifada, has lasted for more than five years and by itself added to the level of tensions. The issue of length of this interim period is negotiable, but a brief period of autonomy is now envisioned by most parties as feasible.

Although the Israeli "right of return" provides for unlimited immigration by Jews from all over the world to the State of Israel, Israel wishes to limit the right of Palestinians to return to the land of their birth. This is felt by Palestinians to be extremely unfair, since Jews who have never even seen Israel may "return" there, while no such privilege is accorded Palestinians who knew no other home prior to their departure, or expulsion, from Palestine. Although this may seem to be a difficult issue, Palestinian leaders also have witnessed the problems that Israel has experienced due to the rapid absorption of immigrants. Palestinian leaders may be willing to forego instant reintegration of refugees, provided another suitable means for repatriation can be implemented, and the

concept of a phased repatriation is one which be will explored as a solution to the problems both parties might have with a Palestinian "right of return ." Many Palestinians will not wish to return permanently, but will be satisfied with a right to visit. This is certainly comparable to what has taken place when world Jewry has been offered the chance to go to the State of Israel to live permanently. U.N. Security Council Resolution 181, passed in 1948, calls for the right of return or compensation to refugees forced out of their homes during the conflict. (See Appendix.)

Another less pressing wish to the Israelis is compensation for any settlements in the Occupied Territories which would need to be dismantled. But even many Knesset members are willing to forego direct payment from the Palestinians. Privately, and off the record, at least three Members of Knesset (MKs) have told this writer that they fully expect the U.S. to carry some of this financial burden, if not all, and that this would be both likely and logical if the U.S. is no longer making such substantial contributions to Israel's military budget as has come to be the case during the 1990s.

A concomitant issue of importance to the Israelis is provision for and protection of any settlers who desire

to remain inside the new "Palestinian entity ." This might be an even more difficult problem, since those settlers who prefer to remain might be the more ideological ones, such as the members of the Gush Emunim [Bloc of the Faithful] settlers movement, long known for their tendency to take their defense into their own hands. Tensions between these settlers and the Palestinians have been extremely high throughout the occupation, and negotiations on this subject will be some of the most delicate. But it is possible that those Jews who wish to remain in the areas coming under Arab control might be allowed to do so, as long as they comply with the laws of the governing body. In a demilitarized state, for instance, this would mean that they would also give up their weapons and would be subject to equal protection under the laws. This is along the lines of the guarantees available to all citizens in the U.S. Since a large number of the confrontations between Israeli settlers and Palestinian civilians in the territories have been over the right to live on the land, this right--as well as any limitations upon it for either people--must be definitively described and absolutely adhered to.

This whole area will take a lot of creative thinking on the part of those involved in untangling the complex problems which result from the intermingling of two

populations which bear hostility toward one another. One solution which might need attention is the question of the status of both those Israeli Jews who choose to live in the former Occupied Territories and that of those Palestinian Arabs who choose to live in the land which has been Israel since 1948. Currently, there is a large population of Palestinians who hold Israeli citizenship, although they do not hold nationality status in the State of Israel, since the national rights of the state are conferred only upon people who are Jewish. The large majority of these people identify with Palestinian nationalism, in much the same manner as the Jewish settlers residing in the Occupied Territories identify with Jewish nationalism. It is, therefore, a logical step toward a solution of the problem that a new status of "permanent resident," similar to that which exists in the United States, be proclaimed. Foreseeably, on a certain date--or for a certain period of time--persons in both states (or in Israel and the pre-state Palestinian autonomous region) can select which of the two states they wish to be citizens of. Once having declared this intention, those who choose to reside in the other state would maintain their citizenship of the state they choose, but obtain permanent residency documents for the place they choose to inhabit. In such an instance, nationals of each country would have

citizenship privileges, such as voting rights, in their state, even while residing outside that state. They would, at the same time, maintain a legal status and protection of the laws of the state in which they reside. Just as permanent residents of the United States are subject to certain rights and privileges and also subject to the laws of the United States, such a situation could pertain for permanent residents of Israel or of Palestine.

At the same time, this might provide part of a solution to Israel's demographic problem, since many Palestinians living inside Israel would like to be citizens of Palestine. This would return to the Israeli state the character of a Jewish state which seems to be so very important to those who insist that the land be a "safe haven" for Jewish people. Of course, agreements or protocols would need to be worked out for the protection of those persons residing within the other state and would need to offer approximately the same privileges and duties to both people. Enforcement procedures and jurisdictional details would need to be worked out in some detail.

Ironically, several of the more liberal members of Israel's Knesset have privately expressed their belief that the stepped-up settlement building program of the late 1980s and early 1990s was a deliberate plan of the Likud party to reap great rewards financially when the

settlements were ultimately dismantled. One of these MKs termed this "cashing-in on the reparations,"¹¹² which he stated was quite profitable for some of the previous settlers. This viewpoint harkens back to the high prices paid to the settlers forced to abandon their homes in Yamit, the moderate-sized settlement in the Sinai desert, as part of the disengagement with Egypt. These settlers were described as "overnight millionaires," and the MKs willing to discuss this issue believe that such opportunities may be a stronger motivating goal for some of the settlers in the West Bank and Gaza than is the Jewish fundamentalism they so frequently, and vocally, express. One went so far as to say that "many of them only know the ideology of profit."¹¹³

It needs to be stated that the "fringe elements" in Israeli society are unwilling to trade land for peace and would add territory to their list of wishes. Even some not on the fringe worry about the security of the Israeli state if the eventual border remains as it was prior to the 1967 War, with the narrowest portion only a few short miles between the sea and a state ruled by the Arabs. Discussion of these fears and how to assuage them must also be on the agenda. The de-militarization of the

¹¹²This comment was made with the strict understanding that it was "not for attribution," and this writer stands by her promise not to reveal the source.

¹¹³See note 112.

Palestinian state is one possible ameliorating factor, while another reality of the modern world should also be brought up at this point: It is no longer military capability as related to physical proximity that determines the security of a nation, but rather the level of relations that nation maintains with its neighbor states and the manner in which all security concerns are mutually discussed and worked out.

Skepticism and fears of the unknown aside, the wishes of the Israeli side seem to be primarily related to security and the continued safe existence of the Israeli state, including economic viability and the continuation of the Jewish "right of return," as well as the possibility that some settlers might remain in whatever "Palestinian entity" were to replace the Occupied Territories and become Israel's political successor there.

The Arab "Wish-List"

Before moving to the question of Jerusalem, it will be necessary to first list the desires which have been formulated by the Palestinian side for presentation during the negotiations. Palestinian wishes have remained constant for more than a dozen years, and it is important to state at the outset that, despite the existence of "fringe elements" in the Palestinian camp, there is a

greater degree of consensus regarding the Palestinian "wish list" than might be found on the Israeli side. The Fatah political factor of the Palestine Liberation Organization has consistently enjoyed an estimated 85-90 percent support for its policies, far more of a mandate than that enjoyed by either of the major political parties in Israel. (In the 1988 Knesset election, the top two Israeli parties, Labor and Likud, together garnered only 66 percent of the votes, sharing the rest of the votes with 25 smaller parties, running the gamut of the political spectrum.) Because of this mandate in the Palestinian political sector, the Palestinian "wish list" may be easier to define. This is notwithstanding recent opposition from Hamas, the Islamic fundamentalist group which has been gaining adherents, primarily in the Gaza Strip, as the strain of protracted occupation has led to ever more economic deprivation. Yet, it must be recalled that lengthy negotiations, with little or no result, tend to heighten levels of tension, a situation which leads to support for fundamentalist factions. Such a situation tends to cause the extremists, acting out of frustration or disillusionment, to take matters into their own hands. The resulting violent incidents (violence being the most common manifestation of these feelings of frustration) tend

to further delay progress, as each side feels determined to defend, rather than denounce, such actions when committed by members of their own identity group. Although much of this reaction on the part of the negotiators is counter-productive, at least in terms of progress in the negotiations, it is often deemed to be necessary to have the continued support of the people, who, after all, are only reacting to the higher levels of tension that result from long-continuing frustration and failure to see results. It is, then, a vicious cycle which requires some careful thought and some creative action to prevent further impasse.

The first "wish" of the Palestinians is for recognition, not only of their existence, but of their right to exist, and to do so in the land of their ancestors. The only problem with this wish is that the land referred to is precisely the same land which the Israelis claim as the land of their ancestors. So the question becomes one of how to carve up the land, or otherwise share it, so as to satisfy everyone. The PLO has abandoned its claim to all of the land and has agreed to settle for what amounts to 22-23 percent of the original land of Palestine as it existed prior to 1948. The area over which they now wish to hold title is the West Bank and the Gaza Strip, or the area which was under Arab rule prior to the

commencement of hostilities on June 5, 1967. They also claim East Jerusalem, a touchy point that will be discussed later.

This desire does not stop at ownership of the land. The term which has been in use since 1967 is "self-determination," a phrase which is often interpreted differently by Arab and by Jew. To lay to rest the definition once and for all, this paper suggests that "self-determination" is the concept that a people should choose for itself by what form of government, and by whom, they wish to be ruled. Many consider this to be a right, including the United Nations and even the United States (although the U.S. is somewhat selective in the question of who should be entitled to enjoy this as a "right"). In the case of Israel and its citizens, it is a right already possessed. The Palestinians complain that they only want the same rights which the Jewish population wants for itself, and considers to be inalienable. Therefore, once territory is obtained, the Palestinians want to be able to form a government. (In fact, they would be happy to form a government prior to obtaining the territory officially.) This is why, in 1988, they made their Declaration of Independence (see Appendix) and proclaimed their statehood. In so doing, they also called for defined borders, something which Israel has never achieved within its own existence.

In fact, Israel has been quite deliberate in not defining its boundaries, going so far as to say that they refrain from so doing in order to comply with the wishes of the ultra-Orthodox community, which believes that geographical boundaries should not exist for Israel prior to the coming of the Messiah, an event they still anticipate in the future.

The definition of borders is closely related to the next Palestinian desire, that of security. Even though the PLO has frequently stated that it will agree to have a demilitarized state, with merely a small, domestic police force, Palestinians are well aware of the military might of Israel. They would likely request the establishment of an international force (perhaps UN) for their protection from any external threats, at least during the transition period. The escalation of hostilities beginning in the third year of the intifada has made this an even more pressing problem, as the easing of tensions will be a difficult task following the high number of confrontations which have been experienced on a daily basis since 1987.¹¹⁴

Also high on the Palestinian "wish list" is the "right of return" for those who were expelled or who fled the region, either in 1948, 1967, or at any other period.

¹¹⁴Statistics on these confrontations are available from the Palestine Human Rights Information Center, Chicago, Illinois.

The reasons for leaving varied, but it is widely known that many Palestinians have a desire to return to their original homeland. Many, especially those who have lived continuously in refugee camps since 1948 or since 1967, have refused to become a part of the countries in which those camps exist. This has been a reflection of their belief that they have a homeland in Palestine and that they expect to return there someday. Denying these Palestinians such a right, especially after the creation of a Palestinian state, would surely lead to their hostility, and would tend to again destabilize the region. Although some would be satisfied if they were finally paid compensation for the homes or land they lost (very little of which was ever compensated), the large majority of the refugees living in camps outside Palestine would want to return. Whether that return would be permanent or temporary would have to be decided on a case-by-case basis. But the instant repatriation of all refugees would be impossible. A phased repatriation plan should be brought to the negotiating table by the Arab side. Allowances for visitor permits for those not in the first waves of persons repatriated would also seem to be appropriate. This would go a long way toward preventing unrest during the transition period.

Special consideration should be given to requests by the elderly to return, either permanently or for a visit, as a humanitarian gesture. Their longing to return has been a sorrow not only for them, but for members of their families as well. For many of them, the opportunity to return home one more time is more of a "last wish" than anything else.

The large number of refugees living in camps outside the Occupied Territories is further indication of the need for a phased repatriation. The size of the territory into which these people would be returned, as well as its ability to absorb the returnees, must be considered as repatriation is being contemplated. By repatriating refugees in phases, absorption problems can be minimized, as returnees will find work, housing, and infrastructure upon their arrival.

Although such a phased repatriation would require a detailed plan, those who are asked to implement such a plan will need to look at the question of which refugees have skills which could be used in the building of infrastructure and the filling of other needs which should be in place before the others arrive. They should be the first to return.

Just as the question of the status of Jerusalem was difficult when we discussed the Israeli "wish list,"

it remains an issue too complex to be dealt with here. But it should be recalled that the status of Jerusalem, in the mind of the Arabs, is equally important. Its disposition arouses equally strong Arab interest, and for many similar reasons. Very high on the Palestinian "wish list" is the issue of free access to holy places (Christian, Islamic, or Druse) and freedom of worship. If anything, a higher percentage of Palestinians are religious adherents than are Jews. It has been estimated that up to 90 percent of Israel's Jewish population are "non-observant," while as many as 90 percent of the Gaza residents and 60-70 percent of the West Bank population are not only adherents to, but also practitioners of, their stated faith. Since member statistics are unavailable for most of the faiths, such claims are highly speculative, and there is no way to confirm or refute them. But if the crowd praying at the Al Aqsa Mosque and Dome of the Rock each jama'a (Friday) is any indication of the devoutness of Islam's practitioners, restriction of freedom of access to the holy sites could be one of the most highly explosive issues of peace negotiations. Already, several incidents have occurred between Jews and Arabs over holy sites, not only in Jerusalem, but in Hebron, Nablus, and Bethlehem. This problem is one of the most sensitive ones which will have to come under discussion. Both closure or limitation of access to

religious sites, and possibility of turning Jerusalem over to the exclusive jurisdiction of either national group, Palestinian or Israeli, are issues capable by themselves of generating extensive debate, if not outright hostility. The question of Jerusalem, as the most intractable of issues, will likely be the last issue to be taken up in negotiations. Similarly, the issue cannot be excluded from the talks, as failure to reach a solution on Jerusalem could render all of the other negotiations null and void. Still, the issue may become less volatile if other issues are heading toward solution.

A Connecting Road

A special problem which will also need to be dealt with is the access between the two parts of the suggested Palestinian state. There is approximately a 180 mile gap between the West Bank and the Gaza Strip, connected primarily by a single two-lane highway (which widens near major cities). To whom will the roadway belong? Which of the two nations will "own" the various towns and unincorporated areas along the route? Very little has been said about this, but the areas will need some physical connection, if only to prevent the psychological separation which could cause a resurgence of antagonisms between the two states. We should look to the complicated politics of the detached portions of Pakistan to see that preventing

access between the West Bank and Gaza could possibly create more problems than it would solve.

In the realm of economics, just as the State of Israel would wish for certain advantages to come from negotiations, the Arabs would also wish to have certain rewards. Under Israeli occupation, the West Bank and Gaza Strip have become captive markets for Israeli products, as well as the source of a ready pool of cheap labor to work in hotels, restaurants, and the construction industry inside Israel, as well as in the Occupied Territories, where laborers can often be found building Israeli settlements--to be occupied exclusively by Jews--on Arab land confiscated from their own villages, or even their own families. The intifada, though, has been an effort to divorce the Palestinian economy from the Israeli one.

One of the pamphlets issued by the Unified Leadership of the Uprising, called Nida'a, #4, issued January 4, 1988, called for "concentrating all energy on cultivating the land, achieving maximum self-sufficiency aimed at boycotting the enemy's [Israel's] goods."¹¹⁵ The Palestinian trade union movement has also strengthened during

¹¹⁵ Nida'a, #4, Unified Leadership of the Uprising, 4 January 1988, translated and reprinted in Phyllis Bennis, From Stones to Statehood: The Palestinian Uprising (New York: Olive Branch Press, 1990), p. 62.

the intifada, with general strikes being ordered by the union for partial days or for entire days. And there is widespread cooperation from Palestinian employers in keeping the strikes. Israeli curfews imposed on Palestinian areas (for 40 days during the Gulf crisis and for various other time periods since then) have been an attempt to disrupt this self-reliance. Many Palestinian crops have rotted in the fields, while farmers have been forbidden to plant others. No manufacture or sales have taken place for extended periods of time since early 1991.

For many Palestinians, who have lost their own land to Israeli confiscation, or been taxed beyond their ability to support their businesses, there has been no choice but to continue to work in the Israeli day-labor market or to starve. But the revival of a Palestinian economy, unharmed from the restrictive regulations of an occupier's rule, can be expected to change all that. The types of changes envisioned must be viewed in relation to the phased repatriation of refugees.

It is understood that one benefit to be reaped by both states with the re-establishment of peace will be the return of tourism to the region. Prior to the hostilities of recent years, tourism had been a major source of income for both the Arab Palestinian and the Israeli Jewish economies. Tourists have been "staying away in droves,"

according to one Palestinian hotelier, causing restaurants, travel agencies, hotels, souvenir shops, and other related businesses to close their doors, or to otherwise severely reduce their staffs. A return to "normal" will include a resurgence in the tourist industry, as pilgrims and others, long deterred by their fear of violence, again put the Holy Land on their itineraries. This will result in a large number of jobs becoming available in the service sector, many of which will be given to former employees who lost jobs in that sector, but others of which will be able to help "take up the slack" for those whose jobs in Israel were taken by Soviet Jewish immigrants at the end of the 1980s and the early 1990s. Unemployment has been one of many factors influencing the unrest visibly demonstrated during the intifada. Curbing that unemployment early in the peace process will prevent renewed upheaval.

The development of manufacturing and industry in the West Bank and Gaza has been severely curtailed for the last 25 years. The predominant industries in the West Bank during this time have been textiles (mostly t-shirt manufacture for the Israeli and tourism markets) and olive presses. The territories have been hooked up to the Israeli electricity grid and to the Israeli national telephone service. Computers were beginning to come into

usage in the 1980s, and other electronics were quite popular, but almost none of these items were made or repaired in the Occupied Territories, except by a few small shops. Production of these items is one possibility as a Palestinian industrial base is being brought into existence. Training in computers and electronics was included in the curriculum of West Bank universities and was a popular subject prior to the closure of institutions of higher learning by Israeli military order during the uprising. Many graduates from these schools have joined the ranks of the unemployed. New opportunities for them, and for both new graduates and those refugees trained outside the territories in these fields, may be early economic enhancements for the new state.

Both the West Bank and the Gaza Strip were highly productive agricultural areas prior to occupation. The West Bank produced olives and a wide variety of fruits and vegetables. The Gaza Strip was a net exporter of citrus fruit to neighboring Arab states. Some of this production for export has continued throughout the occupation, but a percentage of it has been curtailed. Confiscations of farmlands and groves of trees, the uprooting of olive trees as collective punishment, and severe economic restrictions, such as high taxes and closure of the borders

with neighboring Arab states for lengthy periods of time, have all taken their toll on the agricultural sector.

Israel's strict rules restricting competition with its own production have also reduced agricultural income to Arab farmers. The end of occupation should create greater stability, as a free market economy will once again be the norm. At the same time, Israel should not fear this new development, as peace will also bring it more trading partners in the form of neighboring states, and Israel's need for a captive market in the territories will disappear at the same time that such new markets are appearing.

(The peace talks have already brought the promise of an end to the Arab boycott of the State of Israel and its products.) Healthy competition will become the norm, and the false economy imposed by the exigencies of occupation will disappear. Those agricultural workers forced into jobs in the cities will again find jobs in their original occupation, when the land once again becomes available to them.

The Gaza fishing industry has been severely disabled since 1967. The small port at Gaza could once again be opened, and its development could accommodate the hiring of hundreds of unemployed construction workers, while fishermen could once again ply the waters off the Gaza coast, no longer worrying about Israeli patrols.

Hotels along the Gaza beachfront could once again become the sites they once were for Arabs on holiday and tourists headed south to Egypt. Large wedding parties would once again be held there, allowing the owners to once again become solvent. Some of the high unemployment rate in Gaza could thereby be reduced.

Concurrent with the opening of the port at Gaza, the airfield just north of Jerusalem could also be opened to civilian use. Smaller than the Ben Gurion International Airport at Lod, outside Tel Aviv, the Jerusalem airfield would provide another port of entry to the Holy Land for tourists and pilgrims, but would probably be restricted to air traffic coming from within the region. Its smaller size would prohibit the arrival or departure of jumbo jets. Again, because of the long lapse in its commercial usage, several jobs would be created by reopening it. First would be jobs for civil engineers and other workers in clearing the field and making it usable. Recently, some of this has been done by the Israelis, who have utilized the airstrip for military purposes and as a launching-site for helicopter surveillance of East Jerusalem and the West Bank, but much needs to be done to upgrade the facility for volume air traffic. Once it has become usable, related facilities would need to be created.

Next would come the building trades, as there is no terminal and one needs to be built. Parking and shuttle bus facilities would need to be put into effect, as would baggage handling facilities. Airport shops and eating facilities could also be established. Government jobs in airport security and immigration/passport control would also be a major necessity. Absorption of other unemployed persons could occur in this sector.

Other areas of economic development will provide additional jobs once a Palestinian state comes into existence. The development of an infrastructure for a state where none has existed before offers both possibilities and challenges. A few of the things needed in a state are listed by Jerome M. Segal in his book, Creating the Palestinian State:

... the introduction of a functioning criminal justice system, and ... the establishment of some procedures for adjudicating civil disputes ...

... licensing drivers or firearms, owning factories, or building schools ...

... some ability to raise and spend funds, an ability to appoint officials, and some means of punishment and adjudication.¹¹⁶

In order to establish just these few portions of the infrastructure of a new state, one might envision the creation of hundreds of jobs. We might add to Segal's list the

¹¹⁶Jerome Segal, Creating the Palestinian State (Chicago: Lawrence Hill Books, 1989), p. 109.

postal function (always a major employer), garbage collection, map-making, printing of currency, coining of coins, and many more needs too numerous to mention.

Segal also mentions the police force, courts, and taxing authorities, municipal governments and their individual infrastructures, and an agency to issue passports. There is also a lack of banking facilities run by Arabs in the occupied areas. There is no functioning system of social services, and health care facilities are badly in need of development. One of the assets the Palestinians will bring to the bargaining table is their need to build such an infrastructure. Although certain of these functions have begun to exist under the aegis of the Unified Leadership of the Uprising, and there also still remain experienced professionals in most of these fields who worked under the Jordanian regime between 1948 and 1967, there has been no official function in many of these fields for the Palestinian population since 1967. A few Palestinians have worked in the public sector within the State of Israel, while others (some within the refugee population, and some who left to seek better opportunities away from the occupation) have gained experience working under other governments. A broad range of graduates, with a variety of education and experience, can be found to fill these essential posts. Thus, the public sector can also

absorb some of the currently unemployed, as well as some newly repatriated refugees.

Those entering negotiations on the Arab side will be able to make a much stronger case for phased repatriation of refugees if it can be proved that these persons will not become a public charge. A fully employed population is less likely to be rebellious. The time spent in developing infrastructure, as well as the effort required to do so, will re-channel energies into positive development and away from the potential for future conflict. The great needs of the Palestinians in the area of infrastructure should be viewed as an asset for them and for the Israelis in terms of the Israeli security needs.

So, it can be seen that Palestinian needs and desires can be categorized as recognition, self-determination leading to eventual statehood, land, right of return, freedom of worship and of travel, and various aspects of economic development, including creation of jobs in both the public and the private sectors. Finally, a resolution of the status of Jerusalem is of utmost importance to the Palestinians.

In spite of its persistence in the demands or desires of both the Israelis and the Palestinians, the question of Jerusalem will be further postponed until the matter of what will be termed here "negotiation preliminaries"

has been covered in this section. This author feels that, without the preliminaries which will be outlined here, no successful negotiations will take place. But, if the negotiating partners are able to rise above the problems engendered by their respective histories and their recent history of negative interactions together, and to go through the suggested preliminary steps prior to the commencement of negotiations on the specific issues listed above, the proposal which will later be made for settlement of the question of Jerusalem will seem more viable to both parties and, if not acceptable to both, will at least stimulate positive discussions which will lead to a solution both can live with.

The Preliminaries

Several years ago, when Israeli peace activist Yehezkal Landau, a founder of the religious peace movement Oz ve Shalom [Religious Zionists for Strength and Peace], spoke at a Religious Studies class at San Jose State University, he made a statement which has never left this author's mind. He said that it was important for Israelis to acknowledge that "the land, the whole land, is the land of Palestine," and for the Palestinians to acknowledge that "the land, the whole land, is the land of Israel."¹¹⁷

¹¹⁷Yehezkal Landau spoke to the Religious Studies class in Fall of 1984. His ideas can also be read in

In explaining this somewhat confusing statement, Landau went on to describe what he viewed as a process of cleansing and release for the two adversaries. He claimed that both sides had to acknowledge that, historically, the other had at one time owned, or claimed ownership of, the entire land now under dispute. When those times were, and for how long each population "owned" the land, became irrelevant. The simple act of acknowledging the claim to the land made by the other is essential to hearing the other side's arguments.

Landau continued his conceptualization by stating that allowing the other side to own the land--or to have a claim to the whole of it--also gave them the privilege of willingly giving it up. He said that, once Arabs said the important words, "The Jewish people have the right to be anywhere in this land," and once the Israelis said the same about the Palestinians, they could afford to be generous with it, because their dignity would be restored as well. Each people could, if they owned the whole land, choose to allow the other to live on a part of it, for the sake of peace. He went a step further when he said that each side could give the other the permission to fly their flag over a part of the land.

Deena Hurwitz, Walking the Red Line, *ibid.*, where his article entitled "Blessing Both Jew and Palestinian: A Religious Zionist View" appears on p. 123.

The advantage to such an approach is that it allows each side to assert its claims and to hear the other side acknowledge that there is legitimacy to those claims. This restores dignity to each of the parties and turns them from belligerents into negotiating partners with a common goal. In the case of the Israelis and Palestinians, the common goal they could then address is that of seeing that each side has a portion of the land to call its own today and into the future.

This is an ideal time to enter negotiations, because the respective populations of the two nations are approximately equal. In the May 12, 1986 edition of the Israeli newspaper, Al Hamishmar, writer Dalia Shehori stated that

The Israeli cabinet yesterday heard a review of Jewish demographic trends in Israel and abroad. The forecast given for the year 2000 was for 4.1 million Jews and 3.1 million non-Jews in Israel (2.1 million) and the West Bank (1.9 million)--or 57 percent Jews vs. 43 percent non-Jews.¹¹⁸

Although the rapid influx of Soviet Jews into Israel which began at the end of the 1980s has threatened to upset this demographic balance, the net loss of population exiting Israel for the past several years due to the continued unrest is apt to restabilize the population statistics. Although numbers should not be so important, both Israelis and Palestinians frequently use the term "creating facts"

¹¹⁸Dalia Shehori, Al Hamishmar (Hebrew), 12 May 1985, p. 10.

when talking about the absorption of land and institutions in the West Bank by the Israelis. By setting up Israeli settlements in the Occupied Territories, Israelis feel that they, too, have a foothold on the land. But, try as they might, they have been unable to tempt a large number of settlers into those areas. Instead, they have, because of the reluctance of most Jews to move into occupied areas, affirmed that there is another population--an Arab one--living on the land. This has shown that there is acknowledgment by many Israelis that it is not possible to fully uproot the Arab Palestinian population. This does not preclude the possibility of a foreclosure on the chances for a Palestinian state, resulting from the increases in Jewish population in the Occupied Territories, but it does render an urgency to the task of achieving some sort of peaceful resolution to the problem.

According to World Monitor of December, 1991, in an article by Geoffrey Aronson, "Today there are one-quarter million Israelis living in more than 200 communities established in occupied territory."¹¹⁹ Aronson goes on to say that 150 of these settlements are in the West Bank, 16 in the Gaza Strip, 35 in the Golan Heights, and 9 in what he calls "the area of East Jerusalem annexed to

¹¹⁹Geoffrey Aronson, World Monitor, December 1991, p. 24.

Israel."¹²⁰ That last area, though, can be deceptive, as the area which the Israelis refer to as Greater Jerusalem, wherein most of the settlements have been established, now ranges nearly 12 miles north to the outskirts of Ramallah, including the Arab towns and villages of Shofat, Beit Hanina, and others, and south to the outskirts of Bethlehem, again consuming territory of several Arab towns and villages, including Silwan, the village which was the scene of a Jewish takeover of Arab houses in late 1991.

The rapid influx of Soviet Jews into Israel which began at the end of 1990 threatens to upset the demographic balance once again. But their reluctance to find housing in those formerly all-Arab neighborhoods, as well as the desire of many of them, disenchanted with what the State of Israel promised them as compared to what they really found there, to return to the former Soviet Union or to seek housing elsewhere, have led to a prediction that they might not remain after perhaps five years' times.

The largely non-ideological Soviet immigrants bear little resemblance to the large majority of Israelis who have taken up residence in the territories. Most of these settlers are young families lured by the low prices and extremely good terms for mortgages in the territories,

¹²⁰Ibid.

upwardly mobile American or European Jews who want to enjoy a suburban lifestyle, or the Ethiopian Jews (Falashas) hastily settled in the older buildings which were constructed in the first wave of settlement construction. This latter group was quickly deposited in the West Bank following their airlift to Israel in the 1980s. Many of them did not know they were being placed in Arab areas.

The number of ideological Jews residing in the West Bank and Gaza is really quite small. According to Meron Benvenisti, who heads the West Bank and Gaza Strip Project, there were in 1985 2,000 settler families in the "community settlements ." Pinchas Inbari, writing in Al Hamishmar, 25 November 1985, wrote about Benvenisti's November 24, 1985 survey of population, employment and public finance in the West Bank;

According to his findings, the growth of ideological settlement by Gush Emunim has reached a standstill, demonstrating that the group's ideological potential has been exhausted. However, despite this slowdown, there is still active demand for apartments in the urban settlements near Jerusalem and in the westernmost areas of the West Bank, close to the Green Line. These areas are being settled by "normal" citizens living in neighborhoods much like those inside the Green Line. The difference is that the state does not grant any aid within the Green Line, whereas similar neighborhoods across the Green Line are awarded massive aid.¹²¹

The amounts of this massive aid have also been published,

¹²¹Pinchas Inbari, Al Hamishmar [Hebrew], 23 Nov. 1985, quoting Benvenisti study of 24 November 1985.

and it becomes rather obvious that the only "ideology" espoused by many of these settlers is one of saving some money. An ad appearing in the Jerusalem weekly Kol Ha'ir on March 29, 1991, offers "Big Interest-Free Mortgages" for persons wishing to move to Efrat, described as "A city of gardens developed in the Etzion Bloc, prepared for thousands of residents who want the good life."¹²² The terms for these mortgages are: For young couples, from \$37,000 at 0% interest + \$8,700 at 4.5% interest; for new immigrants, from \$45,000 at 0% interest + \$8,700 at 4.5% interest; and for homeowners, from \$8,700 at 0% interest + \$19,000 at 4.5% interest.¹²² Even if it were possible to find housing inside Israel (made difficult since a lengthy moratorium on new housing starts in Israel in the 1980s), such terms as these offered in the West Bank would be impossible to find.

At the same time, Israeli reluctance to assimilate the entire Palestinian population into the State of Israel on equal terms with the Jewish population of that state could also be exploited in the preliminary stages of negotiations. According to Haim Zadok, in an interview by Politika, in April 1986, "More than one-third of the population ruled by Israel is denied any political rights,

¹²²Ad in Kol Ha'ir, March 29, 1991.

¹²³Ibid.

not to mention insufficient civil rights,"¹²⁴ a situation which he terms "intolerable." The "demographic problem" of Israel remaining both a Jewish state and a democratic state well into the 21st century is high on Israel's agenda. It can be solved most easily by giving the Palestinians what is high on their agenda: statehood. By this means, both Arabs and Jews have self-determination and the Israeli state does not need to worry about the possibility that the Arabs would one day outnumber the Jews in what they choose to be a "Jewish state." Statehood, of course, need not be the immediate result of negotiations, but should not be discounted, as it was the United Nations' intention to create two states in the first place. (Refer to U.N. Partition Plan in Appendix.)

Another preliminary which needs to take place in order for the parties to meet face-to-face involves the other Arab states in the region. For many years, it has been the stated goal of the Likud-led Israeli government to call for separate peace treaties with each of the Arab states in the region, along the lines of the Camp David Accords. At the same time, it has been the policy of the Arab states to not negotiate any separate peace agreement with Israel until after the question of Palestine is

¹²⁴Haim Zadok, interview by Politika, conducted April 1986, and reprinted as separate flyer.

settled. This stalemate, perhaps more than any other, has prevented the peace process from moving ahead. Even with the onset of "bi-lateral" negotiations, convened under the joint auspices of the United States and the former Soviet Union, the Arab states have maintained their stance. It is based upon a staunch refusal to make a separate peace without the completion of a peace agreement between the Israelis and the Palestinians, or at least the tacit approval of the Palestinians, based on the sense that such an accord was near completion. Israel has been equally adamant in its rejection of the concept of the primacy of the Palestinian question, insisting instead on an approach placing separate agreements with each country on a separate track. This is a situation which can only lead to further deadlock.

Despite these difficulties brought about by the hard-line positions of the parties, those hoping for a finalization of a peace agreement which would surely stabilize the region should not be discouraged. It is quite normal for parties to take hard-line positions as they enter discussions of peace. It must be hoped that they will not wait an abnormally long time before softening their stances. The concerns of both sides to this conflict should be considered as legitimate, and each side should, as on all other issues, make an attempt to view

the topic from the perspective of their opponent. Israel's previous threat to refuse to participate based upon the presence of certain Palestinians at the bargaining table has not yet materialized as fact. But that threat should be taken seriously, as should the Israeli reasons for wanting a separate peace agreement with each nation. At the same time, the Arab reasons for not making separate peace treaties should also be taken as legitimate. Some means for reaching the goals of both of the basic parties, the Israelis and the Palestinians, should be found, taking these limitations into account.

The efforts made in spring of 1991 by U.S. Secretary of State James Baker to help broker a peace agreement represented the first steps toward trying to reach the necessary compromise. Israel's statement that a regional conference is acceptable represents a significant shift, but even this has been met with opposition. The question of who should sit at such a conference became the first of many stumbling blocks. A regional conference, jointly sponsored by the former Soviet Union and the United States, has been convened. Those other states having an interest in the conflict were at first excluded, but later encouraged to attend, at least in an observer or advisory capacity. It can be expected that such a conference will not be where any real decisions are made. The purpose of the

conference is to meet face-to-face, dispel negative stereotypes, and set the ground rules for proceeding further. This has not been without its own set of problems. But, despite the problems, separate negotiations with each state and with the Palestinians have resulted from the original meeting. Still, the conduct of so many separate negotiations can have a detrimental effect brought about simply by the fact that they will tend to proceed at different paces, and the whole package of agreements may eventually need to be merged. The time involved in trying to get so many divergent groups to agree to so many different things will surely cause some people to become impatient.

Noting the difficulties in face-to-face meetings between Israel and the confrontation states, we should keep our minds open to other options. Should things seem to be proceeding too slowly, an alternative method of moving forward should be sought.

An Alternative Methodology

The Arab world has within its means a method for solving such a problem. A joint Arab organization can be formed as the vehicle through which the solution may be found, should an impasse occur. If Israel insists on a separate peace agreement with each Arab state, the Arab group could be authorized to receive all Israeli demands

directed to each state and all demands of each state directed to Israel. As the spokesman for the Arab states, the Arab group could be authorized to draft separate peace documents which would be acceptable to the Israelis and to each individual state. There is little doubt that each Arab state would insist on a clause relating to direct negotiations between Israel and the Palestinians and to the eventual creation of a Palestinian state.

Another clause might authorize the signing of the document at the successful conclusion of direct Israeli-Palestinian negotiations. To "sweeten the pot" for the Israelis, the customary clauses in regard to the normalization of relations, the exchange of ambassadors, and the cessation of belligerency must be included, but a stress should also be placed on economic relations, including trade, travel, tourism, and the eventual possibility of an exchange of foreign workers. The Israelis would thereby have a separate peace agreement, the contents of which were agreed upon in advance, with each Arab state, while the conclusion of such agreements by their official signing would be contingent upon the final outcome and resolution of the direct dispute between the Israelis and the Palestinians. All parties would know the contents of the unsigned documents, and this would provide an added incentive

to move the direct negotiations between the Palestinians and the Israelis forward.

Concurrent with such diplomatic moves coordinated by the Arab group, the authorized representatives of the Palestinians would be asked to draft unequivocal language to be included in their peace proposal to Israel which would call for the signing of each of the separate peace documents prior to the implementation of the Israeli-Palestinian peace agreement, but after the signing of this primary peace document between these two pivotal parties.

Such a scenario would satisfy the fears of each side. The Israelis could have their separate peace agreements; the Arab states would not have to sign the documents without the assent of the Palestinians and the resolution of their problem. Israel would not meet face-to-face with the Palestinians, but would have, beforehand, a guarantee that there would not be implementation of the agreement with the Palestinians until each separate peace document was signed with each of the other Arab states. The Likud government under Prime Minister Yitzhak Shamir refused direct negotiations with the chosen representatives of the Palestinians, the PLO. But the promise of future peace with all the Arab states might be the necessary incentive that would urge his successor to enter such direct talks. Either way, everyone can achieve his or her goals.

Meanwhile, the Palestinians would be assured that their settlement with Israel could be driven forward by the prospect that Israel could finally achieve peace with all of its Arab neighbors, while at the same time Palestinians would have the tacit authorization of all the Arab regimes to settle the dispute on their own terms before any of the separate agreements with the confrontation states went into effect. Thus, each party would, again, be the beneficiary of a major concession, without in any way reducing its own negotiating stance. This, too, preserves the dignity of the negotiating parties.

At the same time, if such a plan were implemented, it would provide greater latitude for the possible participation of other Arab states, particularly the Gulf states, whose status as oil producers and net importers of food and other commodities would make them ideal negotiating partners, and trade partners, for the Israeli state, a net exporter which has no oil reserves of its own.

A lot has been said in this section about the dignity of the parties. It may be hard for Western readers to comprehend the importance to the parties of what is being termed "dignity" in this paper. The issue of "saving face" was mentioned frequently during the 1990-91 Gulf crisis. The concept is the same. If parties have become locked into their own negotiating stance, for

whatever reason, a dignified retreat from those positions is often necessary, or there will be no retreat at all. Negotiations are never easy. As stated at the beginning of this chapter, each party must enter the process knowing that his/her side will have to give up something. That is the nature of negotiation. But giving up something need not mean being left with nothing.

Therefore, the greatest effort must be put not into demanding something from the other party, but rather into offering something to them. Each concession must be seen to result in a gain. As an example, the formula of "land for peace" is a vague one, while the specific offer to return the West Bank and Gaza to Arab rule in exchange for a separate peace agreement with each Arab state is an obvious diplomatic gain for the State of Israel. Each issue should be dealt with in similar terms. The negotiator should not have to return to his/her people and face accusations of having "given away the store." What he/she brings back to his/her people should be something that they really want and need, but which, at the same time, in no way diminishes the negotiating partner because they have needed to sacrifice something else which was felt to be too valuable to give up.

Another criterion which is often mentioned when the negotiating process is discussed is that negotiations must

be "discussions among equals." Much that has been said in the previous paragraphs helps to satisfy this criterion. Prior to 1948, there was no State of Israel. It existed only in the minds of those who kept alive the "Zionist dream." It has been much the same with the Palestinians. This land of their dreams became known, not as Palestine, but as Israel and the Occupied Territories. Their dream of statehood was all they had. That is, until the Palestinian Declaration of Independence was made in November of 1988. But the declaration, although it was a step on the path to nationhood, was not the tangible asset that it would have been if it had come with territory attached. This is why the mutual recognition of the right to the land is an essential part of the preliminaries. It places the Palestinian delegation on an equal footing with the Israeli one. It can also be said that the willingness of the Arab states to draw separate peace agreements to be signed with Israel, while not requiring the single Israeli state to confront all of the Arab states at once, is another sign that there is a willingness to meet as equals. The value of a one-on-one relationship seems to hold significance for even the hardest of the "hard-liners" in the Israeli camp. But it remains important that the other significant party, the Palestinians, not be excluded.

Furthermore, although the preliminaries outlined here call upon the parties to publicly admit to the very things they have adamantly disagreed over for a long time in public, the tactic is not an exercise in futility. As a so-called "neutral" in the dispute, this author has often been placed in the position of interlocutor between Israelis and Palestinians. The Arabs have inquired about how the Israelis felt about them, and the Israelis have asked how the Palestinians felt about them. Each side has been overtly relieved to hear from this author that the other side was not only aware of their side's feelings, but far more sympathetic than they had previously believed. It has seemed that the people with whom these conversations have taken place were always reluctant to take the next step, to meet with a member of the opposing camp.

Several conclusions might be drawn from this, with one or more of them, in any combination, reflecting the facts of the moment: 1) The two sides fear each other. 2) They fear venturing into one another's zones. 3) They fear reprisal from their own side (which has been the lot of so-called "collaborators" in recent times). 4) They assume such contacts will prove fruitless and therefore discouraging. 5) They are satisfied with the status quo. 6) They assume that, even if they can accomplish something

on a one-on-one basis, their individual efforts will seem irrelevant to the overall scheme of things and will not lead to any progress. 7) They fear the possibility that they might like this other person, once an enemy, and they are not prepared to fully give up the status of opponents and rivals for the same land.

Of course, there are many more possibilities that could give meaning to the concepts outlined here. Only each individual can determine which of these motives, or any others, he/she will need to overcome in order to create his or her own "bridges."

But there is precedent for such Arab-Israeli dialogue. And it is significant that each side has been responsive to initiatives by the other at some time, and that each side has been responsible for initiatives at some time. For the most part, these attempts have enjoyed a relatively high degree of success. Some of them are listed here:

1. Neve Shalom/Wahat as Salaam is a kibbutz in the Triangle region of Israel which was begun by Father Bruno Hussar, and which is home to 14 families, some Arab and some Jewish, attempting to live in community. Their School of Peace attempts to bring together Arab and Jewish children for opportunities to get to know one another and to discuss relevant issues pertaining

to the conflict. This is done inside the 1948 state of Israel.

2. Women in Black is a group of women who meet on Fridays for one hour in several cities in Israel to demonstrate against the occupation. Although the majority of those women who participate in the silent vigil are Jewish, they are often joined by Palestinian women and supportive women from the international community.
3. Oz ve Shalom is a religious Zionist peace organization which has held public rallies against repressive practices of the occupation, which they deem to go against the spiritual teachings of the Jewish faith. Two of this group's leaders paid a hospital visit to an imam who was the victim of an extremist Israeli group's bombing of a mosque several years ago.
4. Dialogue groups have been set up on the campuses of the Hebrew University in Jerusalem between the Jewish students and the few Israeli Arab students who also attend these universities.
5. The Society for Middle East Confederation has worked for several years to establish dialogue between Jewish and Arab citizens in the northern Israeli city of Haifa. The concept of a peace agreement that would eventually lead to a separate statehood for Israel,

the Palestinians, and Jordan, followed by a confederation for economic purposes, is central to their philosophy.

6. Al-amal Child Care Center is a cooperative venture run by Israeli and Palestinian families, serving families in Dheisheh and Aida refugee camps, and with an enrollment of 83 children. The Israelis involved have an opportunity to understand at a basic level what sorts of lives Palestinian children have as a result of political circumstances beyond their control.
7. The Rapprochement Center, located in Beit Sahour, near Bethlehem, offers an opportunity for frank discussion between Palestinians living under occupation and Israelis who travel to meet with them on a regular basis, often at times when the Palestinians are restricted from traveling due to lengthy curfews imposed as collective punishment upon entire towns or districts.
8. "Tour groups" of Israelis visit Palestinian villages and camps on a regular basis to see first-hand what life is like. This is done in defiance of the Israeli government, and such groups have often taken back roads to avoid military checkpoints, and have even been subjected to tear-gas along with the residents of towns or villages where they have been guests.

There are other efforts besides these to bridge the gap between individual Israelis and Palestinians. Most of these have been initiated by the Israeli side, but this is not from a lack of interest on the part of Palestinians. Instead, we should recall that the large majority of Palestinian groups--clubs, unions, societies, etc.--have been outlawed and/or their activities severely restricted during the occupation. To even hold a meeting, let alone a meeting in which the Arab viewpoint is being expressed directly to Israeli Jews, is a "crime," carrying such severe restrictions as "town arrest," "house arrest," or imprisonment.¹²⁵ This is surely something which has dampened the enthusiasm of some Arab groups for initiating any such contacts. Despite this, the above groups, and several others like them, insist it is of utmost importance for the individuals of both groups to get to know one another as human beings if it is ever hoped that the two peoples can live together at some time in the future as neighbors, without the lingering questions of who and what the other person is.

We should also note that, in the case of organizations attempting to expose Palestinian children to Israeli children and vice versa, the effects of such exposure

¹²⁵Refer to the annual reports of Al Haq/Law in the Service of Man, Ramallah, West Bank, for details on collective punishments. Especially relevant are the 1989 and 1990 reports.

still depend largely on parental and peer group attitudes and pressures. There is also the risk that, if an Arab child and a Jewish child were to become friends as a result of such encounters, each might choose to believe that his/her friend was the exception, and not the rule, and be unable to generalize his/her feelings to the other members of the group to which his/her friend belonged. In many personal interviews with adults in the region, especially with those who resided in pre-1948 Palestine, the interviewees spoke fondly of neighbors they had known, and even liked, and who belonged to the group that was now their enemy, of necessity. "If all the [insert 'Arabs' or 'Jews' here, depending on the speaker] were like [insert name], there would be no problem making peace." This is the general attitude of many ordinary people with whom this writer has personally spoken.

Who, one might ask, is there to say that most, if not all, of the members of both groups are not just like these friends, just as nice as the one, or the few, that any individual already knows and likes? Still, as time has gone on, and the level of conflict has escalated, such new contacts, and the maintenance of old ones, have become far more difficult to sustain. There is a nostalgia, it seems, for a time when it was possible to know

one another socially, without suffering recrimination or reprisal from one's group. The accusations of collaboration and the outlawing of such meetings for Israelis and Palestinians have tended to escalate the tensions and the misunderstandings.

Some of the events related to the Gulf War may have created further obstacles to dialogue between the two peoples. Although dozens of incidents have taken place, only the two with the most widespread publicity will be mentioned here. First is the issue of the distribution of gas masks to the Palestinian Arab population of the territories. The original plan was to exclude the Arabs completely, even those in the annexed areas of East Jerusalem and its surrounding suburbs. When an international outcry arose, it was decided to sell the masks to Israeli Jews for \$20 and to the Arabs of the territories for \$75, a decision based on the (false) premise that Arabs in the territories do not pay Israeli taxes. When the falsehood of the premise was made public in the international press, the pressure convinced the Israelis to sell the masks to both Arabs and Jews at the same price. But this became a moot issue when the Israelis announced that they did not have sufficient masks to provide one to each of the Arabs. Somehow, it seemed, they had just enough for the Arabs living in Jerusalem and those Arabs

who were employees of the Israeli government, and their families, living outside Jerusalem.¹²⁶

When this last piece of information was widely publicized, other countries scrambled to provide additional masks for those left unprotected. Part of the story went largely unreported, though: The masks sold to Palestinians by the Israeli government were of an outdated style and were, in fact, utterly useless, most having clearly stamped expiration dates proclaiming that the mask "Expires in 1984." This whole affair tended to reduce any remnants of respect the Arabs might have had for their Jewish occupiers.

This writer's experience in the Occupied Territories in August 1991 involved being shown these masks by families who kept theirs to show to visitors. Other persons interviewed spoke of how poorly protected they were and how well-protected the Israelis were, there being no sirens in any of the Arab areas to warn of impending attacks. They also stated that the Israelis expressed no interest at all in the well-being of either Arab citizens of Israel or those Palestinians living under occupation in the territories, for whom they are legally responsible, as a condition of being in the position of "occupying authority."

¹²⁶Compiled from news accounts on CNN, NBC, and in the print media of the U.S., Israel, and the Arab world, as well as oral accounts given to this researcher by Arabs and Israelis in August 1991.

But it was not only the Jews who demonstrated their hostility during the Iraqi air assaults by SCUD missiles. Television viewers worldwide were shown the spectacle of Arabs cheering as the SCUDS passed overhead, even though some of the missiles landed in the Occupied Territories. To most Americans, and many Israelis, this behavior was mystifying. To some, it demonstrated the "kind of people those Arabs really are!" When a "60 Minutes" reporter took the time to ask Bir Zeit University professor Hanan Mikail-Ashrawi (in an interview broadcast on February 3, 1991) why the Palestinians were cheering, she had to explain that, after 23 years of suffering under the Israeli military occupation, Palestinians thought that there was a need for the Israelis to know that they were not invincible and that Palestinians hoped this would remind the Israelis what it was like to be the victims. She felt that this might prompt them to be more sympathetic.¹²⁷ During the same segment, MK Dedi Zucker stated that the situation since 1967 was like a bad marriage, and that a divorce was needed between Israel and the territories. He also said that, if the negotiating partner for Israel could be someone like Dr. Hanan Ashrawi, peace would indeed be possible.¹²⁸

The many obstacles created between Palestinians and

¹²⁷"60 Minutes," CBS Television, February 3, 1991.

¹²⁸Ibid.

Jews might have been bridged if only opportunities had existed. Only a few of the more vocal, like Mrs. Ashrawi and Mr. Zucker had gone to the extra effort to de-mystify their stance. In such a situation, one cannot assume that their motivations, or the justness of their cause, can be readily understood by the world at large.

Because the feelings of one side are so difficult to convey to the other, it is impossible to know to what extent the Gulf crisis will, in the end, have helped or harmed the prospects for peace. It may be that the net result will be a sense that the territories must be held, and their inhabitants expelled, or a sense that those territories are a liability, and that they are the primary cause of the vulnerability of the Israeli state. Had it not been for the two incidents given here, a third choice might have been possible: Both Jews and Palestinians might have understood that they had a common enemy in Saddam Hussein, who did not discriminate between them when firing his missiles, and the sharing of the common experience as victims might have created a bond between them that could have been a breakthrough in understanding one another.

Some analysts are already declaring that the positions of the extremes are becoming even more firmly entrenched since the Gulf War. Others have noted that this

is the first time that both the U.S. and the former U.S.S.R. are acknowledging at once the urgency of the need to solve the many conflicts of the region, foremost of which is the Palestinian-Israeli question. Only time will tell which one of these assessments is correct, or whether there is an element of truth to each of them.

Finally, before leaving the question of preliminaries, we should note that it is not the same thing to acknowledge the position taken by one's enemy as it is to agree with that position, or to sympathize with it. Acknowledgment simply recognizes the constraints within which the opponent is forced by his belief system and his political and cultural environment to work. If negotiators had to wait for agreement or sympathy, there would never be any successful agreement concluded between opponents. What makes it possible to solve disputes, therefore, is an agreement between the parties to simply not expect the other party to do something which is impossible for that party to do. By trying to understand the way the other looks at situations, a means of accommodation can be found, with less discomfort to either party. In the Palestinian-Israeli conflict, it should not be expected that the Israelis would make peace without adequate guarantees for their security, nor that the Palestinians would settle for less than the right to determine their own future. These

two concepts are basic, and if they are not understood, there will be no chance for a peace between the parties in this dispute.

Jerusalem

The special question of Jerusalem becomes much easier to discuss once the two sides have determined that they will acknowledge one another. The act of acknowledgment also allows them to comprehend the basic truth that pervades the question of Jerusalem: Both the Arabs and the Jews love it, consider it to be their religious and/or political capital, and are tenacious in their struggle to hold on to it. It should also become possible, due to the aforementioned preliminaries, for each side to recognize the significance of the loss of Jerusalem to the other. They have simply to imagine the significance of the loss to their own side, for this is one issue on which the level of attachment is approximately equal. For the Jews, the city of Jerusalem has been the focus of their dreams and desires for centuries. As the symbol of their exile from their homeland, and the location of the only remaining wall of the second temple, Jews all over the world have toasted one another for years, saying, "Next year in Jerusalem." The image of a child longing to come home is an apt one here. Jerusalem is the focus of their longing.

For Arab Christians, Jerusalem is the Holy City, the scene of the Passion of Christ, his trial, death by crucifixion, and his return to life from the grave. This is the vital symbol of Christianity, having far greater religious significance than the birth of the Christ-child in nearby Bethlehem. A major goal of Christian pilgrims is to participate in the Easter processions through the streets of Jerusalem's Old City. For Christians, Jerusalem is the symbol of life eternal.

The third holiest shrine in Islam is also to be found in the Old City of Jerusalem. The Haram as-Sharif is the location of both the Al-Aqsa Mosque and the Dome of the Rock, the latter built to cover a huge meteorite, a giant rock which is believed by Muslims to bear the footprint of Mohamed's white horse, Al-Barak, who bore the Prophet to Heaven for his night-time visit with Allah. Under the current situation of occupation, it has been difficult for Arab Muslims from outside Israel and the Occupied Territories to enter Jerusalem. For many, it has been impossible. Arab passports do not allow travel into Israel, unless the owner of the passport is a Palestinian with Jordanian papers who has not somehow lost his/her Palestinian identity, or an Egyptian citizen who has braved the hurdles of obtaining travel permits to Israel and the special stigma still attached to such a visit,

despite the Camp David Accords. Even for Muslims carrying non-Arab passports, harassment often meets them at the borders, and many feel that trying to visit Jerusalem is not worth the extra effort involved.

For the adherents of any of these three faiths, the loss of access to the holy sites of their faith would be a tragedy. This has long been acknowledged as the pivotal issue in the entire conflict. Here, we must examine a wide range of proposals regarding the disposition of Jerusalem, and the status it will have in both the region and the international community. It must also be noted that Israel's unilateral annexation of the Arab portion of the city and its proclamation of Jerusalem as the capital of Israel--an issue Israel claims to be non-negotiable--has not been accepted by the international community. According to William F. Buckley, Jr.: "The overwhelming majority of the governments of the world do not recognize Jerusalem as the capital of Israel. This is not a collective venture in anti-Semitism."¹²⁹ Buckley goes on to state that it is related to the U.N. resolution giving birth to the Israeli state. He points out that, under that resolution, Jerusalem was to be internationalized, but that the Israelis occupied the western half of

¹²⁹William F. Buckley, Jr., Washington Report on Middle East Affairs, March 1987, p. 17.

the city in the ensuing hostilities, while Jordan occupied the eastern half. Israel, he adds, took the eastern portion by force of arms 19 years later.¹³⁰

Most nations have refused to move their embassies to Jerusalem. Most nations still believe Jerusalem and its status to be an issue for negotiations. This does not, however, preclude the possibility that Jerusalem--or West Jerusalem, the part of the city which is predominantly Jewish in character--will one day become Israel's capital. Nor does it preclude the possibility that it will be the capital of a Palestinian state. In fact, there is a widely-held belief that Jerusalem may have to serve as capital of both states, in order to satisfy both the religious and political aspirations of both peoples. This idea is neither as radical nor as impossible as it may seem at first glance. Let us examine why.

Initially, we should examine the status of Jerusalem at various times in recent history, beginning with its status at the conclusion of the Ottoman Empire. Under the Ottoman Turks, Jerusalem was populated by both Arabs and Jews. It was possible for worshippers of all faiths to reach their shrines and to worship there at almost all times, with the exception of times of crisis between the various religions or sects.

¹³⁰Ibid.

During the period of the British Mandate over Palestine, 1917-1948, both populations remained in the city, each having access to their own holy places, and only restricted by the safety precautions taken by the Mandate power. Various problems arose during this period, exacerbated by the active work of various Israeli underground groups, as well as some resistance groups among the Arab population. The encouragement of illegal Jewish immigration into Palestine sparked many of these conflicts.¹³¹

The most significant event of these two eras was known in Arabic as al-Thawra al-Arabiyya al-Kubra (the Great Arab Revolt), preceded by the General Strike of 1936, an attempt to shake off British domination. Around this period, it was not unusual to close down various parts of town to attempt to have some control over the population.

Because of this history of contention over the status of Jerusalem, it was felt by much of the international community that the city must remain a corpus separatum, and that was the status finally established for Jerusalem under the Partition Plan dividing the territory that had once been Palestine. Most significantly, Jerusalem was not

¹³¹This historical period is best described in David Hirst, The Gun and the Olive Branch, *ibid.*, pp. 15-145.

awarded to either the Jews or the Arabs. Instead, recognizing the conflict that such an award would engender, the United Nations placed Jerusalem under international jurisdiction. This was hoped to be the process by which catastrophe could be avoided.

Unfortunately, though, the partition plan was not acceptable to the Arabs. There are many reasons for this, but it was primarily because they had for centuries considered the entire region of Palestine as their own, Arab, land. For the Jewish population, previously a minority, to be awarded more than half, and especially the mostly fertile region along the coast, seemed grossly unfair and well worth fighting over, many felt. This rejection led to the 1948 War, known in Israel as the War of Independence, but in Arabic known as "the Catastrophe." By means of this war, Israel was able to expand its territory to an even greater portion of the land of Palestine than had been awarded them in the Partition Plan. Jordan exercised sovereignty over the Old City of Jerusalem, as well as the predominantly Arab sector of the new city, generally referred to as East (Arab) Jerusalem. What came to be known as the "Green Line" separated the Jewish state (generally referred to as 1948 Israel) from the Arab one, which now had two distinct parts, the West Bank, which came under Jordanian jurisdiction, and the Gaza Strip, which

was to be administered by Egypt. It is important to note that Israel has never officially referred to the boundaries set in 1948 by the United Nations as its "borders," nor has it agreed to designate the Green Line as a "border" established by the cessation of hostilities. Instead, it refers to the partition lines as irrelevant and the post-1948 War Green Line as "the ceasefire lines." This refusal to designate borders has, as previously stated, encouraged the conclusion among Arabs that Israel still nurtures expansionist aims. Israel may be the only state in the world which has no legally-defined borders. It uses the religious Jewish community as an excuse to continue this stance, claiming that it is yielding to the requests of the Orthodox to have no political state until the coming of the Messiah. We can add to the lack of borders the fact that there is a widely-held viewpoint proclaiming that "Jordan is Palestine," which also frightens many in the Arab world. It should be clarified, and the concept should be put to rest as a falsehood.

Jordan, the country lying to the east of Palestine, is a Kingdom granted to the Hashemite rulers, who originated in the deserts of Saudi Arabia, as a reward for assistance to the European powers. It is described as "The Hashemite Kingdom of Jordan." Its people, Hashemites (the Arab descendants of the Prophet Mohammed), are distinct from

the Palestinian people. The fact that Jordan took possession of the eastern half of Palestine when hostilities ended in 1948 does not infer that Jordan has become Palestine, only that a part of Palestine came under Jordanian control for a period of time. The other "fact" used to bolster the Israeli argument for establishing a Palestinian state in Jordan is that a majority of Jordan's population is Palestinian at this time. But that does not satisfy the criteria of nationhood, and certainly not of nationalism. The large majority of Palestinians living in Jordan do so in the confines of refugee camps established in 1948 or 1967, following hostilities. They are refugees, with every intention and hope of returning to the land of their birth. Many other Palestinians living in Jordan still identify as Palestinian and not Jordanian, and if their numbers are counted, we could subtract most of the Palestinian population from the total Jordanian one, leaving the Hashemite Kingdom to the Hashemites and the indigenous Bedouins, who together constitute 35 percent of the population. It can be said, by the logic that would call Jordan Palestine, that New York's Brooklyn is Israel, because its population is overwhelmingly Jewish. Obviously, that is not a correct assessment, and should demonstrate the false logic of the Israeli claim regarding the separate state of Jordan.

Given this set of circumstances, it can hardly be expected that the Arabs would have a great trust of any Jewish state that would still refuse to have set borders. Nor would they be satisfied that they would be granted access to Muslim and Christian holy places if the entire city of Jerusalem were to be placed under Israeli control. Three of the so-called "quarters" of the Old City--Muslim, Christian, and Armenian--are predominantly Arab in character, as they have been for centuries, although Jewish expansion has drastically reduced the size of the Armenian quarter, forcing many Armenians and Palestinian Arabs living there to move to other locales. Heavily armed Israeli soldiers guard the entrances to all holy places.

During the period from 1967 to the present, Arabs have had nominal access to the holy places, and most have been able to worship unimpeded. But Arabs and tourists alike have been subjected to Israeli searches when entering the Old City's religious shrines. This has tended to diminish the quality of the religious experience and, for the first time in hundreds of years, access to the Haram as-Sharif was closed for a short period following the massacre by Israeli soldiers of Palestinian worshippers in the fall of 1990. This closure, and the reasons for its occurrence, have engendered considerable additional hostility.

There are myriad reasons why the Palestinian Arabs would not be content to have the Israelis in control of 100 percent of Jerusalem under a settlement plan, and there are equally strong and numerous reasons for the Jewish population to reject Arab sovereignty over the city. Israelis insist that Jerusalem will never again be divided. They refer to post-1967 Jerusalem as "the united city." But it's easy to see that the city's people are far from united. Instead, the tensions and animosities are repressed by the very visible presence of the Israeli military. These tensions erupt periodically into violence--stabbings, shootings, stone-throwing incidents, etc.--none of which can be said to contribute to the unity of the city. Even though people no longer need to pass through a checkpoint at the Mandelbaum Gate to go from the Arab into the Jewish sector, and no fence representing the Green Line remains, the city is as divided as ever, and perhaps more so. The division exists in the minds of the people. One person very much aware of this division is Jerusalem Mayor Teddy Kollek, who says:

The unification is problematic. We have yet to reach a modus vivendi with the Arabs. When you are lost in the zigs and zags of history, sometimes you don't know where you are, especially considering that for 20 years everything went so smooth here. They tell us that unifying Berlin is problematic, but Berliners are all Christian and speak the same language. So I say that we need patience, but eventually there will be harmony in Jerusalem.¹³³

¹³³Teddy Kollek, mayor of Jerusalem, quoted in World Monitor, June 1991, p. 27.

Kollek, who favors a unified Jerusalem under Israeli sovereignty, also favors the following:

... he would decentralize power in the city; allow Arab boroughs to run education, welfare, and sanitation affairs on their own; and let them levy their own taxes. He would also grant the holy places an extraterritorial status similar to foreign embassies, allow an Arab-Israeli partnership in internal security, and permit the waving of Arab flags on the Temple Mount [Haram as-Sherif].¹³⁴

"Jerusalem is great enough for a few flags besides that of the State of Israel," he wrote in 1988 in the US quarterly Foreign Affairs.¹³⁵

Despite efforts by Kollek and others who would bridge the large gaps between the two peoples by keeping the lines of communication open, one can sense the tension when Arabs enter West Jerusalem, or Jews venture in Arab East Jerusalem. Both soldier and settler among the Jews tend to be heavily armed whenever they enter the eastern sector. Israeli officials are heavily guarded. Armed guards stand at entrances to the military court--having initial jurisdiction over the Arab population--and patrol the fenced perimeters. Arabs who enter West Jerusalem for work are unarmed--since they are not allowed to carry weapons--but are always on guard. They are treated as second or third class persons (not citizens, as most have still refused Israeli citizenship

¹³⁴Amotz Asa-El, World Monitor, June 1991, p. 34.

¹³⁵Ibid.

despite Israel's claim to have annexed East Jerusalem to its state), and the limited opportunities available to them for work (as hotel staff, construction laborers, street sweepers, garbage collectors, maids, and occasionally as bank tellers) tend to establish a de facto class system in which they are the underclass.

Transforming the issue of Jerusalem from a stumbling block into an opportunity for peace will not be easy. Many people have presented ideas of how this can be accomplished. In the same World Monitor edition cited above, Professor Naomi Chazan, a political scientist at Hebrew University, suggests "proposals for split sovereignty within a physically united city, for joint sovereignty and for shared sovereignty."¹³⁵ This, she notes, is not unprecedented, since an example of this already exists in Rome. Palestinian philosopher Sari Nusseibeh points out, in the same article, that there is "a political wall dividing ruler from ruled, occupier from occupied, victor from vanquished."¹³⁶ Of course, whatever conclusion regarding the status of Jerusalem is finally reached, it is this psychological and political barrier which must be eliminated.

As in other special milieu, when the disparity

¹³⁵ Naomi Chazan is quoted in World Monitor, *ibid.*, p. 33.

¹³⁶ Sari Nusseibeh is quoted in the same article.

between social classes is greatest, the level of hostilities also remains heightened. It is to the advantage of both parties in the case at hand to diminish the level of hostilities, not to exacerbate the conflict. This is true in spite of the fact that a solution for Jerusalem may require "the wisdom of Solomon." And, indeed, many Israelis and Palestinians have likened Jerusalem to the beloved baby Solomon threatened to carve in two. In this case, though, neither "parent" would give up the city in favor of the other for its survival. This is more like a parental child custody battle in which there is no solution of giving the child to either parent, but where a neutral party, having the interests of both parties at heart, will need to be designated as custodian. This may not be to the satisfaction of either parent, but it is certainly to the benefit of the child.

The benefits for Jerusalem and its inhabitants can be categorized in several ways: 1) freedom of worship, 2) both peoples able to claim joint ownership of the city, thus keeping it a "united" city, and not a divided one, 3) both states could utilize the city as their capital and conduct state business there, 4) only a neutral military presence would be there, thus decreasing the feelings of power vs. powerlessness, and 5) the tensions resulting

from land confiscations would be reduced, as all land could be jointly owned and administered through a neutral "zone" administration, which would buy or sell property on an equal basis to either Arab or Jew.

This is not the same as Vatican City, which functions as a separate state inside the borders of the city of Rome. It would not be a separate state, but would have the status of corpus separatum, as designated in the Partition Plan. Nor is it a deliberately neutral separate state like Switzerland. Both of the nearby states--Palestine and Israel--would enjoy the possibility of having their capitals within this neutral zone. Neither of the other types of governmental administration, Rome's or Switzerland's, would be appropriate for Jerusalem. Although the zone might need to be physically separated from both states at the beginning, with some policing of its entry points--or at least of points of religious significance within the Old City--it should be the eventual goal to have no physical restrictions placed upon access to Jerusalem. It is, though, important to both prevent either state from claiming absolute ownership of the zone, and at the same time to encourage both to respect and to protect its integrity. Perhaps a joint administrative council of Jews, Palestinians, and "neutrals" could be charged with this task, with equal representation to each group, and a

"zone security force" could also include equal numbers from each of these sectors. These two institutions could allow both sides freedom of movement, access to the holy places, security and safety, and the right to claim ownership--as long as the joint nature of such ownership is acknowledged.

While such an arrangement would not give absolute ownership to either of the parties, it would not take away ownership, either. It would have the advantage of ending an age-old dispute which has defied solution, in a way which is still able to provide both parties with legitimate claims to ownership (albeit jointly) of the city. By not dividing the city, Israel would still be able to boast of a "united" Jerusalem, and to say it was their capital. The fighting over ownership might even cease, and Israel's claim to the city, as well as that of the Palestinians, would be more true than ever. This concept has been the most frequently discussed one for many years, although it has appeared that those who openly voice it must be very courageous. When ten prominent Israelis and Palestinians met on July 15-19, 1991 under the co-sponsorship of the Stanford University Center on Conflict and Negotiation and the Beyond War Foundation and with the assistance of Dr. Harold Saunders (former Assistant Secretary of State), one of their conclusions was a similar fate for the city of

Jerusalem. In their published "Framework for a Public Peace Process" (see Appendix), they outline provisions for making such a peace, including a general outline for accomplishing most of the above goals. In their book, No Trumpets, No Drums: A Two-State Settlement of the Israeli-Palestinian Conflict,¹³⁷ Mark A. Heller and Sari Nusseibeh advocate another, somewhat similar, version of the dual-sovereignty theme suggested herein. However, they stress the emotional attachment more as a reason to obliterate the lines of demarcation than as a source of pride in the ability to overcome differences, as this author would hope it might be.

Of course, eventual negotiations might have a different outcome than the one suggested here. The objective of this paper is not to impose pre-conditions, but rather to suggest a framework within which negotiations might proceed. The framework presented here offers opportunities for both face-to-face meetings via an international or regional conference and behind-the-scenes diplomacy and negotiation via an Arab entity similar to the Arab League on behalf of each of the Arab states. The means for Israel negotiating with the Palestinians can be determined via these methods as well. Israel is determined

¹³⁷ Mark A. Heller and Sari Nusseibeh, No Trumpets, No Drums: A Two-State Settlement of the Israeli-Palestinian Conflict (New York: Hill and Wang, 1991).

not to negotiate with the PLO, while the Palestinians are determined that their "internationally recognized right to self-determination" (a right the United Nations declares is available to all peoples) includes the right to choose by whom they will be represented. "It's a matter of principle. We don't choose the representatives for Israel, and they shouldn't choose who represents us," according to Palestinian negotiating team spokeswoman Dr. Hanan Ashrawi.¹³⁸

Yet, it is obvious that any solution to the conflict that excludes the Palestinians is not a solution at all. The heart of the problems of the Middle East is the Palestinian-Israeli conflict. Many Palestinians note similarities between their situation and that of the indigenous peoples of North America. Attorney Walid Fahoum, an Israeli Arab who practices before the Israeli bar, told this researcher in July of 1985 that "Palestinians are the red Indians of the Middle East."¹³⁹ Barring the decimation of the majority of the Palestinian population, the problem will continue to exist as long as there are Palestinian Arabs, or until direct negotiations take place.

¹³⁸ Dr. Hanan Ashrawi made this statement at a press conference before the Madrid peace conference, and it was carried on all major networks.

¹³⁹ Attorney Walid Fahoum was interviewed by this researcher in Jerusalem in July 1985.

The presence of large numbers of Palestinian refugees in all of the so-called confrontation states impacts on each of those countries. The permanent solution to their status, including repatriation or compensation for losses, will go a long way toward resolving other regional problems. Without this continuing problem, friendly relations can exist between states in the context of neighboring states observing mutually recognized borders.

Other benefits to this peace plan include the economic ones which would result from a diminished need to have a constant military preparedness. The man-hours which could be converted into peacetime civilian sector jobs and the savings in expenses for military hardware once peace is achieved should have a high value in and of themselves. The value may not be immediate, as it may take time to wind down regional military functions, but the future benefit is definitely a great one.

The aspect of tourism and that of religious pilgrimages should also be kept in mind. One of the great values to the region for its inhabitants and others is the fact that it has such a high attraction for its religious and historical significance. Pilgrims from all three great monotheistic faiths used to flock to the area for religious visits. With the pilgrims came both added revenue and the many jobs in the tourist industry which were needed to

support this large number of visitors. The old crafts of carving olive-wood figures and making mother-of-pearl jewelry have suffered during the last several years of the region's history, although such crafts as embroidery have enjoyed a revival. Tourism and religious pilgrimage will enliven the suffering economies of both peoples, bringing revenues back to artisans, tour guides, hoteliers, taxi and tour bus drivers, travel agents, restaurants, and numerous others, such as shop-keepers, merchants, and the coffers of the religious institutions themselves. Many years of being semi-idle have taken a toll on all of these sectors. The tourist industry may also revive in the neighboring states once peace arrives. They have been affected by the same fears that have kept tourists away from Israel and the Occupied Territories.

But the greatest toll of all has not been economic; it has been a human toll. There is no guarantee that a lasting peace will be the result of successful negotiations. But both peoples have been traumatized by the lengthy state of hostilities. As stated earlier in this thesis, a continuation of the status quo is not a satisfactory situation.

Perhaps for this very reason, the time is ripe for the settlement of the Palestinian-Israeli conflict. The United States and its allies have just experienced a very

short, but supposedly decisive war against Iraq. Certain goals were set, but in meeting them, certain unintended consequences also came about. The question is being asked in the United States: Was it really worth it? Many say that the answer is No! There are many nagging doubts which continue to surface over the balance between the goals achieved and the price paid for reaching them. It is being said that the goal of freeing Kuwait was achieved, but Kuwait is not free; that the goal of removing Saddam Hussein from power over Kuwait was achieved, but that he still remains in power in Iraq; and that the human toll--although quite small on the Allied side--was beyond all reasonable proportion in terms of Iraqi civilian casualties, still being counted in the thousands long after the bombardment has ended. These factors, along with the high level of animosity engendered in the Arab world against the United States and its allies, may yet render the balance sheet less than profitable when the final tally is taken.

As a mediator for a Middle East peace, the United States will have to answer the charge that it has failed to be an honest broker. For many years, U.S. leaders have condemned certain actions of the Israeli government, especially the building of settlements in the Occupied Territories, which the U.S. has consistently described as "an obstacle to peace ." At the same time, though, increased

U.S. funding has been allocated to Israel annually, with no strings attached. This has been the case even when the U.S. has cited Israeli human rights abuses. Similar censure of Arab states has resulted in the total elimination of funding for some of these nations, the strict supervision of funding for others, and lengthy debates in the U.S. Congress about whether or not to fund others. For example, in 1956, Egypt was denied arms sales after lengthy negotiations with the U.S.,¹⁴⁰ and in 1965, Egypt was denied all aid by the U.S. following a dispute over U.S. arms sales to Israel.¹⁴¹ Most recently, Saudi Arabian requests for arms sales and transfers have been vigorously debated every time the subject has come up. Given the fungibility of the funds allocated by the U.S. to Israel, many in the Middle East have been skeptical about American protestations to the effect that the U.S. is cautious that none of its money is used by Israel for these less desirable purposes.

As the former Soviet Union seeks to more actively involve itself in the solution to the ongoing Middle East crisis, it can be said that its role will be far less questionable. The old Soviet Union at first was supportive of the young State of Israel, which cited examples of its

¹⁴⁰ Cheryl A. Rubenberg, Israel and the American National Interest (Urbana: University of Illinois Press, 1986), p. 61.

¹⁴¹ Ibid., p. 93.

kibbutzim as proof of its socialist tendencies. But this ended with the conquest of the Occupied Territories. As the gap between social classes in Israel increased and the Israelis insisted on closing the Palestinians Arabs out of their higher roles in society, it became impossible for the Soviets to continue their support of the Jewish state. The U.S.S.R. registered its protest about the occupation by withdrawing its diplomatic mission. At the same time, the Soviet Union began to sell weaponry to Arab "client states," and was therefore branded as a pro-Arab, and therefore anti-Israel, superpower. This analysis bore only a slight resemblance to reality, as the Israelis were not actively attempting to purchase arms from the Soviets, and the Soviets were selling, not giving away, the military hardware to the Arab states.

The worst animosity over arms sales by the Soviet Union to Arab states was the result of the high level of usage of Soviet-made weaponry by the Syrians against Israel in the October 1973 War. Despite these facts, the Soviets began to "mend fences" in the region by both refusing to sell arms to Syria and other Arab states once it felt that such sales would create an imbalance in the strategic capabilities of the various players in the region and therefore tend to destabilize the area, and by agreeing to allow Soviet Jewish emigres to leave the U.S.S.R. with

Israel as a destination. Regional stability has always been a stated goal of the Soviet Union, and their rationale for selling arms to the Arab states has been based on the fact that the United States was arming Israel, or so they have said. It is impossible to tell at this early stage in the break-up of the former Soviet Union whether its successor will follow the same line, but internal conflict in the regions of the former superpower make its role in supplying arms to the region far less certain than in the past.

We might assume that Moscow is much less likely to show an interest in events in the Middle East while it is experiencing problems in the newly-independent republics within its own region. There is, at the same time, the possibility that independent sellers of nuclear weaponry from the old Soviet Union might be able to further destabilize the Middle East in order to reap profits. This could be accomplished if they find ready buyers among any of the Arab regimes. Soviet scientists might also be hired to produce nuclear weapons in the Middle East, again changing the balance of power, and perhaps disrupting moves toward peace. With the reduction of influence from the former Soviet Union, the U.S. has become the only effective superpower on the scene. This could either free Washington to apply more pressure on the various parties in the

conflict, thereby fulfilling the role of "honest broker" in the Middle East conflict, or allow Washington to take the side of one or the other of the parties, again leading to a tilt in the balance at the negotiating table that might cause the other side to withdraw. This is indeed a crucial time in regard to what will occur in terms of the future of the region.

At the same time, the U.S. and former Soviet Union's joint cooperation with Israel in the endeavor to transfer the Soviet Jews to Israel, despite the fact that 80-90 percent of them listed the U.S. as their first preference destination, has been a cause of consternation for peace activists in both the Arab and Jewish camps. This has been viewed by many, both inside and outside the region, as a stumbling block to the peace process. This massive immigration of Jews into Israel can be seen as both upsetting the demographic balance, which had caused many to believe an Israeli-Palestinian peace was inevitable, and as creating an additional excuse (or motive) for Israel to say that it needs the Occupied Territories in order to provide housing for these new arrivals.

There is another way to view this situation, though. As television has broadcast the news of their arrival and accompanied it with news of the consequences for the Arabs already there, the world has raised an outcry, calling for

an equitable solution to the problem of the Palestinians. If anything, the presence of so many Soviet Jewish immigrants may be a catalyst to move the peace process forward. And, it should be noted, there has been a steady out-migration of many Jewish immigrants who have decided that Israel really wasn't the place they wanted to spend the rest of their lives, or who simply were unwilling to face the daily stresses caused by the constant state of preparedness for war. This was made most clear to the world during the Gulf War, when newly arriving Soviet Jewish (and Ethiopian Jewish) immigrants to Israel were greeted at the airport and immediately given gas masks, a fact that was shown almost nightly on the international news.

Therefore, the obvious need for both the unbiased support of the U.S. for moving the peace process forward and the cooperation of both the U.S. and the former Soviet Union in seeing that this takes place without pre-conditions and in an atmosphere conducive to solving all of the outstanding issues are the primary concerns at this time. There has simply been too much ill-will between the parties themselves for anyone to expect that they can reach a solution without able and unbiased assistance.

APPENDIX A

PALESTINIAN DECLARATION OF INDEPENDENCE

Palestinian Declaration of Independence

In the name of God, the Compassionate, the Merciful.

Palestine, the land of the three monotheistic faiths, is where the Palestinian Arab people was born, on which it grew, developed and excelled. The Palestinian people was never separated from or diminished in its integral bonds with Palestine. Thus the Palestinian Arab people ensured for itself an everlasting union between itself, its land and its history.

Resolute throughout that history, the Palestinian Arab people forged its national identity, rising even to unimagined levels in its defense, as invasion, the design of others, and the special appeal of Palestine's ancient and luminous place on that eminence where powers and civilizations are joined—all this intervened there by to deprive the people of its political independence. Yet the undying connection between Palestine and its people secured for the land its character, and for the people its national spirit.

Nourished by an unfolding series of civilizations and cultures, inspired by a heritage rich in variety and kind, the Palestinian Arab people added to its stature by consolidating a union between itself and its patrimonial land. The call went out from Temple, Church, and Mosque that to praise the Creator, to celebrate compassion and peace was indeed the message of Palestine. And in generation after generation, the Palestinian Arab people gave of itself unsparingly in the valiant battle for liberation and homeland. For what has been the unbroken chain of our people's rebellions but for the heroic embodiment of our will for national independence? And so the people was sustained in the struggle to stay and to prevail.

When in the course of modern times a new order of values was declared with norms and values fair for all, it was the Palestinian Arab people that had been excluded from the destiny of all other peoples by a hostile array of local and foreign powers. Yet again had unaided justice been revealed as insufficient to drive the world's history along its preferred course.

And it was the Palestinian people, already wounded in its body, that was submitted to yet another type of occupation over which floated the falsehood that "Palestine was a land without a people." This notion was foisted upon some in the world, whereas in Article 22 of the Covenant of the League of Nations (1919) and in the Treaty of Lausanne (1923), the community of nations had recognized that all the Arab territories, including Palestine, of the formerly Ottoman provinces were to have granted to them their freedom as provisionally independent nations.

Despite the historical injustice inflicted on the Palestinian Arab people resulting in their dispersion and depriving them of their right to self-determination, following upon UN General Assembly Resolution 181 (1947), which partitioned Palestine into two states, one Arab, one Jewish, yet it is this resolution that still provides those conditions of international legitimacy that ensure the right of the Palestinian Arab people to sovereignty and national independence.

By stages, the occupation of Palestine and parts of other Arab territories by Israeli forces, the willed dispossession and expulsion from their ancestral homes of the majority of Palestine's civilian inhabitants was achieved by organized terror; those Palestinians who remained, as a vestige subjugated in its homeland, were persecuted and forced to endure the destruction of their national life.

Thus were principles of international legitimacy violated. Thus were the Charter of the United Nations and its resolutions disfigured, for they had recognized the Palestinian Arab people's national rights, including the right of return, the right of independence, the right to sovereignty over territory and homeland.

In Palestine and on its perimeters, in exile distant and near, the Palestinian Arab people never faltered and never abandoned its conviction in its rights of return and independence. Occupation, massacres and dispersion achieved no gain in the unabated Palestinian consciousness of self and political identity, as Palestinians went forward with their destiny, undeterred and unbowed. And from out of the long years of trial in ever-mounting struggle, the Palestinian political identity emerged further consolidated and confirmed. And the collective Palestinian national will forged for itself a political embodiment, the Palestine Liberation Organization, its sole legitimate representative, recognized by the world community as a whole, as well as by related regional and international institutions. Standing on the very rock of conviction in the Palestinian people's inalienable rights, and on the ground of Arab national consensus, and of international legitimacy, the PLO led the campaigns of its great people, moulded into unity and powerful resolve, one and indivisible in its triumphs, even as it suffered massacres and confinement within and without its home. And so Palestinian resistance was clarified and raised into the forefront of Arab and world awareness, as the struggle of the Palestinian Arab people achieved unique prominence among the world's liberation movements in the modern era.



The massive national uprising, the intifada, now intensifying in cumulative scope and power on occupied Palestinian territories, as well as the unflinching resistance of the refugee camps outside the homeland, have elevated consciousness of the Palestinian truth and right into still higher realms of comprehension and actuality. Now at last the curtain has been dropped around a whole epoch of prevarication and negation. The intifada has set siege to the mind of official Israel, which has for too long relied exclusively upon myth and terror to deny Palestinian existence altogether. Because of the intifada and its revolutionary irreversible impulse, the history of Palestine has therefore arrived at a decisive juncture.

Whereas the Palestinian people reaffirms most definitely its inalienable rights in the land of its patrimony:

Now by virtue of natural right, and the exercise of those rights historical and legal and the sacrifices of successive generations who gave of themselves in defense of the freedom and independence of their homeland;

In pursuance of resolutions adopted by the Arab Summit Conferences and relying on the authority bestowed by international legitimacy as embodied in the resolutions of the United Nations Organization since 1947;

And in exercise by the Palestinian Arab people of its rights to self-determination, political independence and sovereignty over its territory;

The Palestine National Council, in the name of God, and in the name of the Palestinian Arab people, hereby proclaims the establishment of the State of Palestine on our Palestinian territory with its capitol Jerusalem (Al-Quds Ash Sharif).

The state of Palestine is the state of Palestinians wherever they may be. The state is for them to enjoy in it their collective national and cultural identity, theirs to pursue in it a complete equality of rights. In it will be safeguarded their political and religious convictions and their human dignity by means of a parliamentary democratic system of governance, itself based on freedom of expression and the freedom to form parties. The rights of minorities will duly be respected by the majority, as minorities must abide by the decisions of the majority. Governance will be based on principles of social justice, equality and non-discrimination in public rights on grounds of race, religion, color or sex under the aegis of a constitution which ensures the rule of law and an independent judiciary. Thus shall these principles allow no departure from Palestine's age-old spiritual and civilizational heritage of religious tolerance and co-existence.

The State of Palestine is an Arab state, an integral and indivisible part of the Arab nation, at one with that nation in heritage and civilization, with it also in its aspiration for liberation, progress, democracy and unity. The State of Palestine affirms its obligation to abide by the Charter of the League of Arab States, whereby the coordination of the Arab states with each other shall be strengthened. It calls upon the Arab compatriots to consolidate and enhance the emergence in reality of our state, to mobilize potential and to intensify efforts whose goal is to end Israeli occupation.

The State of Palestine proclaims its commitment to the principles and purposes of the United Nations and to the Universal Declaration of Human Rights. It proclaims its commitment as well to the principles and policies of the Non-Aligned Movement.

It further announces itself to be a peace-loving state, in adherence to the principles of peaceful co-existence. It will join with all states and peoples in order to assure a permanent peace based upon justice and the respect of rights so that humanity's potential for well-being may be assured, an earnest competition for excellence be maintained, and in which confidence in the future will eliminate fear for those who are just and for whom justice is the only recourse.

In the context of its struggle for peace in the Land of Love and Peace, the State of Palestine calls upon the United Nations to bear special responsibility for the Palestinian Arab people and its homeland. It calls upon all peace and freedom loving peoples and states to assist it in the attainment of its objectives, to provide it with security, to alleviate the tragedy of its people, and to help it terminate Israel's occupation of the Palestinian territories.

The State of Palestine herewith declares that it believes in the settlement of regional and international disputes by peaceful means, in accordance with the UN Charter and resolutions. Without prejudice to its natural right to defend its territorial integrity and independence, it therefore rejects the threat of use of force, violence and terrorism against its territorial integrity, or political independence, as it also rejects their use against the territorial integrity of other states.

Therefore, on this day unlike all others, November 15, 1988, as we stand at the threshold of a new dawn, in all honor and modesty we humbly bow to the sacred spirits of our fallen ones, Palestinian and Arab, by the purity of whose sacrifice for the homeland our sky has been illuminated and our Land given life. Our hearts are lifted up and irradiated by the light emanating from the much blessed intifada, from those who have endured and have fought the fight of the camps, of dispersion, of exile, from those who have borne the standard of freedom, our children, our aged, our youths, our prisoners, detainees and wounded, all those whose ties to our sacred soil are confirmed in camp, village and town. We render special tribute to that brave Palestinian woman, guardian of sustenance and life, keeper of our people's perennial flame. To the souls of our sainted martyrs, to the whole of our Palestinian Arab people, to all free and honorable peoples everywhere, we pledge that our struggle shall be continued until the occupation ends, and the foundation of our sovereignty and independence shall be fortified accordingly.

Therefore, we call upon our great people to rally to the banner of Palestine, to cherish and defend it, so that it may forever be the symbol of our freedom and dignity in that homeland, which is the homeland for the free, now and always.

November 15, 1988

APPENDIX B

THE BALFOUR DECLARATION

The Balfour Declaration

British policy during the war years became gradually committed to the idea of the establishment of a Jewish home in Palestine. After discussions on cabinet level and consultation with Jewish leaders, the decision was made known in the form of a letter by Arthur James Lord Balfour (1848-1930) to Lord Rothschild.

Foreign Office

November 2nd, 1917.

Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by, the Cabinet.

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

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Yours sincerely,

ARTHUR JAMES BALFOUR.

APPENDIX C

REPORT OF THE KING-CRANE COMMISSION

Recommendations of the King-Crane Commission

The King-Crane Commission was appointed by President Wilson, following a suggestion by Dr. Howard Bliss, President of the American University in Beirut and a sympathizer with the Arab cause. Its main function was to determine which of the Western nations should act as the mandatory power for Palestine.

August 28, 1919

The Commissioners make to the Peace Conference the following recommendations for the treatment of Syria:

1. We recommend, as most important of all, and in strict harmony with our instructions, that whatever foreign administration (whether of one or more powers) is brought into Syria, should come in, not at all as a colonization Power in the old sense of that term, but as a Mandatory under the League of Nations, with the clear consciousness that "the well-being and development" of the Syrian people form for it a "sacred trust".

(1) To this end the mandate should have a limited term, the time of expiration to be determined by the League of Nations, in the light of all the facts as brought out from year to year, in the annual reports of the Mandatory to the League or in other ways.

(2) The Mandatory Administration should have, however, a period and power sufficient to ensure the success of the new State; and especially to make possible carrying through important educational and economic undertakings, essential to secure founding of the State.

(3) The Mandatory Administration should be characterized from the beginning by a strong and vital educational emphasis in clear recognition of the imperative necessity of education for the citizens of a democratic state, and the development of a sound national spirit. This systematic cultivation of national spirit is particularly required in a country like Syria, which has only recently come to self-consciousness.

(4) The Mandatory should definitely seek, from the beginning of its trusteeship, to train the Syrian people to independent self-government as rapidly as conditions allow, by

setting up all the institutions of a democratic state, and by sharing with them increasingly the work of administration and so forming gradually an intelligent citizenship, interested unselfishly in the progress of the country, and forming at the same time a large group of disciplined civil servants.

(5) The period of "tutelage" should not be unduly prolonged, but independent self-government should be granted as soon as it can safely be done; remembering that the primary business of government is not the accomplishment of certain things, but the development of citizens.

(6) It is peculiarly the duty of the Mandatory in a country like Syria, and in this modern age, to see that complete religious liberty is ensured, both in the constitution and in the practice of the state, and that a jealous care is exercised for the rights of all minorities. Nothing is more vital than this for the enduring success of the new Arab State.

(7) In the economic development of Syria, a dangerous amount of indebtedness on the part of the new State should be avoided, as well as any entanglements financially with the affairs of the Mandatory Power. On the other hand the legitimate established privileges of foreigners such as rights to maintain schools, commercial concessions, etc., should be preserved, but subject to review and modification under the authority of the League of Nations in the interest of Syria. The Mandatory Power should not take advantage of its position to force a monopolistic control at any point to the detriment either of Syria or of other nations; but it should seek to bring the new State as rapidly as possible to economic independence as well as to political independence. Whatever is done concerning the further recommendations of the Commission, the fulfillment of at least the conditions now named should be assured, if the Peace Conference and the League of Nations are true to the policy of mandatories already embodied in "The Covenant of the League of Nations". This should effectively guard the most essential interests of Syria, however the machinery of administration is finally organized. The Damascus Congress betrayed in many ways their intense fear that their country would become, though under some other name, simply a colonial possession of some other Power. That fear must be completely allayed.

2. We recommend, in the second place that the unity of Syria be preserved, in accordance with the earnest petition of the great majority of the people of Syria.

(1) The territory concerned is too limited, the population

too small, and the economic, geographic, racial and language unity too manifest to make the setting up of independent states within its boundaries desirable, if such division can possibly be avoided. The country is very largely Arab in language, culture, traditions, and customs.

(2) This recommendation is in line with important "general considerations" already urged, and with the principles of the League of Nations, as well as in answer to the desires of the majority of the population concerned.

(3) The precise boundaries of Syria should be determined by a special commission on boundaries, after the Syrian territory has been in general allotted. The Commissioners believe, however, that the claim of the Damascus Conference to include Cilicia in Syria is not justified, either historically or by commercial or language relations. The line between the Arabic-speaking and the Turkish-speaking populations would quite certainly class Cilicia with Asia Minor rather than with Syria. Syria, too, has no such need of further sea coast as the large interior sections of Asia Minor.

(4) In standing thus for the recognition of the unity of Syria, the natural desires of regions like the Lebanon, which have already had a measure of independence, should not be forgotten. It will make for real unity, undoubtedly, to give a large measure of local autonomy, and especially in the case of strongly unified groups. Even the "Damascus Program" which presses so earnestly the unity of Syria, itself urges a government "on broad decentralization principles".

Lebanon has achieved a considerable degree of prosperity and autonomy within the Turkish Empire. She certainly should not find her legitimate aspirations less possible within a Syrian national State. On the contrary, it may be confidently expected that both her economic and political relations with the rest of Syria would be better if she were a constituent member of the State, rather than entirely independent of it.

As a predominantly Christian country, too, Lebanon naturally fears Moslem domination in a unified Syria. But against such domination she would have a four-fold safeguard: her own large autonomy; the presence of a strong Mandatory for the considerable period in which the constitution and practice of the new State would be forming; the oversight of the League of Nations, with its insistence upon religious liberty and the rights of minorities; and the certainty that the Arab Government would feel the necessity of such a state, if it were to commend itself to the League of Nations. More-

over, there would be less danger of reactionary Moslem attitude, if Christians were present in the state in considerable numbers, rather than largely segregated outside the state, as experience of the relations of different religious faiths in India suggests.

As a predominantly Christian country, it is also to be noted that Lebanon would be in a position to exert a stronger and more helpful influence if she were within the Syrian State, feeling its problems and needs, and sharing all its life, instead of outside it, absorbed simply in her own narrow concerns. For the sake of the larger interests, both of Lebanon and of Syria, then, the unity of Syria is to be urged. It is certain that many of the more thoughtful Lebanese themselves hold this view. A similar statement might be made for Palestine; though, as "the Holy Land" for Jews and Christians and Moslems alike, its situation is unique, and might more readily justify unique treatment, if such treatment were justified anywhere. This will be discussed more particularly in connection with the recommendation concerning Zionism.

3. We recommend, in the third place, that Syria be placed under an (e) Mandatory Power, as the natural way to secure real and efficient unity.

(1) To divide the administration of the provinces of Syria among several mandatories, even if existing national unity were recognized; or to attempt a joint mandatory of the whole on the commission plan:—neither of these courses would be naturally suggested as the best way to secure and promote the unity of the new State, or even the general unity of the whole people. It is conceivable that circumstances might drive the Peace Conference to some such form of divided mandate; but it is not a solution to be voluntarily chosen, from the point of view of the larger interests of the people, as considerations already urged indicate.

(2) It is not to be forgotten, either, that, however they are handled politically, the people of Syria are there, forced to get on together in some fashion. They are obliged to live with one another—the Arabs of the East and the people of the Coast, the Moslems and the Christians. Will they be helped or hindered, in establishing tolerable and finally cordial relations, by a single mandatory? No doubt the quick mechanical solution of the problem of different relations is to split the people up into little independent fragments. And sometimes, undoubtedly, as in the case of the Turks and Armenians, the relations are so intolerable as to make some division impera-

tive and inevitable. But in general, to attempt complete separation only accentuates the differences and increases the antagonism. The whole lesson of the modern social consciousness points to the necessity of understanding "the other half", as it can be understood only by close and living relations. Granting reasonable local autonomy to reduce friction among groups, a single mandatory ought to form a constant and increasingly effective help to unity of feeling throughout the state, and ought to steadily improve group relations.

The people of Syria, in our hearings, have themselves often insisted that, so far as unpleasant relations have hitherto prevailed among various groups, it has been very largely due to the direct instigation of the Turkish Government. When justice is done impartially to all; when it becomes plain that the aim of the common government is the service of all classes alike, not their exploitation, decent human relations are pretty certain to prevail, and a permanent foundation for such relations to be secured—a foundation which could not be obtained by dividing men off from one another in antagonistic groups.

The Commissioners urge, therefore, for the largest future good of all groups and regions alike, the placing of the whole of Syria under a single mandate.

4. We recommend, in the fourth place, that Emir Feisal be made the head of the new united Syrian State.

(1) This is expressly and unanimously asked for by the representative Damascus Congress in the name of the Syrian people, and there seems to be no reason to doubt that the great majority of the population of Syria sincerely desire to have Emir Feisal as ruler.

(2) A constitutional monarchy along democratic lines, seems naturally adapted to the Arabs, with their long training under tribal conditions, and with their traditional respect for their chiefs. They seem to need, more than most people, a King as the personal symbol of the power of the State.

(3) Emir Feisal has come, too, naturally into his present place of power, and there is no one else who could well replace him. He had the great advantage of being the son of the Sherif of Mecca, and as such honored throughout the Moslem world. He was one of the prominent Arab leaders who assumed responsibility for the Arab uprising against the Turks, and so shared in the complete deliverance of the Arab-speaking portions of the Turkish Empire. He was consequently hailed by the "Damascus Congress" as having "merited their full confidence and entire reliance". He was taken up and

supported by the British as the most promising candidate for the headship of the new Arab State—as Arab of the Arabs, but with a position of wide appeal through his Sherifian connection, and through his broad sympathies with the best in the Occident. His relations with the Arabs to the east of Syria are friendly, and his kingdom would not be threatened from that side. He undoubtedly does not make so strong an appeal to the Christians of the West Coast, as to the Arabs of the East; but no man can be named who would have a stronger general appeal. He is tolerant and wise, skilful in dealing with men, winning in manner, a man of sincerity, insight, and power. Whether he has the full strength needed for his difficult task it is too early to say; but certainly no other Arab leader combines so many elements of power as he, and he will have invaluable help throughout the mandatory period.

The Peace Conference may take genuine satisfaction in the fact that an Arab of such qualities is available for the headship of this new state in the Near East.

5. We recommend, in the fifth place, serious modification of the extreme Zionist program for Palestine of unlimited immigration of Jews, looking finally to making Palestine distinctly a Jewish State.

(1) The Commissioners began their study of Zionism with minds predisposed in its favor, but the actual facts in Palestine, coupled with the force of the general principles proclaimed by the Allies and accepted by the Syrians have driven them to the recommendation here made.

(2) The Commission was abundantly supplied with literature on the Zionist program by the Zionist Commission to Palestine; heard in conferences much concerning the Zionist colonies and their claims and personally saw something of what had been accomplished. They found much to approve in the aspirations and plans of the Zionists, and had warm appreciation for the devotion of many of the colonists, and for their success, by modern methods, in overcoming great natural obstacles.

(3) The Commission recognized also that definite encouragement had been given to the Zionists by the Allies in Mr. Balfour's often quoted statement, in its approval by other representatives of the Allies. If, however, the strict terms of the Balfour Statement are adhered to—favoring "the establishment in Palestine of a national home for the Jewish people," "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-

Jewish communities in Palestine"—it can hardly be doubted that the extreme Zionist Program must be greatly modified. For "a national home for the Jewish people" is not equivalent to making Palestine into a Jewish State; nor can the erection of such a Jewish State be accomplished without the gravest trespass upon the "civil and religious rights of existing non-Jewish communities in Palestine". The fact came out repeatedly in the Commission's conference with Jewish representatives, that the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine, by various forms of purchase.

In his address of July 4, 1918, President Wilson laid down the following principle as one of the four great "ends for which the associated peoples of the world were fighting": "The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery". If that principle is to rule, and so the wishes of Palestine's population are to be decisive as to what is to be done with Palestine, then it is to be remembered that the non-Jewish population of Palestine—nearly nine-tenths of the whole—are emphatically against the entire Zionist program. The tables show that there was no one thing upon which the population of Palestine were more agreed than upon this. To subject a people so minded to unlimited Jewish immigration, and to steady financial and social pressure to surrender the land, would be a gross violation of the principle just quoted, and of the peoples' rights, though it kept within the forms of law.

It is to be noted also that the feeling against the Zionist program is not confined to Palestine, but shared very generally by the people throughout Syria, as our conferences clearly showed. More than 72 per cent—1350 in all—of all the petitions in the whole of Syria were directed against the Zionist program. Only two requests—those for a united Syria and for independence—had a larger support. This general feeling was only voiced by the "General Syrian Congress," in the seventh, eighth and tenth resolutions of their statement.

The Peace Conference should not shut its eyes to the fact that the anti-Zionist feeling in Palestine and Syria is intense and not lightly to be flouted. No British officer, consulted by

the Commissioners, believed that the Zionist program could be carried out except by force of arms. The officers generally thought that a force of not less than fifty thousand soldiers would be required even to initiate the program. That of itself is evidence of a strong sense of the injustice of the Zionist program, on the part of the non-Jewish populations of Palestine and Syria. Decisions, requiring armies to carry them out, are sometimes necessary, but they are surely not gratuitously to be taken in the interests of a serious injustice. For the initial claim, often submitted by Zionist representatives, that they have a "right" to Palestine, based on an occupation of two thousand years ago, can hardly be seriously considered.

There is a further consideration that cannot justly be ignored, if the world is to look forward to Palestine becoming a definitely Jewish state, however gradually that may take place. That consideration grows out of the fact that Palestine is "the Holy Land" for Jews, Christians, and Moslems alike. Millions of Christians and Moslems all over the world are quite as much concerned as the Jews with conditions in Palestine, especially with those conditions which touch upon religious feelings and rights. The relations in these matters in Palestine are most delicate and difficult. With the best possible intentions, it may be doubted whether the Jews could possibly seem to either Christians or Moslems proper guardians of the holy places, or custodians of the Holy Land as a whole. The reason is this: the places which are most sacred to Christians—those having to do with Jesus—and which are also sacred to Moslems, are not only not sacred to Jews, but abhorrent to them. It is simply impossible, under those circumstances, for Moslems and Christians to feel satisfied to have these places in Jewish hands, or under the custody of Jews. There are still other places about which Moslems must have the same feeling. In fact, from this point of view, the Moslems, just because the sacred places of all three religions are sacred to them, have made very naturally much more satisfactory custodians of the holy places than the Jews could be. It must be believed that the precise meaning, in this respect, of the complete Jewish occupation of Palestine has not been fully sensed by those who urge the extreme Zionist program. For it would intensify, with a certainty like fate, the anti-Jewish feeling both in Palestine and in all other portions of the world which look to Palestine as "the Holy Land".

In view of all these considerations, and with a deep sense of sympathy for the Jewish cause, the Commissioners feel

bound to recommend that only a greatly reduced Zionist program be attempted by the Peace Conference and even that, only very gradually initiated. This would have to mean that Jewish immigration should be definitely limited, and that the project for making Palestine distinctly a Jewish commonwealth should be given up.

There would then be no reason why Palestine could not be included in a united Syrian State, just as other portions of the country, the holy places being cared for by an International and Inter-religious Commission, somewhat as at present, under the oversight and approval of the Mandatory and of the League of Nations. The Jews, of course, would have representation upon this Commission.

[The remaining part of this document recommended that the United States be asked to undertake the single Mandate for all Syria. .]

APPENDIX D

PEEL COMMISSION REPORT

From the Report of the Palestine Royal Commission (Peel Commission)—1937

A Royal Commission headed by Lord Peel was appointed in 1936, following the outbreak of fresh Arab riots earlier that year. Its report, published in July 1937, stated that the desire of the Arabs for national independence and their hatred and fear of the establishment of the Jewish National Home were the underlying causes of the disturbances. It found that Arab and Jewish interests could not be reconciled under the Mandate and it suggested, therefore, the partition of Palestine. The Jewish state was to comprise Galilee, the Yezreel Valley and the Coastal Plain to a point midway between Gaza and Jaffe, altogether about twenty per cent of the area of the country. The rest, Arab Palestine, was to be united with Transjordan. Jerusalem, Bethlehem, a corridor linking them to the Sea, and, possibly, Nazareth and the Sea of Genezareth would remain a British mandatory zone. The Arab leadership rejected the plan, the Zionist Congress accepted it with qualifications—against the wish of a substantial minority. The British government which had initially favored partition eventually rejected it in November 1938. (Document 16)

. . . To foster Jewish immigration in the hope that it might ultimately lead to the creation of a Jewish majority and the establishment of a Jewish State with the consent or at least the acquiescence of the Arabs was one thing. It was quite another to contemplate, however remotely, the forcible conversion of Palestine into a Jewish State against the will of the Arabs. For that would clearly violate the spirit and intention of the Mandate System. It would mean that national self-determination had been withheld when the Arabs were a majority in Palestine and only conceded when the Jews were a majority. It would mean that the Arabs had been denied the opportunity of standing by themselves: that they had, in fact, after an interval of conflict, been bartered about from Turkish sovereignty to Jewish sovereignty. It is true that in the light of history Jewish rule over Palestine could not be regarded as foreign rule in the same sense as Turkish; but the international recognition of the right of the Jews to return to their old homeland did not involve the recognition of the right of the Jews to govern the Arabs in it against their will. The case stated by Lord Milner against an Arab control of Palestine applies equally to a Jewish control. . . .

An irrepressible conflict has arisen between two national communities within the narrow bounds of one small country. About 1,000,000 Arabs are in strife, open or latent, with some 400,000 Jews. There is no common ground between them. The Arab community is predominantly Asiatic in character, the Jewish community predominantly European. They differ in religion and in language. Their cultural and social life, their ways of thought and conduct, are as incompatible as their national aspirations. These last are the greatest bar to peace. Arabs and Jews might possibly learn to live and work together in Palestine if they would make a genuine effort to reconcile and combine their national ideals and so build up in time a joint or dual nationality. But this they cannot do. The War and its sequel have inspired all Arabs with the hope of reviving in a free and united Arab world the traditions of the Arab golden age. The Jews similarly are inspired by their historic past. They mean to show what the Jewish nation can achieve when restored to the land of its birth. National assimilation between Arabs and Jews is thus ruled out. In the Arab picture the Jews could only occupy the place they occupied in Arab Egypt or Arab Spain. The Arabs would be as much outside the Jewish picture as the Canaanites in the old land of Israel. The National Home, as we have said before, cannot be half-national. In these circumstances to maintain that Palestinian citizenship has any moral meaning is a mischievous pretense. Neither Arab nor Jew has any sense of service to a single State. . . .

APPENDIX E

BRITISH STATEMENT OF POLICY, 1938

Against Partition: British Statement of Policy November, 1938

. . . 3. His Majesty's Government have now received the report of the Palestine Partition Commission who have carried out their investigations with great thoroughness and efficiency, and have collected material which will be very valuable in the further consideration of policy. Their report is now published, together with a summary of their conclusions. It will be noted that the four members of the Commission advise unanimously against the adoption of the scheme of partition outlined by the Royal Commission. In addition to the Royal Commission's scheme, two other schemes described as plans B and C are examined in the report. One member prefers plan B. Two other members, including the Chairman, consider that plan C is the best scheme of partition which, under the terms of reference, can be devised. A fourth member, while agreeing that plan C is the best that can be devised under the terms of reference, regards both plans as impracticable. The report points out that under either plan, while the budget of the Jewish State is likely to show a substantial surplus, the budgets of the Arab State (including Trans-Jordan) and of the Mandated Territories are likely to show substantial deficits. The Commission reject as impracticable the Royal Commission's recommendation for a direct subvention from the Jewish State to the Arab State. They think that, on economic grounds, a customs union between the States and the Mandated Territories is essential and they examine the possibility of finding the solution for the financial and economic problems of partition by means of a scheme based upon such a union. They consider that any such scheme would be inconsistent with the grant of fiscal independence to the Arab and Jewish States. Their conclusion is that, on a strict interpretation of their terms of reference, they have no alternative but to report that they are unable to recommend boundaries for the proposed areas which will afford a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States.

4. His Majesty's Government, after careful study of the Partition Commission's report, have reached the conclusion that this further examination has shown that the political, administrative and financial difficulties involved in the pro-

posal to create independent Arab and Jewish States inside Palestine are so great that this solution of the problem is impracticable.

5. His Majesty's Government will therefore continue their responsibility for the government of the whole of Palestine. They are now faced with the problem of finding alternative means of meeting the needs of the difficult situation described by the Royal Commission which will be consistent with their obligations to the Arabs and the Jews. His Majesty's Government believe that it is possible to find these alternative means. They have already given much thought to the problem in the light of the reports of the Royal Commission and of the Partition Commission. It is clear that the surest foundation for peace and progress in Palestine would be an understanding between the Arabs and the Jews, and His Majesty's Government are prepared in the first instance to make a determined effort to promote such an understanding. With this end in view, they propose immediately to invite representatives of the Palestinian Arabs and of neighbouring States on the one hand and of the Jewish Agency on the other, to confer with them as soon as possible in London regarding future policy, including the question of immigration into Palestine. As regards the representation of the Palestinian Arabs, His Majesty's Government must reserve the right to refuse to receive those leaders whom they regard as responsible for the campaign of assassination and violence.

6. His Majesty's Government hope that these discussions in London may help to promote agreement as to future policy regarding Palestine. They attach great importance, however, to a decision being reached at an early date. Therefore, if the London discussions should not produce agreement within a reasonable period of time, they will take their own decision in the light of their examination of the problem and of the discussions in London, and announce the policy which they propose to pursue.

7. In considering and settling their policy His Majesty's Government will keep constantly in mind the international character of the Mandate with which they have been entrusted and their obligations in that respect.

APPENDIX F

WHITE PAPER (1939)

The White Paper of 1939

After the failure of the partition scheme and a subsequent attempt to work out an agreed solution at a Conference in London (February–March, 1939), the British government announced its new policy in a White Paper published on May 17, 1939. The Arab demands were largely met: Jewish immigration was to continue at a maximum rate of 15,000 for another five years. After that it was to cease altogether unless the Arabs would accept it. Purchase of land by Jews would be prohibited in some areas, restricted in others. Jewish reaction was bitterly hostile (Document 18), but the Arab leaders also rejected the White Paper: according to their demands, Palestine was to become an Arab state immediately, no more Jewish immigrants were to enter the country, the status of every Jew who had immigrated since 1918 was to be reviewed.

May 17, 1939

In the Statement on Palestine, issued on 9th November, 1938, His Majesty's Government announced their intention to invite representatives of the Arabs of Palestine, of certain neighbouring countries and of the Jewish Agency to confer with them in London regarding future policy. It was their sincere hope that, as a result of full, free and frank discussion, some understanding might be reached. Conferences recently took place with Arab and Jewish delegations, lasting for a period of several weeks, and served the purpose of a complete exchange of views between British Ministers and the Arab and Jewish representatives. In the light of the discussions as well as of the situation in Palestine and of the Reports of the Royal Commission and the Partition Commission, certain proposals were formulated by His Majesty's Government and were laid before the Arab and Jewish delegations as the basis of an agreed settlement. Neither the Arab nor the Jewish delegation felt able to accept these proposals, and the conferences therefore did not result in an agreement. Accordingly His Majesty's Government are free to formulate their own policy, and after careful consideration they have decided to adhere generally to the proposals which were finally submitted to, and discussed with, the Arab and Jewish delegations.

2. The Mandate for Palestine, the terms of which were confirmed by the Council of the League of Nations in 1922, has governed the policy of successive British Governments for nearly 20 years. It embodies the Balfour Declaration and imposes on the Mandatory four main obligations. These obligations are set out in Article 2, 6 and 13 of the Mandate. There is no dispute regarding the interpretation of one of these obligations, that touching the protection of and access to the Holy Places and religious building or sites. The other three main obligations are generally as follows:—

(i) To place the country under such political, administrative and economic conditions as will secure the establishment in Palestine of a national home for the Jewish people, to facilitate Jewish immigration under suitable conditions, and to encourage, in co-operation with the Jewish Agency, close settlement by Jews on the land.

(ii) To safeguard the civil and religious rights of all the inhabitants of Palestine irrespective of race and religion, and, whilst facilitating Jewish immigration and settlement, to ensure that the rights and position of other sections of the population are not prejudiced.

(iii) To place the country under such political, administrative and economic conditions as will secure the development of self-governing institutions.

3. The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression "a national home for the Jewish people", and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews. His Majesty's Government are convinced that in the interests of the peace and well-being of the whole people of Palestine a clear definition of policy and objectives is essential. The proposal of partition recommended by the Royal Commission would have afforded such clarity, but the establishment of self-supporting independent Arab and Jewish States within Palestine has been found to be impracticable. It has therefore been necessary for His Majesty's Government to devise an alternative policy which will, consistently with their obligations to Arabs and Jews, meet the needs of the situation in Palestine. Their views and proposals are set forth below under the three heads, (I) The Constitution, (II) Immigration, and (III) Land.

I.—THE CONSTITUTION

4. It has been urged that the expression "a national home for the Jewish people" offered a prospect that Palestine might in due course become a Jewish State or Commonwealth. His Majesty's Government do not wish to contest the view, which was expressed by the Royal Commission, that the Zionist leaders at the time of the issue of the Balfour Declaration recognised that an ultimate Jewish State was not precluded by the terms of the Declaration. But, with the Royal Commission, His Majesty's Government believe that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. That Palestine was not to be converted into a Jewish State might be held to be implied in the passage from the Command Paper of 1922 which reads as follows:—

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that 'Palestine is to become as Jewish as England is English.' His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated . . . the disappearance or the subordination of the Arabic population, language or culture in Palestine. They would draw attention to the fact that the terms of the (Balfour) Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded *in Palestine*."

But this statement has not removed doubts, and His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will.

5. The nature of the Jewish National Home in Palestine was further described in the Command Paper of 1922 as follows:

"During the last two or three generations the Jews have re-created in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected as-

assembly for the direction of its domestic concerns; elected councils in the towns; and an organisation for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organisations, its own language, its own customs, its own life, has in fact 'national' characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognised to rest upon ancient historic connection."

6. His Majesty's Government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine. It envisaged the further development of the existing Jewish community with the assistance of Jews in other parts of the world. Evidence that His Majesty's Government have been carrying out their obligation in this respect is to be found in the facts that, since the statement of 1922 was published, more than 300,000 Jews have immigrated to Palestine, and that the population of the National Home has risen to some 450,000, or approaching a third of the entire population of the country. Nor has the Jewish community failed to take full advantage of the opportunities given to it. The growth of the Jewish National Home and its achievements in many fields are a remarkable constructive effort which must command the admiration of the world and must be, in particular, a source of pride to the Jewish people.

7. In the recent discussions the Arab delegations have re-

peated the contention that Palestine was included within the area in which Sir Henry McMahon, on behalf of the British Government, in October, 1915, undertook to recognise and support Arab independence. The validity of this claim, based on the terms of the correspondence which passed between Sir Henry McMahon and the Sharif of Mecca, was thoroughly and carefully investigated by British and Arab representatives during the recent conferences in London. Their Report, which has been published, states that both the Arab and the British representatives endeavoured to understand the point of view of the other party but that they were unable to reach agreement upon an interpretation of the correspondence. There is no need to summarize here the arguments presented by each side. His Majesty's Government regret the misunderstandings which have arisen as regards some of the phrases used. For their part they can only adhere, for the reasons given by their representatives in the Report, to the view that the whole of Palestine west of Jordan was excluded from Sir Henry McMahon's pledge, and they therefore cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State.

8. His Majesty's Government are charged as the Mandatory authority "to secure the development of self-governing institutions" in Palestine. Apart from this specific obligation, they would regard it as contrary to the whole spirit of the Mandate system that the population of Palestine should remain forever under Mandatory tutelage. It is proper that the people of the country should as early as possible enjoy the rights of self-government which are exercised by the people of neighbouring countries. His Majesty's Government are unable at present to foresee the exact constitutional forms which government in Palestine will eventually take, but their objective is self-government, and they desire to see established ultimately an independent Palestine State. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured.

9. The establishment of an independent State and the complete relinquishment of Mandatory control in Palestine would require such relations between the Arabs and the Jews as would make good government possible. Moreover, the growth of self-governing institutions in Palestine, as in other countries, must be an evolutionary process. A transitional period will be required before independence is achieved, throughout

which ultimate responsibility for the Government of the country will be retained by His Majesty's Government as the Mandatory authority, while the people of the country are taking an increasing share in the Government, and understanding and co-operation amongst them are growing. It will be the constant endeavour of His Majesty's Government to promote good relations between the Arabs and the Jews.

10. In the light of these considerations His Majesty's Government make the following declaration of their intentions regarding the future government of Palestine:—

(1) The objective of His Majesty's Government is the establishment within ten years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactorily for the commercial and strategic requirements of both countries in the future. The proposal for the establishment of the independent State would involve consultation with the Council of the League of Nations with a view to the termination of the Mandate.

(2) The independent State should be one in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded.

(3) The establishment of the independent State will be preceded by a transitional period throughout which His Majesty's Government will retain responsibility for the government of the country. During the transitional period the people of Palestine will be given an increasing part in the government of their country. Both sections of the population will have an opportunity to participate in the machinery of government, and the process will be carried on whether or not they both avail themselves of it.

(4) As soon as peace and order have been sufficiently restored in Palestine steps will be taken to carry out this policy of giving the people of Palestine an increasing part in the government of their country, the objective being to place Palestinians in charge of all the Departments of Government, with the assistance of British advisers and subject to the control of the High Commissioner. With this object in view His Majesty's Government will be prepared immediately to arrange that Palestinians shall be placed in charge of certain Departments, with British advisers. The Palestinian heads of Departments will sit on the Executive Council which advises the High Commissioner. Arab and Jewish representatives will be invited to serve as heads of Departments approximately in proportion to their respective populations. The number of

Palestinians in charge of Departments will be increased as circumstances permit until all heads of Departments are Palestinians, exercising the administrative and advisory functions which are at present performed by British officials. When that stage is reached consideration will be given to the question of converting the Executive Council into a Council of Ministers with a consequential change in the status and functions of the Palestinian heads of Departments.

(5) His Majesty's Government make no proposals at this stage regarding the establishment of an elective legislature. Nevertheless they would regard this as an appropriate constitutional development, and, should public opinion in Palestine hereafter show itself in favour of such a development, they will be prepared, provided that local conditions permit, to establish the necessary machinery.

(6) At the end of five years from the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government will be set up to review the working of the constitutional arrangements during the transitional period and to consider and make recommendations regarding the constitution of the independent Palestine State.

(7) His Majesty's Government will require to be satisfied that in the treaty contemplated by sub-paragraph (1) or in the constitution contemplated by sub-paragraph (6) adequate provision has been made for:—

(a) the security of, and freedom of access to, the Holy Places, and the protection of the interests and property of the various religious bodies.

(b) the protection of the different communities in Palestine in accordance with the obligations of His Majesty's Government to both Arabs and Jews and for the special position in Palestine of the Jewish National Home.

(c) such requirements to meet the strategic situation as may be regarded as necessary by His Majesty's Government in the light of the circumstances then existing.

His Majesty's Government will also require to be satisfied that the interests of certain foreign countries in Palestine, for the preservation of which they are at present responsible, are adequately safeguarded.

(8) His Majesty's Government will do everything in their power to create conditions which will enable the independent Palestine State to come into being within ten years. If, at the end of ten years, it appears to His Majesty's Government that,

contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with representatives of the people of Palestine, the Council of the League of Nations and the neighbouring Arab States before deciding on such a postponement. If His Majesty's Government come to the conclusion that postponement is unavoidable, they will invite the co-operation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date.

11. During the transitional period steps will be taken to increase the powers and responsibilities of municipal corporations and local councils.

II.—IMMIGRATION

12. Under Article 6 of the Mandate, the Administration of Palestine, "while ensuring that the rights and position of other sections of the population are not prejudiced," is required to "facilitate Jewish immigration under suitable conditions." Beyond this, the extent to which Jewish immigration into Palestine is to be permitted is nowhere defined in the Mandate. But in the Command Paper of 1922 it was laid down that for the fulfilment of the policy of establishing a Jewish National Home

"it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment."

In practice, from that date onwards until recent times, the economic absorptive capacity of the country has been treated as the sole limiting factor, and in the letter which Mr. Ramsay MacDonald, as Prime Minister, sent to Dr. Weizmann in February 1931 it was laid down as a matter of policy that economic absorptive capacity was the sole criterion. This interpretation has been supported by resolutions of the Permanent Mandates Commission. But His Majesty's Government do not read either the Statement of Policy of 1922 or the letter of 1931 as implying that the Mandate requires them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine subject only to consideration of the country's economic absorptive capacity. Nor do they find any-

thing in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country, it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension. The methods employed by Arab terrorists against fellow-Arabs and Jews alike must receive unqualified condemnation. But it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the situation in Palestine may become a permanent source of friction amongst all peoples in the Near and Middle East. His Majesty's Government cannot take the view that either their obligations under the Mandate, or considerations of common sense and justice, require that they should ignore these circumstances in framing immigration policy.

13. In the view of the Royal Commission the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British Governments ever since the Balfour Declaration was issued that in time the Arab population, recognizing the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been

fulfilled. The alternatives before His Majesty's Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country; or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty's Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and the Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore His Majesty's Government, after earnest consideration, and taking into account the extent to which the growth of the Jewish National Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.

14. It has been urged that all further Jewish immigration into Palestine should be stopped forthwith. His Majesty's Government cannot accept such a proposal. It would damage the whole of the financial and economic system of Palestine and thus affect adversely the interests of Arabs and Jews alike. Moreover, in the view of His Majesty's Government, abruptly to stop further immigration would be unjust to the Jewish National Home. But, above all, His Majesty's Government are conscious of the present unhappy plight of large numbers of Jews who seek a refuge from certain European countries, and they believe that Palestine can and should make a further contribution to the solution of this pressing world problem. In all these circumstances, they believe that they will be acting consistently with their Mandatory obligations to both Arabs and Jews, and in the manner best calculated to serve the interests of the whole people of Palestine, by adopting the following proposals regarding immigration:—

(1) Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one-third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next

five years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows:—

(a) For each of the next five years a quota of 10,000 Jewish immigrants will be allowed on the understanding that a shortage in any one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits.

(b) In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependants.

(2) The existing machinery for ascertaining economic absorptive capacity will be retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted.

(3) After the period of five years no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it.

(4) His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas.

15. His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population.

III.—LAND

16. The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced," to encourage "close settlement by Jews on the land," and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews. The Reports of several expert Commissions have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for

further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this statement of policy and the High Commissioner will retain them throughout the transitional period.

17. The policy of the Government will be directed towards the development of the land and the improvement, where possible, of methods of cultivation. In the light of such development it will be open to the High Commissioner, should he be satisfied that the "rights and position" of the Arab population will be duly preserved, to review and modify any orders passed relating to the prohibition or restriction of the transfer of land.

18. In framing these proposals His Majesty's Government have sincerely endeavoured to act in strict accordance with their obligations under the Mandate to both the Arabs and the Jews. The vagueness of the phrases employed in some instances to describe these obligations has led to controversy and has made the task of interpretation difficult. His Majesty's Government cannot hope to satisfy the partisans of one party or the other in such controversy as the Mandate has aroused. Their purpose is to be just as between the two peoples in Palestine whose destinies in that country have been affected by the great events of recent years, and who, since they live side by side, must learn to practice mutual tolerance, goodwill and co-operation. In looking to the future, His Majesty's Government are not blind to the fact that some events of the past make the task of creating these relations difficult; but they are encouraged by the knowledge that at many times and in many places in Palestine during recent years the Arab and Jewish inhabitants have lived in friendship together. Each community has much to contribute to the welfare of their common land, and each must earnestly desire peace in which to assist in increasing the well-being of the whole people of the country. The responsibility which falls on them, no less than upon His Majesty's Government, to co-operate together to ensure peace is all the more solemn because their country is revered by many millions of Moslems, Jews and Christians throughout the world who pray for peace in Palestine and for the happiness of her people.

APPENDIX G

FIRST UNSCOP REPORT, 1947

*Summary of the Report of U.N.S.C.O.P.
(U.N. Special Committee on Palestine)*

August 31, 1947

(a) GENERAL RECOMMENDATIONS
OF THE COMMITTEE

The eleven unanimously-adopted resolutions of the Committee were:

That the Mandate should be terminated and Palestine granted independence at the earliest practicable date (recommendations I and II);

That there should be a short transitional period preceding the granting of independence to Palestine during which the authority responsible for administering Palestine should be responsible to the United Nations (recommendations III and IV);

That the sacred character of the Holy Places and the rights of religious communities in Palestine should be preserved and stipulations concerning them inserted in the constitution of any state or states to be created and that a system should be found for settling impartially any disputes involving religious rights (recommendation V);

That the General Assembly should take steps to see that the problem of distressed European Jews should be dealt with as a matter of urgency so as to alleviate their plight and the Palestine problem (recommendation VI);

That the constitution of the new state or states should be fundamentally democratic and should contain guarantees for

the respect of human rights and fundamental freedoms and for the protection of minorities (recommendation VII);

That the undertakings contained in the Charter whereby states are to settle their disputes by peaceful means and to refrain from the threat or use of force in international relations in any way inconsistent with the purposes of the United Nations should be incorporated in the constitutional provisions applying to Palestine (recommendation VIII);

That the economic unity of Palestine should be preserved (recommendation IX);

That states whose nationals had enjoyed in Palestine privileges and immunities of foreigners, including those formerly enjoyed by capitulation or usage in the Ottoman Empire, should be invited to renounce any rights pertaining to them (recommendation X);

That the General Assembly should appeal to the peoples of Palestine to cooperate with the United Nations in its efforts to settle the situation there and exert every effort to put an end to acts of violence (recommendation XI);

In addition to these eleven unanimously approved recommendations, the Special Committee, with two members (Uruguay and Guatemala) dissenting, and one member recording no opinion, also approved the following twelfth recommendation:

"Recommendation XII. The Jewish Problem in General

"It is recommended that

"In the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general."

(b) MAJORITY PROPOSAL: PLAN OF
PARTITION WITH ECONOMIC UNION

According to the plan of the majority (the representatives of Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay), Palestine was to be constituted into an Arab State, a Jewish State and the City of Jerusalem. The Arab and the Jewish States would become independent after a transitional period of two years beginning on September 1, 1947. Before their independence could be recognized, however, they must adopt a constitution in line with the pertinent recommendations of the Committee and make to the United Nations a declaration containing certain guarantees, and sign a treaty by which a system of economic

collaboration would be established and the economic union of Palestine created.

The plan provided, *inter alia*, that during the transitional period, the United Kingdom would carry on the administration of Palestine under the auspices of the United Nations and on such conditions and under such supervision as the United Kingdom and the United Nations might agree upon. During this period a stated number of Jewish immigrants was to be admitted. Constituent Assemblies were to be elected by the populations of the areas which were to comprise the Arab and Jewish States, respectively, and were to draw up the constitutions of the States.

These constitutions were to provide for the establishment in each State of a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation and an executive body responsible to the legislature. They would also contain various guarantees, e.g., for the protection of the Holy Places and religious buildings and sites, and of religious and minority rights.

The Constituent Assembly in each State would appoint a provisional government empowered to make the declaration and sign the Treaty of Economic Union, after which the independence of the State would be recognized. The Declaration would contain provisions for the protection of the Holy Places and religious buildings and sites and for religious and minority rights. It would also contain provisions regarding citizenship.

* A treaty would be entered into between the two States, which would contain provisions to establish the economic union of Palestine and to provide for other matters of common interest. A Joint Economic Board would be established consisting of representatives of the two States and members appointed by the Economic and Social Council of the United Nations to organize and administer the objectives of the Economic Union.

The City of Jerusalem would be placed, after the transitional period, under the International Trusteeship System by means of a Trusteeship Agreement, which would designate the United Nations as the Administering Authority. The plan contained recommended boundaries for the city and provisions concerning the governor and the police force.

The plan also proposed boundaries for both the Arab and Jewish States.

(c) MINORITY PROPOSAL:
PLAN OF A FEDERAL STATE

Three U.N.S.C.O.P. members (the representatives of India, Iran and Yugoslavia) proposed an independent federal state. This plan provided, *inter alia*, that an independent federal state of Palestine would be created following a transitional period not exceeding three years, during which responsibility for administering Palestine and preparing it for independence would be entrusted to an authority to be decided by the General Assembly.

The independent federal state would comprise an Arab State and a Jewish State. Jerusalem would be its capital.

During the transitional period a Constituent Assembly would be elected by popular vote and convened by the administering authority on the basis of electoral provisions which would ensure the fullest representation of the population.

The Constituent Assembly would draw up the constitution of the federal state, which was to contain, *inter alia*, the following provisions:

The federal state would comprise a federal government and governments of the Arab and Jewish States, respectively.

Full authority would be vested in the federal government with regard to national defence, foreign relations, immigration, currency, taxation for federal purposes, foreign and inter-state waterways, transport and communications, copyrights and patents.

The Arab and Jewish States would enjoy full powers of local self-government and would have authority over education, taxation for local purposes, the right of residence, commercial licenses, land permits, grazing rights, inter-state migration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries.

The organs of government would include a head of state, an executive body, a representative federal legislative body composed of two chambers, and a federal court. The executive would be responsible to the legislative body.

Election to one chamber of the federal legislative body would be on the basis of proportional representation of the population as a whole, and to the other on the basis of equal representation of the Arab and Jewish citizens of Palestine. Legislation would be enacted when approved by majority votes in both chambers; in the event of disagreement between

the two chambers, the issue would be submitted to an arbitral body of five members including not less than two Arabs and two Jews.

The federal court would be the final court of appeal regarding constitutional matters. Its members who would include not less than four Arabs and three Jews, would be elected by both chambers of the federal legislative body.

The constitution was to guarantee equal rights for all minorities and fundamental human rights and freedoms. It would guarantee, *inter alia*, free access to the Holy Places and protect religious interests.

The constitution would provide for an undertaking to settle international disputes by peaceful means.

There would be a single Palestinian nationality and citizenship.

The constitution would provide for equitable participation of representatives of both communities in delegations to international conferences.

A permanent international body was to be set up for the supervision and protection of the Holy Places, to be composed of three representatives designated by the United Nations and one representative of each of the recognized faiths having an interest in the matter, as might be determined by the United Nations.

For a period of three years from the beginning of the transitional period Jewish immigration would be permitted into the Jewish State in such numbers as not to exceed its absorptive capacity, and having due regard for the rights of the existing population within that State and their anticipated natural rate of increase. An international commission, composed of three Arab, three Jewish and three United Nations representatives, would be appointed to estimate the absorptive capacity of the Jewish State. The commission would cease to exist at the end of the three-year period mentioned above.

The minority plan also laid down the boundaries of the proposed Arab and Jewish areas of the federal state.

APPENDIX H

THE PARTITION PLAN

U.N. Sec. Coun. Res. 181

*U.N. General Assembly Resolution on the Future
Government of Palestine (Partition Resolution)*

November 29, 1947

The General Assembly,

Having met in special session at the request of the mandatory Power to constitute and instruct a special committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

Having constituted a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

Having received and examined the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee,

Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

Takes note of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

Recommends to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the Plan of Partition with Economic Union set out below;

Requests that

(a) The Security Council take the necessary measures as provided for in the plan for its implementation;

(b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Article 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this

resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;

(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;

Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations, and

Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the commission referred to in Part I, Section B, paragraph 1 below, on such basis and in such form as he may determine most appropriate in the circumstances, and to provide the Commission with the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

*Plan of Partition with Economic Union
Part I—Future Constitution and
Government of Palestine*

A. TERMINATION OF MANDATE
PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.

2. The armed forces of the mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948.

The mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the Mandate and to evacuate each area.

The mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in part III of this plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be described in parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.

2. The administration of Palestine shall, as the mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine. Nevertheless, the boundaries as described in part II of this plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish

States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the State's independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.

9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission.

Qualified voters for each State for this election shall be

persons over eighteen years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively.

Women may vote and be elected to the Constituent Assemblies.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission. The constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in section C below and include *inter alia* provisions for:

(a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature;

(b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered;

(c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(d) 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;

(e) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, pro-

vided that each State shall control residence within its borders.

11. The Commission shall appoint a preparatory economic commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The Commission shall assist the mandatory Power in the carrying out of these functions. Similarly the mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the mandatory Power, the whole administration shall be in charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the mandatory Power to the Commission, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue.

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C. DECLARATION

A declaration shall be made to the United Nations by the provisional government of each proposed State before independence. It shall contain *inter alia* the following clauses:

General Provision

The stipulations contained in the declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter I.—Holy Places, Religious Buildings and Sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum.

Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendation.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected,

and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such places, buildings and sites. He shall receive full cooperation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2.—Religious and Minority Rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.

2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.

3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.

4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.¹

8. No expropriation of land owned by an Arab in the Jew-

¹The following stipulation shall be added to the declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration."

ish State (by a Jew in the Arab State)² shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

Chapter 3.—Citizenship, International Conventions and Financial Obligations

1. *Citizenship.* Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt, within one year from the date of recognition of independence of the State in which they reside, for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jews residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. *International conventions.* (a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. *Financial obligations.* (a) The State shall respect and fulfil all financial obligations of whatever nature assumed on

² In the declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State."

behalf of Palestine by the mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.

(c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the States respecting claims not recognized by the latter should be referred to that Court.

(d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holder and the State.

[Section D has been deleted: "Economic Union and Transit." Part II of the Resolution deals with the borders of the new State; Part III with "Capitulations." Ed.]



ISRAELI DECLARATION OF INDEPENDENCE

Israeli Declaration of Independence

The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and national identity was formed. Here they achieved independence and created a culture of national and universal significance. Here they wrote and gave the Bible to the world.

Exiled from Palestine, the Jewish people remained faithful to it in all the countries of their dispersion, never ceasing to pray and hope for their return and the restoration of their national freedom.

Impelled by this historic association, Jews strove throughout the centuries to go back to the land of their fathers and regain their statehood. In recent decades they returned in masses. They reclaimed the wilderness, revived their language, built cities and villages and established a vigorous and ever-growing community, with its own economic and cultural life. They sought peace yet were ever prepared to defend themselves. They brought the blessing of progress to all inhabitants of the country.

In the year 1897 the First Zionist Congress, inspired by Theodor Herzl's vision of the Jewish State, proclaimed the right of the Jewish people to national revival in their own country.

This right was acknowledged by the Balfour Declaration of November 2, 1917, and re-affirmed by the Mandate of the League of Nations, which gave explicit international recognition to the historic connection of the Jewish people with Palestine and their right to reconstitute their National Home.

The Nazi holocaust, which engulfed millions of Jews in Europe, proved anew the urgency of the re-establishment of the Jewish State, which would solve the problem of Jewish homelessness by opening the gates to all Jews and lifting the Jewish people to equality in the family of nations.

The survivors of the European catastrophe, as well as Jews from other lands, proclaiming their right to a life of dignity, freedom and labor, and undeterred by hazards, hardships and obstacles, have tried unceasingly to enter Palestine.

In the Second World War the Jewish people in Palestine made a full contribution in the struggle of the freedom-loving nations against the Nazi evil. The sacrifices of their soldiers and the efforts of their workers gained them title to rank with the peoples who founded the United Nations.

On November 29, 1947, the General Assembly of the United Nations adopted a Resolution for the establishment of an independent Jewish State in Palestine, and called upon the inhabitants of the country to take such steps as may be necessary on their part to put the plan into effect.

This recognition by the United Nations of the right of the Jewish people to establish their independent State may not be revoked. It is, moreover, the self-evident right of the Jewish people to be a nation, as all other nations, in its own sovereign State.

ACCORDINGLY, WE, the members of the National Council, representing the Jewish people in Palestine and the Zionist movement of the world, met together in solemn assembly today, the day of termination of the British Mandate for Palestine, by virtue of the natural and historic right of the Jewish people and of the Resolution of the General Assembly of the United Nations,

HEREBY PROCLAIM the establishment of the Jewish State in Palestine, to be called ISRAEL.

WE HEREBY DECLARE that as from the termination of the Mandate at midnight, this night of the 14th to 15th May, 1948, and until the setting up of the duly elected bodies of the State in accordance with a Constitution, to be drawn up by a Constituent Assembly not later than the first day of October, 1948, the present National Council shall act as the provisional administration, shall constitute the Provisional Government of the State of Israel.

THE STATE OF ISRAEL will be open to the immigration of Jews from all countries of their dispersion; will promote the development of the country for the benefit of all its inhabitants; will be based on the precepts of liberty, justice and peace taught by the Hebrew Prophets; will uphold the full social and political equality of all its citizens, without distinction of race, creed or sex; will guarantee full freedom of conscience, worship, education and culture; will safeguard the sanctity and inviolability of the shrines and Holy Places of all religions; and will dedicate itself to the principles of the Charter of the United Nations.

THE STATE OF ISRAEL will be ready to cooperate with the organs and representatives of the United Nations in the implementation of the Resolution of the Assembly of November 29, 1947, and will take steps to bring about the Economic Union over the whole of Palestine.

We appeal to the United Nations to assist the Jewish people in the building of its State and to admit Israel into the family of nations.

In the midst of wanton aggression, we yet call upon the Arab inhabitants of the State of Israel to return to the ways of peace and play their part in the development of the State, with full and equal citizenship and due representation in all its bodies and institutions—provisional or permanent.

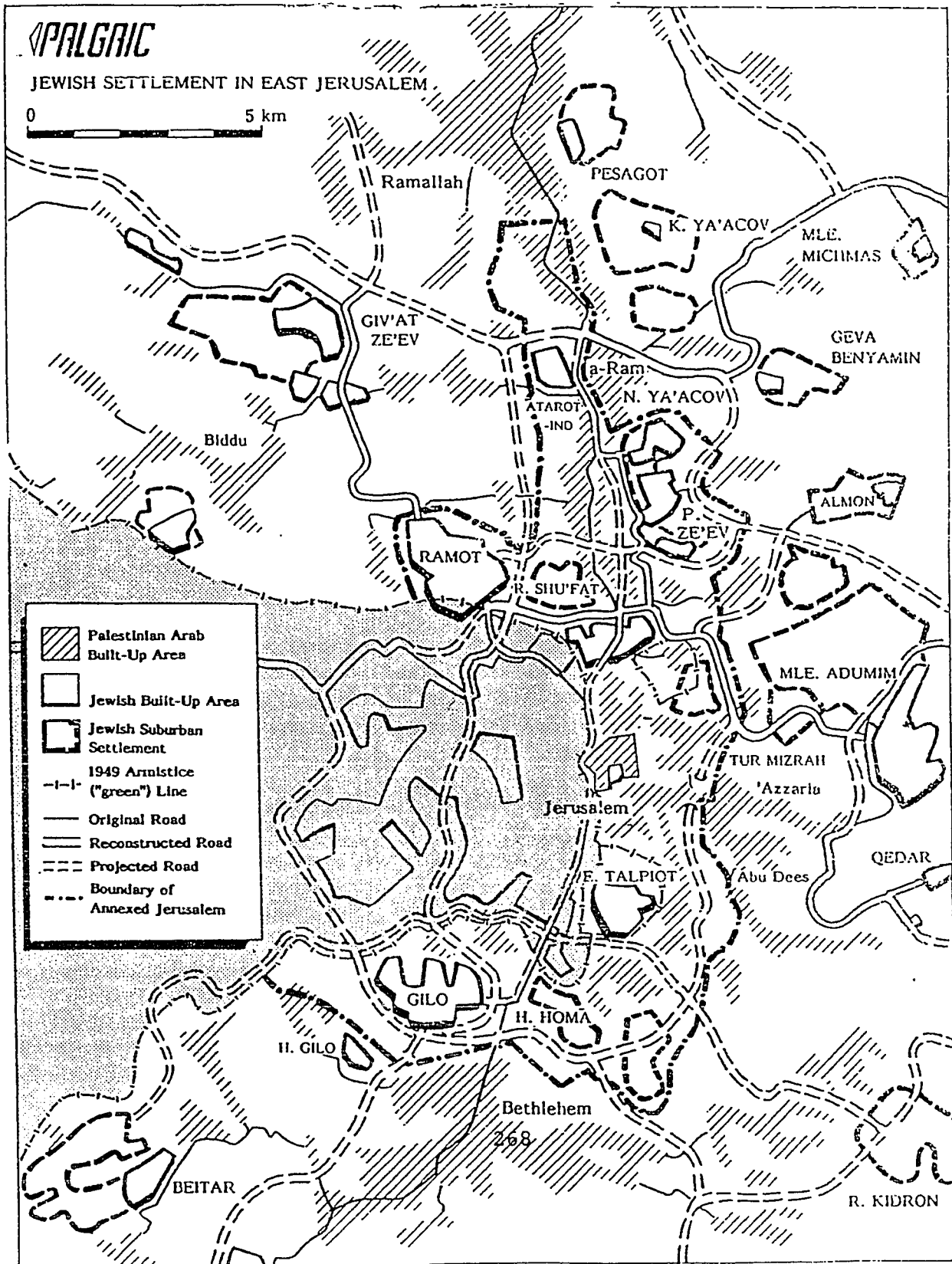
We offer peace and unity to all the neighboring states and their peoples, and invite them to cooperate with the independent Jewish nation for the common good of all.

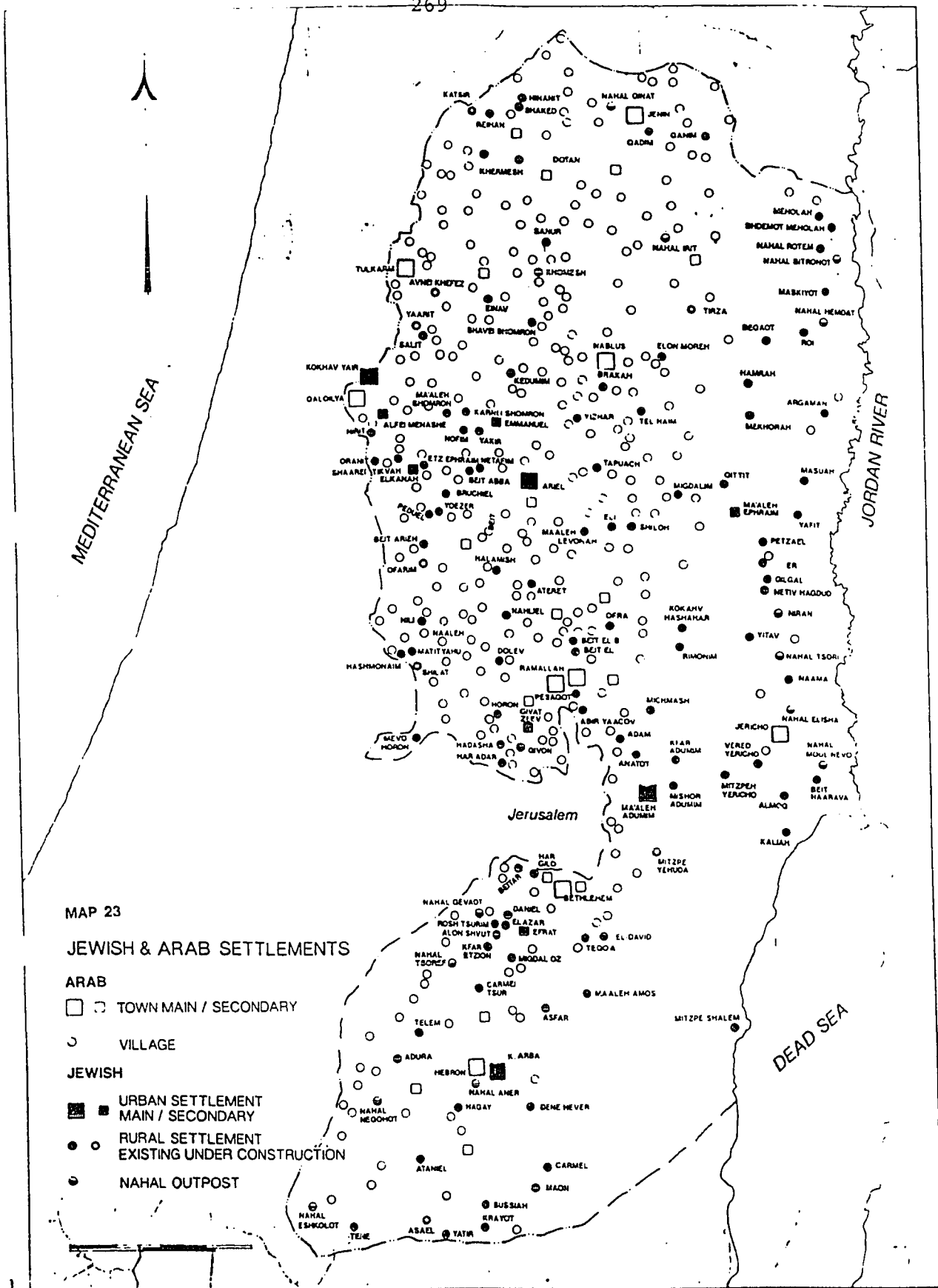
Our call goes out to the Jewish people all over the world to rally to our side in the task of immigration and development and to stand by us in the great struggle for the fulfillment of the dream of generations—the redemption of Israel.

With trust in Almighty God, we set our hand to this Declaration, at this Session of the Provisional State Council, in the city of Tel Aviv, on this Sabbath eve, the fifth of Iyar, 5708, the fourteenth day of May, 1948.

APPENDIX J

MAPS OF WEST BANK SETTLEMENTS

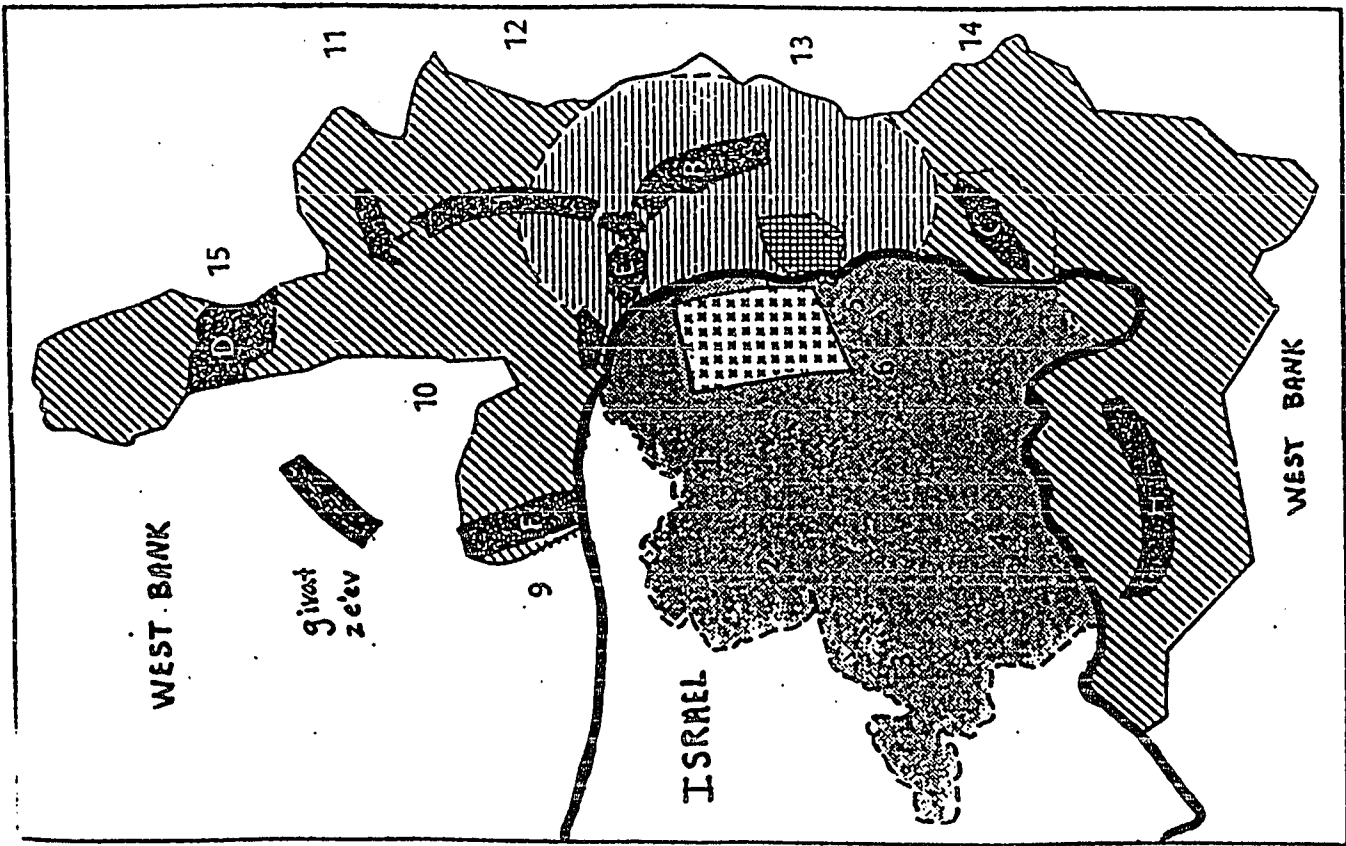




MAP 23
JEWISH & ARAB SETTLEMENTS

ARAB
 □ □ TOWN MAIN / SECONDARY
 ○ VILLAGE

JEWISH
 ■ ■ URBAN SETTLEMENT MAIN / SECONDARY
 ● ● RURAL SETTLEMENT EXISTING UNDER CONSTRUCTION
 ○ ○ NAHAL OUTPOST



KEY

- West Bank areas outside East Jerusalem municipal boundaries annexed to greater Jerusalem in 1967.
- Only predominantly Jewish area in 1948 West Jerusalem.
- Palestinian area within East Jerusalem municipal boundaries, annexed to greater Jerusalem in 1967.
- Exclusive Jewish residential fortresses built in annexed areas on confiscated private Palestinian land.
- Walled Old City of Jerusalem.
- Palestinian areas in West Jerusalem seized in 1948.

Palestinian Villages and Urban Residential Areas in West Jerusalem Taken Over in 1948 and Still Occupied by Israelis

1. Lifa-Khallat el-Tarha villages
2. Deir Yasin village
3. Ein Kerem village
4. El-Malaha village
5. Talbiya Quarter
6. El-Qatamon-el-Baq'ah Quarter
7. Mamilla Quarter
8. Abu-Tor, Mustrata Quarter

Palestinian Villages Whose Lands Were Incorporated into Greater Jerusalem

9. Beit Ikka
10. Beit Hanina
11. Hizmeh
12. Anata
13. Bethany
14. Abu Dis
15. Ram

Jewish Losses in 1948 East Jerusalem, Recovered in 1967

- A. Neve Yaacov kibbutz
- B. Mt. Scopus
- C. Jewish Quarter and Western Wall

Post 1967 Israeli Settlements in East Jerusalem and Vicinity

- First Wave*
- B. Mount Scopus (Hadassah Hospital and Hebrew University expanded from pre-1967 enclave)
 - C. Jewish and Moghrabi Quarters (expanded to twice 1948 size, 1,300 Israeli population in June 1982)
 - D. Atarot Industrial Park (400 acre tract for Israeli industries)
 - E. French Hill, Ramot Eshkoi, Sanhadria Extension (first Israeli housing projects in East Jerusalem, population of 18,700 in June 1982)
- Second Wave*
- A. Neve Yaacov (Israeli population of 10,800 in June 1982)
 - F. Ramot (most developed of existing colonies, with only 5,000 of 12,000 planned units, and population of 17,200 in June 1982)
 - G. East Talpilot (5,000 apartments on private Palestinian land and in former UN zone, 6,400 residents in June 1982)
 - H. Gilo (6,000 units completed, another 6,000 planned, June 1982 population of 12,000)
- Third Wave*
- I. Neve Yaacov South (10,000 apartments planned, 1,100 acres confiscated in 1980)

1971
N70

WEST BANK
JERUSALEM

APPENDIX K

U.N. SECURITY COUNCIL RESOLUTIONS 242 AND 338

Security Council Resolution 242,
November 22, 1967

The Security Council,
Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

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

2. *Affirms further* the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Security Council Resolution 338,
October 22, 1973

The Security Council

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;

2. *Calls upon* the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts;

3. *Decides* that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

APPENDIX L

FRAMEWORK FOR A PUBLIC PEACE PROCESS AND REPRINT,
 "PALESTINIANS UNDER OCCUPATION PRESENT STEPS TOWARD PEACE"
FRAMEWORK FOR A PUBLIC PEACE PROCESS

Toward a Peaceful Israeli-Palestinian Relationship

Preamble

Ten Israelis and Palestinians actively involved in the search for peace, and a ranking member of the Palestine National Council met July 15–19, 1991, at the Sequoia Seminar in Ben Lomond, California, in a dialogue on the future of the Israeli-Palestinian relationship. They met under the co-sponsorship of the Stanford University Center on Conflict and Negotiation and the Beyond War Foundation with the assistance of Dr. Harold Saunders (former Assistant Secretary of State) and members of the Stanford Center and Beyond War's Task Force on the Middle East. Achievements of the conference include:

- An unequivocal commitment by both Palestinians and Israelis to a just and lasting peace for two nations enjoying full self-determination, mutual recognition, and security.
- A convincing demonstration of the capacity of Israelis and Palestinians to reach agreement about plans for a common future, and for the first time, to express that agreement in a comprehensive document endorsed not only by the Israeli and Palestinian participants but also by the Palestine Liberation Organization.
- Compelling testimony about the human suffering of the Palestinians under the occupation and the terrible costs and risks of the status quo to both sides.
- Concrete measures the participants and other citizens can undertake to broaden political consensus for the peace process and to overcome mutual distrust and dehumanization.
- Valuable insights about the preparation and conduct of a "public peace process."

The participants now want to share the fruits of their dialogue with their fellow citizens and with concerned citizens of other interested countries.

FRAMEWORK FOR A PUBLIC PEACE PROCESS

Toward a Peaceful Israeli-Palestinian Relationship

Purposes

We offer this Framework for a Public Peace Process as a vehicle for drawing together in common cause and mutually supportive activity all who are working for a peaceful Israeli-Palestinian relationship.

Specifically, we will use this paper as both an educational and a political instrument. By inviting Israelis and Palestinians to sign this document, we seek to enlarge the number of those who understand and support the ideas expressed here. In public debate the document will demonstrate the ability of Israelis and Palestinians to reach agreement on concrete issues critical to a peaceful settlement of the conflict between them.

We invite all who work toward this end to consider themselves as working together within this Framework to give coherence and momentum to a public peace process.

In doing so, we as concerned Palestinians and Israelis complement, support, and encourage the active efforts of political authorities toward peace.

Premises

Moving the Israeli-Palestinian and the Arab-Israeli conflicts towards resolution will give impetus to a broader peace in the Middle East.

The Israeli-Palestinian relationship stands at a moment of danger and opportunity. Ironically, as prospects for advancing the peace process increase, danger and human suffering become more acute.

Human suffering increases daily in the West Bank and Gaza. Human rights violations under the occupation, the closure of educational institutions, and the various types of collective punishment contribute daily to this suffering. The environment of violence and confrontation leads to a vicious cycle of violence and counter-violence which undermines advancement of the peace process.

The West Bank and Gaza are heading toward economic catastrophe, due to⁽²⁷⁴⁾ sharply increased unemployment and lack of industry. Punitive measures by the Israeli authorities aggravate the problem. The economic and political conditions of the Palestinians outside the occupied territories have deteriorated. Palestinians living in the Gulf states, many of whom are now homeless and stateless, can no longer provide the economic cushion that previously helped reduce the economic frustrations of those living under Israeli occupation.

Every day there is tangible evidence of more Israeli settlements, enlargement of existing settlements, and extensive and growing land confiscations. This increases Palestinian desperation and complicates and undermines efforts to seek a settlement.

As despair and bitterness grow in the occupied territories, the intifada may become more violent. The possibility mounts that there will be a movement from stone to knife to gun. With no remedy forthcoming, this sharp increase in violence could even trigger another war.

The ongoing occupation is taking its heavy toll on Israeli society. It causes the brutalization of the people and the erosion of Israeli morale and traditional Jewish values. Israelis have been attacked and killed by Palestinians in Israel's city streets. The continuing debate over the territories is tearing the fabric of Israeli society. It affects the Israeli army's preparedness. It requires Israelis to spend long periods of frustrating military service in the territories. The cost of the occupation is high, and the heavy investments in infrastructure and in settlements are at the expense of Israel's infrastructure and of the disadvantaged members of society. It also endangers international financial aid vital for the national effort to absorb the Russian Jewish immigrants.

The internal violence in Palestinian society has raised fears for the peace process in Israeli society.

We feel that a substantial number of people in both our communities are ready to say: "Enough! It is time to move beyond war to peace." The deteriorating situation jeopardizes their efforts to move toward peace.

Principles and Provisions of a Palestinian-Israeli Agreement

The objective of the peace process is to establish a just and lasting peace between Israelis and Palestinians as part and parcel of a comprehensive settlement between Israel and the Arab states.

This peace is to be achieved through the withdrawal of Israeli forces from territories occupied in 1967, allowing the Palestinian people the exercise of their right to self-determination in those territories. This includes the right to establish an independent state or other confederative solution of their choice. At the same time, the State of Israel is to be guaranteed recognition, security and territorial integrity by both the State of Palestine and other Arab States. This can take place through mutually agreed steps, by means of negotiations involving the legitimate representative of the Palestinian people, whom the Palestinians consider to be the Palestine Liberation Organization; the government of Israel; and other concerned parties; based on U.N. resolutions 242 and 338.

The following provisions will govern a Palestinian-Israeli agreement:

End of the state of war and all hostile activities in the region.

Mutual Recognition. The State of Palestine, the State of Israel, and the Arab States shall mutually recognize each other.

Borders. 1967 borders with minimum necessary modifications *for both sides*.

Stages. To achieve this historic compromise between the two peoples, there are barriers that have to be overcome on the principles of equality, mutuality, and reciprocity. *Implementation in stages* will help build mutual confidence and trust, leading to the attainment of the above mentioned objectives.

The agreement of the peace settlement will be implemented in stages within a time frame of a maximum of five years, starting from the date of signing the agreement. This time frame is needed for the gradual buildup of mutual confidence and trust, to assess the compliance on the part of both parties, and for the building of the infrastructure and institutions of the envisaged Palestinian state.

In this interim period, all acts of violence will be stopped in Israel, in the territories, and on the borders. At the same time, the government of Israel

will stop all settlement drives including the expansion of existing settlements, confiscation of land, and emergency regulations. During this interim period, Israel will minimize the presence of Israeli military troops in the Palestinian-populated areas. In the interim period, the full *de jure* application of the Geneva Convention will be provided to help protect the safety of the Palestinian population.

Any non-compliance with the above conditions will lead to dispute resolution measures agreed upon by the parties.

General Security Principles

- The peace agreement by itself will reduce motivation for war and hostility in the region.
- Political stability in the region, resulting from a comprehensive peace settlement, will reinforce security in the region.
- Economic prosperity and interdependence will ensure the common interest in maintaining a lasting peace.
- General and specific security provisions in the military sense for each state as laid out below.

General Security Provisions for Both States

- Guarantee of security in the Middle East depends upon the reduction of arsenals of arms in the whole region, including weapons of mass destruction.
- Security is seen as including the State of Israel, the State of Palestine, and all Arab States.

Israeli Security Provisions—Principles for Security:

- Israeli security based primarily on Israel's own ability to defend itself.
- Limited militarization of the Palestinian State.
- Regional arrangements preventing deployment of foreign troops in Jordan, Palestine and Israel, other than those agreed upon by the parties.
- Financial and technical support to Israel from third parties as compensation for loss of territory.
- Specific security arrangements on the ground and in the air space following the aforementioned principles to be agreed upon by the parties in the peace treaty.

Palestinian Security Provisions—Principles for Security:

- Long-term: International economic and financial investment to build an infrastructure, industrial development, and housing to help ensure the stability and security of the State of Palestine.
- Short-term:
 - International guarantees for the security, sovereignty and territorial integrity of the State of Palestine.
 - An agreed-upon Palestinian defense force to maintain internal order and to safeguard the borders.

Jerusalem

- Jerusalem is the holy city for three faiths and is important historically, nationally, and culturally for the two peoples. It can and should be the city of peace.
- The political solution for Jerusalem should not lead again to its physical division. It is agreed that the city shall remain physically united.
- After the peace treaty and the five-year interim period, the Palestinian part of Jerusalem will be the capital of the State of Palestine. The Israeli part of Jerusalem will be the capital of the State of Israel.
- Each part of Jerusalem will have its own municipality, each with equal representation on an umbrella municipal council for metropolitan Jerusalem.
- Freedom of access and worship at all holy sites, and free movement through the city will be guaranteed to all citizens and visitors.

Right of Return

- The State of Palestine is the state of all Palestinians wherever they live. They can return whenever they want.
- The State of Palestine will regulate the return of Palestinians according to its long-term plans of absorption.
- The procedures for Palestinians who wish to return to their homes in Israel or receive compensation will be subject to negotiations in the peace process. No collective return of Palestinians to their homes is envisioned. The procedures to receive compensation for their properties for Jews who left Arab countries shall be subject to similar negotiations.

Refugees. Significant economic assistance will be acquired to rehabilitate, retrain, and resettle Palestinian refugees and to provide them with opportunities to live as citizens in permanent residence in the State of Palestine or in agreement with Arab States where they live at present.

Settlements

- Settlers who wish to stay in the State of Palestine after the peace treaty should obtain consent from the State of Palestine and should undertake to accept Palestinian jurisdiction.
- Settlements obtained by land expropriation during the occupation should be returned to the State of Palestine.
- Settlements obtained by individual legal purchase remain as the legal property of the owners, and owners should be compensated if they choose to leave.

Gaza. Arrangements will be made for a free passageway through Israel between the West Bank and Gaza.

Water. An agreement should be concluded regarding sharing water resources. Under such an agreement there would be a regional system covering the countries of Syria, Lebanon, Jordan, Israel, and Palestine. The system could draw on water resources of other Middle East countries.

Normalization

- Arrangements and goals will be defined for the normalization of relations between the two states.
- Normalization includes diplomatic relations, the exchange of ambassadors, and other representatives.
- The economic relationship between Israel and Palestine should include joint projects in agriculture, tourism, commerce, industry, energy, and transportation. Labor mobility across the borders of the two states should be regulated by mutual agreement between them. Civil aviation agreements covering the mutual use of airspace by the two countries will be part of the peace treaty.
- Economic relations in the region could ultimately be modeled after the European Community concept with cooperation and coordination in all areas and without interference with the character and sovereignty of each state.

A Public Peace Process

Present suffering, misperceptions, fear, and mistrust make it difficult even to take the first steps toward a peaceful relationship. While political leaders seek new relationships among governing institutions, citizens on both sides must pave the way by imagining steps to help those in the other community fear less, change perceptions, and risk trust. The aim is to enable Israelis and Palestinians to think and work together towards a growing relationship of peace.

To accelerate constructive change in the present relationship between our communities, we have identified the following areas where we are prepared to encourage citizens in both communities to work together in building new relationships.

To broaden consensus on a new relationship, we will encourage steps such as the following which do not depend on government authorities:

- stimulate public debate on specific components of a peaceful Israeli-Palestinian relationship.
- emphasize the need for peace and clarify the fruits of peace, notably greater access to water, oil, tourism, and other aspects of economic prosperity and cultural enrichment.
- broaden public opinion polling on security and a two-state solution to include significant elements of the Palestinian as well as the Israeli community.
- dramatize the human and economic costs of continuing occupation for both sides.

To humanize the other side and increase trust, we will work to expand direct contacts and joint activities between Israelis and Palestinians to overcome stereotypes and distorted perceptions and to promote thinking and acting together. For instance, we will:

- invite Palestinians and Israelis where we can to write regularly in each other's publications and encourage joint publication.
- encourage supportive activities by professional organizations of lawyers, psychologists, medical doctors, and other professions.
- provide training and educational programs for Israeli and Palestinian teachers and students.

- promote student visiting between Israeli and Palestinian schools, exchange lecturers between universities, establish an Israeli-Palestinian school, develop common curricula.
- establish a joint conflict resolution center.
- provide and distribute video interviews that promote mutual understanding and empathy.
- demonstrate concern for human rights by practical steps to support those harmed by violations, to press respect by authorities for the Fourth Geneva Convention in the occupied territories, to campaign for the rights of prisoners through legal challenges and media campaigns.
- try to establish twinning relationships between Israeli and Palestinian communities.
- help Palestinian family reunions.

To broaden participation in the public peace process, we will:

- encourage joint political activities, including Israelis and Palestinians of all three religions.
- expand the activities of women's organizations on both sides to expose the consequences of human rights violations, especially for families and children.
- more fully integrate Sephardic-Oriental Israelis into the peace process. Their unique historical and cultural experience of Jewish-Arab co-existence and their particular struggle for social justice and equality make them a natural bridge to the Arab world in general and the Palestinians in particular.
- dramatize the costs of continuing conflict for the large segments of both societies.

These activities are illustrative and represent only those areas where we can have influence. As other individuals and organizations add their activities to the list, we will experience the breadth, depth, and momentum of a public peace process.

Call to Join in a Public Peace Process

Many other Israelis and Palestinians have engaged in dialogues such as ours. Many are engaged in activities such as those mentioned above. We encourage all of them to step forward and to join hands with us openly and explicitly. We call on them and others—individuals and organizations—to help expand this framework and the public peace process through practical actions of their own.

We encourage and support all efforts of political leaders on both sides to reconstitute an active peace process among constituted governmental authorities.

At the same time, we believe that official negotiations can produce a genuinely peaceful relationship between Israelis and Palestinians only if they are embedded in a larger political process involving the peoples of both communities. That political process is what we call a "public peace process." In democratic bodies politic, a public peace process has the potential to generate, support, and intensify the governmental peace process. Our purpose is to make that public peace process a compelling political fact for all to see and feel.

Concerned citizens of other concerned countries have contributed much to our dialogue. We encourage them to join us in increasing numbers in this public peace process.

To produce a political environment in which our two peoples can move toward a peaceful relationship, we call on fellow citizens and organizations throughout our communities to add their own course of action until the public peace process constitutes an irresistible movement toward a peaceful Israeli-Palestinian relationship.

Invited Israeli Participants

Moshe Amirav: Member, Jerusalem City Council; Chairman, City Committee for East Jerusalem; Former member of the Likud Central Committee.

Shlomo Elbaz: Professor Emeritus of Comparative Literature, Hebrew University, Jerusalem; Co-founder and Chairman, East for Peace.

Giora Ram Furman: Brigadier General, (Res.); Former Deputy Chief of Staff of the Israeli Air Force; General Secretary, Kibbutz Haartzi Movement; Chairman, Council for Peace and Security in Israel.

Galit Hasan-Rokem: Professor of Hebrew Literature and Jewish Folklore, Hebrew University; Founding Member, Women's Network for Peace in Israel.

Moshe Ma'oz: Professor, Islamic and Middle Eastern Studies, Hebrew University; Advisor on Arab Affairs to Defense Minister Ezer Weizman and Prime Minister Shimon Peres.

Oded Megiddo: Lieutenant-Colonel, IDF (Res.); Owner and Director of a firm dealing with land development in rural Israel; Member, Council of the Shinui Party; Member, Council for Peace in Stages.

Invited Palestinian Participants

Mamdouh al-Aker: Urological Surgeon; Founding Member, Mandela Institute for Political Prisoners; Board of Trustees of Friends School, Ramallah; Member, Israeli and Palestinian Physicians for Human Rights.

Rihab Essawi: Professor of Education, Hebron University; Former Director of the Union of Charitable Societies in Jerusalem. Former Director of the American Friends Service Committee Legal Aid Office in Jerusalem.

Bernard Sabella: Professor of Sociology, Bethlehem University; Member of the Board of the Palestinian Academic Society for the Study of International Affairs.

Hanna Siniora: Editor, *Al Fajr* newspaper of East Jerusalem; President of the European-Palestinian Chamber of Commerce, Jerusalem; Nominated by the PLO as a member of a Palestinian delegation to peace talks in July 1985.

Invited Representative of the Palestine National Council

Nabeel Shaath: Chair, Political Committee of the Palestine National Council; Advisor to President Yasser Arafat on International Relations.

Moderator

Harold Saunders: Director of International Programs, The Kettering Foundation; Former Assistant Secretary of State for Near Eastern and South Asian Affairs.

Cosponsors

Stanford Center on Conflict and Negotiation

The Beyond War Foundation

PALESTINIANS UNDER OCCUPATION PRESENT STEPS TOWARD PEACE

At a press conference in Jerusalem on January 14, 1988, a broad spectrum of West Bank and Gaza Palestinian leaders and representatives of nationalist institutions presented demands for dealing with the current conflict. Those attending were Dr. Gabi Baramki, Acting President, Bir Zeit University, Dr. Sari Nusselbeh, Professor of Philosophy at Bir Zeit, and the Reverend Odeh Rantisi, deposed Deputy Mayor of Ramallah. Unable to attend because they were detained by Israeli authorities were *Al-Fajr* editor, Hanna Siniora, and Gaza attorney, Fayez Abu Rahme (both of whom had been appointed in 1985 by PLO Chairman Yasir Arafat and accepted by then Prime Minister Shimon Peres as Palestinian negotiators), Dr. Halder Abd al-Shafi, Chairman of the Gaza Red Crescent Society, Ibrahim Kareem of the Palestine Press Service, and Ghassan Ayyoub, head of the Restaurant Workers' Union.

The point has been raised that Palestinians have not made specific demands known and therefore there is no basis for negotiation. Because these demands have gone largely unreported, the Foundation for Middle East Peace reprints them here as a public service.

During the past few weeks the Occupied Territories have witnessed a popular uprising against Israel's occupation and its oppressive measures...

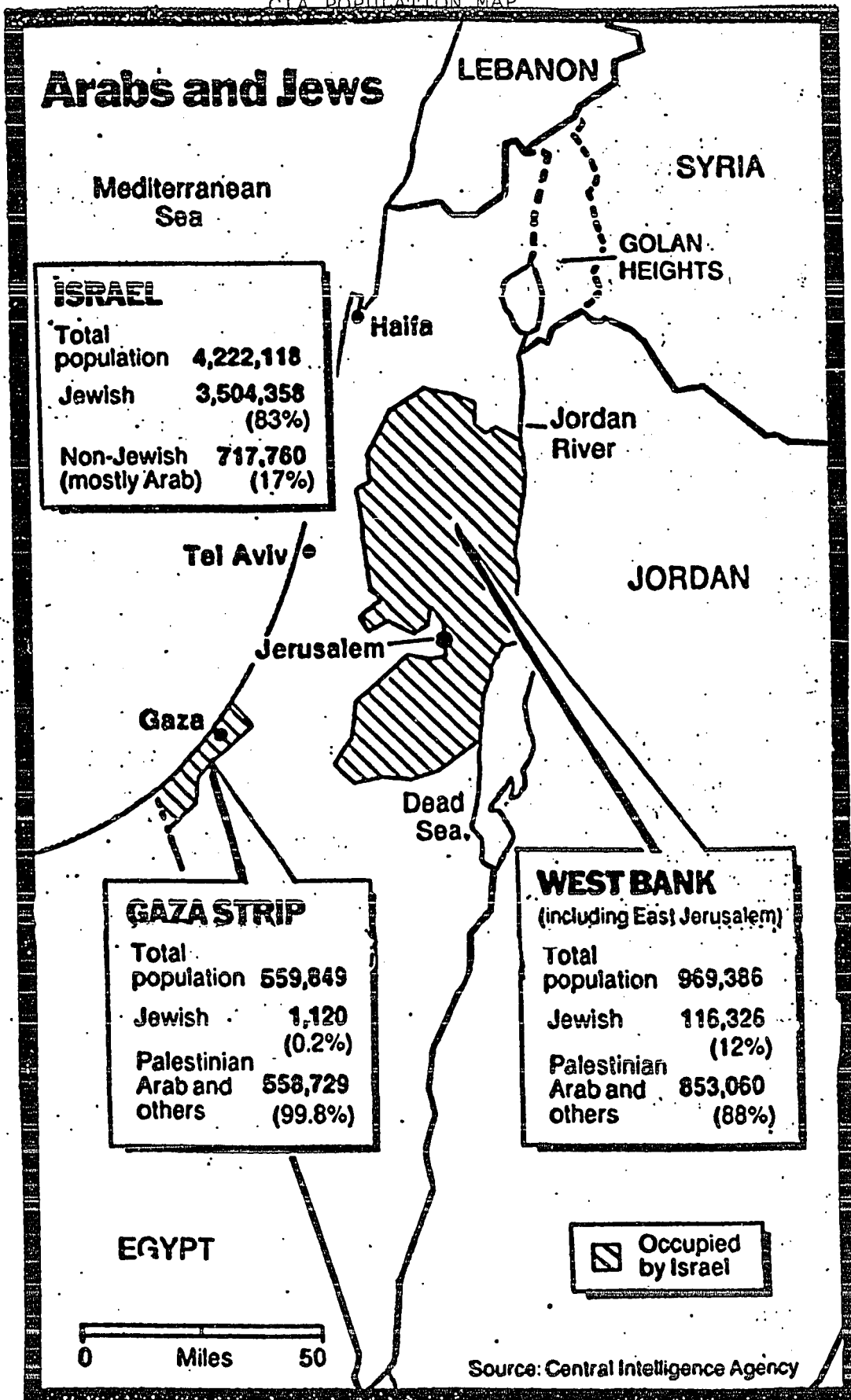
This uprising affirms our people's unbreakable commitment to its national aspirations, including our right to self-determination and the establishment of an independent state on our national soil under the leadership of the PLO, as our sole legitimate representative...

Israeli occupation cannot continue forever. Real peace cannot be achieved except through the recognition of Palestinian national rights...Should these rights not be recognized, then the continuation of Israeli occupation will lead to further violence and bloodshed...The opportunity for peace will also move further away.

The only way to extricate ourselves from this scenario is the convening of an international conference with the participation of all concerned parties including the PLO, the sole legitimate representative of the Palestinian people, as an equal partner, as well as the five permanent members of the Security Council, under the supervision of the two Super Powers.

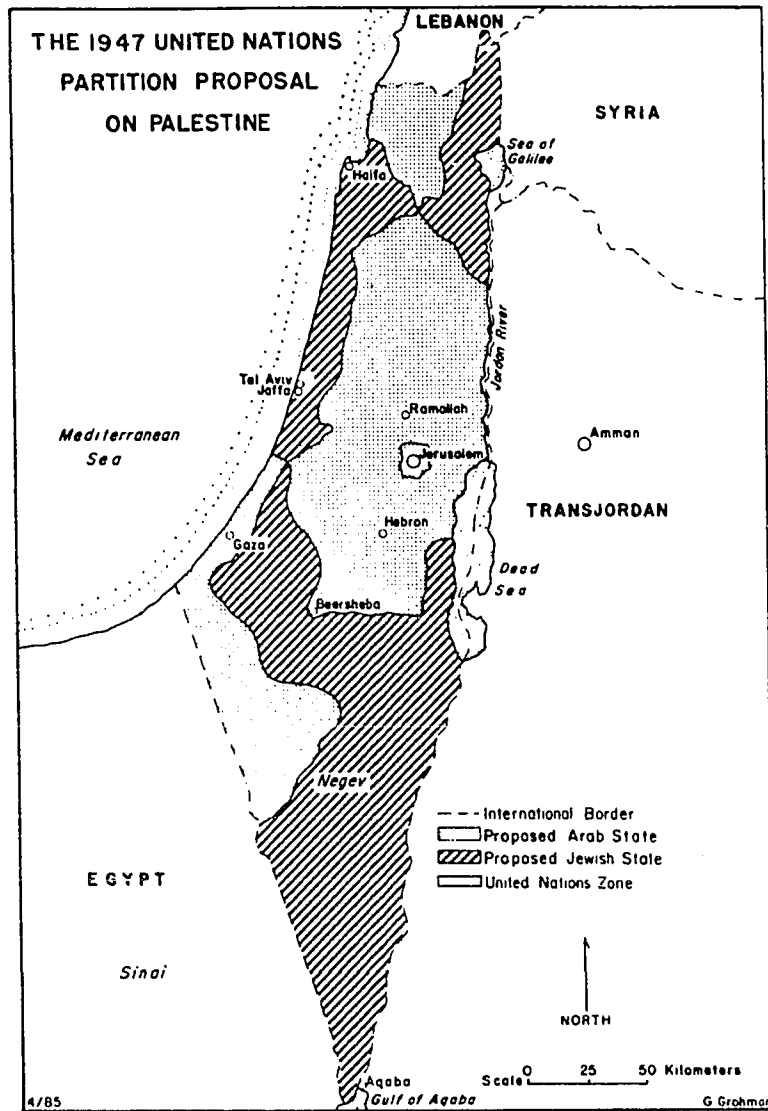
On this basis we call upon the Israeli authorities to comply with the following list of demands as a means to prepare the atmosphere for the convening of the suggested international peace conference:

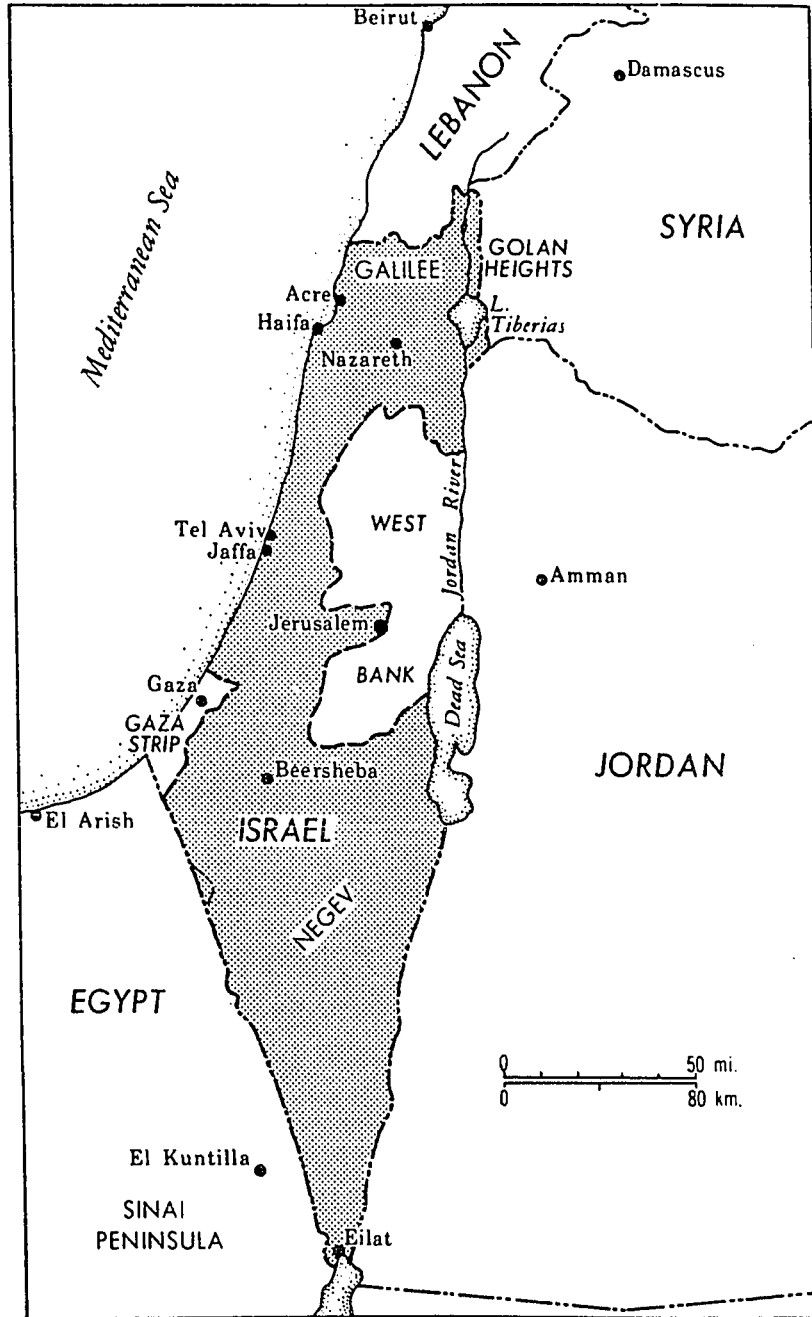
1. Abide by the 4th Geneva Convention pertaining to the protection of civilians, and declare the Emergency Regulations of the British Mandate null and void.
2. Comply with Security Council Resolutions 605 and 607...[relating to recent deportations; Ed. note]
3. Release all prisoners arrested during the recent uprising...Rescind all proceedings against them...
4. Cancel the policy of expulsion and allow all deported Palestinians...to return to their homes...Release all administrative detainees...Accept applications for family reunions...
5. Lift the siege of all Palestinian refugee camps and withdraw the Israeli army from all population centers.
6. Conduct a formal inquiry into the behavior of soldiers and settlers, and take punitive measures against all those convicted...
7. Cease all settlement activity and land confiscation and release lands already confiscated...End the harassment of the Arab population by settlers in the West Bank and Gaza and in the Old City of Jerusalem.
8. Refrain from acts which impinge on the Moslem and Christian holy sites or change the status quo in the City of Jerusalem.
9. Cancel the Value Added Tax and all other direct Israeli taxes imposed on Palestinian residents in Jerusalem, the West Bank, and in Gaza...
10. Cancel all restrictions on political freedoms including restrictions on freedom of assembly and association. Hold free municipal elections under the supervision of a neutral authority.
11. Release all funds deducted from the wages of laborers from the territories who work inside Israel...
12. Remove all restrictions on building permits and licenses for industrial and agricultural projects and artesian water wells...
13. Remove the restrictions on the transfer of goods from the Occupied Territories or place comparable trade restrictions on the transfer of Israeli goods into the territories.
14. Remove restrictions on participation of Palestinians from the territories in the Palestine National Council...to ensure a direct input into the decision-making processes of the Palestinian nation by the Palestinians under occupation.



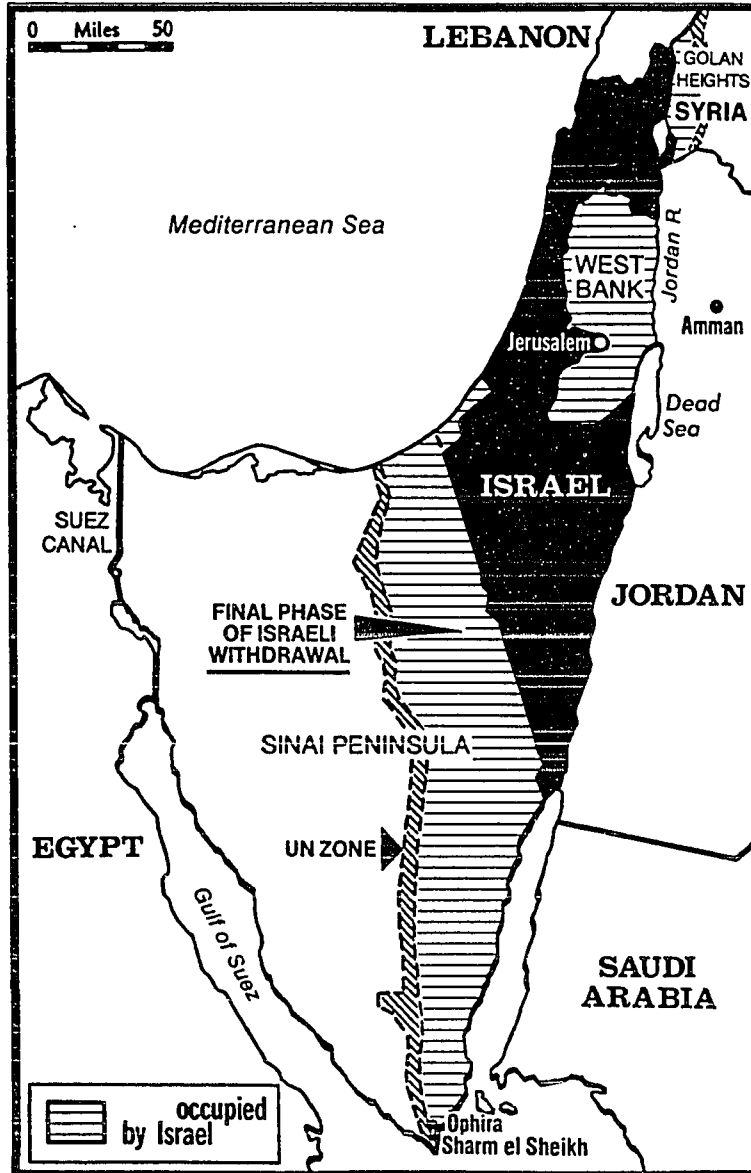
APPENDIX N

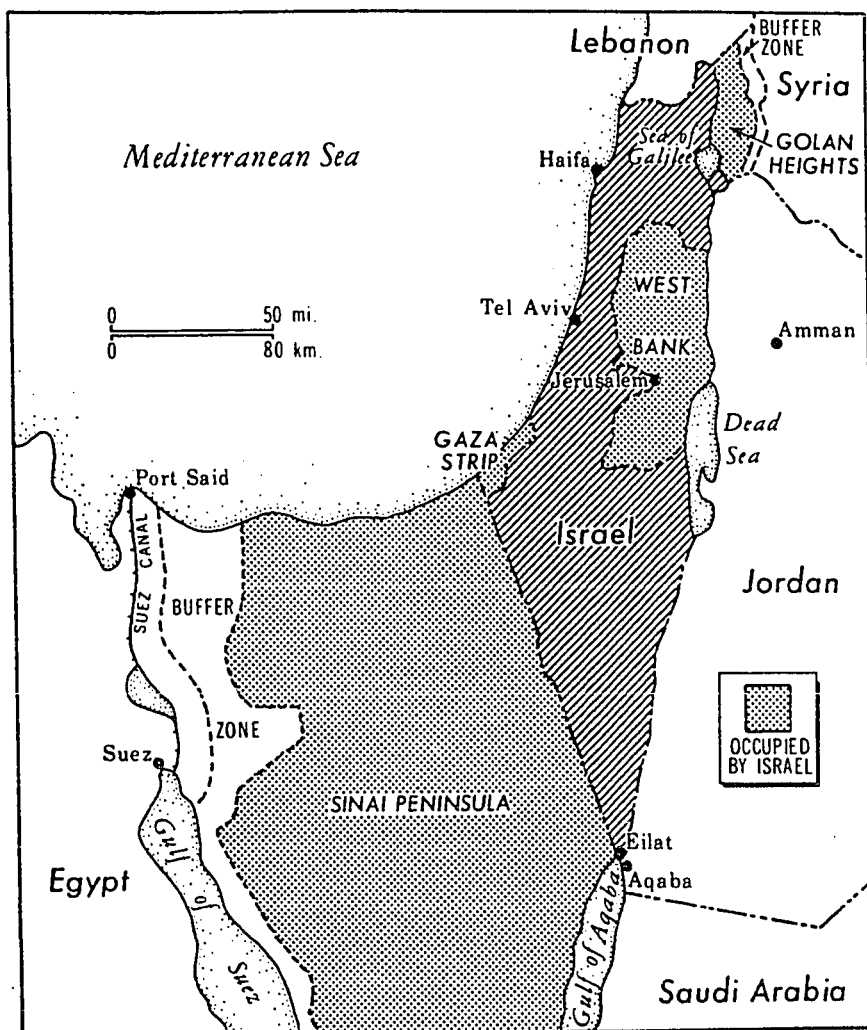
PALESTINE/ISRAEL AT FOUR TIMES IN HISTORY





Map 2. Israeli Border and Armistice Lines after 1949





Map 3. Israel and the Occupied Territories, June 1977

The PLO and the Gulf Crisis Official Position

In spite of a vicious campaign of doubt and distortions intended to discredit the PLO and the Palestinian people, the position of the PLO regarding the Gulf crisis, since the start of the crisis, is clear and consistent. This position is based on the commitment of the PLO to use all available means to find a peaceful solution to the crisis, a solution based on international legitimacy and the United Nations principles; a solution based on commitment to dialogue and negotiation that protects the interests of all sides to the conflict and preserves the dignity of everyone involved. This was the position of the PLO before the crisis and during the Cairo Arab Summit Conference, and it continues to be the PLO's position up to the present moment.

During the Arab Summit Conference, which was urgently called by Egypt and attended by Iraq and Kuwait, PLO representatives were successful in their effort to contribute to the success of the Summit. Because the PLO took a position calling for a negotiated peaceful settlement to the crisis within an Arab framework and with the intention of sparing the region of the whoas of war and destruction, the PLO unfortunately was subjected to an unfair and ugly campaign waged against the Palestinian leadership and Palestinian people doubting their position and peaceful methods.

This campaign of distortions did not and will not deter the PLO from continuing its effort to find a peaceful solution for the crisis in the Gulf and in the area. Political maneuvers of PLO, in this regard, are based on a number of principles that were crystallized in the form of a initiative that was presented to a number of Arab leaders and leaders of friendly governments; also it was sent to the permanent members of the Security Council including the United States of America, and the president of the Security Council, the secretary general of the United Nations, the European troika, and the chairman of non-allied nations.

These principles are the following:

- 1) In the present Gulf dispute, the PLO is playing the role of the mediator and it is not a party to the dispute nor does it stand with one party against the other. That is why the PLO reserved its vote on the Arab League resolution because the resolution emphasized condemnation and ignored any other form of solution.
- 2) A solution of all critical and unresolved problems in the Middle East including those in the Gulf, Kuwait, Palestine, Lebanon, and the Golan Heights must be found. A solution to one of these problems was actually started with the mutual withdrawals of Iranian and Iraqi forces. It is possible for such a solution to be applied to other problems in the area, including Palestine, Lebanon, the Golan Heights and Kuwait.
- 3) The crisis in the Gulf must be solved through negotiations within an Arab framework where the rights and interests of all parties are taken into consideration and preserving the dignity of all. This happened in the case of Lebanon through the Arab Taif agreement.
- 4) Withdrawal of all American and other foreign forces from the Gulf area and their replacement with international forces under the flag of the United Nations and within its framework without any ambiguity.
- 5) Suspension of all sanctions imposed on Iraq and application of similar sanctions to any other country that refuses to withdraw from lands it occupies.

Through this initiative the PLO endeavors to reinforce international legitimacy as represented by the United Nations which is the proper forum for resolving all regional and international disputes according to the principles of the United Nations charter and international law. Also the PLO strives through this initiative to avoid the use of force of arms and military solutions to the difficult problems in the region.

Amassing of military forces on land, on the sea, and in the air, does not serve peace, dialogue, or reaching an accommodation between the contestants. On the contrary, assembling massive forces constitutes a danger of escalating any disagreement into an armed conflict that might quickly ignite a general war causing much destruction, not only in the region but in the whole world, with disastrous consequences to international peace. That is why the PLO says very clearly: there is a political solution to the crisis in the Gulf that quenches the fires of war, silences its beating drums, and serves peace in the region and the entire world.

BIBLIOGRAPHY

Books

- Abdul Hady, Asaad. Sabra and Shatila: The Massacre. Washington, D.C.: Palestine Information Office, 1982.
- A Conversation with the Exiled West Bank Mayors: A Palestinian Point of View. Washington, D.C.: American Enterprise Institute Studies in Foreign Policy, 1981.
- al-Diqs, Isaaq. A Bedouin Boyhood. New York: Praeger, 1948.
- Al Haq/Law in the Service of Man. 1988 Annual Report. Ramallah, West Bank: Al Haq. 1989.
- Al Haq. A Nation Under Siege. Al Haq Annual Report on Human Rights in the Occupied Palestinian Territories. Ramallah, West Bank: Al Haq, 1990.
- Allen, David, ed. European Foreign Policy-Making and the Arab-Israeli Conflict. Co-edited by Alfred Pijpers, with a preface by Max Kohnstamm. The Hague: Martinus Nijhoff Publishers, 1984.
- AlRoy, Gil Carl. The Kissinger Experience: American Policy in the Middle East. New York: Horizon Press, 1975.
- American-Arab Anti-Discrimination Committee. The Bitter Year: Arabs Under Israeli Occupation in 1982. Washington, D.C.: ADC, 1983.
- American Friends Service Committee. A Compassionate Peace: A Future for the Middle East. New York: Hill and Wang, 1982.
- Amnesty International. Israel and the Occupied Territories: Amnesty International's Concerns in 1988. New York: Amnesty International, U.S.A., 1989.

- Ang, Dr. Swee Chai. From Beirut to Jerusalem: A Woman Suregon with the Palestinians. London: Grafton Books, 1989.
- Aruri, Naseer H., ed. Occupation: Israel Over Palestine. Belmont, Massachusetts: Arab American University Graduates, 1983.
- Avnery, Uri. My Friend, the Enemy. New York: Lawrence Hill, 1987.
- Baker, William W. Theft of a Nation. Las Vegas: Defender's Publications, 1984.
- Ball, George. Error and Betrayal in Lebanon: An Analysis of Israel's Invasion of Lebanon and the Implications for United States-Israeli Relations. Washington, D.C.: Foundation for Middle East Peace, 1984.
- Baylson, Joshua C. Territorial Allocation by Imperial Rivalry: The Human Legacy in the Near East. Chicago: University of Chicago, Dept. of Geography, Research paper No. 221, 1987.
- Bennis, Phyllis. From Stones to Statehood: The Palestinian Uprising. New York: Olive Branch Press, 1990.
- Benvenisti, Meron. The West Bank and Gaza: A Survey of Israeli Policies. Washington, D.C.: The American Enterprise Institute for Public Policy Research, 1983.
- _____. The West Bank Data Project: A Survey of Israel's Policies. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1984.
- Bing, Anthony G. Israeli Pacifist: The Life of Joseph Abileah. New York: Syracuse University Press, 1990.
- Chacour, Elias, with David Hazard. Blood Brothers: A Palestinian Struggles for Reconciliation in the Middle East. Washington, D.C.: Chosen Books, 1984.
- Chapman, Colin. Whose Promised Land? Tring, Batavia, Sydney: A Lion International Paperback, 1983.
- Chomsky, Noam. The Culture of Terrorism. Boston: South End Press, 1988.

- . The Fateful Triangle: The United States, Israel, and the Palestinians. Boston: South End Press, 1983.
- Cohen, Saul. The Geopolitics of Israel's Border Question. Jaffee Center for Strategic Studies, Tel Aviv University. Boulder, Colorado: Westview Press, 1986.
- Collins, Larry and Dominique Lapierre. O Jerusalem. New York: Pocket Books (A Division of Simon & Schuster), 1980.
- Congressional Quarterly, Inc. The Middle East. Fifth Edition. Washington, D.C.: Congressional Quarterly, 1981.
- El-Asmar, Fawzi. To Be an Arab in Israel. London: Pinter, 1974.
- Eveland, Wilbur Crane. Ropes of Sand: America's Failure in the Middle East. New York: W. W. Norton, 1980.
- Fenton, Thomas P. and Mary J. Heffron, eds. Middle East: A Directory of Resources. Maryknoll, N.Y.: Orbis Books, 1988.
- Findley, Paul. They Dare to Speak Out: People and Institutions Confront Israel's Lobby. Westport, Conn.: Lawrence Hill, 1985.
- Finger, Seymour Maxwell, ed. The New World Balance and Peace in the Middle East: Reality or Mirage? (From a Colloquium held under the auspices of the Institute for Mediterranean Affairs, on May 4-5, 1973, at Carnegie Endowment of International Peace, New York City. London: Fairleigh Dickinson University Press, 1975.
- Flapan, Simha. The Birth of Israel: Myths and Realities. New York: Pantheon Books, 1987.
- Friedman, Thomas L. From Beirut to Jerusalem. New York: Anchor Books, 1989.
- Glassman, Jon D. Arms for the Arabs: The Soviet Union and War in the Middle East. Baltimore: The Johns Hopkins University Press, 1975.
- Golan, Galia. Yom Kippur and After: The Soviet Union and the Middle East Crisis, Cambridge: Cambridge University Press, 1979.

- Griswold, William J., et al. The Image of the Middle East in Secondary School Textbooks. New York: Middle East Studies Association (MESA) of North America, Inc., 1975.
- Halsell, Grace. Journey to Jerusalem. New York: Macmillan Publishing Co., Inc., 1981.
- _____. Prophecy and Politics. New York: Macmillan, 1986.
- Harkabi, Yehoshafat. Fateful Decisions. New York: Harper & Row Publishers, 1986.
- _____. Israel's Fateful Hour. New York: Harper & Row Publishers, 1988.
- Hart, Alan. Arafat, Terrorist or Peacemaker. London: Sidgwick and Jackson, 1985.
- Heller, Mark and Sari Nusseibeh. No Trumpets, No Drums. New York: Hill and Wang, 1991.
- Hersh, Seymour. The Sampson Option. New York: Random House, 1991.
- Hiltermann, Joost R. Israel's Deportation Policy in the Occupied West Bank and Gaza. Ramallah, West Bank: Al Haq/Law in the Service of Man, Aug. 1988.
- Hirst, David. The Gun and the Olive Branch: The Roots of Violence in the Middle East. London: Futura, 1977; reprinted 1983.
- Hunt, Paul. Justice? The Military Court System in the Israeli-Occupied Territories. Jointly prepared by Al Haq/Law in the Service of Man and Gaza Centre for Rights and Law. Ramallah, West Bank: Al Haq, 1987.
- Hurwitz, Deena, ed. Walking the Red Line: Israelis in Search of Justice for Palestine. Philadelphia: New Society Publishers, 1992.
- Institute for Palestine Studies. The Karp Report: An Israeli Government Inquiry into Settler Violence Against Palestinians in the West Bank. Washington, D.C.: Institute for Palestine Studies, 1984.
- The Intifada: A Message from Three Generations of Palestinians. U.K.: Knight Financial Services Corp., 1988.

- Ismael, Tareq Y., with contributions from Naseer H. Aruri, P. Edward Haley, Natalie K. Hevener, and Harry N. Howard. The Middle East in World Politics: A Study in Contemporary International Relations. New York: Syracuse University Press, 1974.
- Israel and the Occupied Territories: The Military Justice System in the Occupied Territories: Detention, Interrogation and Trial Procedures. New York: Amnesty International, July 1991.
- The Israel-Arab Reader. New York: Bantam Books, 1969.
- Israel National Section of the International Commission of Jurists. The Rule of Law in the Areas Administered by Israel. Tel Aviv: Tzatz, 1981.
- Jiryis, Sabri. The Arabs in Israel. Beirut, New York: Monthly Review Press, 1976.
- Kapeliouk, Amnon. Sabra and Shatila: Inquiry into a Massacre. Belmont, Massachusetts: AAUG, 1984.
- Karp, Yehudit. The Karp Report: An Israeli Government Inquiry into Settler Violence Against Palestinians in the West Bank. Washington, D.C.: Institute for Palestine Studies, 1984.
- Kass, Ilana. Soviet Involvement in the Middle East: Policy Formulation, 1966-1973. Boulder, Colorado: Westview Press, 1978.
- Khalidi, Rashid. Soviet Middle East Policy in the Wake of Camp David. Washington, D.C.: Institute for Palestine Studies, 1979.
- _____. Under Siege: PLO Decisionmaking During the 1982 War. New York: Columbia University Press, 1986.
- Koestler, Arthur. The Thirteenth Tribe. New York: Random House, 1976.
- Kohler, Foy D., Leon Goure, and Mose L. Harvey. The Soviet Union and the October 1973 Middle East War: The Implications for Detente. Monographs in International Affairs, Center for Advanced International Studies. Miami: University of Miami, 1974.
- Kunstel, Marcia and Joseph Albright. Their Promised Land. New York: Crown Publishers, Inc., 1990.

- Lebanon, Summer of Agony. New York: Arab Information Center, 1982.
- Lesch, Ann Mosely and Mark Tessler. Israel, Egypt, and the Palestinians: From Camp David to Intifada. Bloomington: Indiana University Press, 1989.
- Lockman, Zachary and Joel Beinin, eds. Intifada: The Palestinian Uprising Against Israeli Occupation. Boston: South End Press, 1989.
- Louis, Wm. Roger and Robert W. Stookey, eds. The End of the Palestine Mandate. Austin: University of Texas Press, 1986.
- McLaurin, R. D., Mohammed Mughisuddin, and Abraham R. Wagner. Foreign Policy Making in the Middle East: Domestic Influences on Policy in Egypt, Iraq, Israel, and Syria. New York: Praeger Publishers, 1977.
- Metzger, Jan, Martin Orth, and Christian Sterzing. This Land is Our Land: The West Bank Under Israeli Occupation. London: Zed Publishers, 1983.
- Middle East: The Strategic Hub. A bibliographic survey of literature. Washington, D.C.: Headquarters, Dept. of the Army, 1978.
- Moffett, Martha Roadstrum. Perpetual Emergency: A Legal Analysis of Israel's Use of the British Defense (Emergency) Regulations, 1945, in the Occupied Territories. Ramallah, West Bank: Al Haq, 1989.
- Muslih, Muhammad. Toward Coexistence: An Analysis of the Resolutions of the Palestine National Council. Washington, D.C.: Institute for Palestine Studies, 1990.
- Mussalem, Dr. Sami. The PLO: The Palestine Liberation Organization. Vermont: Amana Books, 1988.
- Naff, Thomas and Marvin E. Wolfgang, eds. Changing Patterns of Power in the Middle East. Beverly Hills: Sage Publications, Nov. 1985.
- Nazzal, Nafez. The Palestinian Exodus from Galilee, 1948. Beirut, Lebanon: Institute for Palestine Studies, 1978.

- The Need for Convening the International Conference on the Middle East (In Accordance with General Assembly Res. 38/68C), prepared for the Committee on the Exercise of the Inalienable Rights of the Palestinian People. New York: United Nations, 1989.
- Palestinian Statistical Abstract, 1984. Damascus, Syria: Palestinian Central Bureau of Statistics, 1985.
- Playfair, Emma. Administrative Detention in the Occupied West Bank. Ramallah, West Bank: Law in the Service of Man, 1986.
- Randal, Jonathan C. Going All the Way: Christian Warlords, Israeli Adventurers, and the War in Lebanon. New York: Viking Press, 1983.
- Rantisi, Audeh G. and Ralph K. Beebe. Blessed are the Peacemakers: A Palestinian Christian in the Occupied West Bank. Grand Rapids, Michigan: Zondervan Books, 1990.
- Reich, Bernard, ed. The Powers in the Middle East: The Ultimate Strategic Arena. New York: Praeger, 1987.
- Report of the Kahan Commission of Inquiry into the Sabra-Shatila Massacres. Commissioned by the Israeli Government, 1984.
- Riad, Mahmoud. The Struggle for Peace in the Middle East. New York: Quartet Books, 1981.
- Rishmawi, Mona. Planning in Whose Interest? Land Use Planning as a Strategy for Judaization. Ramallah, West Bank: Al Haq/Law in the Service of Man, December 1986.
- Rodinson, Maxime. Israel: A Colonial-Settler State? New York: Monad Press, 1973.
- Rokach, Livia. Israel's Sacred Terrorism. Belmont, Massachusetts: AAUG, 1980.
- Rubenberg, Cheryl A. Israel and the American National Interest: A Critical Examination. Urbana: University of Illinois Press, 1986.
- . The Palestine Liberation Organization: Its Institutional Infrastructure. Belmont, Massachusetts: Institute for Arab Studies, 1983.

- Saba, Michael. The Armageddon Network. Washington, D.C.: Amana Books, 1984.
- Said, Edward W. The Question of Palestine. New York: Vintage Books, 1980.
- Segal, Jerome M. Creating the Palestinian State: A Strategy for Peace. Chicago: Lawrence Hill Books, 1989.
- Shehadeh, Raja. Occupier's Law. Prepared for Law in the Service of Man, the West Bank Affiliate of the International Commission of Jurists. Washington, D.C.: Institute for Palestine Studies, 1985.
- _____. Samed: Journal of a West Bank Palestinian. New York: Adama Books, 1984.
- Shipler, David K. Arab and Jew: Wounded Spirits in a Promised Land. Bloomsbury, London: Times Books, 1986.
- Shuqair, Rizeq and Randa Siniora. Application Denied: Separated Palestinian Families Tell Their Stories. Ramallah, West Bank: Al Haq, 1991.
- Sicherman, Harvey. The Yom Kippur War: End of Illusion? Foreign Policy Research Institute, The Foreign Policy Papers, V. 1. Beverly Hills: Sage Publications, 1976.
- Simon, Reeva S. The Modern Middle East: A Guide to Research Tools in the Social Sciences. Boulder, Colorado: Westview Press, 1978.
- Stein, Janice Gross and David B. Dewitt. The Middle East at the Crossroads: Regional Forces and External Powers. Oakville, Ontario, Canada: Mosaic Press, 1983.
- Stephens, Marc T. R. Enforcement of International Law in the Israeli-Occupied Territories. Ramallah, West Bank: Al Haq, 1989.
- Suleiman, Michael M. American Images of Middle East Peoples: Impact of the High School. Kansas State University: Middle East Studies Association of North America, Inc. (MESA), 1977.
- _____. The Arabs in the Mind of America. Vermont: Amana Books, 1988.

- Talal, Hassan bin. Palestinian Self-Determination: A Study of the West Bank and Gaza Strip. London: Quartet Books, Inc., 1981.
- Tarbush, Mohammad. Reflections of a Palestinian. Washington, D.C.: American-Arab Affairs Council, 1986.
- Thorpe, Merle Jr. Prescription for Conflict: Israel's West Bank Settlement Policy. Foreword by Amnon Kapeliuk and Introduction by the late Simha Flapan. Washington, D.C.: Foundation for Middle East Peace, 1984.
- Turki, Fawaz. The Disinherited: Journal of a Palestinian Exile. New York: Monthly Review Press, 1972.
- Viorst, Milton. Sands of Sorrow: Israel's Journey from Independence. New York: Harper and Row, 1987.
- Voth, Alden H., with contribution by Ishaq I. Ghanayem. Moscow Abandons Israel for the Arabs: Ten Crucial Years in the Middle East. Lanham, Maryland: University Press of America, 1980.
- Young, Ronald J. Missed Opportunities for Peace: U.S. Middle East Policy 1981-1986. Philadelphia: American Friends Service Committee, 1987.
- Zogby, James J. Palestinians: The Invisible Victims. Washington, D.C.: American-Arab Anti-Discrimination Committee, 1981.

Magazines

- "Al Aqsa Since 1967." Al Awdah (English). 19 Jan. 1986, p. 8.
- Aronson, Geoffrey. World Monitor. December 1991, p. 24.
- Aruri, Naseer. "The PLO and the Jordanian Option." MERIP Reports (Middle East Research and Information Project), April 1984.
- Asa-El, Amotz. World Monitor. June 1991, p. 34.
- Buckley, William F., Jr. Washington Report on Middle East Affairs, March 1987, p. 17.

- Chazan, Naomi. Quoted in World Monitor, June 1991, p. 33.
- Christie, John. "G.C.C., The Next Decade." Aramco World, July-August 1990, pp. 33-37.
- Collins, Frank. "Israelis Bulldozing Christian and Muslim Graves and Archeological Sites." Washington Report on Middle East Affairs, March 1992, p. 23.
- _____. "The Real Reasons for the Israeli Loan Guarantee Demand." Washington Report on Middle East Affairs, November 1991, p. 16.
- Curtis, Richard H. "U.S.-Israel Confrontation Over Jewish Settlements Has a Long History." Washington Report on Middle East Affairs, March 1992, p. 86.
- Kollek, Teddy, mayor of Jerusalem. Quoted in World Monitor, June 1991, p. 27.
- Lifshitz, Oded. "Gaza is Hungry." New Outlook [Tel Aviv]. June/July/Aug. 1991, pp. 37-39.
- Marshall, Rachelle. "Israel's Cynical Use of Soviet Jews to Justify U.S. Loan Guarantees." Washington Report on Middle East Affairs, February 1992, p. 9.
- Nusseibeh, Sari. Quoted in World Monitor, June 1991, p. 33.
- Ruskaya, John. Fellowship magazine, Dec. 1974.
- Washington Report on Middle East Affairs, April/May 1992, February 1992, and March 1992.
- "When Will Their Attempts End? Jewish Zealots Plan to Take Over Al Aqsa." Al Awdah [Jerusalem], 19 Jan. 1986, p. 16.

Newspapers

- Ben-Gurion, David. "Our Neighbors and Ourselves" (also translated as "We and Our Neighbors") [Anahnu U'Sheineinu]. Davar [Tel Aviv] (Hebrew). Reprinted in Al Hamishmar, 16 May 1986 [translated].
- Ford, Peter. "Israeli Builders Hard Hit by Drop in Palestinian Labor." Christian Science Monitor, 11 April 1991, p. 3.

- _____. "Permits Restrict Palestinians' Lot." Christian Science Monitor, 11 April 1991, p. 3.
- "Freedom of Expression for Everyone." Al Fajr [Jerusalem], 26 Aug. 1991, p. 4.
- Inbari, Pinchas. Al Hamishmar [Hebrew], 23 Nov. 1985.
Quoting Benvenisti study of 24 November 1985.
- Jerusalem Post, editorial, 27 Aug. 1991, p. 6.
- Jordan Times, 1 September 1991.
- "106,000 Apartments in Judea and Samaria." Al Fajr [Jerusalem], July 8, 1991, p. 8.
- Shehori, Dalia. Al Hamishmar [Jerusalem] [Hebrew], 12 May 1985, p. 10.
- Temko, Ned. Christian Science Monitor, 4 January 1984, p. 5.

Interviews

- Ben Efrat, Roni. Group interview, Jerusalem, August 30, 1991. From handwritten notes., National Palace Hotel.
- Cook, Mary. Group interview, Tel Aviv, August 26, 1991. From handwritten notes.
- Erakat, Sa'eb. Group interview, East Jerusalem, August 1991. From handwritten notes. National Palace Hotel.
- Fahoum, Walid, attorney. Personal interview by author, Jerusalem, July 14, 1985. From handwritten notes.
- Fakhr al-Din, Suleiman, and group of Golani Druse. Group interview in Majdal Shams, Occupied Golan Heights, February 5, 1983. From handwritten notes.
- Gvirtz, Amos. Group interview, August 27, 1991. From handwritten notes. Kibbutz Shefayim, Israel.
- Hussein, Ta'ur Sawahed. Group interview, August 27, 1991. From handwritten notes. Husseiniyeh village, Galilee region, Israel.

Spiro, Gideon, peace activist with Yesh G'Vul. Group interview, August 21, 1991. From handwritten notes. Jerusalem, at the National Palace Hotel.

Weinstein, Ariel, MK (Likud). Group interview, January 15, 1985. From handwritten notes. Knesset, Jerusalem.

Williamson, Mollie, U.S. Consul. Group interview, August 30, 1991. From handwritten notes. West Jerusalem, at the U.S. Consular post.

Speeches and Televised Statements

Ashrawi, Dr. Hanan. Speaking at televised press conferences before and following the Madrid opening round of Middle East peace conference.

_____. Panelist and member of Palestinian advisory team to Middle East peace talks. Panel sponsored by the Young Leadership of Israel's Labor Party, August 20, 1991. Notre Dame Center, Jerusalem.

Kanafani, Mrs. Bushra, Deputy Chief of Mission, Syrian Embassy to the United States. Speech at the national conference of the Arab-American Institute, January 18, 1992. Washington, D.C.

Landau, Yehezkal, founder, Oz ve Shalom (Religious Zionists for Strength and Peace). Lecture before Religious Studies class, Fall 1984. San Jose State University.

Law, John. Speech entitled "Water and Ecology in the Middle East." Unitarian Church Forum, April 24, 1992, San Jose, California.

"60 Minutes," CBS Television, February 3, 1991.

Zadok, Haim. Interview by Politika, April 1986, broadcast and reprinted as separate flyer.

Printed Sources, Newsletters, Flyers, etc.

Ad in Kol Ha'ir, March 29, 1991.

Al Haq/Law in the Service of Man. Newsletter No. 19, May-June 1987.

Amnesty International Index: MDE/10-/40/880, 18 Oct. 1988.

An Annotated Mideast Timeline. Claremont, California:
Claremont Research and Publications, February 1985.

Madi, Salim and Jeanne Butterfield. "South Lebanon, the Forgotten Occupation," MEPF Newsletter (Somerville, Massachusetts: Middle East Philanthropic Fund), Vol 2., No. 1, Spring 1989, p. 2.

"New Pass System Renders 75-100,000 Palestinians Jobless in April," From the Field, Palestine Human Rights Information Center, Chicago. Vol. 1, No. 8, April 1991, p. 1.

Palestine Human Rights Information Center (PHRIC), Jerusalem. Handouts, written and oral reports, 1990-1992.

"The PLO and the Gulf Crisis: Official Position," PLO handout in English.

Saab, Fadi. "Israeli Settlers Move into South Lebanon." MEPF Newsletter (Somerville, Massachusetts: Middle East Philanthropic Fund), Vol. 2, No. 1, Sp. 1989, p. 15.

U.N. Doc. 89-04264. Commentary resulting from the United Nations Symposium on the Inalienable Rights of the Palestinian People, held at the United Nations, New York, July 1989.

United Nations Relief and Works Agency for Palestinian Refugees (UNRWA). Various documents (brochures, reports, statistically-annotated maps of the West Bank and Gaza), 1990-1991.

U.S. Central Intelligence Agency. Map of Israel/Palestine population distribution, 1990.