The Palestinians in Israel

Readings in History, Politics and Society

Edited by

Nadim N. Rouhana and Areej Sabbagh-Khoury

2011

Table of Contents

Mada al-Carmel Arab Center for Applied Social Research

Acknowledgements

We would like to express our gratitude to a group of colleagues who helped make possible the project of writing this book and producing it in three languages. First, we extend our thanks to the members of the Editorial Advisory Board for the invaluable contribution they made in selecting the themes of the book, for reviewing the material, for the advice they provided to the editors at the various stages of the book's production, and for their effort in preparing an inventory of names and terms. We also wish to thank all the authors for writing their chapters and for working with us at the editing and translation stages, as well as all those colleagues who reviewed the articles and gave their insightful counsel to the authors.

We thank the Assistant Director of Mada al-Carmel, Ms. Einas Haj, for the exceptional assistance she provided in accompanying the project through its various stages, and for seeing it through to fruition. We thank Mr. Nabil al-Saleh for his perseverance in reviewing some chapters written in Arabic and Hebrew, and Ms. Kate Rouhana for her assistance in editing some of the material in English. We also thank Mada's volunteers, Shourideh Molavi and Nina Griecci Woodsum, for their dedicated work in assisting in the production of this book.

The Palestinians in Israel

Readings in History, Politics and Society

Edited by:
Nadim N. Rouhana and Areej Sabbagh-Khoury

Introduction

Research on the Palestinians in Israel: Between the Academic and the Political

Areej Sabbagh-Khoury and Nadim N. Rouhana

Introduction

Research on the Palestinians in Israel: Between the Academic and the Political

Areej Sabbagh-Khoury* and Nadim N. Rouhana**

Until the year 1948, the Palestinians who were to become citizens in the State of Israel following its establishment were an integral part of the fabric of Palestinian society, and of resistance to the colonialist project of the Zionist movement, which strove to create an exclusive Jewish state in Palestine. In the aftermath of the Palestinian Nakba, which constitutes the other side of the founding of the State of Israel on the greater part of the Palestinian homeland, and the fragmentation and collapse of Palestinian society, a new chapter unfolded in the history of the Palestinians in Israel–indeed of all Palestinians–the roots of which lie in the period before the Nakba that started in 1948. The start of the Nakba in 1948, and its consequences, is a defining event in this history, one that has affected all the formations of Palestinian society, socially, politically and culturally, in a variety of ways that have yet to be studied.

Any critical reading of the social history of the Palestinians in Israel should, on the one hand, consider this history an extension of the pre-Nakba Palestinian history. On the other hand, it should be viewed as a sharp turn in the course of this history, the specific features of which were determined by the repercussions of the Nakba, including its impact on their social and political composition and by the founding of the State of Israel and their subjugation to the necessities of Israel's colonial project at its full intensity. Accordingly, the Palestinians were subject to isolation from their Arab environment and to Israel's ethnic policies of domination, which dispossessed them of their resources, prevented them from achieving equality in various fields, and treated them as enemies in other fields. Nonetheless, the influence of the Israeli political structure–specifically the

* Areej Sabbagh-Khoury is an associate at Mada al-Carmel—Arab Center for Applied Social Research. She is a Ph.D. candidate in the Department of Sociology and Anthropology at Tel -Aviv University.
** Nadim N. Rouhana is the Director of Mada al-Carmel—Arab Center for Applied Social Research in Haifa. He is Professor at the Fletcher School of Law and Diplomacy at Tufts University.

democratic structure as it relates to the Jewish community, for all its fundamental flaws and problems–has left its mark on the evolution of Arab society, and has added a layer that cannot be disregarded when reading this history.

From the beginning of the Nakba to the present day, the Palestinians in Israel have found themselves on the margins of Palestinian society in general, and peripheral to its main political formations, and its national movement–which was formed in exile. They were also marginal to the goals the Palestinian National Movement has set for itself. Even when the Movement's center started shifting to the West Bank and Gaza Strip, beginning in the 1980s, thereby becoming closer geographically to the Palestinians in Israel–and despite some forms of contact between Palestinians over the Green Line since 1967–their location at the periphery did not radically change. In a different way, the Palestinian community in Israel was shaped at the margins of Israeli society. Thus, the creation of the Jewish state and the continuation of the Judaization project have turned them into potential enemies, and a strategic obstacle to the goals of the Jewish state, and naturally has ruled out the possibility of their becoming incorporated into the fabric of Israeli society. However, this status has begun to change gradually, and in recent times more rapidly, and the latent power of the social and political development of this group of Palestinians, and its potential to influence future configurations in the conflict between Israel and the Palestinians and the prospects for finding a solution to it, have been brought to light (Rouhana, 2008).

The level of interest in writing the social and political history of the Palestinians in Israel has corresponded to the degree of political attention that this segment of the Palestinian people has received from Palestinians, Israel and the wider world. Given their marginal status for around five decades, the question of the Palestinians in Israel has not been a subject of serious concern for Arab or Palestinian researchers and the academic sources of knowledge on them have been limited. And although the Palestinians have always been a main focus for Israel's control and surveillance policies, interest in researching this community only grew within Israeli academia after the occupation of the West Bank and Gaza in 1967 (Smooha and Cibulski, 1978). While this interest has been limited in scope and in its theoretical and intellectual premises, it has been–until very recently–the main source of knowledge and analysis of the history, society, and politics of this group.

In the initial stages of academic production on the Palestinians, Israeli academia

played an important part in the justificatory process of the Jewish state's establishment on the ruins of Palestinian society and its land. The academic institution–like other institutions of knowledge and cultural production–was mobilized in the service of the ideology of the Jewish state, which worked tirelessly to efface the Palestinian memory and presence. The production of knowledge was coupled with the hegemonic political and ideological discourse in Israel (Kimmerling, 1992; Ram, 1993). Therefore the production of knowledge on the Palestinians was fundamentally connected to the definition given by the Zionist project to both itself and to the Other, and to the justificatory system that accompanied it. The various arms of the Israeli security forces have been assigned the task of gathering and concentrating information on the Palestinians in Israel, and dealt with them as members of religious minorities that ought to be controlled. Academia played a supporting role.

Initially, Israeli research on the Palestinians in Israel was scarce and theoretically and intellectually narrow in scope. Researchers who have reviewed Israeli academic production on the Palestinians in Israel in its infancy–until the mid-1970s–have identified three main characteristics of this initial stage. The first is the scant academic interest and neglect of the Palestinians in Israel, even when writing about society in Israel. The second is the division of labor that occurred within the academy during that period, according to which academic research on the Palestinians in Israel was delegated to departments of Oriental Studies known to have intimate relations with the Israeli security establishment, while social and political science departments studied Jewish society in Israel. The third characteristic is the adoption by many researchers of "modernization theories," and the emphasis that was placed on cultural factors as major impediments to the process of modernization, the construction of institutions, political organizations and social change.[1]

These features reflected the organic inter-relatedness between political and intellectual control and academic production. This stage of academic production can be defined as a stage of the "Israeli establishment approach," and reflects–generally speaking–production by the dominant about the oppressed. Thus it is replete with shortcomings related to theory, knowledge and a regime of justifications, which severely limit its academic value. It is of greater use as material for studying the mechanisms of knowledge-based and political control

---

1   See Asad (1975); Haidar and Zureik (1987); Nakhleh (1977); Ram (1993); Zureik (1993).

than as a source of knowledge on the social, political, economic and demographic transformations undergone by Palestinians in Israel.

Knowledge production increased in the late-1960s (following the occupation of the West Bank and Gaza in 1967), and its pace quickened in subsequent years along with the growing importance of the Palestinians in Israel. Studies adopted various intellectual orientations, some of which continued to follow the establishment approach, while others set out in a range of critical directions, some of which began to challenge it. However, serious changes within the Israeli social sciences and other disciplines in terms of their approach towards the Palestinians in Israel began mainly after the Oslo Accords in 1993 and the general Israeli sense, at the time, of the Zionist project's stability. These changes also occurred within the framework of efforts of Israeli intellectual and academic revisionism, parallel to the emergence of a cadre of Palestinian academics who challenged the extant academic approaches.[2]

The new stages of knowledge production in Israeli academia about the Palestinians in Israel are still in need of in-depth review. Clearly, recent critical trends within Israeli academia, which have reached sociology, history, political science, the arts, cultural studies and other disciplines, have altered the face of knowledge production on the Palestinians in Israel. However, much of this change remains largely limited to frameworks of knowledge that are dictated by political and ideological loyalties–such as loyalty to the concept of the "Jewish and democratic state," Zionist ideology in general, hostility towards intellectual and theoretical premises that draw on colonial and post-colonial studies, and undervaluing the importance of these studies.[3]

The landscape of knowledge on the Palestinians in Israel has been changed with the arrival of a number of Palestinian and Israeli researchers and academics, some of whom have transcended the theoretical and epistemological limitations that have characterized the majority of Israeli academic research, and made use of comparative literature on other colonial situations, subaltern studies and

---

2 For further explanation of the emergence of critical academic research, see Rouhana and Sabbagh-Khoury (2006).

3 See a review undertaken by Rosenhek (1995), which explores recent developments in the Israeli social sciences regarding Palestinians in Israel and assesses some of the new theoretical approaches. However, the theoretical and intellectual limitations of the study are revealed when interpreting the role of the state in producing the power relations and policies derived from them. The reasons put forward ignore the colonial structure, and the policies this structure dictates for the establishment and continuation of the Jewish state.

literature on the Third World, and gender and feminist studies. Some of these researchers have put forward new epistemological foundations for the field. This shift has taken place parallel to an increase in the political importance of Palestinians in Israel, the emergence of a new generation of researchers, and the founding of Arab research institutions free of the influence or control of Israeli academia and capable of producing and embracing new knowledge.

Research on the social and political history of the Palestinians in Israel did not address important historical stages in their individual and collective experience. These include, for instance, the critical stage of social and political formation that followed the start of the Nakba and the period of military rule (i.e., the stage in which the Palestinians were transformed from a majority into a minority in their own homeland, and from its owners into strangers in it). This stage had a central effect on the configuration of their social identity and social structure, the formation of their political organizations, and the formulation of their political discourse during that period—as well as on laying the foundation for their future political consciousness. Furthermore, Palestinians did not write their own social or political history during the period of military rule that Israel imposed on them until 1966—the critical period in which the Palestinians lost connection with their people and the Arab nation and environment. In this period, Israel also imposed strict means of control in order to dispossess them of their resources, and to tighten political domination, obstruct nationalist political organization, impose intellectual hegemony, and instill fear of the security establishment. In the period that followed the military regime and the occupation of the remaining parts of the Palestinian homeland in 1967, the military regime was replaced by other means of control, while at the same time maintaining effective means, such as the Emergency Regulations. New means of control included imposing intellectual hegemony and resorting to legal mechanisms to criminalize discourses opposed to the Jewish nature of the State of Israel. During none of these stages has the political history and social transformations in the structure of Arab society been adequately studied. Similarly, the historical opportunity provided by the opening of contacts with the Palestinian community in the West Bank and Gaza Strip until the end of the 1990s has not been studied sufficiently, nor have the effects of these contacts and the reasons for their limited nature been examined.

The Palestinians in Israel have been given various names and designations: the Arabs in Israel; the Arabs of 1948; Israeli Arabs; the Palestinians in Israel; etc.

These designations bear different allusions, as they are associated with politics of representation.[4] They do not only reflect the identity of Palestinians in Israel, but also, among other things, the analytical positions associated with such designations. We deemed it important for the book to include a chapter on these different designations, and to address the political experience of the Palestinians in general. Notwithstanding these different designations, approximately 66% of participants in a survey conducted by Mada al-Carmel indicated that they define themselves as "Palestinians in Israel." However, there are groups of Arabs in Israel that do not define themselves as Palestinians, but "Arabs in Israel" or even "Israeli Arabs." This applies essentially to a large section of Druze citizens and part of the Bedouin community. Thus the choice of terminology is in itself a problematic issue, particularly when taking into consideration how this group defines itself, whatever the political reasons for the production of their identities. Despite the fact that these identities are invented identities, their existence cannot be overlooked, since their influence on the political and social reality is no less powerful because they are invented.

The significance of this book also derives from the mounting importance of the political role played by Palestinians in Israel and their growing impact on the course of the Palestinian-Israeli conflict, due to an increase in political awareness and following social and political transformations that Palestinian society in Israel has undergone since the start of the Nakba. These transformations include the increase in the demographic weight of the Palestinians in Israel; the rebuilding of an educated class after the expulsion of this class, and the overwhelming majority of the Palestinian middle classes, during the 1948 war; the reconstruction of some national institutions after their destruction or subjection to control by the Israeli establishment; the creation of various Arab civil society institutions that operate in several fields; and the appearance in the 1990s of the National Democratic Assembly party (*Tajammo'a*), which has turned the concept of changing the character of the State of Israel (from a Jewish state to a democratic state for all its citizens) into the dominant political discourse among the Palestinians in Israel. Various regional and international factors influenced changes among the Palestinians in Israel. They include the direct impact of the collapse of the Soviet Union, and the disentanglement of the Israeli Communist Party's positions towards the issue of the "Arab-Israeli" conflict from the

---

4   For a review of these different designations and their use in various contexts, see Rabinowitz, D. (1993), Eastern nostalgia: How the Palestinians became the 'Arabs of Israel', *Theory and Criticism, 4*, 141-151.

control of the Soviet Union. The importance of this factor lies in the fact that the Communist Party played a central role in the Palestinian political landscape in Israel (particularly prior to the emergence of other Arab political currents), and entrenched the discourse of "two states for two peoples" in the Palestinian consciousness in Israel, without dealing with the significance of this discourse regarding recognition of Israel as a Jewish state. Furthermore, exposure to the Arab world and the world at large–especially exposure to Arab satellite television channels–has played an important role in forming political and social awareness and in influencing relations with the Arab world and with Israel, the effects of which have yet to be investigated. The significance of this exposure has been increased by the fact that it has been accompanied by a decline in the status of the Hebrew-language media, which had long dominated the sources of political information available to the Arab elites. The dead end in the Palestinian-Israeli negotiations and the possible collapse of the two-state option will also have a drastic impact on this community's political thought.

It should be noted that the center of political and academic interests among Palestinians in Israel themselves began to shift, over the last two decades, from emphasizing the details of entitlements of equality and equal citizenship, to questions related to the formation of the Palestinian identity. Once these questions became consolidated, fundamental questions were raised about the Nakba, the history of the establishment of the State of Israel, the colonial nature of the Jewish state, and the place of the Nakba in shaping the relationship between Israel and the Palestinians in their various locations, and in explaining the structure of the Israeli regime and its relation to the Palestinian community inside Israel.

Some of the basic terms concerning the history and society of the Palestinians in Israel were chosen in collaboration with the project's editorial board. Defining the main terms to be included in the book was no simple task because of the complex political and social experience of this community since the start of the Nakba, a multitude of historical events, and the pace of political and social change. Nevertheless, it was easy to reach a consensus over the importance of a number of subjects–such as the Nakba, the Military Government, and Land Day. Yet some may disagree with us over the importance of other subjects we have chosen to include in the book (such as the Jewish National Fund).

We do, of course, address the Palestinians in Israel as a national group that has

been undergoing a common political, historical and social experience, which will be traced from a critical perspective in the subjects of this book. At the same time, however, we will investigate the social and political makeup of, and internal disputes within, the Palestinian community. Some of these differences became entrenched after the Nakba due to the collapse and sudden and continuing disappearance of the Palestinian political and social center, as well as Israeli policies, and the Palestinians' loss of their social and political ties with their Arab environment.

In addition to exploring the collective experience of the Palestinians and the complex nature of their relationship to the State of Israel, the book focuses on the social shifts and internal formations of political and identity awareness. Thus we have selected terms and events (for example, the massacre of Kufr Qassem and the October 2000 uprising) and institutions (such as the political parties and the High Follow-Up Committee) that help to cast light on this collective experience, including the relations of the Palestinians with the State of Israel and Israeli policy towards them. Some subjects also examine institutions and laws (like the Jewish National Fund and the Citizenship Law) that do not stem from their history or collective experience, but have a direct impact on their collective experience and standing.

This book presents a historiography of the Palestinian experience in Israel from a different perspective than the prevailing Israeli perspective, and uses a different discourse. The authors present the experience of the Palestinians in Israel by using a narrative that differs from the narrative that has been presented–for the most part–from the perspective of the dominant group. We do not claim that research on the subjects covered here has been absent or has been uncritical. Some of the contributors to this book have indeed influenced the field of knowledge through their research and writing on similar issues. Yet, it is important to publish these entries in a single volume and in a comprehensible manner for all those interested in issues of the Palestinians in Israel in Arabic, English and Hebrew. Furthermore, some of the data and information published here is available in only one of these three languages. We hope that Mada al-Carmel–which prepared and published this volume as an electronic book–will become a repository of knowledge and analysis on Palestinians in Israel, written from a critical perspective of Israeli policies, on the Palestinian national experience, and the internal factors that impede or facilitate the evolution of individuals who are

conscious of their political status and collective and social reality, and who aspire to change them.

A group of researchers contributed to this book. Most contributions approach the central issues critically, and offer a serious alternative to the prevailing establishment discourse in Israel. Various works have dealt with the issue of "representing the subordinate" or "who can write about the oppressed" (see, for example, Spivak, 1994). We believe that writing on the issues of Palestinians in Israel and the policies adopted by the Israeli establishment towards them is related–first and foremost–to the intellectual and critical approach of the author, rather than his or her national identity.

Readers will discern differences in the intellectual orientations and research approaches adopted by the contributors. These in turn reflect intellectual and methodological disparities that stem from the various academic schools of thought adopted, and the nature of the task assigned to the authors. The instructions they received were general and required them to take account of four main objectives: (1) to provide a general definition of the subject and discuss the historical context; (2) to seek to raise the level of awareness and knowledge of the term; (3) to employ a critical approach to the research; (4) to focus, analytically, on the subject as a significant event in the evolution of Palestinian society and its relation to the overall Palestinian situation.

Lastly, we have standardized the figures provided in the various chapters of the book (such as the numbers of Palestinian refugees and the numbers of Palestinians who remained on the part of Palestine upon which the State of Israel was established). We have also standardized the use of terminology related to the Palestinians in Israel. In an addendum to the book, which will be published at a later date, we will discuss our choice of various terms and the considerations that guided the use of this terminology.

References

English

Asad, T. (1975). Anthropological texts and ideological problems: An analysis of Cohen on Arab villages. *Economy and Society*, *4*(3), 251-282.

Haidar, A., & Zureik, E. (1987). The Israeli seen through the Israeli cultural paradigm. *Journal of Palestine Studies*, *16*(3), 68-86.

Kimmerling, B. (1992). Sociology, ideology and nation-building: The Palestinians and their meaning in the Israeli sociology. *American Sociological Review*, *57*(4), 446-460.

Nakhleh, K. (1977). Anthropological and sociological studies on the Arabs in Israel: A critique. *Journal of Palestine Studies*, *6*(4), 41-70.

Smooha, S., & Cibulski, O. (1978). Trends in research on Arabs in Israel, 1948-1976. *Asian and African Studies*, *12*, 263-278.

Spivak, G. (1994). Can the subaltern speak? In P. Williams and L. Chrisman (Eds.), *Colonial discourse and postcolonial theory: A reader* (pp. 66-111). New York: Columbia University Press.

Zureik, E. (1993). Prospects of the Palestinians in Israel. *Journal of Palestine Studies*, *22*(2), 90-109.

Arabic

Rouhana, N. (2008). The Haifa Declaration and the Palestinians in Israel: From margins to a moral center. In K. Nakhleh (Ed.), *The future of the Palestinian minority in Israel*. Ramallah: Madar–The Palestinian forum for Israeli studies.

Hebrew

Ram, U. (1993). Society and the social sciences, institutional sociology, and critical sociology in Israel. In U. Ram (Ed.), *Israeli society: Critical aspects*. Tel Aviv: Brirot.

Rabinowitz, D. (1993). Eastern nostalgia: How the Palestinians became the 'Arabs of Israel.' *Theory and Criticism*, *4*, 141-151.

Rosenhek, Z. (1995). Modern developments in the sociology of the Palestinians in Israel: An analytical presentation. *Megamot*, *37*(1-2), 167-190.

Rouhana, N. N., & Sabbagh-Khoury, A. (2006). Dominance, tolerance space and the privileged situation. In H. Herzog and K. Lahad (Eds.), *Knowledge and silence: On mechanisms of denial and repression in Israeli society*. Jerusalem: Van Leer Jerusalem Institute and the Hakibbutz Hameuchad Publishing House.

The Nakba

Honaida Ghanim

The Nakba

Honaida Ghanim *

The Nakba is the disaster that befell the Palestinian people in 1948, after the Jewish forces (subsequently Israeli) had embarked on a massive operation of ethnic cleansing that aimed at ridding Palestine of its indigenous population, in order to found on its land a nation-state for the Jews.

The cleansing operations resulted in the expulsion of half the Palestinian population from historic Palestine and 85% of the Palestinians living in what was to become the State of Israel. These Palestinians were turned into refugees who now live in neighboring Arab states, as well as the West Bank and Gaza Strip. In addition, thousands of Palestinians were killed and injured (Abu-Sitta, 1999). During and after the war, the Zionist forces proceeded to wipe out entire villages and other sites, obliterating hundreds of Palestinian villages and completely clearing five towns (Safad, Beisan, Tiberias, Beer Sheva and al-Majdal) of their Arab residents. The wealthy areas of Jerusalem, such as al-Qatmoun, al-Baq'a and al-Talbiyya, met the same fate, and the vast majority of the Palestinian inhabitants of five other towns were also evacuated (Jaffa, Haifa, Acre, Lydda and Ramla). Only Nazareth was spared the destruction and expulsion at the strict orders of Ben-Gurion, who wished to avoid incurring the wrath of the Vatican and the Christian world (Abd al-Jawad, 2006).

In the period between November 29, 1947 (the date of the UN resolution on the partition of Palestine) and July 1949 (when the final armistice agreement was signed with Syria) the Zionist forces used military might to implement the operation to expel Palestinians from their country (Khalidi, 1959, 1961, 2005; Pappé, 2006), under the cover of self-defense. As a result, around 770,000 to 780,000 Palestinians were made refugees (Abu-Lughod, 1971, p. 161), who had been the inhabitants of 532 towns and villages, and whose land had accounted for 92.6% of the area that became Israel (Abu-Sitta, 1997).[1]

The Nakba was accompanied by direct efforts to eradicate all the Arab features

* Honaida Ghanim is the General Director of Madar–The Palestinian Center for Israeli Studies, based in Ramallah.

1 For more information, see Abu-Sitta, S. (1997). The right of return: Sacred, lawful and possible, *Al-Dustour*, four installments: 3/9, 4/9, 10/9 and 13/9/1997. Retrieved April 2, 2008 from: http://www.rorcongress.com/arabic/articles/13-09-1997.htm.

of the country, and an operation to erase the Palestinian landscape by altering the cultural, social, and symbolic scenery. Simultaneously, a two-pronged operation of Hebraization and Judaization was launched. [2] In many of the Arab towns, the vacated homes of the Palestinian refugees were used to absorb Jewish immigrants and Palestinian names were replaced with new biblical, Zionist, and Jewish names (Benvenisti, 2000). Street names and the names of neighborhoods and towns were changed (Sa'di, 2006, p. 58) as part of attempts to erase the Palestinian identity and establish a Jewish state in its stead.

The destruction of Palestinian urban centers impeded the course of development and modernization, which had begun primarily in the towns, impacting Palestinians at the time through to the present day. During the looting and destruction, a large portion of Palestinian cultural heritage was lost, in particular written heritage (Abd al-Jawad, 2006, p. 11), including the public libraries, the print media, property records, and the records of educational institutions, schools, hospitals and banks. The destruction of the towns led to the dispersal of the majority of the intellectual class and the emerging intelligentsia, the departure of the leaders of society, and a collapse of the class structure. All that remained in the land of Palestine that became Israel was a "defeated minority of a defeated people" (Bishara, 2000), most of whom were from the peasantry (with the exception of Nazareth and Shafa 'Amr) and lived in rural communities in the Triangle and the Galilee, in addition to a Bedouin remnant in the Naqab.

The Nakba: Birth of the concept

To the Palestinians, the Nakba means the loss of one's homeland, the collapse of society and the failure of one's national project and dream (Sa'di, 2006, p. 58). It also means living in exile outside the homeland, or estrangement within the homeland after becoming a citizen of a state that was erected on its ruins.

---

2 Moshe Dayan clearly described the process of Judaization and the transformation of Palestine into Israel in a lecture he delivered to a group of students at the Technion (Israel Institute of Technology) on March 19, 1969 in which he stated: "Jewish villages were built in the place of Arab villages. You don't even know the names of these Arab villages, and I don't blame you because the geography books no longer exist; not only do the books not exist, but the Arab villages are not there either. Nahlal arose in the place of Ma'lul, Kibbutz Gevat in the place of Jibiya, Sarid in the place of Huneifis, and Kefar Yehushua in the place of Tal al-Shummam. There is no single place built in this country that did not formerly have an Arab population." The lecture was published in *Haaretz* on April 4, 1969. Retrieved April 2, 2008 from: http://www.nakbainhebrew.org/images/unit2_app2+3.pdf

Constantin Zureiq (1994[1948]) was the first to use the word "Nakba" in reference to the events of 1948, when he published the book *Ma'na al-Nakba* (The Meaning of the Disaster) in Beirut in August 1948. He states: "The defeat of the Arabs in Palestine is no simple catastrophe (*Nakba*), nor an insignificant, fleeting evil, but a catastrophe in the full sense of the word, an ordeal more severe than any suffered by the Arabs in their long history of ordeals and tragedies" (p. 11). Zureiq added that the tragedy of the Nakba lies in the fact that it affected even the cultural and psychological make-up of the Palestinians:

> Hundreds of thousands of the people of this disaster-stricken country have not only been driven from their homes and left roaming with nowhere to go, but their ideas and views and the ideas of their fellow countrymen, in their various places, have also been driven out and left to roam (p. 17).

In *Lisan al-Arab,* the word Nakba is described as "one of the calamities of the ages." The remark, "May God shield us from them," was added to this definition.[3] In 1949, Palestinian poet Burhan al-Deen al-Abushi published *Shabah al-Andalus: Masrahiya 'an Nakbat Filastin wa Ma'rakat Jenin al-Kubra* (Ghost of Andalucía: A Play about the Nakba of Palestine and the Great Battle of Jenin). In the mid-1950s, Palestinian historian Arif al-Arif published his encyclopaedic research, comprising six hefty volumes and entitled *Nakbat Filastin wa al-Firdaws al-Mafqud: 1947-1955* (*The Palestinian Nakba and the Lost Paradise: 1947-1955*). In it al-Arif detailed the unfolding of events from the Partition Plan of November 29, 1947, through the ferocious battles of 1948 and their consequences, until 1955 (Al-Arif, 1951-1956). In his introduction, Al-Arif wrote of the need to assign the name the "Nakba" (catastrophe) to what befell the Arabs in general, and the Palestinians in particular following the Partition Plan, asking:

> How can I not call it [the Nakba]? During this period we have been stricken by catastrophe, we, the society of Arabs in general, and the Palestinians in particular, as we have not been stricken for centuries and epochs: we have been deprived of our homeland, expelled from our homes, and have lost a great number of our people and

---

3 See *Lisan al-Arab* for Arabic definition. Retrieved April 5, 2009 from: http://www.alwaraq.net/Core/AlwaraqSrv/LisanSrchOneUtf8

our own flesh and blood, and, above all, have been struck at the very core of our dignity (Al-Arif, 1951-1956, part 1, p. 3).

Zionist aspirations in Palestine

Zionist aspirations to establish a state for the Jews on the land of Palestine began to take shape in earnest in the late 19th century. They were expressed at the first World Zionist Congress, held in the Swiss city of Basel on August 29 - 31, 1897, presided over by Theodor Herzl, in the attendance were 204 members representing Jewish communities from fifteen countries. The conference adopted what was subsequently known as the Zionist "Basel Program," and the main decision taken during the congress was that "Zionism strives to create for the Jewish people a home in Palestine secured by public law" (Al-Hut, 1991, p. 348). The Balfour Declaration was issued on November 2, 1917. In it, the British government proclaimed its support for the establishment of a national home for the Jews in Palestine. The British also announced their intention to "use their best endeavors to facilitate the achievement of this object." This statement enabled an important framework that assisted Jewish immigration to Palestine and supported the continuous efforts of the Zionist Movement to set up political and social institutions and create the nucleus of a Jewish state. The Arabs staged a succession of uprisings against the decision and against the way the British had betrayed them, the most prominent of which were the 1920-1921 Uprising, the Buraq Uprising of 1929, and the Peasant Revolt of 1936. The latter revolt did achieve a measure of success, reflected in the British parliament's passage of a White Paper in 1939, a document that in effect abandoned the idea of partitioning Palestine, and called for the establishment of a single state for Arabs and Jews on the basis of their percentage of the population. It also called for the restriction of Jewish immigration to Palestine and a limit on the purchase of land by Jews. However, the revolt, which continued until 1939, was cracked down on by the Mandate with an iron fist, and left the Arabs exhausted and weakened, which would subsequently impair their ability to match the Zionist forces (Kabha, 1988, pp. 97-101).

On November 29, 1947, the United Nations General Assembly issued the Partition Plan for Palestine, entitled UN Resolution 181, which called for the establishment of an Arab state and a separate Jewish state on the land of Palestine,

while providing for the creation of a special international regime for the City of Jerusalem. At that time, approximately 1,400,000 Palestinians were living in Palestine, compared to 605,000 Jews, who constituted roughly 30% of the total population of Palestine. Upon the adoption of the partition resolution in 1947, Jews owned just 7% of the land area of historic Palestine, and yet the Partition Plan awarded 56% of the area of historic Palestine to the "Jewish State" (Khalidi, 2005). The Arab and Palestinian leadership in Palestine (with the exception of some leaders of the National Liberation League and the communists) rejected the partition resolution, viewing the decision as unjust and injurious to the Palestinians. On May 15, 1948, the day designated for the withdrawal of British troops from Palestine, David Ben-Gurion proclaimed the establishment of the State of Israel on the land allocated to the Jewish State by the Partition Plan. By the end of the war and the signing of the armistice agreement in the Spring of 1949, 26% of the land area that had been apportioned to the Arab state had been additionally annexed to the Jewish one. Israel thereby incorporated 78% of the land of historic Palestine, which amounted to approximately 27,000 km². The remaining 22% fell under Arab administration (Jordanian in the case of the West Bank and Egyptian in the case of the Gaza Strip).

The outbreak of fighting and the massacres perpetrated against the Palestinians

Military confrontations between the Arabs and the Zionist forces erupted immediately after issuing the Partition Plan in November 1947, and continued until November 1948. When the fighting broke out, the Palestinians were not adequately equipped for it. The Arab combat troops were composed mainly of irregular forces of local and other Arab volunteers. These troops included the *Quwaat al-Jihad al-Muqaddas* (the Holy War Army) under the command of Abd al-Qader al-Husseini, *Jaysh al-Inqadh* (the Rescue Army) under the command of Fawzi al-Qawqaji, Egyptian army troops, and *al-Failaq al-Arabi* (the Arab Legion) under the command of Abdullah Tell. The regular Arab forces did not enter the fighting until after the official end of the British Mandate on May 15, 1948, once the war had been virtually decided in favor of the Zionist forces (Tamari, 2006, p. 116). The *Jaysh al-Inqadh* was manned by 3,830 Arab and Palestinian volunteers, while 1,563 fighters served in the *Jihad al-Muqaddas* (Khalidi, 1961). The Arab forces were defeated because of their poor organization and lack of

preparedness, as well as a shortage of munitions. In addition, an atmosphere of tension often prevailed between the *Jaysh al-Inqadh* and the *Jihad al-Muqaddas*, which reduced coordination between them and undermined the effectiveness of their resistance to the Zionist forces. The Zionist military forces has been estimated at 62,000 men, some of whom had previously served in the British and other European armies, and were highly trained in armaments and munitions (Tamari, 2006, p. 116). The Zionist armed forces formed numerous militias, the most prominent of which were the Haganah (defence) paramilitary organization, led by David Ben-Gurion, which would subsequently provide the foundation of the Israeli army, the Irgun (also known as *Etzel*), the extreme right-wing Stern Gang (also known as *Lehi*), and *Plugot Mahatz* (or "strike force," known by the acronym Palmach).

On the day after the Partition Plan, the Haganah began to call on all Jews in Palestine between the ages of 17 and 25 to military service, while work began on drafting "Plan D" (Dalet) for the ethnic cleansing of Palestine. The plan aimed to seize areas intended for founding the Jewish State, and to "cleanse" them of their Palestinian inhabitants. Plan Dalet was approved at the highest echelons of the Zionist leadership, when on March 10, 1948 the leadership of the Haganah convened a meeting at the "Red House"–the headquarters of the labor movement in Tel Aviv–attended by eleven prominent leaders and military officials and headed by Ben-Gurion. Directives were issued to the military units to prepare for the expulsion of the Palestinians on the same evening. According to historian Ilan Pappé (2006), these orders contained precise details of the methods to be used: extreme intimidation; siege; bombing villages and town centers; setting houses and property afire; expulsion; demolition; and finally planting land mines in the rubble in order to ensure that inhabitants would not return. Missions were allocated among the armed units, and each was provided with a list of towns and villages to be evacuated. The Haganah was in command of several units, each of which received a register of villages to be occupied and destroyed. They were to surround the villages from three sides, leaving the fourth side open to allow the villagers to leave (Kanaana, 2000; Pappé, 2006).

The Zionist forces committed numerous massacres of civilians, with the aim of terrorizing the Palestinian population and prompting them to flee. On March 31, 1948, the Stern Gang mined the express train from Cairo to Haifa, causing 40

deaths and 60 injuries. On March 1, 1948, a group of forces from the Haganah planted explosives on the Haifa-Acre train as it was passing close to Netanya, killing 40 people. On April 9, 1948 a group of forces from the Irgun and the Stern Gang descended without warning on the village of Deir Yassin near Jerusalem and murdered villagers, most of whom were women, children, and the elderly. They mutilated the bodies of the victims and cast them into the village well (Khalidi, 1999). On April 14, 1948 the Irgun and Stern Gang sent a force dressed in Arab clothing to the village of Nasir al-Din, located 7km to the south-west of the town of Tiberias. Upon entering the village, they opened fire, killing 50 of the village's 90 inhabitants. On May 4, 1948, Zionist forces executed some 70 bound prisoners in the village of Ein al-Zeitun in the District of Safad. In the village of Abu Shusha in the District of Ramla a unit of the Givati Brigade committed a massacre in which 60 villagers were murdered.[4] In Tantura, after occupying the village on May 22, 1948, the Alexandroni Brigade opened fire on villagers, killing 200 people. They were buried in a graveyard on which a car park was later built, as an extension of the coastline of the colony of Dor along the Mediterranean Sea to the south of Haifa (Katz, 1998; Pappé, 2002).

The sound of artillery fire and bullet shots only subsided with the onset of winter in 1949, once the Zionist forces had successfully executed their plan and expelled the majority of Palestinians from the areas comprising the new State of Israel. For Palestinians and Arabs, the Nakba is the event that has had the greatest political impact on the Arab world. In its aftermath, regimes were toppled, and others took their place upon promises of liberation. The Palestinian struggle was born to right the injustices that were done to its people, whose world had been turned upside-down. Amid the various struggles and wars, the majority of Palestinians continue to live in hope of returning home, even if that home has been reduced to a pile of dust.

---

4   See Palestinian National Information Center in Arabic. Retrieved April 5, 2009 from: http://nakba.sis.gov.ps/massacers/massacers.html

References

English

Abu-Lughod, J. (1971). The demographic transformation of Palestine. In I. Abu-Lughod (Ed.), *The transformation of Palestine* (pp. 139-163). Evanston: North Western University Press.

Abu-Sitta, S. (1999). *Palestinian refugees and the permanent status negotiations policy*. Brief No. 7. Washington, DC: Palestine Center.

Benvenisti, M. (2000). *Sacred landscape: The buried history of the Holy Land since 1948* (M. Kaufman-Locustae, trans.). Berkeley: University of California Press.

Khalidi, W. (1959). Why did the Palestinians leave? *Middle East Forum*, *24*, 21-24.

Khalidi, W. (1961). Plan Dalet: The Zionist master plan for the conquest of Palestine. *Middle East Forum*, *37* (9), 22-28.

Khalidi, W. (2005). Why did the Palestinians leave? Revisited. *Journal of Palestine Studies*, *XXXIV*(2), 42-54.

Pappé, I. (2006*). The Ethnic Cleansing of Palestine*. London: One World Publications.

Arabic

Abd al-Jawad, S. (2006). Why we cannot write our modern history without using oral sources. In M. Kabha (Ed.), *Towards* a *historical narrative of the Nakba* (pp. 25-55). Haifa: Mada al-Carmel–The Arab Center for Applied Social Research.

Abu-Sitta, S. (1997). The right of return: sacred, lawful, and possible. The *Al-Dustour* newspaper, four installments: 3/9, 4/9, 10/9 and 13/9/1997. Retrieved April 2, 2008 from: http://www.rorcongress.com/arabic/articles/13-09-1997.htm

Al-Arif, A. (1951-1956). *The Palestinian Nakba and the lost paradise: 1947-1955* (in six parts). West Bank: Dar al Huda.

Bishara, A. (2000). *The Arabs in Israel: A view from the inside*. Beirut: Center for Arab Unity Studies.

Kabha, M. (1988). *The great revolt of 1936: Motives and consequences*. Nazareth: Dar Al-Kabas.

Kanaana, S. (2000). *The Palestinian Diaspora: Migration or displacement*. Ramallah: Palestinian Refugee and Diaspora Center (SHAML).

Khalidi, W. (1999). *Deir Yassin–Friday, April 9, 1948*. Beirut: Institute for Palestinian Studies.

Nuweihad al-Hut, B. (1991). *Palestine (The issue–the people–the civilization): Political history from the age of the Canaanites to 1917*. Beirut: Dar Al-Istiqlal Lid-Dirasat wa-Al-Nashr.

Pappé, I. (2006). The Nakba in history and the present. In M. Kabha (Ed.), *Towards a historical narrative of the Nakba* (pp. 259-275). Haifa: Mada al-Carmel–The Arab Center for Applied Social Research.

Sa'di, A. (2006). Memory and identity. In M. Kabha (Ed.), *Towards* a *historical narrative of the Nakba* (pp. 57-79). Haifa: Mada al-Carmel–The Arab Center for Applied Social Research.

Tamari, S. (2006). Jerusalem 1948: The destroyed neighborhoods and the rural depth. In M. Kabha (Ed.), *Towards* a *historical narrative of the Nakba* (pp. 99-131). Haifa: Mada al-Carmel–The Arab Center for Applied Social Research.

Zureiq, C. ([1948] 1994). *The meaning of the Nakba*. Beirut: Center for Arab Unity Studies.

Hebrew

Katz, T. (1998). *The exodus of Arabs from villages at the foot of Southern Mount Carmel in 1948*. (Master's degree thesis) Haifa: University of Haifa

Pappé, I. (2002). The Katz affair and Tantura: History, the science of historiography, the judiciary and academia. *Theory and Criticism, 20*, 191-217.

The Internally Displaced
Palestinians in Israel

Areej Sabbagh-Khoury

The Internally Displaced Palestinians in Israel

Areej Sabbagh-Khoury *

The category "internally displaced in Israel" includes Palestinians who were driven out from their homes by the Jewish forces (subsequently Israeli) prior to the foundation of the State of Israel, or by institutions under the authority of the State of Israel following its establishment, and who remained within the borders of the State of Israel. Today, Israel continues to prevent these internally displaced persons (IDPs) from returning to their homes.[1]

The internal composition of this group can be analyzed according to definitions introduced by the Badil Resource Center for Palestinian Residency and Refugees' Rights. Badil distinguishes between two groups of IDPs: those who were displaced in 1948, and those who were displaced after 1948. The first group–the 1948 internally displaced Palestinians–who constitute the majority of displaced persons who remained inside Israel, consists of those Palestinians who were expelled from their homes during the 1948 Nakba; under Israeli law they are classified as "present absentees" (Badil, 2003).

The members of the second group–the post-1948 internally displaced Palestinians–are fewer in number than the first group and consist of Palestinians whom Israel displaced during the years that followed its establishment through internal transfer operations or expulsion (and also beyond the borders of the State of Israel). A large portion of this group is Palestinian Bedouin (Badil, 2003), some of whom settled in what are today known as the "unrecognized" villages.

According to these definitions, displacement took place not only during the 1948 War, but continued in the aftermath of the war and following the 1949 Armistice

---

* Areej Sabbagh-Khoury is an associate at Mada al-Carmel—Arab Center for Applied Social Research. She is a Ph.D. candidate in the Department of Sociology and Anthropology at Tel-Aviv University.

1 Other names have been used to describe this segment within the Palestinian academic and political discourses in Israel, such as "refugees in their homeland," "internal refugees," "refugees in Israel," and "1948 refugees." In this paper, I will use the designation "the internally displaced in Israel," which is how the IDPs have referred to themselves when naming the "Association for the Defense of the Rights of the Internally Displaced in Israel."

Agreements (Jiryis, 1967; Kamen, 1988; Masalha, 1997, 2003). This displacement includes the populations of the villages of Umm al Faraj, Qatiya, Ja'una, Iqrit, Kafr Bir'im, Ghabisiya and al Khisas, in various circumstances (Jiryis, 1967). In addition to internal displacement, following its establishment Israel also expelled Palestinians from several towns and villages to outside its borders, as in the case of the expulsion of the remaining residents of the town of al Majdal-Asqalan (known today as Ashkelon), who numbered approximately 2,700 people, from an original 10,000. In 1950, these residents received expulsion orders, in accordance with which they were evacuated into the borders of the Gaza Strip over the course of a few weeks, because Israel's leaders needed al Majdal and its land to settle Jewish immigrants (Masalha, 1997, p. 27). Other examples of expulsion operations that took place after the establishment of the State of Israel were the displacements carried out in the Naqab. Benny Morris states that Israel expelled approximately 17,000 Palestinians from the Naqab during the period between 1949 and 1953 (cited in Masalha, 1997, p. 29). According to Masalha (1997), following the displacement and expulsion operations, the number of Arab Bedouin in the Naqab dropped from around 65,000-95,000 people (according to estimates made at the end of the British Mandate) to 13,000 in 1951.[2]

During the early years following the establishment of Israel, the Israeli authorities refrained from declaring their intention to prevent the return of the IDPs to their towns and villages (Kamen, 1987), but used various means to bar their return. The most important of these means was the imposition of "military rule" over the Palestinians between 1948 and 1966. Military rule authorized Israel's military commanders to proclaim Arab areas as closed zones in accordance with Article 125 of the Emergency Regulations and it was necessary, for Arab residents, to acquire movement permits in order to enter and leave their zones (Masalha, 2003; Segev, 1986).[3] The Israeli authorities took other steps to preclude the return of

---

2 These examples provide support for the argument that the expulsion and displacement operations did not take place only in the context of the war between the Palestinians and the Jews in Palestine, but were also linked to the Zionist ideology itself, which sought to gain control over the largest possible area of land in Palestine, leaving the least number of Arabs on it.

3 The declared aims of the military regime were to enforce the law and the military administration over Palestine for security purposes. In addition, the military regime had undeclared aims, many of which were related to preventing the return of the refugees and the IDPs to their towns and villages of origin. According to Nur Masalha, these aims were as follows: firstly, to prevent the Palestinian refugees from returning to their towns and villages in Israel; secondly, to displace and evacuate the displaced persons from semi-abandoned Arab towns and villages and expel them to other areas in the country; thirdly, to reduce the number of IDPs who remained in Israel by expelling them to beyond the borders of the state; and fourthly, to impose surveillance on the Palestinian citizens and isolate them from the Jewish population (Masalha, 1997; 2003).

the IDPs, such as demolishing houses in some towns and villages, expelling residents to beyond the borders of what was declared to be the State of Israel, settling some Jewish immigrants in the homes of the refugees and establishing Jewish towns on the land of destroyed towns and villages (Kamen, 1987).

The Internally Displaced: Between return and settlement

Like the other refugees, the IDPs dealt with their new situation as if it were temporary and waited to return to their villages. And, like the rest of the Palestinians in the refugee camps, the IDPs also received assistance from the UN Relief and Works Agency for Palestinian Refugees (UNRWA). However, this assistance was discontinued in the early 1950s, because the Israeli government regarded the issue of the IDPs an internal Israeli issue. The Israeli government allocated a budget to ensure that they gained employment in some of the Arab towns and villages that were still standing following the declaration of the establishment of the State of Israel (Al-Haj, 1988; Kamen, 1987).

Al-Haj (1988) states that in the period following 1948, the lives of the IDPs can be characterized as falling into three phases. The first phase, which lasted from 1948 to 1951, was a period during which the IDPs searched for a safe place of refuge. During this period families migrated from one village to another in search of a safe haven. Most of the IDPs settled in towns and villages located close to their villages of origin, and with which, in some cases, they had social and economic ties, and in other cases because they wanted to remain near their villages of origin to make it easier for them to return.

The second phase, from 1952 to 1956, was a period of waiting and expectation. The IDPs viewed their situation as a temporary one and hoped to return to their villages once calm had been restored. Some of the IDPs, despite their success in rebuilding their lives in the towns and villages in which they had sought refuge, continued to view–and still view–their lives in these towns and villages as temporary (this sense is also shared by many second and third-generation IDPs who were born in the towns and villages where their families had taken refuge), and awaited their return to their villages of origin (see, for example, Kabha and Barzilai, 1996).

It is therefore difficult to contend that the period of waiting and expectations has come to an end. However, in my opinion it is possible to argue that there

are certain factors that led the IDPs to take practical steps to settle–if only temporarily–in the villages in which they had taken refuge pending their return to their villages. Majid Al Haj (1988) attempts to explain some of these factors, and points to the 1956 war between Israel and Egypt and the defeat of the latter as one of the factors that brought the period of waiting among Palestinians in Israel to an end, including the IDPs, a period during which Palestinians dealt with the establishment of the State of Israel as a temporary matter that would inevitably come to an end.

In addition, during the 1950s the Israeli authorities put pressure on the IDPs to settle in the places where they had taken refuge, and set up various committees to implement settlement plans, including the Refugee Housing Authority and the Population Transfer Committee, which offered to buy or exchange the property of the IDPs.[4] Al Haj (1988) further indicates that the absence of a national organization dashed hopes among the internally displaced of return, and led, among other things, to the end of the period of expectations. According to Al Haj, the third phase was a phase of resettlement that began in 1957. During this phase, some of the IDPs started to buy land and to build houses for their families in the towns and villages where they had taken refuge.

The Internally Displaced: Demographic data

The number and demographic characteristics of the IDPs do not appear in the annual Statistical Abstract of Israel. In the first and second population censuses undertaken by the State of Israel in 1948 and 1961 respectively, the IDPs were not categorized as a group separate from the rest of the Palestinians who had remained in their homeland after the Nakba. According to Kamen (1987), the fact that this categorization does not appear can be attributed to two possible causes: first, that the neglect of the issue of the IDPs was related to the general neglect of the Palestinians in Israel following the establishment of the State of Israel; and second, that the authorities did not wish to draw attention to an issue of this kind by providing the means and mechanisms of categorizing them, since providing such information, according to Kamen, could act as a reminder that the problem of the refugees created by the Nakba was also present within

---

4 Wakim (2001) and Kabha and Barzilai (1996) stated a small percentage of IDPs accepted the offer made by the Israeli authorities, which, for many of them, can perhaps be attributed to their difficult circumstances following the Nakba.

Israel, albeit on a smaller scale and of a different nature (Kamen, 1987).

Wakim (2001) states that in 1950 UNRWA estimated the number of IDPs to be 46,000 people,[5] i.e. 30% of the Arab citizens who remained in Israel during that period (156,000 persons). This estimation refers only to those who were displaced in 1948, and not to the Palestinian citizens who were displaced after 1948 and who were not included in UNRWA's statistics. According to Wakim (2001), the percentage of IDPs stood at between 25% and 30% of the Palestinian population inside Israel. Thus, according to this estimate, they numbered in excess of 250,000 Palestinian citizens. However, in his article Wakim does not indicate the year to which these figures apply. Some estimates put the number of persons who were displaced following the establishment of the State of Israel at approximately 75,000 Palestinians in Israel (Badil, 2003).

The first population survey to include details of the number of IDPs in Israel was carried out at the end of 2004 by the Galilee Society—Arab National Society for Health Research and Services, Mada al-Carmel—Arab Center for Applied Social Research, and Rikaz—The Databank for the Palestinian Minority in Israel. The survey defined the IDPs as "the Palestinians who were forced to leave their homes and relocate to other places of residence inside Israel as a result of any war and/or as a result of policies of the government of Israel or any other body." The definition of displacement applies to the internally displaced persons and their families, and is inherited by their male descendants; i.e., children follow their fathers in displacement, and the children of a displaced father are displaced persons. This definition does not include the Palestinians who were displaced from their villages and who later returned to them, despite the fact that the Present Absentee Law still applies to them today (The Galilee Society, Mada al-Carmel & Rikaz, 2005, p. 36). In accordance with this definition, the survey found 15.1% of the Palestinian population in Israel to be IDPs.

---

5   Al-Haj (1986) states that estimates of the number of post-1948 IDPs range between 31,000 and 50,000 persons (p. 654).

Table no. 1

Relative distribution of the Palestinian population in Israel according to state of displacement and background characteristics, 2004

Background characteristics	State of displacement and gender		Total
	% Displaced	**% Not displaced**	
Region[6]			
Northern	12.8	87.2	100.0
Central	20.5	79.5	100.0
Southern	22.7	77.3	100.0
Gender			
Male	15.2	84.8	100.0
Female	15.1	84.9	100.0
Type of community[7]			
Urban community "A"	16.8	83.2	100.0
Urban community "B"	11.6	88.4	100.0
Rural community	13.9	86.1	100.0
Bedouin community	17.9	82.1	100.0
Ethnic composition[8]			
Mixed	28.2	71.8	100.0
Not mixed	14.1	85.9	100.0
Religion			
Muslim	16.8	83.2	100.0
Christian	14.5	85.5	100.0
Druze	0.1	99.9	100.0
Total	**15.1**	**84.9**	**100.0**

Source: The Galilee Society et al., 2005, p. 76.

6 The survey uses the following definition of region: "The regional geographical allocation adopted by the official local institutions, with the merger of the Northern District with the District of Haifa (the Wadi 'Ara area falls within the District of Haifa) into the northern area, which is the largest in terms of its population and the number of Arab communities. The central area contains the Central District and both the Tel Aviv and Jerusalem Districts. The southern area includes the Southern District (the Naqab)" (The Galilee Society et al., 2005, p. 33).

7 **Type of community** is defined as follows: **urban community "A"** is a community with a population of over 15,000 persons; **urban community "B"** is a community with a population of between 5,000 and 15,000 persons; a **rural community** has a population not in excess of 5,000 persons; a **Bedouin community** is a community that is defined by Israel as a Bedouin community in terms of its social history.

8 **Ethnic composition of community** is defined as follows: a **mixed community** is a residential community inhabited by Arabs and Jews; a **non-mixed community** is a residential community inhabited by Arabs only.

The relative distribution of internally displaced persons according to region indicates that 12.8% of the population living in the northern area is internally displaced, as is 20.5% of the population of the central area, and 22.7% of the population living in the southern area; i.e. the largest proportion of the IDP population is located in the southern area.

The relative distribution of internally displaced persons according to gender indicates that 15.2% of males are displaced, which is equal to the proportion of females, at 15.1%. According to the definition that was adopted, the IDPs are the sons and daughters of displaced fathers, and not the sons and daughters of displaced mothers. This is a problematic definition, because there is a group that is not included within the definition of an IDP (and which may view itself as being internally displaced), namely the sons and daughters of displaced women. From the data, it may be inferred that if the definition included the sons and daughters of displaced mothers, the number of IDPs within the Palestinian population would rise, and consequently the proportion of IDPs according to the various categorizations would increase. This problem can explain some of the disparities between the calculations of the number of IDPs here and in the estimations made by Wakim (2001), which are not based on a comprehensive population survey.

The relative distribution of internally displaced persons according to type of community shows that 16.8% of those who live in communities with populations of over 15,000 people are IDPs; 11.6% of the populations of residential communities of between 5,000 and 15,000 people are IDPs; 13.9% of the population of towns and villages of no more than 500 people are IDPs; and 17.9% of the population of Bedouin communities are IDPs. From this it can be understood that there are no major differences between the various types of communities in regard to the number of IDPs. Yet, it is possible to state that the communities with the highest population of IDPs are Bedouin communities. This fact can be attributed to Israeli policy, which has relentlessly sought to displace Arab Bedouin communities in order to gain control of the land of the Bedouin villages, and in particular in the unrecognized villages in the south.

From the relative distribution of internally displaced persons according to the ethnic composition of the community, it can be concluded that 28.2% of the Palestinian population in the mixed cities are IDPs, as are 14.1% of the populations of Arab towns and villages. According to this data, over a quarter

of the Palestinian population in the mixed cities are IDPs. This proportion is considerably high relative to the percentages of IDPs in Arab towns and villages. This fact can be attributed to the events of the Nakba, when the majority of the Arab population of the Palestinian cities was displaced. Those who were displaced but remained in the city were not allowed to return to their original homes, and were therefore internally displaced in their cities. In addition, some IDPs from the Palestinian villages sought refuge in these cities during and after the Nakba.

According to the relative distribution of internally displaced persons according to religious affiliation there are similar percentages of internally displaced Muslims and Christians (16.8% and 14.5%, respectively), while there are no IDPs among the Druze community.

The destroyed villages and the residual number of IDPs in the early 1950s

In this section, I will present the names of the destroyed villages and the number of IDPs who remained in the part of Palestine upon which the State of Israel was established. It should be noted that the majority of these villages are not marked on official Israeli maps, in an attempt to erase awareness and memory of them. Here we attempt to verify the names of the destroyed villages from which IDPs remained, by comparing major sources.

Wakim (2001) states that, on the basis of calculations carried out by the Jewish National Fund (JNF) for the governmental Refugee Rehabilitation Authority in 1948, and from documents obtained from the Yosef Weitz Archives (an official from the JNF and chair of the Population Transfer Committee), data were recorded on the destroyed villages and the number of IDPs, as presented in the following table. He stresses that these calculations included only half the number of IDPs and that the figures provided relate to the early 1950s.

In the following table, I include the name of the destroyed village and the number of people displaced from it, referenced by Wakim (2001). To verify the information, I cross-referenced the names of the villages in the table with data provided in Salman Abu-Sitta (2007), Walid Khalidi (1997) and Shukri Arraf (2004). I also added the name of the district in which each village is located.[9]

---

9   For additional information on the destroyed villages–their population before the Nakba, the composition of their population, the number of houses, the fields of employment of their residents, their geographical location, land ownership and use, the history of their occupation and the displacement of their population, the Israeli colonies that were built on their land, etc., see Khalidi (1997).

Table no. 2

Number of internally displaced persons in the early 1950s, the villages they were displaced from, and the district in which each village is located

Name of destroyed village	Name of district	Number of IDPs	Name of destroyed village	Name of district	Number of IDPs
Al Mujaydil	Nazareth	1,185	Hadatha (Hadathaa)	Tiberias	114
El Birwa	Acre	994	Balad ash Sheikh	Haifa	114
Saffuriyya	Nazareth	754	Jawarna-Akka[10]	-	111
Ed Damun	Acre	715	Umm ez Zinat	Haifa	101
Ma'lul	Nazareth	673	Suhmata	Acre	84
Illut	Nazareth	577 (most of whom returned to the village)	El Bassa	Acre	81
Sha'b	Acre	574 (some of whom returned to the village)	Hittin	Tiberias	77
Mii'ar / Mi'ar[11]	Acre	550	El Nahr[12]	Acre	66
Kuweikat	Acre	540	Indur	Nazareth	62
*Tiberias	Tiberias	527	Ein Haud	Haifa	60
Kafr Bir'im	Safad	484	Lubiya	Tiberias	58
Iqrit	Acre	409	Sirin[13]	Beisan	57
Amqa	Acre	303	Wa'arat al Sarris[14]	Haifa	56

10 I did not find mention of the village of Jawarna-Akka in the sources. The closest name I could find for this village (in Abu-Sitta, 2007) was Arab Gharawina, which is located in the District of Haifa (Abu-Sitta, 2007).

11 This village is not mentioned in Arraf (2004).

12 Arraf (2004) contains the name "al Nahr wa al Till."

13 This village is not mentioned in Arraf (2004).

14 This village is not mentioned in Arraf (2004). Al-Haj (1988) states in his article that some of the IDPs who settled in Shafa Amr are originally from Wa'arat al Sarris (p. 154). In addition, Kamen states that some of the IDPs from the village of Wa'arat al Sarris sent requests to the Israeli authorities to return to their village (Kamen, 1987, p. 489).

Beisan*	Beisan	217	Hawsha	Haifa	55
El Manshiya[15]	Acre	210	Et Tira	Haifa	50
Ghabisiya	Acre	188	Umm al Faraj	Acre	47
Tantura	Haifa	171	Farradiyya[16]	Safad	47
Qumiya	Beisan	158	Kafr I'nan	Acre	43
Hawasa[17]	Haifa	143	Es Samiriya	Acre	41
El Muftakhira	Safad	135	Ijzim	Haifa	41
El Mansura	Acre	125	Kafr Sabt[18]	Tiberias	41
Umm Qubei[19]	-	110			

* *Indicates town*

The above table contains the names of the Palestinian towns and villages that Israel transformed into Jewish towns, including Al Mujaydil, Beisan, Saffuriyya and Ein Haud; the names of towns and villages that were completely destroyed by Israel, such as Tantura and Ma'lul; the names of towns and villages that are still standing but from which Palestinians were displaced, such as the town of Tiberias; and the names of two villages from which the population was displaced, but to which some returned–Sha'b and Illut. In addition to the towns and villages listed in the table, there are other towns and villages from which IDPs remained, but for which no information exists on their numbers (see Table no. 3).

In the following table, I present the names of the destroyed villages whose displaced populations do not appear in the sources used. To verify this information, in this table the names of the towns and villages listed by Wakim (2001) were also cross-referenced with Abu-Sitta (2007), Arraf (2004), Khalidi (1997) and Kabha and Sarhan (2004) in their books that discuss the towns and

---

15 It should be mentioned that the name Manshiya was given to several villages in Palestine. See Abu-Sitta (2007).
16 This village is referred to as "Farradiya" in Arraf (2004).
17 This village is not mentioned in Abu-Sitta (2007) or Arraf (2004).
18 This village is not mentioned in Arraf (2004).
19 The name of this village is mentioned in Abu-Sitta (2007), but not in Arraf (2004) or Khalidi (1997).

villages located within the area of Bilad ar Rouha.[20] In the table I have also added the names of 18 destroyed towns and villages about which some information on the existence of IDPs appears in the following sources: Al-Haj (1988); Kabha and Barzilai (1996); Kabha and Sarhan (2000; 2004); but were not mentioned in Wakim (2001). The name of the district in which each town or village is located has also been added.

Table No. 3

The names of destroyed villages about which no figures on their internally displaced populations in the 1950s appear in the sources used

	Name of district	Name of destroyed village		Name of district	Name of destroyed village
1	Acre	El Kabiri	2	Safad	Safad
3	Acre	Al Zib	4	-	Fasha[21]
5	-	Basatin ar Rimal[22]	6	Gaza	Al Khisas
7	Haifa	Yajur	8	Tiberias	Ma'dhar
9	Haifa	Khirbat al Kasair[23]	10	-	Qatiya[24]
11	Safad	Sa'sa	12	-	Halahla[25]
13	Safad	Qaddita[26]	14	Safad	Dallata[27]
15	Beisan	El Murassas	16	Safad	Qabba'a[28]

20 Kabha and Sarhan (2004) define the area of Bilad ar Rouha as "the low elevation located between the southern fringes of the Carmel and the northern fringes of the es Samra mountains (Jabal Umm el-Fahm and al Khattaf) and, more specifically, between Wadi 'Ara to the south and Wadi el Malih to the north. Its eastern borders extend from el Lajjun to the south until Qira and Qamoun (Yoqne'am) to the north. The problem is perhaps in determining the western borders of the area. Some believe it to extend from the Fureidis junction to the north to the direction of Mat'el towards the south-west as far as the al Asawar junction (Barqa'I). Others believe that these borders extend along a narrow strip between the Karkur forest (Pardes Hanna) to the south, and the town of Binyamina to the north; that is, over no more than 5 kilometers. The first opinion is more likely to be correct, as there are no natural borders that could suddenly cut through the area in Pardes Hanna, and the population of the area between Fureidis and al Asawar consider themselves to be part of Bilad ar Rouha" (p. 7).

21 I did not find mention of the village of "Fasha" in the sources cited. The closest name that I found for this village was "Fajja," which is located within the District of Yaffa. This name appears in Abu-Sitta (2007), Arraf (2004) and Khalidi (1997).

22 I did not find mention in the sources cited of the village of Basatin ar Rimal.

23 This village is mentioned under the name of al Kasayir in Arraf (2004).

24 I did not find mention of the village of Qatiya in the sources cited. The closest name that I found for this village was Qeitiya (located within the District of Safad). The name Qeitiya is mentioned in the three sources: Abu-Sitta (2007), Arraf (2004) and Khalidi (1997).

25 I did not find the village of Halahla in the sources cited.

26 The name of this village is mentioned in Abu-Sitta (2007) and Khalidi (1997), but not in Arraf (2004).

27 The name of this village is mentioned in Arraf (2004) and Khalidi (1997) as "Dallatha".

28 The name of this village is mentioned in Abu-Sitta (2007) and Khalidi (1997), but not in Arraf (2004).

17	Haifa	Lydd el 'Awadi[29]	18	Safad	Ein ez Zaytun
19	Tiberias	Nimrin	20	Acre	Hamima[30]
21	Haifa	El Sindiyana	22	Safad	Meirun[31]
23	Haifa	Sabbarin	24	Haifa	Wadi 'Ara
25	Haifa	Khubbeiza[32]	26	Haifa	Al Kafrin[33]
27	Haifa	El Mazar[34]	28	Jenin	Zir'in
29	Jenin	Al Mansi[35]	03	Haifa	Ein Ghazal[36]
31	Haifa	Daliyat er Ruha[37]	32	Jenin	El Lajjun
33	Haifa	Sarafand	34	Tulkarm	Khureish[38]
35	Haifa	Qannir	36	Haifa	Al Sarkas[39]
37	Haifa	Qira wa Qamun[40]	38	Haifa	Buweishat[41]
39	Safad	Deir el Qasi[42]	40	Safad	Sabalan[43]

Sources: Al-Haj, 1988; Kabha and Barzilai, 1996; Kabha and Sarhan, 2000; 2004; Wakim, 2001.

29 The village of "Lydd el 'Awadin" is mentioned in Arraf (2004) under the names of "Lydd," "Lydd el 'Awadin," and "Lydd el 'Arab." It is mentioned in Abu-Sitta (2007) under the names "Lydd el 'Awadi" and "Khirbat Lid," and as "Khirbat Lid" in Khalidi (1997).

30 The village of Hamima is mentioned only in Arraf (2004).

31 The name of this village is mentioned in Abu-Sitta (2007) and Khalidi (1997), but not in Arraf (2004).

32 This village is mentioned in Abu-Sitta (2007) and Khalidi (1997), but not in Arraf (2004).

33 This village is mentioned in Abu-Sitta (2007) and Khalidi (1997), but not in Arraf (2004).

34 It should be noted here that there is another Palestinian village with the name el Mazar, located in the District of Jenin.

35 This village is mentioned under the name of "al Mansa (al Mansi)" in Kabha and Sarhan (2004), who state that this village "is also known as Ein el Mansi" (p. 85). Khalidi (1997) states that the village is located in the District of Jenin as Ein el Mansi, and thinks that, "Perhaps this village was related to the larger village of al Mansi, located half a kilometer to the north-west of it" (p. 56). He states that the village of al Mansi is located in the District of Haifa. In Abu-Sitta (2007), the two villages of Ein el Mansi and al Mansi are both mentioned separately (alongside al Mansi also appears the name 'Arab Baniha'), and according to the map provided on page 48 they are located in very close proximity to one another. In Arraf, the names al Mansi and Ein el Mansi are also mentioned separately.

36 Some residents of the village of Ein Ghazal are living in the village of Fureidis (interview with Dr. Mustafa Kabha, July 10, 2007).

37 Kabha and Sarhan (2004) state that, "The sources differ over the spelling of the name Bilad ar Rouha, and the different spellings have different meanings. Some write it as Rouha, others Ruha, and alternatively Rouha'a'" (Kabha and and Sarhan, 2004, p. 10). This village is mentioned under the name of Daliyat er Ruha in Abu-Sitta (2007) and Khalidi (1997). It is not mentioned in Arraf (2004).

38 I did not find the name of this village in the sources cited. However, based on an interview held with Dr. Mustafa Kabha, this village existed and most of its residents live in the village of Jaljuliya, in a neighborhood named Khureish (interview with Dr. Mustafa Kabha, July 10, 2007).

39 The name of this village is mentioned in Abu-Sitta (2007) and Khalidi (1997) under the name "Khirbat al Sarkas." Arraf (2004) states that this village is also referred to as Sharkas. Some of the IDPs from this village live in Kafr Kama, Rihaniya and Baqa el Gharibya (interview with Dr. Mustafa Kabha, July 10, 2007).

40 Mentioned in Abu-Sitta (2007) under the name of "Qira wa Qamun," in Arraf (2004) as "Qira wa Qaamun," and in Khalidi (1997) as "Qira (Qira wa Qaamun)."

41 This village is mentioned in Abu-Sitta (2007), but not mentioned in Arraf (2004) or Khalidi (1997).

42 The name of this village is not mentioned in Khalidi (1997). It should be noted here that Al-Haj (1988) states that the IDPs in Tarshiha include IDPs from the village of Deir el Qasi.

43 The name of this village is not mentioned in Arraf (2004). It should be noted here that Al-Haj (1988) states that the IDPs in Tarshiha include IDPs from the village of Sabalan (p. 154).

The places of refuge of the IDPs

The places in which the IDPs took refuge are determined by several factors, including the direction from which the Zionist military forces entered the village, the geographical proximity of their villages of origin to the villages in which they took refuge, the number of residents who were displaced from the village, and whether displaced persons from other destroyed villages sought refuge in the town or village.

On some occasions, the place of refuge was affected by the direction that the Zionist military forces directed them to leave the village from. Obviously, the IDPs-for the most part-sought refuge in villages that the Zionist military forces had not (yet) occupied, believing them to be safe, and that they would be able to stay in them until calm had been restored and they could return to their towns and villages (Kamen, 1987; Mousa, 1988).

During the search for shelter, when the IDPs found destroyed villages and did not feel safe to remain in them, they continued in their search for another place in which to seek refuge. In the small number of cases in which IDPs found refuge in other destroyed villages, the Israeli military forces forced them to leave these villages, and to set out in the direction of the Jordanian or Lebanese borders (Kamen, 1987).

Not all of the IDPs from each village sought refuge in the same place, but were divided–in some cases–between a group of villages that were spared destruction and displacement. Most of the internally displaced are found in the northern area, and in particular in the Galilee (Wakim, 2001). Of the 162 villages that were completely destroyed in the Galilee and the north, internally displaced persons from only 44 villages remained, i.e. not one person from among the populations of 118 uprooted and destroyed villages remained (Kamen, 1987, pp. 470-471). From the 44 displaced and destroyed villages, a majority of residents remained in only 12.. These villages are: al Majdal, el Lajjun, ed Damun, el Birwa, Iqrit, Kafr Bir'im, al Ruweis, Hadatha, Ma'lul, el Muftakhira, el Mansura and Qumiya. Of the populations of 33 villages, a small number, ranging from between 1% and 17% at most, remained (Kabha and Sarhan, 2004; Kamen, 1987). Forty-seven villages and towns (of the 67 Arab towns and villages that were still standing in the north after the Nakba) absorbed a number of the IDPs. Among the towns and villages that took in the IDPs were: Nazareth, el Maghar, Tamra, Judeida,

39

Deir al Asad, Kabul, Shafa Amr, er Rama, Buqe'ia, Bi'na, Jish, Tarshiha, Kafr Kanna, Deir Hanna, Akbara, Reina, Illut, Mashhad, Arraba, Fassuta, Daliyat el Carmel, Mi'ilya, al Mazra'a, Dannun, Abu Sinan, Kafr Yasif, Makr, Na'ura, Sandala, Majd al Kurum, I'billin, Eilabun, Yafet al Nasira (Kamen, 1987; Wakim, 2001). Of the towns and villages that took in displaced persons in the Triangle were: Umm el-Fahm, Mu'awiya, Musmus, Ara, Musheirifa, Zalafa, Barta'a, Kafr Qari' (Kabha and Barzilai, 1996; Kabha and Sarhan, 2004). The coastal village of Fureidis also absorbed IDPs (Kabha and Barzilai, 1996, p. 9).

In some villages, the displaced persons accounted for a high proportion of the population in the early 1950s. For example, a third of the population of Majd al Kurum, Jish, and Tamra were IDPs; a quarter of the population of Nazareth and Kafr Yasif were IDPs; and in Yafet al Nasira (literally Jaffa of Nazareth), Makr and Judeida, over half of the population was IDPs. In Arraba, Abu Sinan, Deir Hanna and Bi'na, IDPs counted for less than 10% of the population (Kamen, 1987, p. 474). IDPs also formed a large proportion of the population of other towns and villages, such as Fureidis, Jaljuliya and Umm el-Fahm, but data on their percentage of the population in these towns and villages is not available.

There is a group of displaced persons who took refuge in Arab cities located under Israeli sovereignty and that later became known as "mixed cities," such as Acre, Yaffa, Lydda, Ramle and Haifa. Some of these internally displaced persons were originally from these cities, while others took refuge in them from nearby destroyed villages. As an example of the birth of the issue of the IDPs in the mixed cities, Schechla examines the issue of IDPs living in the city of Acre today. Schechla states that when Zionist military forces attacked the city of Acre and displaced its population in 1948, there remained a number of its residents who had been displaced from their homes but found refuge in abandoned houses in the Old City of Acre that had been appropriated by the Custodian of Absentees' Property, under the legal designation of "Absentee Property" (Schechla, 2001). The IDPs settled in these houses as "protected residents" (they do not have ownership of the land, but pay reduced rent for it). A further example is provided by the IDPs from the city of Haifa. Kamen (1988) states that the number of IDPs that remained in Haifa after the Nakba was relatively small, and that the majority of them had either not been displaced at all, or had been allowed by the Israeli authorities to return from their places of temporary refuge. Like the rest of the IDPs in the mixed cities of Yaffa, Lydda and Ramle, the IDPs of Haifa

were not permitted to return to their original homes. The majority of those who had not been forced to flee from their homes were not allowed by the Israeli authorities to remain in them, in particular those that were not situated in neighborhoods designated for Arab residents (Kamen, 1988, p. 70).

The legal status of the IDPs and their property

The Israeli authorities prevented the internally displaced persons from returning to their homes, and appropriated their land and property[44] under various laws, most importantly the Emergency Regulations (Absentees' Property) - 1948, and the Absentees' Property Law - 1950.[45] The Palestinians internally displaced in Israel are considered to be "absentees" under Israeli law despite the fact that they remained in their homeland, on the grounds that they left their villages of origin, regardless of their reasons for doing so. Although they were granted Israeli citizenship under the Israeli Nationality Law - 1952, they were systematically blocked from returning to their homes and land and from recovering their property (Masalha, 2003). In accordance with the Emergency Regulations (Absentees' Property)–1948, everything owned by the IDPs was placed at the disposal of the Custodian of Absentees' Property. The definition of absentees in these regulations included the Palestinian IDPs. The regulations granted the Custodian of Absentees' Property "only temporary authority over the absentees' property" (Jiryis, 1967). The executive authority therefore acted to seal the "legal aspect" of seizing their property, enacting the Absentees' Property Law in 1950. The law authorizes the Custodian of Absentees' Property to take care of and manage absentee property and to expel those residing on it. Thus the Custodian of Absentees' Property is considered under this law to be the owner of these properties, unless the "absentee" can prove that he or she was not absent, or that he or she is not considered to be as an absentee in the eyes of the law. This is a nearly impossible task, given the existing legal precedents in this regard (Cohen, 2002; Jiryis, 1967; Masalha, 2003). Thus the law does not afford "absentees"–be they refugees or IDPs–the right to recover their property. The

44 The property of the IDPs in Israel is estimated at 300,000 dunams of land, which Israel has declared to be "absentee property" (Masalha, 2003, p. 159).

45 The State of Israel has enacted approximately 30 laws in accordance with which private land (for the most part Arab-owned) has been transferred to state ownership, in practice, for the benefit and use of the "Jewish people," thereby excluding Palestinian citizens from the ownership and use of this land. Under the enacted laws – in particular the Basic Law – Israel Lands, and the Development Authority Law–almost all of this land (close to 93%) became state property (Masalha, 2003; Yiftachel, 2001).

law was formulated specifically so as to include IDPs who are Israeli citizens, in order to prevent them from returning to their villages and their homes.

The demand to return and the Association for the Defense of the Rights of the Internally Displaced in Israel

The IDPs began demanding to return to their villages from the time of their displacement, and local committees for the IDPs of the various villages were formed to voice this demand (like the internally displaced committees of Iqrit, Kafr Bir'im, Ghabisiya and Saffuriyya, among others). The demand for return was not made on a countrywide level, but locally through the judicial channels (as was the case with the villages of Iqrit and Kafr Bir'im, as well as Ghabisiya), or via the attempts of some IDPs to correspond with various ministries to demand to return to their villages, including the IDPs of ed Damun, al Ruweis, Wa'arat al Sarris, Tira (Tirat el Carmel), Tiberias and Qisarya (Cohen, 2002, pp. 491-492; Kamen, 1987).

The absence of national, collective organization and the fact that it only began to take shape in the early 1970s can be attributed to a set of factors, including, firstly, the military regime. From 1948 until 1966, the Palestinian population was placed under "military rule", under which they were banned from moving from one village to another without a permit, which limited the possibility of political organization among Palestinians in Israel in general. In this case, it prevented the IDPs from organizing at a countrywide level. The second factor was the geographical placement of the populations of these villages. In some cases, most IDPs of a destroyed village took refuge in the same town, which encouraged them to frame their issue within local committees. The third reason for their organization at the local and not the national political level was the power of the local, collective Palestinian memory, which was reflected in their local political organization. Thus the people who were displaced from Ma'lul- for instance-were united by their memory of Ma'lul as the village in which they lived and their social and political experience, and were connected by relations of proximity and kinship, and they came together and organized themselves to return to the village when that became possible.

From the early 1990s, countrywide, popular, organized action aimed at securing the return of the IDPs to their villages and reconstructing the collective memory

began to emerge. The majority of local IDP committees were subsumed within the framework of the Association for the Defense of the Rights of the Internally Displaced in Israel (ADRID) in 1995. It should be noted in this regard that the two committees of Iqrit and Kafr Bir'im did not affiliate themselves with ADRID, because their members regard their case as a special case: the Supreme Court has delivered various decisions instructing their return, the first in 1951, and they are therefore demanding to return to their villages through the judicial process, a route which ADRID has not pursued. The idea to establish an association for the internally displaced was born following the Madrid Conference of 1992 and the Israeli-Palestinian talks, when the IDPs decided that their case did not fall within the context of the negotiations between the Israeli and Palestinian sides. The foundation of ADRID in the 1990s was connected to the political orientation of the Palestinians in Israel, and how they viewed themselves and their status within the State of Israel following the Oslo Accords.

ADRID demands that the State of Israel abolish the laws that regard the IDPs as "absentees," as well as the return of the IDPs and the refugees to their towns and villages in accordance with UN Resolution 194, which calls for the return of the refugees or their compensation. At certain times, the discourse employed by ADRID has emphasized the fact that the IDPs are citizens in the State of Israel, and that as such they must return to their towns and villages. This, in their view, undermines the Israeli claim that the return of the refugees constitutes a demographic threat to the Jewish character of the State of Israel. While ADRID focuses on demanding the return of the refugees and the IDPs, so far it has not tackled the consequences of the emphasis it has at times placed in its discourse on the status of the internally displaced persons as citizens of the State of Israel.

ADRID keeps the memory of the destroyed villages alive by organizing marches to these villages as part of the annual commemoration of the Nakba, and specifically on the day of the declaration of the establishment of the State of Israel, known as "Independence Day," in order to highlight the other side of the "independence of Israel," i.e. the Nakba of the Palestinian people (Cohen, 2000). It should be pointed out in this context that the activities and political discourse of the IDPs has made a major contribution to the discussion of the Nakba and displacement among Palestinians in Israel, a subject that was not a part of the Palestinian political discourse in Israel for a long period of time.[46] Similarly, the demand made by ADRID for the redress of the historical

injustices perpetrated by Israel against the Palestinian refugees constituted a precedent within Palestinian political discourse in Israel, in its dealings with the Israeli authorities and Israeli society. The attention paid by Palestinians to the issues of the refugees has varied from period to period in the history of the Palestinian people. However, after Oslo an emphasis on the refugee issue began to emerge (including, for example, the work undertaken by the Right of Return movement). This stood in contrast to the preceding period, during which the refugee issue was not a constant concern for Palestinian national organizations (Sayigh, 2007). The same is true for the IDPs in Israel. Palestinian political parties and organizations have not always emphasized the refugee issue, and have not always demanded their return to their towns and villages. However, the situation changed following Oslo, and in light of the political activities undertaken by the IDPs themselves, which were organized at an unprecedented countrywide level (Sabbagh-Khoury, 2006).

ADRID arranges seminars for schools and various associations in order to raise political awareness of the Nakba and the refugee issue. It also works alongside other organizations (the al-Aqsa Association, for example) to maintain holy sites in the destroyed villages. It also holds courses to train guides to organize tours to the destroyed towns and villages in order to inform the public about them. These courses address the historical, geographical and political dimensions of the issue of the destroyed villages, the refugees, and the IDPs in particular, in order to keep these villages alive in the collective Palestinian memory and to acquaint the younger generation (the third generation since the Nakba) with the issues of displacement, the refugees and the IDPs, particularly given the relentless efforts made by the Israeli establishment to erase them from the collective Palestinian memory. The arrival of ADRID has helped to place the issue of the IDPs within the Palestinian context both inside and outside Israel. It has strengthened contacts between the Palestinians in Israel and Palestinians in exile by connecting their issue to that of the refugees, regardless of the fact that Israel deals with the refugees within its borders in isolation from the other issues, and views their issue as an internal Israeli affair.

---

46 See, for example, "Statement by the Preparatory Committee for the Return and Just Peace Conference" (the conference was held in cooperation with organizations Ittijah, Zochrot and the Emile Touma Institute, for the third consecutive year): "Another year has passed since the Nakba of the Palestinian people, the repercussions of which have continued day after day since 1948. For us, the Nakba is not a passing event or occasion, but a reality that is based on the tragedy and historical injustices that continue to be the founding event in the modern history of the Palestinian people." Retrieved July 10, 2008 from http://www.ror194.org/index.php?id=293 (in Arabic).

References

English

Abu-Sitta, S. (2007). *The return journey: A guide to the depopulated and present Palestinian towns and villages and holy sites.* London: Palestine Land Society.

Al-Haj, M. (1986). Adjustment patterns of the Arab internal refugees in Israel. *Internal Migration*, *24*(3), 651-674.

Al-Haj, M. (1988). The Arab internal refugees in Israel: The emergence of a minority within the minority. *Immigrants and Minorities, 2,* 149-165.

Kamen, C. (1987). After the catastrophe I: The Arabs in Israel, 1948-1951. *Middle Eastern Studies*, *23*(1), 453-493.

Kamen, C. (1988). After the catastrophe II: The Arabs in Israel, 1948-1951. *Middle Eastern Studies*, *24*(1), 68-109.

Sayigh, R. (2007). Palestinian refugee women, stories of home and homelessness: Towards a new research agenda. *Review of Women's Studies*, *4*, 9-25.

Schechla, J. (2001). The invisible people come to light: Israel's 'internally displaced' and 'unrecognized villages.' *Journal of Palestine Studies*, *31*(1), 20-31.

Segev, T. (1986). *1949–The first Israelis.* New York: The Free Press.

Arabic

Arraf, S. (2004). *Geographic sites in Palestine: Arabic names and Hebrew denominations.* Beirut: Institute for Palestinian Studies.

Badil (2003). *Internally displaced Palestinians, international protection and durable solutions.* Bethlehem: Badil Resource Center for Palestinian Residency and Refugees' Rights.

Cohen, H. (2002). *"The present-absentees:" Palestinian refugees in Israel since 1948.* Jerusalem: Center for the Study of Arab Society in Israel.

The Galilee Society, Mada al-Carmel & Rikaz. (2005). *The Palestinians in Israel: Socio-economic survey*. Shafa Amr: The Galilee Society—The Arab National Society for Health Research and Services.

Jiryis, S. (1967). *The Arabs in Israel.* Jerusalem: The League of Arab States in Jerusalem.

Kabha, M., & Sarhan, M. (2000). *Bashir Ibrahim: Qadi and rebel in the 1936-1939 revolt.* Ramallah: Dar al-Shuruq lil-Nashr wa-al-Tawzi.

Kabha, M., & Sarhan, M. (2004*). Bilad ar Ruha during the British Mandate, El Sindiyana as a model.* Ramallah: Dar al-Shuruq lil-Nashr wa-al-Tawzi.

Khalidi, W. (1997). *Lest we forget: The villages of Palestine that were destroyed by Israel in 1948 and the names of their martyrs.* Beirut: Institute for Palestinian Studies.

Masalha, N. (1997). *More land, fewer Arabs: The implementation of the Israeli policy of "transfer", 1949-1996.* Beirut: Institute for Palestinian Studies.

Masalha, N. (2003). *Israel and the politics of denial: Zionism and the Palestinian refugees.* Ramallah: Madar–The Palestinian Center for Israeli Studies.

Wakim, W. (2001). Refugees in their homeland: The present-absentees in Israel. *Journal of Palestinian Studies*, *45/46*, 90-104.

Yiftachel, O. (2001). *Land, planning and inequality: The division of space between Arabs and Jews in Israel.* Ramallah: Madar–The Palestinian Center for Israeli Studies.

Hebrew

Kabha, M., & Barzilai, R. (1996). *Refugees in their land: The internal refugees in Israel 1948-1996.* Givat Haviva: Institute for Peace Studies.

Mousa, H. (1988). *The geographical distribution of the Arab refugees in their homeland in the Galilee region, 1948-1987.* (Master's thesis, University of Haifa).

Sabbagh-Khoury, A. (2006). *Between the right of return and the 'Law of Return': Contemplation on Palestinian discourse in Israel.* (Master's thesis, Tel-Aviv University).

Further Readings

Badil (2001). *Return to their homes: The just and durable solution to the issue of the Palestinian refugees.* Bethlehem: Badil Resource Center for Palestinian Residency and Refugees' Rights.

The Military Government

Yair Bäuml

The Military Government

Yair Bäuml *

During the period of the British Mandate (1922-1948), the Zionist movement succeeded in "establishing a national home for the Jewish people" in Palestine. In so doing, it isolated, detached, and separated itself from most of the Palestinian population, which had always constituted the majority in the country. The mainstream leaders and decision-makers in the Zionist movement never sought to establish a bi-national state or a joint Jewish-Arab political and economic framework of any kind. Zionist activity, which was the product of its clear objectives, was always aimed at the formation of a one-nation state–a Jewish state. For many reasons, primarily the military actions of the Haganah, the Irgun Zeva'i Le'umi (an armed underground offshoot of the Haganah), and the Israeli army during the 1948 war, some 770,000 - 780,000 Palestinian residents were expelled, fled, or left under war-related circumstances the area that became the State of Israel, and became refugees in neighboring countries (Abu Lughod, 1971, p. 161). In this way, Jews formed a definitive majority in the new state.

However, a majority of Israeli Jews and their leaders refused to remove the barriers between them and the Arabs who remained in the new state and integrate them. The Israeli establishment continued to implement the "national Jewish home" policy, while reducing the meaning of democratic Israeli citizenship common to the Jewish majority and the Arab minority.

During the course of the 1948 war, the Provisional Council of State decided to impose a Military Government on the Galilee, the Triangle, the Naqab, and the Arab cities of Ramleh, Lydda, Jaffa, and Majdal-'Asqalan that is, the areas in which a substantial Arab population remained when the war ended.

The Military Government was a unit within the army, made up of soldiers and officers from the regular army and those doing compulsory military service. The commander of the Military Government was an officer in the regular army, who was subordinate to the Chief of Staff and the Ministry of Defense. From

*   Dr. Yair Bäuml is a historian of the Middle East. He is the head of the Interdisciplinary Department at Oranim Academic College of Education.

1948 to the time it was completely abolished in 1968 the Military Government was the central Israeli institutional body operating among the Arab minority in Israel. Pursuant to the powers delegated to it by the government, the Military Government was the legal-military-political apparatus that enabled the continued building of the Jewish state after 1948 according to the pre-state "national home" framework, while excluding Arabs from participating in the state's development and ignoring their very existence.

The Military Government had its legal basis in the Emergency Defense Regulations of 1945 and other Mandatory legislation, which was adopted by the Provisional Council of State and later by the Knesset. Of the 162 Mandatory Emergency Regulations, the Military Government implemented only five. Of these, three (Regulations 110, 111, and 124) were intended to enable the Military Governor to control, limit, and prevent the movement of citizens under his authority. The other two regulations (Regulations 109 and 125) were intended to enable the Military Governor to prevent the entry of citizens into areas declared closed (Schiff and Haber, 1976). These regulations were forced on the Arabs by means of the Military Government's military apparatus. From the moment that this apparatus was abolished in December 1966 to the end of 1968, the Chief of Staff delegated the authority to enforce the regulations on the local population to the Israeli Police Force.

Inasmuch as the vast majority of persons living in the area under Military Government control were Arabs, and given the nature of the actions carried out by the army, the Military Government was primarily involved in civil–and not military or security–activity. Its task was to oversee the Arab minority in Israel and to revoke its democratic freedoms. This task, which was declared to be "security supervision," had practical and daily manifestations, focusing on the restriction or prevention of movement, whether from one area to another or from one village to another; on access to farmland and freedom of occupation; accessibility to employment, health, education, shopping and trade; freedom to organize for public or political purposes; economic freedom; freedom regarding educational curricula; and freedom of any independent act of the Arab citizens. Arab citizens were subject to a tight regime of permits–almost every action that an Arab contemplated taking outside his or her neighborhood required a permit from the Military Governor.

In 1959, Shmuel Dibon was the Prime Minister's Advisor for Arab Affairs, the

most senior Israeli civilian official operating in the Arab sector. His function was to coordinate the activities of the various agencies operating among the Arab population. He stated that in 1949 the Arab population was "confounded, segmented, divided, and frightened" (State of Israel Archives, 1959, p. 2). This was a time in which the theoretical, public, and political underpinning of the government and of Israeli officials operating among the Arab population was the contention that the Arabs in Israel were part of the enemy, that they constituted an existential security threat to the Jewish state, and that, therefore, it was necessary to use the army–a threatening and deterrent force (unlike civilian officials)–to restrict their actions and oversee them. Most of the Jewish public accepted and barely questioned this contention, which was based on the image of the Arab that had been nurtured among Jews during the period of the British Mandate and the 1948 war. However, it has never been proven that Arab citizens were a security threat at any time during the entire period of the Military Government. Dibon also stated that the Military Government managed, by means of the *mukhtars,* the *sheikhs,* and the clan heads, to control the Arab population, and that as the representative of the might of the Israeli army, he managed "to fully and completely control all of the Arab areas" (State of Israel Archives, 1959, p. 12).

By means of its regulations, the Military Government sought to achieve certain objectives–to nullify almost totally the equality of the Israeli citizenship purportedly granted to Arabs; to exclude Arabs from all government and public systems of the Jewish state; to discriminate against Arabs in every aspect of life; to negate their collective self-definition, identity, and consolidation as a national collective; and to assist the Israeli administration in implementing its practical policy toward the Arabs.

The principal elements of Israel's policy toward the Arabs included:
* expropriating 60% of Arab land;
* preventing the internal refugees from returning to their villages;
* preventing farmers from reaching their farmland;
* establishing Jewish communities in the heart of Arab population centers;
* preventing organized and independent public, social, and cultural activity;
* preventing free internal Arab political activity;
* deepening the division among Arabs or tearing the Arab community apart

in new ways;

- regulating the flow of Arab workers to employment centers in the Jewish sector (depending on the level of unemployment there);

- recruiting collaborators and granting favors toward this end;

- training government and General Federation of Labor (*Histadrut*) officials operating among the Arab population;

- assisting the political party in power, *Mapai*, to garner votes at election time;

- and perhaps, enabling the expulsion of Arabs from the state, to the extent that it became possible to do so within the context of another war.[6]

Although Ben-Gurion repeatedly emphasized that the Military Government was a branch of the army, its commander received orders from the "Central Security Committee," the supreme body involved in governmental policy regarding the Arab population. The committee was comprised of the Military Government Commander, the commander of the Arab Unit in the *Shin Bet* (the General Security Service, or GSS), the commander of the Special Functions Office in the Israeli Police, and the Prime Minister's Advisor for Arab affairs, who chaired the committee. Using the close ties between these security bodies, Military Government officials maintained monitoring files on persons in each and every village, on schools, *mukhtars,* teachers, Knesset members, and hundreds, maybe thousands, of other Arab citizens.

As early as the outset of the Military Government, Israeli Communist Party leaders and Knesset members called for its abolition. *Mifleget haPoalim haMeukhedet* (United Workers' Party), or *Mapam* for short, which was the first Zionist political party to accept Arab members, joined in this call in the early 1950s. Alongside them, although not in cooperation with them, and despite the general consensus that the Arab population constituted a security threat, Israeli Jews in the political center, including the *Mapai* leadership, criticized the nature and functions of the Military Government, with some even questioning the need for it. This, too, occurred in the 1950s, though mostly toward the end of the decade. Therefore, Government officials and committees examined the effectiveness of the Military Government right from its inception and made changes, reducing the

---

6   From 1948 to 1958, the Israeli establishment hoped that the problem of the existence of an Arab minority in the Jewish state would be solved by the Arabs emigrating or fleeing, or by transfer. The massacre in Kufr Qassem and the 1956 Suez War removed this prospect from the agenda of Israeli policymakers (Bäuml, 2006).

geographic area over which it had authority. However, they did not change the security supervision over Arabs. Those from the political center who objected to the Military Government, including the rightist *Herut* (Freedom) party, which claimed that *Mapai* was using the Military Government to garner votes among Arab voters, believed that it was possible to oversee the Arabs by using civilian security bodies, and that a democratic state should not impose military legislation and a military apparatus on its civilians.

The slow process of abolishing the Military Government began as early as the end of the 1950s, as the result of a combination of three factors: The first was the massive economic development that began at the time, which created a need for a larger workforce. Arab citizens, who had been in distress following the Nakba and the founding of the State of Israel, were waiting for this moment. The Israeli economy's need for cheap available labor led to a relaxation of the regime of movement permits regulating the flow of Arab workers (by the Military Government) to work sites in the Jewish sector (Histadrut Archives, 1961, p. 28; Labor Movement Archives, 1958, p. 13).

The second was the policymakers' conclusion that further transfer of Arabs–the hope that formed the principal policy line of the establishment during the state's first decade–would not occur, and that a new policy, no longer based on this hope, should be adopted. This conclusion was reached after the 1956 Suez War, and after policymakers saw that the first day of the massacre in Kufr Qassem did not cause a mass Arab exodus, as had occurred in 1948.

The third was the growing public and parliamentary belief that the military government was, according to the opponents, a stain on Israeli democracy. The persons fearing this stain understood that monitoring of the Arab population (which in their opinion had to continue) could be done using civilian means, such as the Israeli Police and the *Shin Bet*.

Already in the early 1950s, criticism of the Military Government had many causes, and came from both Zionist and non-Zionist perspectives. Opponents argued, for example, that the Military Government was anti-democratic and anti-educational; that it harmed both Jews and Arabs; that it corrupted the army by calling on it to interfere in the private lives of citizens; that it provided extremely powerful ammunition to Israel's international critics; that it prevented modernization, industrialization, and urbanization among Arabs leaving them at

a high unemployment rate and low material level, bringing about the creation of very large villages unable to provide employment for their residents; and that it made the Arabs hate Israel. They also argued that the Military Government was the main source of raising ethnic sentiments among the Arabs, thus creating more harm than good, and that it discriminated against, humiliated, and belittled the Arab citizens and denied them fundamental human rights.

Two principle commissions examined the Military Government. The first was the public commission referred to as the Ratner Commission, after its chair, Major-General (ret.) Yohanan Ratner. The Ratner Commission was appointed in early 1956 following pressure by *Mapam,* which conditioned its entry into the government coalition on an examination of the Military Government. The commission's conclusion, published in March 1956, was clear - the Military Government was vital for state security.

In February 1958, the Rosen Commission, a parliamentary commission headed by Justice Minister Pinchas Rosen, was appointed. This commission deliberated at the time of changes taking place in the Arab world, when the pan-Arab notion of Egyptian President Gamal Abdel-Nasser had reached one of its historical peaks–the unification of Egypt and Syria in February 1958, which was followed by the Officers' Revolution in Iraq in July 1958. In addition the Arab Front, which later changed its name by governmental order to the Popular Front, was established in July 1958. Despite these events, in June 1959, the Rosen Commission reached a completely different conclusion than that of the Ratner Commission–that it was necessary to "stop" (this was the word the commission used) the Military Government. However, the government of Israel did not accept the recommendation; rather, it decided to keep the Military Government in place.

Although Israeli parliamentary and public protest against the Military Government grew at the end of the 1950s, the military apparatus was not abolished at that time. Security policymakers, headed by David Ben-Gurion (who was Prime Minister and Defense Minister until 1963), used the Military Government (until 1965) as the principal means of controlling the Arabs, excluding them from the state apparatus, Judaizing the country, and at times also as a deterrent against external threats. The continuing existence of the Military Government aimed at proving to the Arab states that the Israeli government was not reducing the strength of the Israeli army, was not complacent, continued to be aware of the

existential danger threatening it, and was maintaining a high security alert, all which consequently projected a strong military resolve to deter Arab states from going to war against Israel.

Even if some of the security establishment under the leadership of Ben-Gurion did not view the Military Government as a deterrent to the Arab countries, Ben-Gurion's absolute control over policy toward the Arabs made it impossible to alter the Prime Minister's fundamental belief that it should be maintained. Still, in spite of Ben-Gurion's resolute determination not to abolish the Military Government, there had begun, as early as 1959, a process of reducing the presence of the Military Government's personnel in the field, and of transferring powers to the "civilian authorities," i.e. the police.

In February 1962, and again in February 1963, the Knesset held debates on the Military Government. In both instances, a few political parties submitted bills to cancel the Military Government or change its character. As Minister of Defense, Ben-Gurion stood at the podium to respond to the bills and defend continuation of the Military Government. In his speech, he emphasized three fundamental points:

- First, he said that a connection existed between the Military Government and the conflict between Israel and the Arab states. Ben-Gurion argued that the Military Government protected the security of the State of Israel from the Arab states, which were increasing their supply of weapons, and against the threat of their leaders to use these weapons to annihilate Israel.

- Second, he said that the Arabs in Israel, due to their nationality, would naturally identify with enemy countries, which raised the suspicion that Arabs in Israel were a fifth column liable to collaborate with the armies of the Arab states.

- Third, he noted that the Military Government was part of the army, and abolishing it was liable to diminish Israel's military-deterrence capability.

The Knesset debates in 1962 on the five proposed bills to do with canceling or changing the character of the Military Government were deleted from the agenda by a vote of 8-3 (Knesset Record, 1962). Two Arab Members of the Knesset from *Mapai's* satellite lists (Jabber Dahash M'adi and Di'ab 'Obeid) voted against abolishing the Military Government. The debate in 1963 ended with the same result, but this time by only one vote, with two Arab *Mapai* members again

54

voting against abolishing the Military Government.

Levi Eshkol, who became Prime Minister in 1963, declared at the end of that year the planned cancellation of the military apparatus of the Military Government. Until cancellation, the Prime Minister stated, it must become a presence that "sees but is not seen" (Bäuml, 2002, pp. 147-148).

In practice, the Military Government was not cancelled; rather, the Chief of Staff transferred the enforcement powers delegated to the army under the Emergency Defense Regulations to the police. Thus, although the formal Military Government apparatus came to an end, the Military Government itself did not. In other words, the Emergency Defense Regulations and the permit regime remained in place, as did the supreme authority of the Chief of Staff to delegate enforcement powers under the regulations to the police or the army.

In December 1966, the Prime Minister announced that the military apparatus of the Military Government had ceased to exist. The Israeli public, both Jews and Arabs, referred to the act as "Abolition of the Military Government."

There were some in the Jewish sector who viewed the process as a cleansing of the stain of militarism and inequality on Israel's democracy, but the Jewish leadership continued to control and restrict Arabs, using civilian means to exclude them from governmental systems.

The Arab public was, for the most part, indifferent to the decision itself. However, they expected real change, which did not come. Indeed, in the first few months of 1967, the police tightened the permit regime and implemented one even more stringent than that which existed in 1966.

Only following the 1967 war, when the emphasis on security matters over the civilian population switched to the territories occupied in the war, and when it was proved (during the war) that Arabs in Israel were not a "security threat," did enforcement of the Emergency Defense Regulations relax, until it stopped completely in 1968.

The abolishment of the Military Government apparatus in 1966 and the cessation of enforcement of the Emergency Defense Regulations in 1968 did not alter the attitude of the majority of the Jewish public and the Israeli establishment toward the Arabs in the state. The Military Government left behind a legacy that viewed Arabs as a security problem and a fifth column, which led to the demand for

governmental policy that restricted the personal and collective independence of the Arabs and hampered modernization in the Arab sector. This legacy remained strong for many years after the Military Government was abolished. It also instilled a feeling of reciprocal fear among Arabs and Jews as a means of preventing the integration of Arabs into Israeli society, and of perpetuating the inequality between the Jewish majority, represented by the Israeli establishment, and the Arab minority, which lacked such representation.

References

English
Abu-Lughod, J. (1971). The demographic transformation of Palestine. In I. Abu- Lughod (Ed.), *The transformation of Palestine* (pp.139-163). Evanston: North Western University Press.

Hebrew
Bäuml, Y. (2002). The military government and the process of its abolishment, 1958- 1968. *The New East, 23,* 133-156.

Bäuml, Y. (2006). The discrimination policy towards the Arabs in Israel, 1948-1968. *Iyunim Bitkumat Israel, Studies in Zionism, the Yishuv and the state of Israel, 16,* 391-413.

Benziman, U., & Mansur, A. (1992). *Sub-tenants: Arabs in Israel, their status and Israeli policy toward them.* Jerusalem: Keter Publishing House.

Histadrut Archives – Lavon Institute (1961) Protocol of meeting of the *Histadrut's* Arab Department, IV–111-219, 1 August 1961, p. 28.

Knesset Record, 20 February 1962, pp. 1315-1323.

Labor Movement Archives, "Protocol of the *Mapai* Committee for Arab Matters," 148-1957- 926-2, 30 January 1958, p. 13.

Schiff, Z., & Haber, E. (1976). *The Israel security lexicon.* Jerusalem: Z'mora Bitan Modan.

Further Readings

English
Jiryis, S. (1976). *The Arabs in Israel.* London: Monthly Review Press.

Lewin-Epstein, N., & Semyonov, M. (1993). *The Arab minority in Israel's economy: Patterns of ethnic inequality.* Oxford: Westview Press.

Ozacky-Lazar, S. (1998). Security and Israel's Arab minority. In D. Bar-Tal, D. Jacobson, A. Klieman (Eds.), *Security concerns: Insights from the Israeli experience* (pp. 347-370). London: JAI Press Inc.

Arabic
Tuma, E. (1982). *The road of struggle of Arab masses in Israel.* Acre: Dar Abu-Salma.

Hebrew
Bäuml, Y (2007). *A blue and white shadow: The Israeli establishment's policy and actions among its Arab citizens: The formative years: 1958-1968.* Haifa: Pardes.

The Conscription of the Druze into the Israeli Army

Kais M. Firro

The Conscription of the Druze into the Israeli Army

Kais M. Firro *

A study of Israel's archives reveals that the State has historically, and up to the present, continuously encouraged the particularism of the Druze citizens of Israel with the objective of separating them from other Arab Palestinians in the country. Since 1948, Israeli policymakers and academics have used discursive means to make the Druze believe that they are a nation distinct from the Arab nation and, to some extent, isomorphic to the Jewish nation (Firro, 1999).

From 1929 to 1948, Druze leaders remained neutral on the Zionist-Palestinian conflict. On November 15, 1930, after the *Haet al-Buraq* (Western Wall) events of 1929 in Jerusalem, when Jewish and Muslim worshippers attacked each other, ninety-six Druze leaders sent a letter to the British High Commissioner in Palestine proclaiming their neutrality in this "religious" conflict (Israel State Archives, November 15, 1930). Zionist leaders tried in vain to shift the Druze leaders' neutrality towards "neutrality favoring the Jews." The Zionists' efforts to obtain the support of the leading Druze families–Tarif, Mu'addi, and Khayr– failed. The Zionists then approached less influential families and managed to recruit two Druze leaders from those families to assist in their efforts. However, the neutrality of the leading Druze families did not break until 1946, when a young man from the Mu'addi family supported the Zionists.

Following the UN partition plan of Palestine in November 1947, the Zionists stepped up their efforts to prevent the Druze of Lebanon and Syria from joining the Palestinian struggle. However, in December 1947, Fawzi al-Qawuqji, commander of the Arab Liberation Army (ALA), managed to establish a Druze battalion of 500 combatants from Syria and Lebanon. In April 1948, the battalion took part in the battle of Husha-Qasayr (Firro, 1999, pp. 46-50). Israeli reports of the fighting describe a fierce battle in which more than 100 Druze were killed and another 100 were wounded. Letters from the Druze battalion

commander to ALA headquarters in Damascus bring to life the hardships the battalion encountered.

In light of this, the Zionists recruited Druze collaborators in an attempt to disband what remained of the battalion and enticed some of its members to join the Israeli army. During the harvest season in 1948, the *Haganah's* Intelligence Service (*Shai*) employed Druze collaborators in the villages of Isfiya and Daliyat al-Carmel (near Haifa*)* to recruit volunteers for a separate unit operating outside the framework of the Israeli army. At the same time, to encourage Druze to volunteer, the Israeli army promised to spare the grain fields belonging to the two villages from the fate of those in the Arab villages that came under Israel army control, which were destroyed. Twenty-five young men from the villages agreed to volunteer and created the core of the Minorities Unit, along with some Druze fighters from Syria that had abandoned the ALA's Druze battalion, some Bedouin volunteers from the 'Arab al-Hayb tribe, and some Circassians from Kafr Kama. In early 1949, the unit numbered 400 Druze (many of them from Syria), 200 Bedouins and 100 Circassians. The volunteers' salaries were paid from a special fund drawn from the sale of smuggled goods (Firro, 1999, pp. 21-57).

In a report on the recruitment of Druze from that period, Tuvia Lishansky, the first commander of the Minorities Unit, acknowledged the existence of a policy of recruiting large numbers of Syrian Druze from the ALA, which was aimed at undermining the trust of the Arab countries in the Druze community (Gelber, 1995). The volunteers were recruited by the heads of two families and were not drawn from these two families but from poor and uneducated ones (Avivi, 2006). Although Israeli officials recognized that the Minorities Unit did not contribute to "security," Israel used the existence of the Unit for purposes of psychological warfare. Ya'akov Shimoni, head of the Middle East desk in the Foreign Ministry, instructed Israeli radio broadcasters and journalists to praise the activities of the Minorities Unit as a "symbol of inter-ethnic brotherhood." In one of his letters, Shimoni exposed the objective of recruiting Druze: to drive a wedge into Arab unity, by using the Druze "as a sharp knife in the back of Arab unity" (Israel State Archives, August 16, 1948). According to the assessment given by Yehoshua Palmon, who later became the Prime Minister's advisor for Arab affairs, the State of Israel had succeeded in ensuring that "there was no way back" for the Druze to the overall Arab position, as their recruitment in the Israeli army had "tainted" them in the eyes of other Arabs (Israel State Archives,

August 5, 1948).

In late November 1948, Minorities Minister Bekhor Shitrit visited the Druze villages in the Western Galilee to strengthen the state's ties with the heads of the influential families. Shitrit reported to David Ben-Gurion on his "successful" visit, but he also noted the reservations held by the heads of the Tarif family about the recruitment of Druze into the Israeli army, which they felt was liable to "harm Druze relations with their Muslim and Christian neighbors" (Israel State Archives, November 30, 1948). Indeed, Druze did not volunteer in the numbers expected by the Unit's commanders.

In addition to the time and effort expended in recruiting volunteers, the commanders of the Minorities Unit became involved in internal Druze politics. They worked to establish a new leadership among the Druze and to prevent Sheikh Amin Tarif from being recognized as the community's spiritual leader. As a result of the drop in the number of volunteers to the Unit, in May 1953, the Chief of Staff decided to establish another company of Druze volunteers. Accordingly, in early June, he issued the order for "Conscription of Reserves, Phase 2." On June 7, some 40 family heads were invited to the Minorities Unit's army base and requested to assist in the recruitment of new volunteers. To undermine the order, Sheikh Amin Tarif invited Druze leaders to a pilgrimage to the shrine of the Prophet Sabalan in the Upper Galilee. In a letter to Palmon, Amnon Yanai, the commander of the Minorities Unit, linked Sheikh Amin Tarif's "invention of the pilgrimage to Sabalan's shrine" with his opposition to the recruitment of Druze (Firro, 1999, pp. 94-124).

The position of the Tarif family changed in 1954. On July 9, the army published the order drafting Arabs from all religious groups. Israeli reports spoke of the "enthusiasm" of the Arabs about bearing weapons and donning army uniforms. This enthusiasm dissipated when the press reported that the Arabs would not be integrated in regular Israeli army units. In any event, according to official reports, 4,520 Arab men received draft orders and more than 4,000 were registered. In late 1954, Ben-Gurion showed reservations about conscription of Arabs, and their recruitment stopped. In comparison, the discussion on compulsory service for the Druze citizens advanced rapidly (Avivi, 2006, pp. 248-249). At the end of 1954, Ya'akov Tzvia, commander of the Minorities Unit, accompanied by Druze Member of Knesset Sheikh Jabr Mu'addi, met with Chief of Staff Moshe Dayan to discuss the matter. On December 15, 1955, in a letter to Ben-Gurion

written in fluent Hebrew, Sheikh Jabr indicated that he wanted to apply the Compulsory Military Service Law to the Druze. Sheikh Jabr presented himself as the "representative of the Druze," who, he claimed, were ready to "sacrifice their lives to defend…the homeland" (IDF Archives 48/117/6700, December, 1955).

A month earlier, Sheikh Labib Abu Rukun disseminated a statement calling on "the Druze nation in Israel" to stand in "defense of the homeland" (Givat Haviva Information Center, file [8, 9], 1955). Sheikh Jabr's letter and Sheikh Labib's proclamation were considered referential documents and were viewed as a request from the Druze leadership for the compulsory draft of Druze citizens. In contrast, it can be fathomed from a military government report, dated January 26, 1956, that:

> It was not the community leaders who initiated the call to impose the conscription on their community. It was the Minorities Unit and the military government who obtained the consent of the notables to impose the Compulsory Military Service Law on their sect (IDF Archives 752/72/70, January 26, 1956, cited in Avivi, 2006, p. 251).

The report also stated that letters sent by Druze notables to the government caused much bitterness, and "most of the sect's members oppose compulsory service; those who signed in favor of the draft now fear to declare so; the prevailing opinion is that Sheikh Jabr acted solely for his personal gain" (IDF Archives 752/72/70, January 26, 1956, cited in Avivi, 2006, p. 251).

In January 1956, the state of Israel decided to impose the Compulsory Military Service Law on the Druze. The commander of the Minorities Unit started a campaign to convince Druze leaders of the importance of the decision for the future of the Druze community. Nevertheless, the Druze opposed the decision in village after village. They sent letters of protest to the President, the Prime Minister, the IDF Chief of Staff, the commander of the Minorities Unit, and other officials and institutions (IDF Archives 13/72/70, February 16, 29; March 3, 19, 1956, cited in Avivi, 2006). Just before April 1956, in a letter signed by 55 religious leaders and young men from the Druze community, which was sent to the Minister of Religious Affairs and the heads of the community, the signatories protested compulsory conscription and proclaimed April 25, the day of festivities at the shrine of the Prophet Shu'ayb, as a day of mourning (IDF

Archives 752/72/70, n.d., cited in Avivi, 2006).

On March 22, 1956, Attorney Muhammad Hawari wrote a detailed letter on behalf of 16 young Druze men from Shafa'Amr to the Prime Minister, specifying the motives for their opposition to conscription. The main points stressed in the letter were:

1. The Druze consider themselves a part of the Arab minority, and as long as all members of this minority are not called to military service, the Druze should not be discriminated against by being drafted into the army.
2. There is no justification to change the status of the recruit from volunteer to compulsory draftee.
3. The Druze leaders who called for a compulsory draft are not authorized to speak in the name of the Druze community.
4. Drafting Druze into army service based on the demand of persons who do not represent them is an act of tyranny (IDF Archives 752/72/70, March 22, 1956, cited in Avivi, 2006).

The authorities' concern grew when Sheikh Farhud Qasim Farhud, from the village of Rameh, told the throngs of people who attended the funeral of Sheikh Yusuf Khayr in the village of Abu Snan, on February 1956, that he opposed conscription. He also expressed his opposition, along with 15 other notables, in an open letter to the heads of the Druze community. Sheikh Yusuf Sulaiman Mula, from Yirka village, not only spoke out against the draft, but he also expressed concern that conscription of men would be followed by a draft of Druze women (IDF Archives 752/72/70, February 29, 1956, cited in Avivi, 2006). In April, the expanding protest movement caused even greater concern for the authorities: Sheikh Farhud took the initiative to organize a public meeting at the holy site of al-Khadr, in Kufr Yasif. In spite of the pressure the Israeli authorities put on Sheikh Amin Tarif to oppose and boycott the meeting, those who attended called on the government to revoke the decision to conscript Druze men. If the government did not heed their call, they threatened to close down schools and cancel the Prophet Shu'ayb festivities. The attendees also stated that they would withdraw their recognition of the spiritual leaders, should they refuse to join them in opposing the conscription plan (IDF Archives 752/72/70, April, 1956, cited in Avivi, 2006).

Despite the swelling in opposition to conscription, the military governor in the

North began to issue conscription orders through "the notables of the Druze community." However, most of the men called up to join refused to accept the draft orders. For example, in Yirka, 28 of the 39 men who were issued orders refused to accept them. In response, the Military Governor of the North suggested using the police to take action against the draft resisters (IDF Archives 752/72/70, February 24, 1956, Avivi, 2006). The threats against the resisters had little effect, and only 28% of the men listed agreed to accept the drafting orders. Of the 197 young men called up in Galilee villages, only 51 registered. In the Druze villages on Mount Carmel, only 32 of the 117 who were called up registered (IDF Archives 752/72/70, March 11, 1956, cited in Avivi, 2006).

In light of the situation, the Regional Coordination Committee summoned the police. Many resisters were arrested and criminal files were opened against them. According to assessments of General Security Service (GSS) officials (the *Shabak*), the police action aided little in raising the number of Druze willing to report to the recruitment office (IDF Archives 752/72/70, March 1956, cited in Avivi, 2006). By the end of April, however, enforcement of the law by force began to "bear fruit," and the number of Druze who reported to the recruitment office increased. When the Deputy Chief of Staff ordered that criminal charges be brought against draft resisters, even more Druze reported for the draft (IDF Archives 752/72/70, April 30, 1956, cited in Avivi, 2006).

Despite the enforcement policy, the number of recruits in early 1957 stood at only 184 of the 507 who were issued conscription orders (IDF Archives 752/72/70, January 8, 1957, cited in Avivi, 2006). During the course of 1957, many young Druze began to worry about their future and that of their families. On March 22, 1957, Sheikh Farhud wrote to the Minister of the Interior, the Foreign Minister and the Speaker of the Knesset, delineating his arguments in opposition to the conscription of Arab Druze citizens into the Israeli army. Letters opposing conscription continued to arrive at the relevant government offices, but the decision-makers ignored the protest. Instead, they continued to drive in "the wedge" that Ya'akov Shimoni spoke of, with the intent of ensuring that there was no way back for the Druze, as Felmun mentioned.

Since 1956, the Israeli government has maintained the policy of separating the Druze from the rest of the Arab population by drafting them into the Israeli army. The authorities have continued to expropriate land in Druze villages, transitioning the Druze to employment in non-farming sectors of the economy,

while maintaining a lack of economic development in Druze villages. The authorities have also continued the policy of dealing with Druze matters through the Druze leadership–all of these factors have dictated patterns of employment among the Druze. Since the imposition of compulsory conscription, many young Druze have found their paths to employment in areas other than those dependent on the State completely blocked. Army service has become a vital key for entry into the labor market, and there has been a large increase in the number of Druze working in one branch or another of the security forces. This economic subordination has been accompanied by encouragement of the preservation of sectarian identity and has curbed the process of politicization in favor of sectarianism.

That said, opposition to compulsory conscription did not cease and took various forms during the 1950s and the 1960s. In attempts to evade the draft, some young Druze declared opposition for reasons of piety, while others feigned mental instability. Also, a significant number refused to serve for explicitly Arab nationalistic motives.

The protest on ideological grounds grew following the establishment of the Druze Initiative Committee, on March 10, 1972. The Committee's establishment was announced after a packed meeting held at the home of Sheikh Farhud, who is considered one of the first religious leaders to have opposed conscription since 1956 (Druze Archives, [File of the Druze Initiative Committee], March 1972). Committee members continue to call on Druze youth to oppose the Compulsory Military Service Law. Despite the difficulty in measuring the scope of resistance to being drafted into the Israeli army, it is clear that young men from all the Druze villages have managed to evade conscription, many using the methods described above.

References

English

Firro, K.M. (1999). *The Druze in the Jewish state*. Leiden: Brill.

Gelber, Y. (1995). Druze and Jews in the war of 1948. *Journal of Middle Eastern Studies, 31*(2), 228 -252.

Hebrew

Avivi, S. (2006). Recruitment of the Druze to the IDF. In O. Shiran (Ed.), *Jews and Arabs in the battle for the land of Israel* (pp. 233-269). Tel Aviv: Ministry of Defense.

Druze Archives. (March 1972). *Declaration of establishment of the committee* (Druze Initiative Committee File). Haifa: Haifa University.

Givat Haviva Information Center. (1955). *Proclamation of Labib Abu Roqon* (File 9, 8D). Givat Haviva: Givat Haviva Information Center.

IDF Archives. (undated). *Undated letter to the Minister of Religious Affairs and heads of the Druze community* (752/72/70). Giva'taym.

IDF Archives. (December 15, 1955). *Jabber M'adi to Ben-Gurion* (48/117/6700). Giva'taym.

IDF Archives. (January 26, 1956). *Military government report* (752/72/70). Giva'taym.

IDF Archives. (February 16, 1956). *Letters to the Minister of Defense* (13/72/70). Giva'taym.

IDF Archives. (February 24, 1956). *Report of the military government in the north* (752/72/70). Giva'taym.

IDF Archives. (February 29, 1956). *Report of the military government in the north* (752/72/70). Giva'taym.

IDF Archives. (March, 1956). *Letter to Speaker of the Knesset* (13/72/70). Giva'taym.

IDF Archives. (March 11, 1956). *Letter of the general staff regarding the draft of Druze* (752/72/70). Giva'taym.

IDF Archives. (March 11, 1956). *Summary of meeting regarding compulsory draft of Druze* (752/72/70). Giva'taym.

IDF Archives. (March 19, 1956). *Letter to the Prime Minister* (13/72/70). Giva'taym.

IDF Archives. (March 22, 1956). *Nimr Hawari to the Prime Minister* (752/72/70). Giva'taym.

IDF Archives. (April, 1956). *Military government report* (752/72/70). Giva'taym.

IDF Archives. (April 30, 1956). *Letter to the office of the deputy chief of staff* (752/72/70). Giva'taym.

IDF Archives. (January 8, 1957). *Letter of the Recruitment Office* (752/72/70). Giva'taym.

Israel State Archives. (November 15, 1930). *Letter to the British High Commissioner for Palestinians, signed by 96 religious and secular leaders* (3/31/N.I./550). Jerusalem: Israel State Archives.

Israel State Archives. (August 5, 1948). *Report of Felmun, "Our activity among the Druze"* (2565/8). Jerusalem: Israel State Archives.

Israel State Archives. (August 16, 1948). L*etter from Shimoni to Eliyahu Sasson* (Foreign Ministry 2570/11). Jerusalem: Israel State Archives.

Israel State Archives. (November 30, 1948). *Shetreet to Ben-Gurion and Moshe Sharett*. Jerusalem: Israel State Archives.

Emergency Regulations

Yousef Tayseer Jabareen

Emergency Regulations

Yousef Tayseer Jabareen *

The British Government Mandate imposed the Defense Regulations (Emergency) 1945 (hereinafter called the "Emergency Regulations") on Palestine in the middle of World War II by means of the High Commissioner. The Emergency Regulations were imposed pursuant to Section 6 of the "King's Order-in-Council for Palestine (Defense) 1937." This section conferred on the High Commissioner the authority to stipulate regulations in order to "assure the public safety, the defense of Palestine, to impose public order and repress uprisings, rebellion and riots, and to assure for the public the necessities of life and vital services," in an attempt to suppress the great Palestinian revolt which broke out in 1936 (Jiryis, 1976).

In 1948, Israel incorporated the Mandate Emergency Regulations into its law, pursuant to section 11 of the Government and Law Arrangements Ordinance, except for "changes resulting from establishment of the State or its authorities." (Rubinstein and Medina, 2005, p. 49). It is well known that, upon the Mandate's imposition of the Emergency Regulations, the Jewish response had been to view them as a serious violation of the basic principles of law and justice, and the "destruction of the elements of law in the country" (Tuma, 1982, p. 71). Nonetheless, the majority of these regulations remained after the country was established until today. The Emergency Regulations constituted the legal basis for the Military Government imposed on Palestinian citizens in the Galilee, the Naqab, the Triangle, Lydda, Ramleh, Jaffa, Acre, and Asqalan until 1966 (Masalha, 2005), indicating that the Israeli government had chosen to retain these draconian Mandate regulations, "with the aim of repressing the Arab population and to conduct policies of racial discrimination" (Tuma, 1982, p. 72).

The Israeli authorities used the Emergency Regulations in order to limit the rights and liberties of the Palestinians, to prevent them from returning to their villages and towns from which they had been driven away, to destroy their homes,

*   Dr. Yousef Tayseer Jabareen is a lecturer in the law faculty at the University of Haifa, and is the founding director of Dirasat–Arab Center for Law and Policy, based in Nazareth.

to expropriate their lands and turn them into closed military zones, to suppress their national and political activity, and to restrict their freedom of expression and of publishing in the press, books, and other forms of publications. The grounds given by the authorities for keeping the Emergency Regulations on Arab-Palestinian citizens were "military surveillance," as they considered the Arab-Palestinian citizens a "hostile group" and "fifth column" who might join forces with the state's external enemies (Bäuml, 2002). When the Military Government was dismantled at the end of 1966, the power to enforce the Emergency Regulations was transferred from the Army to the Police and the General Security Service.

The Emergency Regulations were used to expropriate "uncultivated land." The Defense Minister would declare the lands of certain villages as closed areas; entrance to these areas would then be forbidden without a permit. Thus, Arab landowners were not allowed to go there and cultivate their lands. If a landowner applied to the military governor requesting permission to enter and work on his land, the governor would refuse to give him a permit. This is how land became "uncultivated land," and then the Minister of Agriculture would seize it on the pretext that it was "uncultivated land," and would transfer it to Jewish settlements for their use.

Section 125 of the Emergency Regulations grants the military commander of an area the power to issue an order announcing that a certain area or place is closed. During the first years after the establishment of the State of Israel, the Israeli Army commanders used this section to declare many areas closed zones for security reasons (among these areas: Ghabisiya, al Majdal, Ma'lul, Saffuriyya, ed Damun, Mi'ar, Kafr Bir'im, Iqrit, and others). Their residents were forbidden to enter them, as such entry was considered a violation of the Emergency Laws (Nakkara, 1982).

One example of how the authorities used the Emergency Regulations was the declaration, on October 29, 1966, of the village of Kufr Qassem as a closed zone, into which only its residents were permitted entry, in order to prevent the commemoration of the tenth anniversary of the Kufr Qassem Massacre of 1956 (Tuma, 1982, p. 85). Although the Military Government was dismantled in December 1966, the Emergency Regulations were not revoked, though they were utilized on a lower level. One example is the order issued by the then Prime Minister and Defense Minister, Menachem Begin, forbidding the Arab

public in Israel from holding a convention, with the participation of Jewish peace and democratic forces, that was to have taken place in December 1980 in Nazareth. This event eventually became known as the "Forbidden Convention" (Tuma, 1982). In addition, Arab institutions and organizations were closed down, such as the Friends of the Prisoners Society in September 2006.[1] The Emergency Regulations were used frequently in order to issue injunctions on employees during strikes, thus violating the workers' right to strike. In addition, the Emergency Regulations were used in civilian services and fields that are connected with emergency situations.

After the war in June 1967 and the occupation of East Jerusalem, the West Bank, and the Gaza Strip, military orders were issued confirming that the Emergency Regulations were in force in the occupied territories, on the grounds that these regulations were a part of the local (Jordanian) legal system. Israel used the Emergency Regulations in order to punish and deter the residents living under occupation by means of destroying and sealing off their homes, driving them away, and imposing administrative detentions, confinement orders, curfews, and closures on the Palestinian villages and towns.

The Emergency Regulations confer broad powers on the security authorities and the military system to impose curfews and sanctions. This includes the authority to conduct searches and detentions, seizures and expropriations, to impose closures and curfews on whole regions, to destroy houses, to make administrative detentions without trial for unlimited periods, to forbid people to organize and associate, etc. In addition, the Emergency Regulations are the basis of the military courts, which violate the customary elements of legal evidence.

Israel uses the Emergency Regulations in the Palestinian territories occupied in 1967 in order to punish the Palestinians, to deter them, and to suppress their struggle. For instance, Section 119 of the Emergency Regulations states that the military commander**:**

> may by order direct the forfeiture of the Government of Palestine of any house, structure, or land from which he has reason to suspect that any firearm has been illegally discharged, or any bomb, grenade or explosive or incendiary

---

1 See in Arabic 'Freedom for prisoners association,' 10.9.2006   http://www.aljabha.org/q/index.asp?f=3367057476

The article was retrieved on May 5, 2007.

article illegally thrown, or of any house, structure or land situated in any area, town, village, quarter or street the inhabitants or some of the inhabitants of which he is satisfied have committed, or attempted to commit, or abetted the commission of, or been accessories after the fact to the commission of, any offence against these Regulations involving violence or intimidation or any Military Court offence; and when any house, structure or land is forfeited as aforesaid, the Military Commander may destroy the house or the structure or anything growing on the land.[2]

These regulations violate the Fourth Geneva Convention, under which the Palestinians in the territories occupied in 1967 are protected by international law, including Section 33 thereof, which forbids collective punishment. The extensive acts of destruction of property, unjustified by any military need, and committed willfully and unlawfully, constitute a severe violation of the Fourth Geneva Convention.[3]

The Knesset has rejected all attempts to revoke the Emergency Regulations in Israel and/or to replace them with new legislations reviewed by the legislators. Accordingly, these Regulations are not subject to constitutional review by the Supreme Court, because they preceded the basic laws related to human rights (Tzur, 1999).

An amendment of 1992 for the Basic Law: The Government, which was enacted in 1968 gives the government the power to declare that the country is in a state of emergency for a maximum of one year, unlike the previous situation in which such a declaration had continued since the establishment of the state. However, since the law took effect, the Knesset has been declaring a state of emergency each year at the request of the government, which does not provide any reasons for the extensions. In 1999, the Association for Civil Rights in Israel (ACRI) filed a petition in the Supreme Court to revoke the ongoing declaration of the state of emergency. The petition stated that the declaration of a state of emergency

---

2   See "House demolitions as tool of punishment: Regulation 119 of the Defense (Emergency) Regulations, 1945." Retrieved May 30, 2009, from: http://www.btselem.org/english/punitive_demolitions/regulation_119.asp

3   See "House demolition as punishment: Punitive house demolitions from the perspective of international law." Retrieved May 7, 2007, from: http://www.btselem.org/english/punitive_demolitions/legal_basis.asp

violates human rights and the rule of law, enables the imposition of surveillance and severe restrictions on freedom of expression, grants broad powers to expropriate land and contravenes the Basic Law: Human Dignity and Liberty.[4]

In 2000, a joint committee made up of the Committee for Foreign Affairs and Security and the Constitution, Law, and Justice Committee, submitted to the Knesset recommendations to extend the term of the declaration of emergency. When the protocols of the Committee were revealed, it emerged that security justifications were not considered in its deliberations at all. In addition, it turned out that the Ministry of Justice was concerned that a door would be opened for criticizing the amended legislation, if adopted, by exposing it to constitutional criticism pursuant to the Basic Law: Human Dignity and Liberty (Yoaz, 2005).

The Ministry of Defense broke promises it made to petitioners to amend the legislation concerning the declaration of emergency. In the course of the hearing on the petition, the Supreme Court expressed strong criticism of the Ministry of Defense. In addition, the court stated that it believed that authorizing the government to revoke laws enacted by the Knesset constituted a serious compromise of democratic values. Moreover, the court rejected the attorney general's citation of the Intifada, which broke out in 2000, to justify the continued, ongoing emergency situation (Yoaz, 2005).

4 See in Hebrew "Abolish the Emergency Regulations:" Retrieved May 7, 2007, from: http://www.acri.org.il/story.aspx?id=698

References

English

Jiryis, S. (1976). *The Arabs in Israel.* London: Monthly Review Press.

Masalha, N. (2005). *Catastrophe remembered: Palestine, Israel and the internal refugees.* London: Zed Books.

Hebrew

Bäuml, Y. (2002). The military government and the process of its abolishment, 1958-1968. *The New East, 23,* 133-156.

Nakkara, H. (1982). *Lawyer of the land and the people.* Acre: Dar Alaswar.

Rubinstein, A., & Medina, B. (2005). *The constitutional law of the state of Israel.* Tel-Aviv: Shoken.

Tuma, E. (1982). *The road of struggle of Arab masses in Israel.* Acre: Dar Abu-Salma

Tzur, M. (1999). *Emergency regulations 1945. Position paper No.16.* Jerusalem: Israel Democracy Institute.

Yoaz, Y. (2005, June 19). Emergency situation. 57 years, Do not see an end. *Haaretz.* Retrieved May 7, 2007, from: http://www.haaretz.co.il/hasite/pages/ShArt.jhtmlitemNo=589477

Further readings

English

Nakkara, H. (1985). Israeli land seizure under various defense and emergency regulations. *Journal of Palestine Studies, 14*(2), 13-34.

Hebrew

Ozacky-Lazar, S. (1996). Crystallization of reciprocation between Arabs and Jews in Israel: First decade 1948-1958. (Ph.D dissertation, University of Haifa).

The Massacre of Kufr Qassem

Adel Manna

The Massacre of Kufr Qassem

Adel Manna *

Introduction

On Monday, October 29, 1956, the day on which the tripartite attack on Egypt by Great Britain, France, and Israel began, the Israeli army command decided to impose a curfew on the Palestinian residents of the village of Kufr Qassem and other neighboring Arab villages (such as Kufr Bara, Jaljuliya, al-Tira, Taybeh, and Qalansawa) starting at 5:00 pm. The curfew orders were conveyed from the Commander of the Central District, Zvi Tsur, to the field officers, and then on to units of a border police division that had been placed at the army's disposal to enforce the curfew in those villages. The orders were relayed rapidly in the hours following noon on that day, and reached the *mukhtar* (village leader), Wadie Ahmed Sarsour, at approximately 4:30 pm–i.e., just half an hour before the curfew was supposed to go into effect. When the *mukhtar* explained to the commanding officer that hundreds of villagers were working outside of the village and would return after 5:00 pm, he was reassured that the army would bear that in mind. The field commander, Yeshishkar Shadmi, issued strict and firm orders to Major Shmuel Milinki, the commander of a border police squadron, to open fire on all those seen outside of the houses in the village after 5:00 pm, even those returning from work who were unaware that a curfew had been imposed. From 5:00pm onwards, the soldiers and officers of the unit charged with carrying out the mission in Kufr Qassem arrested villagers returning to their homes at the western entrance to the village and at other locations, and opened fire on them in cold blood. This is known as the Kufr Qassem massacre (Halaby, 2006).[1]

Thus, in the space of one hour, between 5:00 and 6:00 in the evening that day, dozens of unarmed Arab citizens were fired at on their way home. Lieutenant Gabriel Dahan informed his command, gradually, of the number of fatalities,

---

* Dr. Adel Manna is an historian specializing in the history of Palestine since the early Ottoman period until the 20th century.

1 For oral testimonies from residents who witnessed the massacre see: Witness Statements. Excerpts from the document of Tawfiq Touby published on November 23rd, 1956. Memorial on the 50th anniversary of the Kufr Qasem massacre. Retrieved on August 16, 2007 from: http://www.art.net/~samia/Fiftieth/witness/Tawfik%20Touby/Touby.html.

stating, for instance, "Fifteen less Arabs," in reference to the number of the dead. When the command's orders were issued, approximately an hour after the start of the massacre, to cease firing on the villagers, it became clear that the result of the operation was 49 fatalities, including men, women, and children. A little over a year after the massacre, the government forced a "settlement" upon the people of Kufr Qassem, which expressed the authorities' contempt for Arab citizens and their lives. Derisible "compensation" was also offered to the families of the deceased, which confirmed the authorities' outlook on dealing with the Palestinians.

The massacre of Kufr Qassem can be distinguished from the other massacres that Israel carried out against the Palestinians in that its setting was a peaceful village in the Triangle area, which had become a part of the state's lands in accordance with the Rhodes Agreement signed with Jordan in the aftermath of the 1948 War. Furthermore, although it took place at the same time as Israel joined the tripartite attack on Egypt, the setting of this massacre was far from the battlefronts in the Gaza Strip and the Sinai Peninsula. The Israeli army command issued strict curfew orders on the villagers and allowed its soldiers to open fire on those returning home, despite its knowledge that hundreds of them were at work and would only return home after 5:00 pm. Thus, the progression of events was arranged in such a way that the occurrence of a massacre by border police troops was a natural result of those orders and arrangements. The details of what happened in Kufr Qassem that day are well known and documented; there is no dispute over them between Arabs and Jews, in contrast to other massacres (from Deir Yassin in April 1948, to Sabra and Shatila in September 1982, to Jenin in April 2002, and others). Therefore, this chapter–with its limited scope–is not intended to recount the established details and results of the incident. Rather, it will be dedicated to placing this massacre in its historical context and to emphasizing its particularity, significance, and ramifications for the Palestinians in Israel.

What is the background and what are the circumstances that made this massacre against innocent citizens possible, and at the hands of the border police officers, who are tasked with enforcing the law and protecting the people? Who bears responsibility for what happened? Is it the individual border police officers who carried out the massacre, or the Israeli army officers who gave them the orders and the military and political leaders who approved the curfew plan and its

specifics? After news of the massacre leaked out, how did the political leadership and the religious and intellectual elites in Israel react to this horrific event? Have lessons been learned from this incident in order to prevent a recurrence? What was the effect of the massacre on the Arab citizens of Israel, and on the relations between them, the state, and the Jewish majority?

These are some of the important questions that are worth discussing in any attempt to examine the massacre of Kufr Qassem and to place it in its historical context, as this massacre and its consequences constitute an important juncture in the history of the Palestinians in Israel since 1948.

Background and causes

With the end of the war in Palestine at the beginning of 1949 and the signing of armistice treaties between Israel and the neighboring Arab states in the spring of the same year, only approximately 160,000 Palestinians remained in that portion of their homeland on which the State of Israel was founded. In the Rhodes Agreement between the Hashemite Kingdom of Jordan and Israel, it was agreed to transfer villages in the Triangle area–from Kufr Qassem in the south to Um al-Fahm and surrounding villages to the north–from the Jordanian side to the Israeli side. The transfer was completed between May 19 - 21, 1949. Despite the fact that the Rhodes Agreement contained articles stipulating that the inhabitants of the Triangle area and their property be protected, Israel and its institutions and governmental agencies continued to view the Arab minority in general as a thorn in its side. Therefore some of its leaders, including David Ben-Gurion, continued to lay plans to get rid of the Arab minority, either through expulsion or displacement. Among these plans, for instance, was Ben-Gurion's dispatch in 1954 of his assistant Yitzhak Navon to investigate the possibility of forcing all the Palestinians to emigrate from Israel to Mendoza in Argentina, and settling them there on the land of Baron Hirsh.[2]

The military war in Palestine ended in February 1949, but its repercussions continued in various forms for many years thereafter. Under the cover and pretext of combating "infiltrators," for example, the military government that had been

---

[2]   Former Israeli President Yitzhak Navon himself described this mission in the film "The Pessoptimist," which is one of a series of films entitled *Resurrection*, produced and directed by Israel Television Channel One (1998).

imposed upon the Arab population raided homes, detained, and expelled Arab citizens from the state. Such operations, which continued after the war had ended and up through the early 1950s, were conducted by Israeli troops, police, and security personnel. Firing on and killing Palestinians, in particular along the borders, was an official policy aimed at preventing them from returning to their homes and their homeland. In addition to border police and police units, the army formed special units, the most famous of which was "Unit 101," under the command of Ariel Sharon, which fought the "infiltrators" and those who collaborated with them. This unit carried out numerous reprisal operations against the inhabitants of some Palestinian border villages in the West Bank that were under Jordanian rule, on the pretext that they were harboring infiltrators and *fedayeen* (fighters). The most notorious of these was the massacre of Qibya of October 15, 1953, when 69 or 70 Arabs were killed, the majority of whom were village women and children. In general, the number of Palestinians killed by Israel in what became known as its "border wars" which followed the end of the 1948 war and continued until 1956 is estimated to be at least 3,000 (Morris, 1996).[3]

The massacre of Kufr Qassem took place on the day that the tripartite attack on Egypt began. It is worth pointing out that Moshe Dayan, the Chief of Staff of the Israeli army, gave orders to escalate the reprisal operations in the West Bank and the Gaza Strip, in the hope of dragging Jordan or Egypt into a second war while they were unprepared. The pace of Israeli operations in the West Bank did indeed accelerate during the few weeks leading up to the events of the Kufr Qassem massacre. The Israeli army launched operations against the Jordanian army, in which dozens of Arab soldiers and local volunteers protecting Palestinian villages were killed. In the village of Husan near Bethlehem, for example, on September 26, 1956, the Israeli army carried out a raid on the villagers, killing 39 and injuring 12 others. In Qalqilya, located close to Kufr Qassem, the Israeli army executed another large operation in which 18 Israeli soldiers were killed and 88 were wounded. On the Palestinian side, 88 people were killed and 14 wounded. During that period, plans were laid by the Israeli Army in case war erupted on the Jordanian front. The Israeli government also made a contingency plan to "transfer" the inhabitants of Kufr Qassem and neighboring Arab villages to detention camps inside Israel (Rosenthal, 2000).

3   In his book, *Israel's Border Wars, 1949-1956,* Benny Morris estimated that in these border wars Israel killed between 2,700 and 5,000 Palestinians termed "infiltrators" (Morris, 1996, p. 445).

The Kufr Qassem massacre and its consequences

The Kufr Qassem massacre was carried out by border police units, under the direction and orders of the Israeli army command, which worked out the plans for the curfew and issued the strict orders to open fire on all those who were outside of their houses after 5:00 pm. Of those 49 who were killed, 43 died in 9 waves of fire at the western entrance to the village while on their way home from work. Over the course of one hour, 49 Arab citizens were killed in cold blood, among them 15 women and 11 children and youths whose ages ranged between 8 and 15. The wounded, the number of whom was low relative to the number of dead, were transferred in secrecy to the hospital. It is worth pointing out that the low number of wounded is attributable to the fact that the strict orders were to *shoot to kill* (Rosenthal, 2000). The villagers were fired upon from just meters away, and those who fell to the ground were checked to ensure that they were dead. This is what occurred in Kufr Qassem, and specifically at the western gate, through which most of the village's inhabitants passed on their way back to their homes. It should be stated, in pursuit of the truth, that most of the border police officers in the neighboring villages acted differently, despite having heard the same orders from Milinki. This different behavior (in al-Tira, Jaljuliya, al-Tayyiba, Qalansuwa, and other villages in which curfews were imposed, also from 5:00 p.m.) prevented the occurrence of other massacres similar to that which took place in Kufr Qassem on that day.

After learning what had occurred in Kufr Qassem, the government and its Prime Minister, David Ben-Gurion, made many attempts to cover up the massacre and prevent news of it from leaking out and influencing local and international public opinion. However, these efforts failed because a number of Knesset members spread the news of the massacre (led by Tawfik Toubi, Meir Vilner, and Jewish political opposition leaders, of whom the most prominent were Latif Douri and Uri Avnery). Once the government was compelled to form a commission of inquiry and then to send those charged with committing the massacre to court martial, it employed all possible means to reduce the sentences, time and again. No sooner had 1960 arrived, than the last of those sentenced left prison, and with that, the incident was buried. Furthermore, Ben-Gurion and other military and political leaders later attempted to "compensate" some of those who had participated in the massacre with high positions, instead of ostracizing them from society. This way of dealing with those who carried out this crime

against dozens of unarmed citizens was indicative of the real stance of the Israeli leadership towards the lives of Arabs in Israel. The greatest indication of that stance was the sentence given to Yeshishkar Shadmi, the highest-ranking official responsible for the curfew orders and the orders to open fire, which was equivalent to a reprimand and fine of one piaster. This punishment subsequently came to exemplify Israeli disdain for Arab lives and the desire to conceal the atrocity of the crime.

Here, it is worth answering a question relating the objectives behind committing the massacre: What was it that the Israeli army command wished to accomplish by imposing the curfew in such a way as to make the occurrence of the massacre a natural result of orders to open fire, even on workers returning to their homes? It is no simple task to give clear and unequivocal answers in this regard, particularly in view of the fact that the investigation and the trials did not extend to the senior army officers or the politicians responsible for making the decisions. However, what has been revealed from records and testimonies indicate that there was a plan to vacate the Arab border villages in the Triangle area and to place their residents in detention camps should a war break out with Jordan. This plan, which was named *Hafareret* (which means "the mole," or figuratively, "the fifth column") was conceived and drilled by the Israeli security services in the weeks leading up to the massacre in Kufr Qassem (Rosenthal, 2000). Despite the fact that the plan was cancelled because war did not break out, the soldiers and border policemen continued to view the residents of Kufr Qassem and the neighboring Arab villages with hostility. Their detention in camps was called off at the last minute. However, the thought of disposing of them if possible and intimidating them remained part of the mentality of the army command. The eastern side of Kufr Qassem and other neighboring villages, which comprised the border with Jordan, was the only side of the village that was left open without blockades or Israeli security forces. It appears that some Israeli leaders dreamed of getting rid of the population in the border villages of the Triangle area, and that the massacre was an attempt at attaining that objective. However, the objective was not achieved on this occasion, despite war breaking out in Sinai, because the Palestinians had–long before–learned the lessons of the 1948 Nakba and the emergence of the problem of the refugees and internally displaced persons, and stayed put rather than leaving.

The efforts of the Israeli leadership to displace those Palestinians who remained

inside Israel, including those living in Kufr Qassem, failed after the 1948 war. Nevertheless, this massacre, which occurred against the background of the oppression and subjugation of Arab citizens under the military government that was imposed upon them, filled many of them with fear once more and reminded them that their very existence in their homeland and on their land was not a settled matter from the point of view of the Israeli authorities. The military government and its oppressive policies remained in effect until 1966. The ramifications of the massacre of Kufr Qassem were manifold, and some became interwoven with the results of the tripartite invasion and the ascent of the Egyptian president Gamal Abd al-Nasser, as well as other events, which are beyond the scope of this article. The Palestinians remained in Israel and their strength grew with time. In subsequent generations, political and cultural leaders emerged who presented some challenges to Israeli policy and emphasized the rights of the Palestinians to live in their homeland in dignity and equality.

In the wake of the massacre of Kufr Qassem, and the trial of those who perpetrated it, the internal Israeli debate that was stirred up was confined to the issue of military orders which must not be obeyed due to their illegality, or those over which "a black flag flies," as they were characterized in Hebrew. With regards to relations between the state and its institutions, on the one hand, and the Arab citizens, on the other, they were not greatly affected by what happened in Kufr Qassem. The Israeli press and cultural and educational institutions did not devote space or time to this matter, or make an effort to re-examine the policies that had allowed such a massacre to happen. Likewise, the Arab citizens themselves were frightened even to commemorate the massacre for a long period of time, until 1976, in the aftermath of Land Day.

References

English

Halaby, S. A. (2006). *Excerpts from the document of Tawfiq Touby published on Nobvember 23, 1956*. Retrieved August 16, 2007 from http://www.art.net/~samia/Fiftieth/witness/Tawfik%20Touby/Touby.html.

Hebrew

Morris, B. (1996). *Israel's border wars, 1949-1956*. Tel Aviv: Am Oved.

Rosenthal, R. (2000). *Kufr Qassem: The events and the fiction*. Tel Aviv: Kibbutz Hameuchad.

Further readings

Arabic

Abu Jaber, I.H. (2006). *The wound of Kufr Qassem*. Kufr Qassem: Kufr Qassem Local Council.

Habibi, E. (1976). *Kufr Qassem*. Haifa: Publisher Unknown.

Touby, T. (2001). *The massacre and the conclusions*. Haifa: Emile Toma Institute for Palestinian and Israeli Studies.

Yawm al-Ard (Land Day)

Khalil Nakhleh

Yawm al-Ard **(Land Day)**

Khalil Nakhleh *

The concept

"*Yawm al-Ard"*, or Land Day, as it came to be commemorated, refers to the day of the general strike held on March 30, 1976 among the Palestinian community in Israel to protest the new wave of government-approved expropriation of 21,000 dunums of Arab land. The expropriation plan targeted what is known as "Area 9" in the Central Galilee, in the heart of the Arab villages of Sakhnin, 'Arabyeh, and Deir Hanna (Bashir, 2006; Regional Committee for the Defense of Arab Lands in Israel, 1976).

The decision to strike was made by the Regional Committee for the Defense of Arab Lands on March 6, 1976. It was an exercise of the Palestinian community's right to protest and civil disobedience, and a means of affirming the indigenous Palestinian struggle against the gradual dispossession of their patrimony, the "Judaization" (*Tahweed)* of historical Palestine, and the "de-indigenization" of their native homeland. Through protest and public strike, the Palestinians in Israel sought to halt the process aimed at their ethnic cleansing. The Israel security apparatus tried to stop the strike by threatening, cajoling, pressuring, and offering financial and other incentives, among other methods. Having failed in these measures, the Israeli security apparatus embarked on forcefully putting down the strike by deploying police, "border guards," and army units in the heart of Palestinian communities. As a result, six Palestinian citizens were killed, about 50 injured, and about 300 arrested.

Since then, the concept of *"Yawm al-Ard"* has come to symbolize the Palestinian struggle against Israeli plans, policies, and practices of ethnic cleansing of Palestinian communities from the land of their ancestors, and their determination to remain steadfast, as they confront the step-by-step implementation of the Zionist colonial enterprise. *Yawm al-Ard* has become a "National Day," which is commemorated annually inside Palestine, in Palestinian refugee camps, as well as in other Palestinian communities in the Arab World and in the worldwide

* Dr. Khalil Nakhleh is an independent researcher and consultant on development and education.

Diaspora. The political content of this commemoration varies from community to community: Palestinian refugees throughout the world commemorate this day by reasserting their Right of Return and the legitimacy of their belonging and claim to the land from which they were forcibly ejected during the Nakba of 1948 and thereafter; other Palestinians, both inside and outside of Palestine, commemorate this day with marches and speeches. Regardless of these variations, *Yawm al-Ard*, as a concept and as a "national day," has imposed itself on the Palestinian national calendar.

The Zionist ideological context

As a settler colonial movement in Palestine, a founding tenet of Zionism has always been the supplanting of the indigenous Palestinian Arab population by Jews. This is the essence of the "Judaization" process, a process whose ultimate aim is to cleanse the land from its indigenous population and transfer it to Jewish ownership and control. To achieve this aim, a number of "dispossession mechanisms" have been used: (1) forced, direct, indigenous population transfer and dislocation to areas outside the indigenous boundaries; (2) indirect transfer through the exertion of pressures that render continued living on the land intolerable; (3) instituting a set of laws that provide the "legal" justification for stealing lands from the indigenous owners in favor of Jewish settlements; (4) declaring Arab-owned areas "closed military areas"–i.e., accessible exclusively to Israeli military personnel and officials; (5) erecting a series of "Walls and Watch Towers" to expand control over wide land areas in anticipation of future Jewish settlement (as used in the early 1950s), and so forth.

The relentless and systematic process of ethnic cleansing and the subsequent transformation of the cultural memory of the indigenous Arab-Palestinian population characterized the circuitous trail of the Zionist movement, starting with the First Zionist Congress in 1901, with the establishment of the Jewish National Fund (Ruedy, 1971), continuing through the Nakba of 1948, the 1967 occupation of the rest of Palestine, and the ongoing military stranglehold on 3.8 million Palestinians living in the West Bank and the Gaza Strip that continues to this day.

Prelude to *Yawm al-Ard*

The state of Israel was established as the Jewish state within the context of the 1947 UN partition plan, which called for two states, one Jewish and one Arab. Subsequently, and after declaring itself the Jewish state, Israel occupied areas that had been allocated to the Arab state. "On the eve of the proclamation of the state of Israel, 88 to 91% of the cultivable soil was neither owned nor leased by Jews. What was not vacant or publicly dedicated state domain was Arab under one form of right or another" (Ruedy, 1971, p. 134).

Following its establishment in 1948, Israel placed most of its indigenous Arab-Palestinian communities under direct military government for 18 years, until 1966. During this period, and since the institution of the first provisional government, various official plans and practices on the ground had sought to displace the Arab-Palestinian population and resettle those areas with Jews. The first such ordinance, which institutionalized the confiscation of Arab lands, was instituted in 1948. It "declared any property surrendered to, or conquered by, Israeli forces … to be an 'abandoned' area thereafter under the control of the Minister of Finance" (Ruedy, 1971, p. 137). Shortly after, these properties were placed under a "Custodian of Abandoned Property."

The trail of Arab land confiscation and ethnic cleansing, targeting the Galilee, started early under the cover of the military occupation. Some important markers could be identified in this ethnic cleansing trail and the "Judaization" of the Galilee. Zionist plans envisioned two new Jewish cities being established in the Galilee: Natzeret Elite and Carmiel. Starting in 1955 with the establishment of Natzeret Elite and continuing on through 1964, with the establishment of Carmiel, thousands of dunums of Arab-owned lands in the villages surrounding Nazareth were expropriated (Cohen, 2006). On those lands, the new Jewish city-colony of Natzeret Elite was built that overlooked and eventually choked the Arab city of Nazareth. Peaceful means of protest and legal recourse were pursued but failed. In 1963-64, large tracts of Arab-owned lands from the villages of Deir al-Asad, Nahef, and Al-Bi'neh in the Galilee were expropriated in favor of erecting the Jewish city of Carmiel. Here too, all public peaceful opposition failed to stop the expropriation (Cohen, 2006).

Israel's colonization plans for the Galilee were explicitly expressed in 1976, in what became known as the "Koenig memorandum," which was submitted and

approved by the government. The memorandum detailed the "Judaization of the Galilee" project, approved by the Israeli cabinet in the mid-1970s. The project's objective was to expropriate Arab lands in the Galilee and develop 58 additional Jewish colonies by the end of the decade, increasing the Jewish population of the Galilee by 60% (Bashir, 2006). As detailed in the memorandum, the explicit purpose of this development was to break up the concentration of the Arab population in large contiguous areas by infusing those areas with new Jewish settlements.

The immediate spark that ignited public opposition in 1975 culminating in *Yawm al-Ard* on March 30, 1976 was the government's approval of the expropriation of about 21,000 dunums of Arab-owned lands in the Galilee and the Triangle, including "Area 9" in the heart of central Galilee (Bashir, 2006; Regional Committee, 1976), directly affecting the villages of Sakhnin, Arabyeh and Deir Hanna. On the expropriated land, the Israeli government sought to build new Jewish colonies, with the explicit threat of additional expropriation of many more thousands of dunums in other areas, particularly in the Naqab.

Yawm al-Ard was not the culmination of the Arab-Palestinian struggle against official Israeli Zionist plans to empty Arab areas of their indigenous inhabitants; it was only a benchmark along this long and continuous trail, which had started much earlier than the Nakba of 1948. A number of factors coalesced to make *Yawm al-Ard* happen when it did, including: the Arabs' failure to halt or affect the dispossession process since 1948; the flagrant Israeli-Zionist declarations aimed explicitly at ethnic cleansing of the Arab communities from their lands; the emergence and maturity of a number of social and political movements and frameworks within the Palestinian community in Israel (e.g., Rakah, *Abna' al-Balad,* the Regional Committee for the Defense of Arab Lands, Arab Students' Committees in Israeli universities, academic committees, etc.); the Israeli military occupation of the rest of Palestine in 1967 and the application of the same policy of ethnic cleansing there; and the restoration, in 1967, of the previously severed connection between the two parts of Palestine.

Lessons to be learned from Yawm al-Ard

What lessons can be learned from *Yawm al-Ard*? First, *Yawm al-Ard* is not something that happened accidentally on March 30, 1976. It represents one of

many acts of resistance to the actual application of the colonial Zionist ideology that aims to cleanse Palestine of its indigenous inhabitants, in order to replace them with Jewish colonies, under the cover of direct military occupation and control. While the area may change—from the Galilee to the Naqab to Jerusalem to the West Bank—the essence of the "Judaization" process does not, and "de-indigenization" of the Palestinian land persists and remains its goal.

Since the breakup of the indigenous demographic contiguity of the Galilee and the Naqab and their transformation from Arab majority areas to Jewish majority areas has not yet been completed, the Israeli government created a new portfolio in 2005 for its Deputy Prime Minister, at that time Shimon Peres, to "develop" the Naqab and the Galilee. In a subsequent speech, Peres stated, "The development of the Naqab and the Galilee is the most important Zionist project of the coming years" (Cook, 2006, pp. 10-11). The responsible Ministerial Committee allocated US $450 million "to building Jewish majorities in the Galilee and the Naqab over the coming five years" (Cook, 2006, pp. 10-11).

The original *Yawm al-Ard* could be viewed as the first collectively organized national event aimed at resisting this Zionist ideological process of indigenous dispossession and cultural severance from the land. It established a fixed calendar day, revisited each year, on which to reflect, politically and culturally, about the land component in our collective Palestinian psyche. Its essence, however, extends beyond being a "national day:" It serves to commemorate the immediate dangers of ethnic cleansing to the survival of the Palestinians as a people.

References

English

Cook, J. (2006). *On the margins: Annual review of human rights violations of the Arab Palestinian minority in Israel.* Nazareth: Arab Association for Human Rights. Retrieved September 6, 2007 from http://www.arabhra.org/hra/SecondaryArticles/SecondaryArticlePage.aspx?SecondaryArticle=1339

Ruedy, J. (1971). Dynamics of land alienation. In I. Abu Lughod (Ed.), *The transformation of Palestine* (pp. 119-138). Evanston, IL: Northwestern University Press.

Arabic

Bashir, N. (2006). *The Land Day: Betwixt and between - national and civic.* Haifa: Mada al-Carmel—Arab Center for Applied Social Research.

Regional Committee for the Defense of Arab Lands in Israel. (1976). *The black book about Land Day, 30 March 1976.* Nazareth: Regional Committee for the Defense of Arab Lands in Israel.

Hebrew

Cohen, H. (2006). *Good Arabs: The Israeli security services and the Israeli Arabs*. Jerusalem: Keter Publishing House.

The Palestinians in Israel

Readings in History, Politics and Society

Edited by:
Nadim N. Rouhana and Areej Sabbagh-Khoury

The Higher Follow-Up Committee for the Arab Citizens in Israel

Muhammad Amara

The Higher Follow-Up Committee for the Arab Citizens in Israel

Muhammad Amara *

The establishment of the Follow-Up Committee

Arab-Palestinian organizations flourished during the era of the British Mandate over Palestine. These organizations included: The Arab Executive Committee, the Higher Islamic Council, the Higher Arab Committee, and the Higher Arab Council (Amara and Kabha, 2005; Nuwayhid Al-Hout, 1986). In the aftermath of the Nakba, these Palestinian organizations were completely destroyed and most of the urban elite of Palestinian society were expelled.

After the Nakba and the founding of Israel, the Israeli establishment attempted to thwart the founding of any new Arab nationalist organizations (a good example of this is the harassment of the members of the *Al-Ard* movement). In addition to the Israeli establishment's use of various means to prevent the formation of Arab nationalist organizations and institutions, a long period of time passed before there emerged from the remnants of the Arab Palestinian community a new elite with a national consciousness that embarked on the building of institutions. The emergence of a new intellectual class and the expansion of the middle class had its first seed planted in the 1970s. This was followed by a vigorous process of building institutions of a nationalist character so as to organize Palestinian Arab society in Israel (e.g., the National Committee of Arab Mayors in Israel, the National Union of Arab University Students, the National Union of Arab Secondary School Students, and the Regional Committee for the Defense of Arab Lands). These institutions formed the beginnings of the reorganization and rebuilding of Palestinian society in Israel.

The Higher Follow-Up Committee was born in 1982 out of the National Committee of Arab Mayors in Israel. The latter was unable to take shape as a nationwide, nationalist organization because of the major contradictions within its composition. Most of the mayors had been elected based on their clan or

*   Muhammad Amara is Associate Professor in the English Department at Beit Berl College and chair of Dirasat–the Arab Center for Law and Policy, based in Nazareth.

confessional affiliations, and a large number of them had ties to the Zionist parties and the Israeli establishment. It is not surprising then that the Israeli establishment supported the setting up of the National Committee of Arab Mayors, through those mayors they were friendly with. However, this body was not fated to go beyond the local level. For example, the initial refusal by the National Committee of Arab Mayors by a large majority to adopt the decision of the Regional Committee for the Defense of Arab Lands to hold a strike on the first Land Day in 1976, testifies to the nature of this body (Bashir, 2006).

Given the chronic, suffocating financial crisis faced by the local Arab authorities, the National Committee of Arab Mayors strove to find solutions within the framework of consulting with the national Arab leadership, especially the Arab Knesset Members (Muhareb, 1998, p. 24). A meeting held on October 30, 1982 between the secretariat of the National Committee of Arab Mayors and Arab Knesset Members resulted in the establishment of the Follow-Up Committee. This indicates that the basic goal of the establishment of the Follow-Up Committee was to support the Arab local authorities in keeping abreast of and dealing with their financial crisis. Furthermore, the role and powers of the committee were not clear at the time. At times it raised the issues concerning the local authorities, while at others it dealt with issues relating to Palestinian society in Israel.

However, as soon as the committee began to turn its attention to the various issues of the Arab public, it began to polarize Israeli media and public opinion. Further, political events forcibly imposed themselves, in particular the Lebanese war of 1982 and the ensuing events, both on the work of the committee and the dynamics of its development.

The contradictions within the new body surfaced after its establishment, because of conflict between the powers active within it, in particular between the prominent political forces at the time: the Israeli Communist Party (or *Rakah* in Hebrew), the Labor Party, and *Mapam*. The initial tension arose out of the Israeli media's deliberate disregard of the Communist Knesset Members while giving coverage and prominence to those Arab Knesset Members that belonged to Zionist parties. In other words, there was fear on the part of the Communist Party that members of the other parties and movements would gain control of the new body, and consequently, control of the National Committee of Arab Mayors. The Arab mayors who backed the Communist Party began to grow

uneasy, and demanded that clear boundaries be demarcated between the Higher Follow-Up Committee and the National Committee of Arab Mayors (Al-Haj and Rosenfeld, 1990).

The ongoing discussions about the nature, composition, role and authorities of the new body did not cease, and the problems relating to local governance were not resolved, but instead grew more vehement, in addition to the escalation of tension in the Palestinian-Israeli conflict. Despite the fragility of the new body, and the rivalry between the different forces within it, the other bodies acting in the local arena were unable to offer solutions to many issues. This all helped to safeguard the continuing existence of the Higher Follow-Up Committee, and even to expand it. In order to bolster their influence, the various political parties and movements strove to include personalities and organizations associated with them in the Committee. In this manner, the Committee was expanded and came to include–in addition to the secretariat of the National Committee of Arab Mayors, the Arab MKs and the secretaries and chairpersons of the political parties–a representative from the National Union of Arab University Students, one from the National Union of Arab Secondary School Students, multiple representatives from the Regional Committee for the Defense of Arab Lands, Arab members of the Central Council of the *Histadrut* (the General Federation of Labor - the Israeli workers' union), and representatives from the follow-up committees for Arab education, health and social welfare. After its expansion, it came to be known as "The Higher Follow-Up Committee for the Affairs of the Arab Public in Israel."

Ibrahim Nimer Hussein (1929-2005), assumed the position of chairperson of the National Committee of Arab Mayors in 1981, following the death of the mayor of Al-Rama, Mr. Hanna Muwais. After the founding of the Higher Follow-Up Committee in 1982, Hussein became chairperson of both committees, due to the strong relationship in terms of content and organizational structure between the two (Rekhess, 1993, p. 148). The custom of a single person assuming the leadership of the two committees continues until today. Hussein was not affiliated with any political party, which facilitated his leadership of the Higher Follow-Up Committee, in light of the inter-party conflict taking place within it.

The role and political activity of the Higher Follow-Up Committee

Over time, the role of the Higher Follow-Up Committee was not confined solely to issues of local government. While it is true that the Committee was established, originally, for the purpose of improving the state of Arab local government, it also organized political protests against the Lebanon war of 1982, taking upon itself the role of expressing the political position of the Palestinians in Israel. From the mid-eighties, the Higher Follow-Up Committee began to take on the character of a representative, leadership body for the Arab public in Israel. This leadership became noticeable after it called for a large number of general strikes (the first strike that it called was for Equality Day on June 24, 1987 [Muhareb, 1998]). From then until the present, the Higher Follow-Up Committee is the one that calls for general strikes on national occasions, or during political protests. The strikes and protests were not limited to local affairs, but also included general civic affairs, discrimination against Arab citizens, and the Palestinian-Israeli conflict, as a means of supporting the struggle of the Palestinian people in general and during the two Intifadas in particular, and criticizing the Israeli aggression against the Palestinians and Lebanese. The Committee took on a central role in the October 2000 uprising, and thereafter, when, along with "The Committee of the Martyrs' Families" and *Adalah* legal center, it demanded the establishment of a commission of inquiry into the deaths of thirteen Palestinian citizens from inside the Green Line in order to bring the perpetrators to trial. It is no surprise, then, that some began to refer to the High Follow-Up Committee as "The Parliament of the Arabs."

In spite of the fact that the Higher Follow-Up Committee began to assume its place as a representative and leading body for the Arab public in diverse fields and issues, it faces many obstacles, which render its activities less effective than the Arab public expects. Muhareb (1998) has summarized these obstacles as follows: the composition of the Follow-Up Committee (in the sense that there are no clear criteria concerning the representation of the various sectors); the absence of an internal system in the Committee to organize its work; the absence of a clear mechanism for the decision-making process; the lack of order in Committee meetings; the absence of an apparatus exclusively for the Committee; and the absence of a budget for the Committee or a charter for national work.

The Higher Follow-Up Committee does not convene on a regular basis; rather,

it meets according to political exigencies as dictated by political developments, or the celebration of anniversaries of events in the history of the Arab public. Until recent years, the headquarters of the Committee depended upon the place of residence of its chairperson. Thus under the leadership of Ibrahim Nimer Hussein, it was in Shafa'Amr. It then moved to Kufr Manda when Muhammad Zeidan (mayor of Kufr Manda) became its chairperson, and then to Nazareth when Shawqi Khatib was elected as its chairperson. The latter, however, institutionalized the Committee and found it a fixed location in Nazareth.

Prior to its institutionalization, the Higher Follow-Up Committee was with no fixed location, organizational structure, or professional staff. Over the course of the years this was expanded within the framework of the work of the National Committee of Arab Mayors. But the budget of the Committee remains restricted and its sources unclear, which in turn influence its ability to carry out its decisions.

The Higher Follow-Up Committee is equivalent to a coordinating committee, due to the inappropriate representation for various sectors and the absence of some others, along with the mechanisms essential to activate them. Feminist organizations raised the issue of the representation of women in the Committee, and demanded the reservation of a proportion of its membership to women. This provoked wide debate both inside and outside the Committee, between supporters and opponents of the idea of a fixed quota, and remains unresolved until today. The first woman representative of the political parties–from the Democratic Front for Peace and Democracy (DFPE)–entered the Committee just recently. The question of decision-making is a fundamental one concerning the work of the Committee. Even if it makes decisions, it has no effective mechanism for implementation and follow-up. This is in addition to the lack of clarity in the organizational relationship between it and the Arab citizenry (Bishara, 1998, p. 149). Furthermore, the Israeli establishment refuses to recognize the Committee as an official representative of Palestinian society. In reality, however, it deals with it and takes its decisions seriously, as was the case in the aftermath of the outbreak of the Al-Aqsa Intifada in October 2000.

There is another fundamental issue, namely that the Committee is not directly elected by the Palestinian public. In reality, in recent years–particularly following the outbreak of the 2000 Intifada–a political discourse and orientation has emerged, led by political movements, intellectuals and academics, which demands

the rebuilding of the Committee through its direct election by the Arab public, in order to activate it at the level of decision-making and implementation. At the level of the Arab political parties, this orientation is driven by the National Democratic Assembly (NDA). Recently, it was joined by the Islamic Movement (Northern District), led by Sheikh Ra'ed Salah, who demanded that elections to the Committee be conducted within a fixed timetable. The Sons of the Country movement demands the establishment and election of a new entity under the name "The Arab Parliament." The DFPE party favors the reorganization of the Committee within the existing framework but not its rebuilding. It stands against its direct election by the public out of fear that this would be interpreted as an attempt within Israeli society to secede from the state. This debate returned to the Arab political arena with vigor following an increase in the rate of the boycott of the Knesset elections, and out of the necessity of presenting alternatives for political work.

The direct election of the Committee would make its responsibility towards its electorate a direct one, and would necessarily increase the transparency of its management and its connection to the public. This body could also become a representative for the collective rights of the Arabs, and the equivalent to a "real Arab parliament," one that would constitute the most important building blocks of cultural autonomy. In the opinion of the Jewish majority, this is considered a separatist path; for the Arabs, however, it could be one of the means of gaining collective rights.

Today, there is no disagreement between the various political parties and movements within Palestinian society over the importance of the existence of the Higher Follow-Up Committee as a leading representative body. Nonetheless, there are severe criticisms of its performance and effectiveness, since the political parties and movements are striving to engender change within it, and many issues are still hotly contested.

Among the factors that have enlivened the debate and hastened the push to rebuild the Committee in recent years is the energy of its previous chairperson, Mr. Shawqi Khatib, the mayor of Jaffa of Nazareth. A further factor is a change-driven push by the political powers, including the NDA and the Islamic Movement, which have both gained considerable weight in the political arena. Shawqi Khatib is the first chairperson of the Committee to have come from a party framework–the DFPE. He alternated as chairperson of the Committee

with Mr. Muhammad Zeidan, the former mayor of Kufr Manda, after Mr. Ibrahim Nimer Hussein finished his term as chairperson of both the Higher Follow-Up Committee and the National Committee of Arab Mayors, following his defeat in the Shafa'Amr council elections. Khatib was re-elected in 2003 as chairperson of both committees, in spite of the debate at the time as to whether the leadership of the two committees should be divided. However, it seems this debate was premature, and it was supposed to have been preceded by the drawing-up of a final version of the Committee's rebuilding.

There are three fundamental obstacles to the rebuilding of the Higher Follow-Up Committee: the conflicting interests of the various elements making up the Committee; the preoccupation of the political parties and movements represented within it with their internal issues and conflicts with other groups; and differing views about rebuilding around certain issues (such as the Committee being elected or unelected, its composition, and the decision–making process). The mayors who were elected based on their clan or confessional affiliations–some of whom also have strong, warm ties with the Israeli authorities and the Zionist parties–do not want a new formulation for the Committee, lest that place a limit on their influence and sway within the Committee. The DFPE wants to preserve its historical role and its considerable influence in the Committee, in spite of new developments in Arab politics. All of the factions want to have influence, and until now have failed to reach a solution to the issue of representation.

Some efforts are being made to rebuild and reorganize the Higher Follow-Up Committee. The available documentation[1] reveals that there is some representation for all segments of Arab Palestinian society, from local councils, unions, national committees, political parties and movements, and even civil society/NGO activists. The debate continues regarding the allocation of a quota for female representation. The Committee is attempting to provide answers for all of the aforementioned obstacles, from its composition to the decision-making and implementation mechanism. Alongside this, the committee is working to plan to establish a national fund and found other institutions, such as: a bureau for culture, heritage and civilization; a bureau for local and municipal work with branch agencies for health, education, social welfare, the environment, and so forth; various service-provider organizations; a bureau for Arab youth; a bureau

---

1   I wish to extend my gratitude to Mr. Abed Anbatawi, the General Director and Secretary of the Committee's office, who provided me with valuable documentation concerning its rebuilding and reorganization.

for strategic planning; and a legal bureau. If these tasks are accomplished and the various bureaus are established, then one may truly be able to refer to it as "The Parliament of the Arabs."

Summary

In spite of all the aforementioned obstacles, we can summarize by saying that the Higher Follow-Up Committee may be considered "a nationwide organization founded on the basis of national belonging, but it is not a nationalist organization … rather it is one that has combined within itself all the aforementioned contradictions" (Bishara, 1998, p. 149). If the rebuilding process were to succeed in terms of the composition and mechanisms for activating the Committee, there is no doubt that it would constitute national organization in the future that stretches nationwide. If such a body were to succeed as a national body, then the Arab minority would be able–in its vision and organization of its relations with the state of Israel–to demonstrate political maturity and intellectual consciousness, in order to move Arab-Palestinian society several steps forward in confronting the Israeli state. The clear message would be that the Arabs are capable of being a player to be taken seriously in the Israeli arena, and will no longer be relegated to the margins of the state that pre-programmed their role and affixed a ceiling on its aspirations for many long years.

References

Arabic

Amara, M., & Kabha, M. (Eds.). (2005). *Identity and belonging: The basic terms project for Arab students*. Tamra, Israel: Ibn Khaldoun–The Arab Association for Research and Development and the Center for Fighting Racism.

Bashir, N. (2006). *The Land Day: Betwixt and between - national and civic*. Haifa: Mada al-Carmel—Arab Center for Applied Social Research.

Bishara, A. (1998). *The ruptured political discourse and other studies*. Ramallah: Muwatin– The Palestinian Institute for the Study of Democracy.

Muhareb, M. (1998). *The High Follow-Up Committee for Arab citizens in Israel*. Jerusalem: The Alternative Information Center, Study Series on the Arab Palestinians in Israel 1.

Nuwayhid-Al-Hout, B. (1986). *Political leadership and institutions in Palestine 1917-1948*. Beirut: Institute for Palestine Studies.

Hebrew

Al-Haj, M., & Rosenfeld, H. (1990). *Arab local government in Israel*. Givat Haviva: The Institute for Arab Studies.

Rekhess, E. (1993). *The Arab minority in Israel: Between communism and Arab nationalism*. Tel Aviv: Tel Aviv University.

Palestinian Political Prisoners

Abeer Baker

Palestinian Political Prisoners

Abeer Baker *

The term "political prisoner" can be understood to include prisoners of different kinds. Palestinians view every prisoner who has been arrested and tried for an act carried out on ideological grounds to advance Arab-Palestinian national liberation as a political prisoner, even if the person is not a Palestinian.[1] For Palestinians, this category includes Palestinians from the West Bank and the Gaza Strip, Palestinians in Israel, Syrians, Lebanese, Jordanians, and Egyptians.

Some consider Palestinians to be political prisoners not because of the motivation of their acts but because of the way they are treated in Israeli prisons. This treatment is rooted in the Israeli perception that views Palestinians solely as a security threat. Thus, inasmuch as the treatment of Palestinian prisoners differs greatly from the treatment of other prisoners, and inasmuch as the difference in treatment is based on political-national grounds, they should be considered political prisoners.[2]

Israeli prison authorities consider the Arab political prisoners "security prisoners." Since 1967, Israel has arrested nearly 700,000 Palestinians. In 2000, there were about 1,150 political prisoners in Israeli jails, and the second intifada resulted in a sharp increase in this figure. According to prison authorities, at the end of October 2006 they held some 9,140 Arabs who were classified as security prisoners, with 289 being Palestinian citizens of Israel (Adalah, 2006).[3] Figures from the Palestinian National Information Center indicate that since 2000, Israel has incarcerated some 5,000 Palestinian children (under the age of 18) from the Palestinian territories occupied in 1967. In mid-August 2006, about 335

* Abeer Baker is an attorney at Adalah–The Legal Center for Arab Minority Rights in Israel and the head of the Prisoners' Rights Legal Clinic in the Law School at the University of Haifa.

1 This statement is based on my involvement in handling prisoners' legal affairs. In my meetings with political prisoners, it was clear that belonging to a particular ethnic group or organization was irrelevant. Their status in prison and the political backdrop of the imprisonment were the relevant factors. The call to liberate the prisoners never distinguished between Palestinian political prisoners who were citizens of Israel, or Arab political prisoners who were citizens of Arab countries.

2 For further discussion on this point, see W. Daqa (2007) Retrieved from: www.adalah.org/newsletter/eng/apr06/apr06.html.

3 Letter of October 30, 2006 from the Israel Prison Service to Adalah.

Palestinian children were still in prison. Five hundred Palestinian women have been incarcerated since October 2000, and more than 100 are still sitting in jail.[4]

The legal status of Palestinian prisoners and detainees from the Palestinian territories occupied in 1967

A. Legality of the detention and place of detention

Ninety four percent of the political prisoners and detainees are Palestinian residents of the West Bank and Gaza. More than 98% of them were tried in Israeli military courts (Hajjar, 2005). It is important to note that, until August 2005 (the month that Israel disengaged from Gaza), residents of Gaza were tried in military courts. The end of the Military Administration in Gaza automatically terminated the jurisdiction of the military courts that had been set up pursuant to the military occupation. However, Israel nonetheless has continued to detain Palestinian residents of the Gaza Strip, and tries them in military courts on Israeli sovereign soil.

Almost all Israeli prisons holding Palestinian prisoners are located inside Israel. Transfer of Palestinians from occupied territory into Israel is illegal and is a grave breach of international humanitarian law. Palestinian residents of the occupied West Bank and Gaza, who live there legally, are "protected persons" under Article 4 of the Fourth Geneva Convention of 1949. Article 76 of the Convention states that, "Protected persons accused of offenses shall be detained in the occupied country, and if convicted they shall serve their sentences therein."[5] Article 49 expressly prohibits the forcible transfer of protected persons from occupied territory to the territory of the occupying power or to that of any other country, regardless of the motive. Israel's Supreme Court has held that these provisions of the Fourth Geneva Convention are not binding because Israeli law permits residents of the occupied territory to be transferred into Israel.[6]

Although Article 77 of the Convention specifies that, at the end of occupation, protected persons held by the occupier shall be handed over to the authorities of the liberated territory, and though the military government in Gaza has ostensibly ended, Israel has not handed over the prisoners from the Gaza Strip

---

4   See http://www.addameer.org/detention/current_stats.html

5   See: http://www1.umn.edu/humanrts/instree/y4gcpcp.htm.

6   For instance, see *Sajdyah v. Ministry of Defense.*

whom it holds to the proper authorities.

The prisons on Israeli sovereign soil where Palestinian prisoners are held are Shikma, Ohaley Keydar, Eshel, Nafha, and Ketziot, in the south; Nitzan, Ma'asiyahu, Ayalon, and Neve Tirza, in the center; Ashmoret, HaSharon, Hadarim, Rimonim, and Ofek, in the Sharon area; and Damun, Kishon, Megiddo, Shata, and Gilboa, in the north. In addition, many Palestinians are held for interrogation purposes in detention facilities in Petah Tikva and in several locations in the West Bank and Gaza, such as Huwara, Sallem, the Russian Compound in Jerusalem, Kfar Etzion, and Qedumim.[7]

B. Classification of imprisoned Palestinians as security prisoners

There are two principal categories of prisoners: criminal prisoners and security prisoners. The Israel Prison Service (IPS) makes an administrative decision as to which category each prisoner belongs; no law speaks to the matter. The Prison Service's orders do not define criminal prisoner, but they do define security prisoner.

A security prisoner is a prisoner who has been convicted of committing an offense, or is detained on suspicion of having committed an offense, which, based on its nature or circumstances, is clearly a security offense.[8] According to the Prison Service Commissioner's orders, classifying a person as a security prisoner or detainee affects how IPS handles the inmate in certain matters, such as the prison to which he is assigned or the prison wing where he will serve his sentence, the granting of leave, telephone calls from the prison, guarded home visits, and regular reporting to the Israel Security Agency or police in advance of the completion of two-thirds of the sentence for the purpose of preparing a report for the State Attorney's Office.[9] The Supreme Court, too, held that it was legitimate to distinguish between criminal prisoners and security prisoners, and that prison officials have the authority to take special measures in the case

---

7   In addition to these detention facilities, the Israeli media reported in 2003 about a secret prison (which essentially was an interrogation facility), referred to as Facility 1391, whose existence Israel has not reported or acknowledged. When prisoners held there asked where they were, the guards told them they were "on the moon"; see A. Lavie (2003, August 22). The darkest place in Israel. *Ha'aretz Weekend Supplement*. Neither the International Committee of the Red Cross nor attorneys have been allowed to enter the facility. In 2003, HaMoked–Center for the Defense of the Individual petitioned the Supreme Court, challenging the legality of the secret facility and demanding that it be closed immediately. See: http://www1.umn.edu/humanrts/instree/y4gcpcp.htm.

8   See http://www.ips.gov.il/NR/exeres/F7141715-9071-419C-95F5-ACA0F05721CE.htm

9   See http://www.ips.gov.il/NR/exeres/F7141715-9071-419C-95F5-ACA0F05721CE.htm.

of security prisoners.[10]

Ostensibly, the security-prisoner classification may apply to any person who meets the description specified in the aforementioned Prison Service Commissioner's order, whether the prisoner is Arab or Jewish. In practice, though, only Arab prisoners suffer the harsh ramifications of being declared a security prisoner. Jewish prisoners or detainees being held for attacks on Arabs for ideological reasons benefit from all the rights granted to criminal prisoners, even if they are classified as security prisoners. The authorities use the security prisoner classification to conceal the state's policy of oppression and discrimination against Arab prisoners, much like its general policy toward the Palestinians. In other words, classification of security prisoners by the IPS is the result of an Israeli worldview which perceives Palestinians as one thing only—a security threat (Baker, 2009).

C. Administrative detainees

Many political prisoners are administrative detainees. Some of them have been held in Israeli prisons for years without having an indictment filed against them and without being informed of the reason for their detention. Holding them in prison without trial contravenes the fundamental principles of every proper legal system.

Administrative detention is generally carried out pursuant to the Emergency Powers (Detention) Law, 5729–1979, or pursuant to military orders. The evidence justifying the detention remains strictly secret.

Following the outbreak of the first intifada in 1987, Israel initiated a systematic practice of mass administrative detention of Palestinians.[11] According to B'Tselem's figures, in 1998-2001, the number of administrative detainees declined sharply. From 1999 to October 2001, an average of less than 20 Palestinians were held in administrative detention, but the number of administrative detainees increased greatly during and after "Operation Defensive Shield," in 2002. In early March 2003, Israel held more than 1,000 Palestinians in administrative detention. Figures provided by the IPS to B'Tselem indicate that at the end of June 2007, the Prison Service was administratively detaining 631 Palestinians.[12]

---

10 For instance, see *Darwish v. Prison Service*, and *Zohir Almalabi v. Prison Service et al.*

11 This information is available at http://www.btselem.org/english/Administrative_Detention/Statistics.asp.

12 Ibid.

D. Illegal combatants

In 2002, the Knesset enacted the Illegal Combatants Law. The statute broadly expanded Israel's powers relating to administrative detention in a way that allowed the state to hold, without trial, Lebanese civilians who were abducted and brought into Israel, Palestinian residents of the West Bank and Gaza, and Israeli citizens. The legislation came in the wake of Israel's holding of Lebanese civilians as leverage in the wider geopolitical game. Israel had been holding 21 Lebanese civilians as "bargaining chips" for a possible prisoner exchange in which Israeli captives and soldiers missing in action from the 1982 Lebanese War, and especially the navigator Ron Arad, could be returned, or information about his fate could be obtained. The Supreme Court held that all the Lebanese captives had to be released and that they could not be held as bargaining chips. The government of Israel, which was holding two Lebanese civilians at the time—Mustafa Dirani and Sheikh 'Abd Alkarim 'Obeid—passed the law to bypass the Supreme Court's decision. Dirani and 'Obeid were released two years later, but Israel continues to use the statute to hold Arabs in prison.[13]

E. Living conditions in prison

The classification of inmates as security prisoners brings with it countless infringements of fundamental rights, some of which are mentioned below.

The most obvious infringement results from the many hardships facing the prisoners and their families regarding family visits. First, political prisoners, unlike other prisoners, are only entitled to visits by first-degree family members. Second, when a relative visits, the visitors, who are usually the prisoner's wife and children, are separated from the prisoner by a glass partition.[14] To enter Israel, the relatives must obtain entry permits from the army, which creates many obstacles to the process. In some cases, prisoners have been prevented from seeing their family members for years.[15]

The authorities also restrict, on various pretexts, meetings between prisoners and their attorneys, although the prisoners' right to meet with an attorney is

---

13 For an analysis of the law, see
http://www.btselem.org/sites/default/files/proposed_lawimprisonment_of_illegal_combatants.pdf and http://www.idi.org.il/hebrew/eBooks/Mechkar_58/RP_58.htm.

14 For instance, see *Kana'ane v. Israel Prison Service*. See: http://www.hamoked.org.il/files/2010/112590.pdf

15 For extensive details on the difficulties during visits to Palestinian prisoners, see
http://www.btselem.org/sites/default/files/publication/200609_barred_from_contact_eng.pdf

recognized by law and even has constitutional status.

In addition, the political prisoners often complain about the medical care they receive (or don't receive).[16] Educational and cultural activity in the prisons is reserved for criminal prisoners only. As a result, security prisoners are not allowed to take part, for example, in language-study groups, art classes, communication groups, and parent-education classes. Political prisoners also complain about the regular practice of fining them for disciplinary offenses. Although political prisoners are allowed to complete their higher-education studies by taking Open University courses, the IPS often denies them this right as punishment for disciplinary offenses. Collective punishment against political prisoners also occurs.

F. The struggle to be released from prison

Political prisoners in Israeli prisons are engaged in two simultaneous struggles: (1) to improve the living conditions in prison and the connection to their people and their families, and (2) their uncompromising demand to be released. The prisoners wage their battle in different ways, the ultimate means being joint hunger strikes.[17] Several strikes led to a degree of improvement in the living conditions of the political prisoners, but no more than that.

The basis of their hope for release lies in political agreements made between Israel and, primarily, but not only, the Palestinian Authority. So far, a few hundred prisoners have been released as a result of political agreements, but most of them were about to be released in any case, or the prisoners released were not, in fact, political-security prisoners.

G. Special status of Palestinian political prisoners who are citizens of Israel

Until 2006, Israel held 289 political prisoners and detainees who were Palestinian citizens of Israel. At least 20 of them had served sentences of at least 15 years. Palestinian citizens of Israel found themselves, against their will, at the two poles of the Israeli-Palestinian conflict. As a result, they suffered a harsh price,

---

16 For further information on this matter, see www.phr.org.il.

17 On June 21, 1994, the political prisoners proclaimed a hunger strike in protest against the mechanism for releasing prisoners that was specified in the Cairo (Gaza-Jericho) Agreement, in particular the exclusion of prisoners who are residents of Jerusalem and hold Israeli citizenship from the prisoner-release deal. Another strike carried out by the Prisoners' Movement took place in 1984 and lasted 18 days. Famous strikes also occurred in 1992, for 15 days, and when prisoners began a strike on August 15, 2006 that lasted 2 weeks.

including their exclusion from the prisoner release agreements and from early release.

Every Palestinian prisoner who is a resident of the West Bank and Gaza or a citizen of an Arab country hopes to be released in the framework of a political arrangement, but a Palestinian prisoner who is an Israeli citizen falls in neither category because Israel refuses to recognize the person as a political prisoner. Political prisoners who are Israeli citizens are also discriminated against in comparison with Israeli-Jewish prisoners. This discrimination is reflected not only in the sentences they receive and in the prison conditions they face, but also in the chance for early release, whether by presidential pardon, reduction in sentence, or release after two-thirds of the sentence has been served. Unlike Israeli-Jewish prisoners who committed offenses against Arabs on ideological grounds, Palestinian prisoners who are citizens of Israel have not yet been granted early release or a real reduction in sentence.

This brief article has focused on political prisoners only from the legal perspective. However, it should be noted that the legal tools at our disposal are limited. They alone cannot solve the issue of political prisoners, which is fundamentally, and by nature, a political problem requiring a political solution.

References

English

Adalah. (2006). Letter of October 30, 2006 from the Israel Prison Service to Adalah.

Baker, A. (2009). The definition of Palestinian prisoners in Israeli prisons "Security Prisoners" – Security semantics for camouflaging political practice. *Adalah's Review, 5*, 65-78.

Hajjar, L. (2005) *Courting conflict: The Israeli military court system in the West Bank and Gaza.* Berkeley: University of California Press.

Further readings

English

Cook, C., Hanieh, A., & Key, K. (2004). *Stolen youth: The politics of Israel's detention of Palestinian children.* London: Pluto Press.

Nashif, E. (2008). *Palestinian political prisoners: Identity and community.* London: Routledge.

Arabic

Abu Elheja, I. (2004). *The forgottens in the dark Zionist detention centers.* Al-Jiza, Egypt: The Arab Media Center.

Al-Hindi, K. (2000). *The democratic practice of the Palestinian prisoners movement.* Ramallah: Muwatin–The Palestinian Institute for the Study of Democracy.

Karake, I. (2001). *The Palestinian prisoners in the Israeli jails after Osl*o *1993-1999.* Birzeit: The Graduate Institute of International Studies, Birzeit University.

Saffa, M. (1997). *The Lebanese and the Arab hostages in Israeli prisons- for Qana international tribunal.* Beirut: The Follow Up Committee for the Lebanese Detainees Case.

Hebrew

Baker, A. (2005). The Palestinian prisoners as one dimensional creatures. *Mitsad Sheni, 10-11,* 36-38.

Noon, E. (1993). Administrative detention in Israel. *Plilim - Israel Journal of Criminal law, 3*, 168-198.

Legal Petitions:

HCJ 221/80 *Darwish v. Prison Service*, P. D. 35 (1) 536.

HCJ 80/96 *Zoher Almalabi v. Prison Service et al*., P. D. 34 (3) 25.

HCJ 7585/04 *Kana'ane v. Israel Prison Service* [This petition is pending and was filed by Adalah].

Sajdyah v. Ministry of Defense (HCJ 253/88) P.D 42 (3) 801.

Relevant Websites:

www.btselem.org
www.phr.org.il
http://www.addameer.org/detention/current_stats.html
http://www.hamoked.org.il
http://www.adalah.org
http://www.ips.gov.il
http://www.dci-pal.org/english/display.cfm?DocId=559&CategoryId=2.

National Priority Areas

Rassem Khamaisi

National Priority Areas

Rassem Khamaisi *

The government of Israel has established "national priority areas" as a means for allocating the distribution of resources and providing support to some areas. In this way, the government subsidizes the population on the basis of geographic area, national-ethnic composition, socioeconomic level, and type of community. People in national priority areas benefit, whether directly or indirectly, from reduced land prices, income-tax reductions, grants, and assistance with mortgages. The government absorbs the financial burden, i.e. the difference between the cost to the business and the cost to the national economy. In other words, certain areas receive preferential treatment so as to lessen the interim gaps in revenue and expense, or to attract people to establish businesses in a preferred locale and for a preferred population. This mechanism allows for exclusion and discrimination against a population group or community on national-ethnic grounds.

The State of Israel implements a spatial policy that gives priority to peripheral areas: the Galilee, the Naqab, Jerusalem and Jewish settlements in the Palestinian territories occupied in 1967. This priority is reflected in statutes, regulations, cabinet decisions, and governmental policy. The motives for giving preference to these areas are geopolitical and socioeconomic. The government provides a variety of benefits and incentives to assist in improving these areas to close the gaps between them and the state as a whole, reducing migration from these areas, encouraging the younger generation to remain and for Jews to move there. If successful, the policy would ensure that Jews live in these areas, a goal consistent with the policy of spreading the Jewish population around the state by ethnic occupation and internal colonization of the main spaces populated by Arab Palestinians.

The National Priority Area policy discriminates against the Arab population in several ways. Either the areas are defined in such a way as to exclude Arab

---

* Rassem Khamaisi is an urban planner and geographer. He is Associate Professor in the Department of Geography and Environmental Studies at the University of Haifa.

communities, or, if Arab communities fall into the defined areas, criteria are imposed that Arab communities cannot meet, such as support that is conditional on the manufacturing of goods for export, while most of the factories in Arab communities are geared for local consumption only. Another example is the exclusion of Arab villages that Israel does not recognize on the list of communities in areas designated National Priority Area A. In fact, since those villages are not recognized by the government they do not qualify to receive even permits for building residential houses, so they cannot benefit from their inclusion in priority areas (Gonen and Khamaisi, 1992; Wesley, 2006).[1]

The boundaries of the national priority areas have varied over time, depending on government decisions, and their boundaries are affected by the government's sociopolitical ideology. For example, in Government Decision No. 721, passed in January 1993, the Labor government headed by Yitzhak Rabin reclassified the national priority areas, which were specified in two maps: one, of national priority areas with respect to benefits provided by all government ministries, and the other, of national priority areas based only on the Encouragement of Capital Investments Law.[2] The Likud government changed this map when it passed Government Decision No. 3292 in February 1998. It was changed again by the Sharon government in Government Decision No. 2288 in July 2002. These decisions specified lists of communities and various criteria and benefits privileging Jewish citizens. Objecting to the latter two governmental decisions, Adalah–Legal Center for Arab Minority Rights in Israel, petitioned the High Court of Justice (HCJ), arguing that they discriminate against the Arab population in the field of education. In a precedent-setting decision, rendered in February 2006 in HCJ 11163/03, the High Court nullified the government decisions on the grounds that they discriminated against Arab citizens, and ruled that the government does not have the authority to establish national priority areas without Knesset approval.[3]

Two statutes provide the legal foundation for the national priority areas. The first is the 1959 Encouragement of Capital Investments Law and its amendments,

---

1   See also in Hebrew: www.moital.gov.il/cmstamat/ishuvim.aspx?sValue. Retrieved September 5, 2008

2   Ibid.

3   On Tuesday, 10.11.04, the High Court of Justice (HCJ) (in an expanded seven justice panel) discussed the petition submitted by Adalah organization regarding the government's 1998 decision concerning the classification of communities as national priority areas. The government decision classified 553 communities as A level priority area in education. Only 4 Arab communities were among them. See in Hebrew: www.adalah.org/newsletter/eng/nov04/6.php. Retrieved September 5, 2008.

which established a priority-area map for industry, tourism, and agriculture. The second is the 1998 Development Towns Law, whose objective is to encourage (Jewish) settlement, development, and socioeconomic advancement of the Development Towns and their residents, primarily by setting detailed arrangements for granting benefits to development towns. The statute specifies the benefits given to development towns in a variety of areas, and the relevant criteria for entitlement. The benefits include: grants to local authorities; reductions in residential property taxes; priority with respect to investment programs, tax benefits, housing grants and benefits; grants to new-immigrant Jewish families; educational benefits for kindergartens, day-care centers, elementary, middle and high schools, higher education, schools of technology, informal education, and additional benefits.

Other statutes that provide support and benefits based on the national priority areas map include:

- The 1994 Free Areas for Manufacturing in Israel Law, which empowers the government to establish an area as a "free zone," to delineate areas that will be declared "free," and the scope of benefits for such areas.

- The 1992 Tenders Obligation Law which requires that preference be given to goods produced in national priority areas.

- The 1958 Higher Education Council Law, which enables preference given to students who are permanent residents of national priority areas.

- The 1984 Encouragement of Industrial Research and Development Law, which grants extensive benefits to research and development in industry, and establishes detailed arrangements for their distribution in national priority areas.[4]

National priority areas divide the geographic space under Israel's control into three zones: **National Priority Area A,** also referred to as a Development Area, which receives the highest priority. Areas designated "A" are furthest away from the center of the country and from areas that offer extensive employment opportunities. **National Priority Area B** receives the second highest priority. Areas designated "B" are located closer to the center of the country and to a wider range of employment opportunities. All remaining parts of the country

---

4   See in Hebrew: http://www.moit.gov.il/NR/exeres/AA193B90-28D2-4A7D-BE7A-235BC376BE10.htm Retrieved September 12, 2008.

are not located in any national priority area (see map). The government contends that the national priority areas are intended to assist Jewish residents in remote areas or in areas that serve a "security" objective, where the government wants to encourage Jewish settlement. The thirty-first government of Israel, headed by Ehud Olmert, adopted the previous national priority areas map. Shimon Peres was appointed Minister for Development of the Naqab and the Galilee.[5]

The national priority areas map is drawn on the basis of geographic location in the periphery, the type of community (urban or rural), and government recognition. Some of the Arab villages that Israel does not recognize are located within National Priority Area A, but in fact, do not benefit from classification because they do not have economic enterprises, or even schools, and some do not have an approved outline plan. Another important criterion is the nationality of the community's population (in the Arab communities, too, there is a further division based on ethnic group–"Bedouin," "Druze," or "Arab"). Thus, geographic location is not sufficient for the community to receive the national priority area incentives; what is required is for the community to be included in the list to which the priority area's provisions apply, and for the business ventures or residents to meet the relevant criteria.

The national priority areas were established to aid communities in socioeconomic distress, but socioeconomic criteria are not the decisive factor in identifying them. Evidence of this is found in the fact that the lists of communities given national priority area status do not include any of the poorest Arab communities. Other mechanisms relating to national priority areas that harm Arabs are the price of "state land," which is marketed to residents through the Israel Lands Authority, the loans and grants based on place of residence given by the Housing Ministry to persons needing housing, assistance in funding infrastructure and construction of public buildings in the communities, and greater support for business ventures in the national priority areas. Many examples can be presented which show that the national priority area mechanism is used to increase the gap between Jews and Arabs in Israel.

A community, business venture, or resident in National Priority Area A receives significant benefits. In education, for example, the government provides the following incentives: 75% of the teacher's tuition and full payment of transportation expenses to educational institutions; 80% of the teachers' housing

5   See in Hebrew: www.pmo.gov.il/PMO/Government/Policy. Retrieved September 5, 2008.

rental costs; partial payment of the teacher's portion in the teacher's continuing-education fund; full payment of transportation costs during the sabbatical year; free nursery schools; reduced matriculation-exam fees; an enlarged budget-balancing grant to the local authorities; additional school-study hours to meet pedagogical needs; full funding for computerization in schools (subject to program approval); additional funding for special needs for elementary schools; preference in obtaining scholarships; and NIS 100,000 grants to each community center to encourage the arrival of new residents into the area.[6]

Likewise, businesses approved by the Investments Center receive generous support. The Center is authorized by the Encouragement of Capital Investments Law, mentioned above, to grant benefits to enterprises that meet investment and export production criteria. A few examples follow:[7]

- An investment grant for an industrial enterprise, an enterprise for equipment rental, an industrial building, and renovation of an industrial building reaches 20% in National Priority Area A and 10% in National Priority Area B.
- An investment grant for an approved tourism enterprise (hotel or recreational area) reaches 20% in National Priority Area A and 10% in National Priority Area B. Other tourism enterprises receive a 10% grant.
- An investment grant in the Naqab reaches as high as 30%.

Regarding land, a reduction in price and financial support is provided for leasing land and development costs as determined by the Israel Lands Authority Council. The development costs' subsidy is as follows:

National Priority Area	Development Subsidy
Confrontation line [Border Area]	50%
Area A	40%
Area B	10%

Source: Shwartz, 1993.

The national priority area mechanism is not egalitarian. Rather, it is a political tool to discriminate, both structurally and procedurally. Examples of this type of

---

6 See in Hebrew: www.adalah.org/features/land/Adefoot-petition-dec2003.pdf. The petition was retrieved on September 5, 2008.

7 For more information about awards and benefits, see in Hebrew: www.pmo.gov.il/NR/rdonlyres/8C3556FC-1B7E-4118-BD0B-ED0823AEA845/0/7020591900.doc Retrieved September 5, 2008.

discrimination are found in the land prices, the mortgage amounts offered, the granting of "approved enterprise" status, and tax benefits. Thus Government Decision No. 3292, in establishing the national priority areas, has perpetuated the discrimination against Arabs.

A careful look at the map of the national priority areas regarding benefits in education shows that, of the 491 communities listed in National Priority Area A, only 4 small Arab communities are included. The government decision granted National Priority Area A status to 36 other communities, none of which were Arab. In education, it was decided to give National Priority Area A status to 8 additional communities, and here too, not one was Arab.[8] Thus, of a total of 535 communities that receive National Priority Area A status for benefits in the sphere of education, only 4 small Arab communities are included. On the other hand, there are 107 industrial development areas in National Priority Area A; of those 33 are small industrial areas in Arab villages.[9]

On February 28, 2007, the Knesset approved on first reading the Proposed National Priority Area Law-2007, which will replace the Development Towns and Areas Law of some 20 years ago, whose implementation was frozen and postponed year after year by the Arrangements Laws. The need for new legislation arises from the High Court's ruling given a year ago, in the petition filed by the Higher Follow-Up Committee for the Arab Citizens in Israel against the Prime Minister. The court held that the government is not empowered to establish national priority areas and grant benefits in these areas pursuant to the Basic Law: The Government, which the government currently applies behind the existing, frozen law.[10]

The proposed bill empowers the government to decide and declare an area or a community as having national priority on economic, social, and security grounds, or because of its geographical location, and to promote its advancement by reducing the gaps between the selected area and other areas and between population groups. The bill also enables preference to be given with respect to a specific matter or for a certain period of time. The bill empowers the government or a government ministry to set the kinds of benefits to be provided to the

---

8   See details in Adalah's petition number 98/2773 to the High Court (Hebrew): www.adalah.org/features/land/Adefoot-petition-dec2003.pdf Retrieved September 5, 2008.

9   See in Hebrew: www.moital.gov.il/cmstamat/MuniSearch.aspx?searchtype=1. Retrieved September 5, 2008.

10 See Footnote 6.

preferred area, the means for granting the benefits, the periods over which they will be provided, and the criteria for granting them. The benefits may differ from area to area. For example, one area may receive benefits in education, while its neighbor receives assistance in tourism. The ministries granting benefits are required to report to the government annually on these grants.

To summarize: "The statute about to be repealed is appended to the proposed bill and dwarfs it in the description of generous benefits: doubling budget grants to local municipalities; reducing the property tax by one-third; giving priority to capital investment grants; exemption from employer tax; transferring loans into awards for families that move to live in Developmental Areas; free tuition for kindergartens, day-cares, elementary and high schools; university scholarships that cover tuition and scholarships for studying technology-based professions; annual governmental budgets for funding after-school activities for children and teenagers in sport, culture and art courses" (Lavi, 2007).[11]

11 For more details, see in Hebrew: www.ynet.co.il/articles/1,7340,L-3370690,00.html. Retrieved January 5, 2008.

References

English

Wesley, A. D. (2006). *State practices & Zionist images; Shaping economic development in Arab towns in Israel*. New York: Berghahn Books.

Hebrew

Adalah Newsletter. (November 2004). *Supreme Court questions state's exclusion of Arab towns from National Priority Area "A" for education*. Retrieved September 12, 2007 from www.adalah.org/newsletter/eng/nov04/6.php.

Gonen, A., & Khamaisi, R. (1992). *Joint regional development centers of Jewish and Arab communities in Israel*. Jerusalem: The Florsheimer Institute for Policy Studies.

HCJ 11163/03, Decision of 27 February 2006 in the matter of classification of National Priority Areas, Encouragement of Capital Investments Law, 5719 – 1959.

Israel Bank of Industry and Development Ltd. (1992). The encouragement of capital investments law (including Amendment 39), Explanatory notes for an investor in industrial and tourism enterprises. Tel Aviv: Israel Bank of Industry and Development Ltd.

Lavi, Z. (2007, February 28). Passed in first reading: National priority areas new law. *Ynet.* Retrieved May 7, 2007, from www.ynet.co.il/articles/1,7340,L-3370690,00.html

Ministry of Industry and Trade. (1984). *Encouragement of industrial research and development law* (5784). Jerusalem: Investments Center. Retrieved September 12, 2008, from http://www.pmo.gov.il/NR/rdonlyres/8C3556FC-1B7E-4118-BD0B-ED0823AEA845/0/7020591900.doc

Shwartz, D. (1993). *Effect of the encouragement of the capital investments law on industrialization of development towns*. Rehovot: Center for Development Studies.
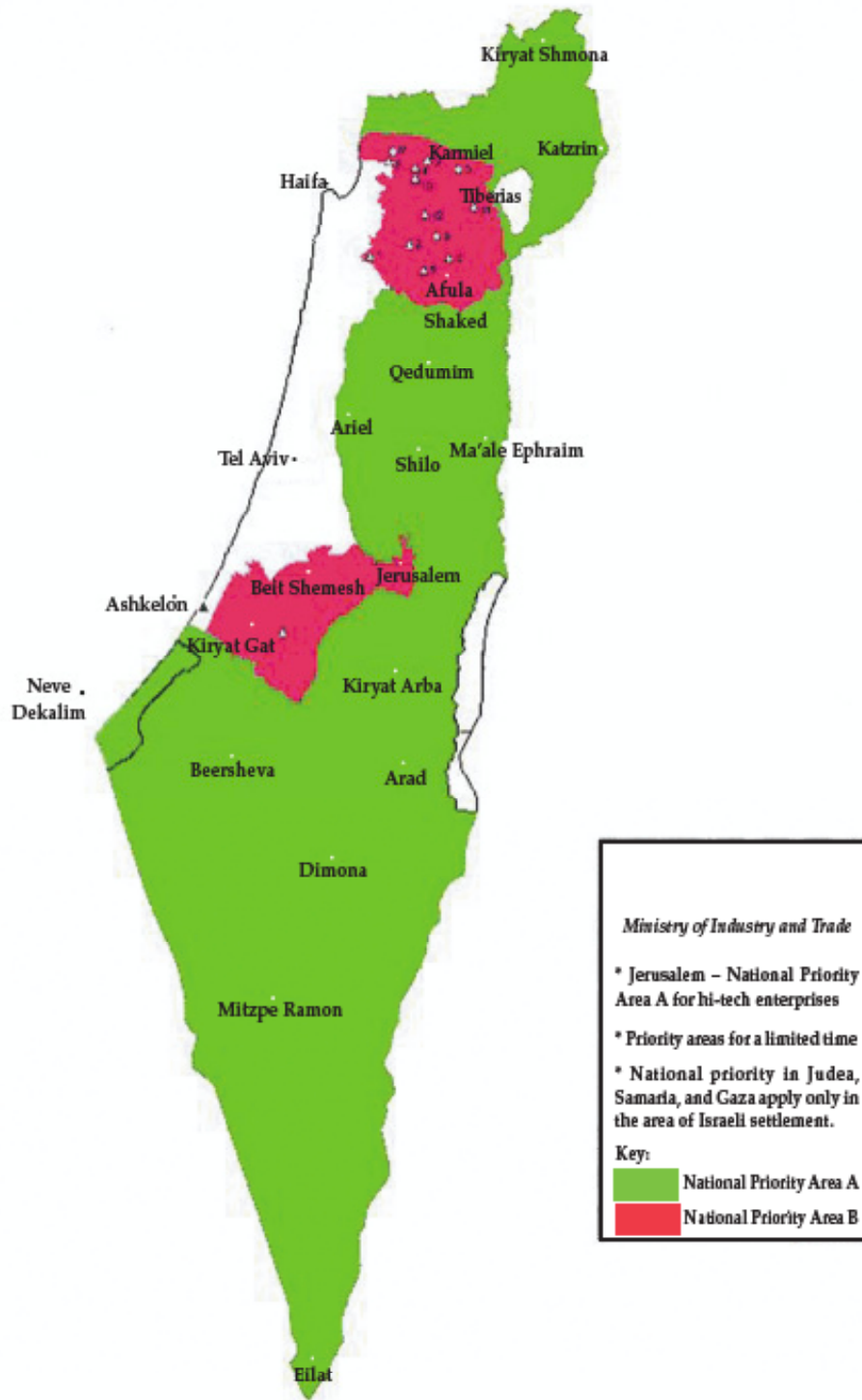
State of Israel. (1993). *National priority area - reclassification of development towns and areas* (Government Decision No. 721). Jerusalem: Sheves Commission.

Websites (Hebrew):

www.moital.gov.il/cmstamat/MuniSearch.aspx?searchtype=1

www.adalah.org/features/land/Adefoot-petition-dec2003.pdf

Map of the National Priority Areas pursuant to Government

Kiryat Shmona

Karmiel · Katzrin

Haifa · Tiberias

Afula

Shaked

Qedumim

Ariel

Tel Aviv · Shilo · Ma'ale Ephraim

Jerusalem

Beit Shemesh

Ashkelon

Kiryat Gat

Kiryat Arba

Neve Dekalim

Beersheva · Arad

Dimona

Mitzpe Ramon

Eilat

Ministry of Industry and Trade

* Jerusalem – National Priority Area A for hi-tech enterprises

* Priority areas for a limited time

* National priority in Judea, Samaria, and Gaza apply only in the area of Israeli settlement.

Key:

National Priority Area A

National Priority Area B

The Indigenous Palestinian Bedouin of the Naqab: Forced Urbanization and Denied Recognition

Ismael Abu-Saad

The Indigenous Palestinian Bedouin of the Naqab: Forced Urbanization and Denied Recognition

Ismael Abu-Saad *

The Bedouin of the Naqab Desert are among the indigenous Palestinian Arabs who remained on their land after Israel was established in 1948. They have inhabited the Naqab Desert since the 5th century and were traditionally organized into nomadic or semi-nomadic tribes that lived by grazing herds and engaging in seasonal agriculture. During the last five decades, the Palestinian Bedouin of the Naqab have undergone tremendous changes, including dislocation, massive land confiscation, and forced urbanization. In 2006, they numbered about 200,000 and comprised 25% of the region's population (Abu-Saad, 2005a; CBS, 2006).

Before 1948, the Bedouin Arab population in the Naqab numbered about 90,000 and was organized into 95 tribes (Falah, 1989). During the course and aftermath of the 1948 war, the vast majority of them fled under war circumstances or were expelled, and became refugees in the surrounding Arab countries and in the Palestinian territories that were not occupied in 1948. By 1952, only about 11,000 Bedouin, from 19 tribes, remained in the Naqab (Marx, 1967). The Israeli authorities took control of most of the land in the Naqab, so the Bedouin lost the freedom to move around with their herds and cultivate their lands. The state removed 12 of the remaining tribes from their lands, and the whole population was confined to a specially designated Restricted Area in the northeastern Naqab Desert, representing only 10% of the territory they controlled before 1948 (Falah, 1989).

Furthermore, Israel placed these Bedouin (together with most Arab citizens in the country) under a military government from 1948 until 1966, which meant that they could not return to and cultivate their lands, they were isolated from the Palestinian population in other parts of Israel, and they needed special permits to leave their designated sections of the Restricted Area to access jobs, education, health care, markets, and so forth. The restrictions imposed by the

* Professor Ismael Abu-Saad teaches in the Department of Education at Ben-Gurion University of the Negev.

Israeli government represented a form of forced sedentarization, which virtually ended their nomadic and semi-nomadic way of life—against their will.

Forced urbanization

In the late 1960s and early 1970s, the government developed plans for the resettlement of the entire Naqab Bedouin population into urban-style towns (see Table 1). The government rationale for establishing these towns was to "modernize the Bedouin" and enable more efficient provision of services, as an incentive to attract Bedouin to the towns. This rationale is belied by the fact that an explicitly urban and highly concentrated settlement model was selected that represented the complete destruction of the Bedouin's traditional lifestyle. If the government's goals were in actuality only to "modernize" and provide the Bedouin with services more efficiently, both aims could have been achieved by planning agricultural villages or cooperatives with a land base (such as the Jewish *moshavim* and *kibbutzim*). This would have met Bedouin demands for their own development and would not have required the complete alienation from their land and traditional lifestyle that urbanization mandated.

Table 1:

Year of Establishment and Population of Government-planned Bedouin Towns in the Naqab, June 2006

Town	Year Founded*	Population in 2006**
Rahat	1972	39,600
Tel al-Saba	1968	13,200
Arara al-Naqab	1981	12,300
Kseiffa	1982	10,100
Hura	1989	9,700
Laqyia	1990	8,200
Shgeeb al-Salam	1984	6,400

* Marx, 2000

** Israeli Central Bureau of Statistics, 2006. See: http://cbs.gov.il/population/new_2007/table3.pdf Accessed on April 17, 2007.

> The government-planned towns were designed as dormitory towns, filled with neighborhoods divided into ¼-acre (or less) lots. Aside from the provision of basic services, the towns lack the essential characteristics of urbanization. Unlike the neighboring urban settlements in the Jewish sector, the Bedouin towns have

no internal sources of employment, nor do they have internal or external public transportation networks to facilitate access to work in other towns. The Bedouin towns also lack banks, post offices, completed sewage systems, and public libraries (with the exception of the largest town, Rahat, of about 40,000 inhabitants, which has one bank and one post office). They are the poorest towns in Israel (Abu-Saad et al., 2004).

While the urbanization program served the government goal of reducing the Naqab Bedouin's *de facto* use of and control over land resources, no real attempt was made by the state to integrate the Bedouin towns into the national infrastructure in a viable and meaningful sense. Nor were they given sufficient resources for independent development, due to the government policy of maintaining Palestinian dependence on the Jewish economic and power structures in order to maximize the state's control over the Bedouin. As such, the government-planned Bedouin towns bear less resemblance to urban centers of economic, educational, service, and social activity than they do to the typical colonial model of reservations, only with urban-style density, built to ensure that the land is reserved for someone else.

Villages unrecognized by the Israeli state

Despite the single-track plan of urbanizing the Bedouin the government has pursued for over 40 years, as of the end of June 2006, only 50% of the Naqab Bedouin lived in the planned towns, while 50% continued to live in villages denied recognition by the government (Abu-Saad, 2005a*;* Swirski and Hasson, 2006). The unrecognized Bedouin villages do not appear on Israel's official maps, and their residents have no addresses. Their land rights are not recognized by the state. Rather, the state has criminalized them as "invaders" and "trespassers" taking over "state" lands. Thus, the state does not take *their needs* into account when it plans policy, sets budgets, provides services, or grants legal protection. Likewise, their Jewish neighbors do not see them as whole human beings–but as a nuisance that ought to be reduced to a minimum or just disappear. As Swirski and Hasson (2006) elucidated:

> The phenomenon of excluding the Bedouin from government master plans is not a new one: the state, through

its planning bodies, has acted this way for years. In a number
of major regional master plans, the "unrecognized" Bedouin
villages went totally unmarked, as if they did not exist, or
their locations were marked as intended for public use such
as sewerage works, public parks or industrial areas (p. 69).

The villages unrecognized by the Israeli state are denied their own representative authorities and have no official local councils. This denies them two clear basic rights: the right to have a local authority to provide them with basic services, and the right to elect their own local representatives. The majority of residents of the unrecognized villages live in areas without any municipal authority whatsoever. Even those who do live in an area under a municipal authority, such as those villages within the jurisdiction of Jewish regional councils, do not receive services from these bodies or vote in their elections. Rather, the residents of the unrecognized villages are governed by a number of administrative structures and units set up by the state especially for the Palestinian Bedouin. These include, most notably, the Bedouin Advancement Authority (BAA), the Bedouin Education Authority (BEA) and the Green Patrol–none of which include any Bedouin representation at the policy-making level (Abu-Saad, 2005a).

The Bedouin Advancement Authority, established in 1984, controls the planning and policy development and implementation for the Bedouin community in the Naqab. Administratively, the BAA is a sub-unit of the Israel Lands Administration (ILA), which reflects the hidden agenda behind the benevolent-sounding name. In addition to land resources, the BAA has absolute control over providing access to water for the Naqab Bedouin in villages unrecognized by the Israeli state. These villages are not connected to the national water system. Rather, their inhabitants are given access to water at very high prices in designated central locations, from which they must transport the water to their homes in containers. The BAA operates a very restrictive water policy, using this as another means of encouraging people to leave their land and move to the government-sanctioned towns. The BAA also has a monopoly on all planning for the Bedouin community. Thus, it is responsible for opening new neighborhoods in the planned Bedouin towns, or establishing new towns. In short, no development that is not sanctioned and carried out by the BAA can occur for any Naqab Bedouin community, whether recognized or unrecognized (Abu-Saad, 2005a).

The Bedouin Education Authority (BEA), which was established by the Ministry of Education in 1981, provides educational services to the villages unrecognized by the Israeli state lacking the municipal bodies that would normally provide such services. Since its inception, the BEA, too, has been run by Jewish directors and has acted in the interests of controlling the community through the provision of education facilities (Abu-Saad, 2005b).

The Green Patrol was established by the Israeli government in 1976 as a paramilitary unit to pressure the Bedouin to move into the urban settlements. In pursuit of its duties, the Green Patrol acts to police, harass, and evict residents of the villages unrecognized by the Israeli state, and confiscates Bedouin flocks found in violation of its restrictions. In addition, its tactics include destroying Bedouin dwellings, crops, and trees, all of which are considered "illegal" by the Israeli authorities. The Bedouin call it "Black Patrol" (Abu-Saad, 2005b).

The villages unrecognized by the Israeli state lack public services, such as an educational framework for preschool children, high schools, paved roads, public transportation, electricity (and in most cases also running water), garbage collection and disposal, telephone hook-ups, and community medical facilities. Also, government agencies refuse to allow Palestinian Bedouin living in these villages to build any permanent structure whatsoever. All residences, except for tents, are illegal. Persons who build are heavily fined, and the structures are subject to demolition procedures. According to the plan developed by the government in 2003, force will be used to transfer all residents of the villages unrecognized by the Israeli state into planned government towns (Swirski and Hasson, 2006). This plan was prepared without the participation of the Bedouin, and without regard for the fact that the proposed evacuation runs contrary to their needs and well-being, which are centered on the lands on which they live.

In 1997, the residents of these villages formed their own regional council (which also was not recognized by the government) as a grassroots community movement. The council drew up and submitted plans for its own regional development to the Ministry of the Interior (Swirski, 2007). The Interior Ministry did not accept the proposed plan of the Council of Unrecognized Villages for more appropriate, rural settlement models, and has remained intent upon going ahead with the same unsuccessful urban model with only superficial improvements. However, it faces serious and organized resistance from the Bedouin community. The first level of resistance is that people *en masse* are refusing to move to the

planned towns, despite the many coercive measures used against them (Abu-Saad, 2005b). In addition, they are expanding their dwellings to meet the needs of their natural population growth, as well as building small business and other community structures (mosques, soccer fields, etc.). Many have begun building more permanent structures (e.g., cinderblock and stone houses, rather than tin shanties), and their response to house demolitions is to rebuild rather than to relocate.

As a second level of resistance, various local Bedouin community organizations, along with nation-wide organizations representing the indigenous Palestinian minority, have begun launching proactive legal action by finding cracks in the Israeli legal system that can be used to oppose the discriminatory practices driven by inequitable policies that violate basic laws and governmental responsibilities to citizens.[1]

In light of the Naqab Bedouin's continued resistance to the government's urbanization policies, the Green Patrol and other paramilitary measures are gaining increasing importance in the governmental effort to remove the Bedouin from the Naqab lands. In some cases, Bedouin resistance leaders have been directly targeted. These measures, which are being intensified under the current Israeli government, perhaps foreshadow a fallback to the days immediately before and after the Nakba War when military measures were used to "empty" the land for Jewish settlement (Pappé, 2006).

---

1   For further details see: http://www.adalah.org/eng/legaladvocacyoverview.php

References

English

Abu-Saad, I. (2005a). Forced sedentarisation, land rights, and indigenous resistance: The Bedouin in the Negev. In N. Masalha (Ed.), *Catastrophe remembered: Palestine, Israel, and the internal refugees* (pp. 113-141). London: Zed Books.

Abu-Saad, I. (2005b). Re-telling the history: The indigenous Palestinian Bedouin in Israel. *AlterNative: An international journal of indigenous scholarship, 1*(1), 26-49.

Abu-Saad, I., Lithwick, H., & Abu-Saad, K. (2004). *A preliminary evaluation of the Negev Bedouin experience of urbanization: Findings of the urban household survey*. Beer-Sheva: The Negev Center for Regional Development, Ben-Gurion University of the Negev.

Falah, G. (1989). Israel state policy towards Bedouin sedentarization in the Negev. *Journal of Palestine studies, 18*(2), 71-90.

Israeli Central Bureau of Statistics (2006). *Statistical Abstract of Israel*, No. 57. Jerusalem: Government Printers.

Marx, E. (1967). *The Bedouin of the Negev*. Manchester: Manchester University Press.

Marx, E. (2000). Land and work: Negev Bedouin struggle with Israel bureaucracies. *Nomadic peoples, 4*(2), 106-120.

Pappé, I. (2006). *The ethnic cleansing of Palestine.* Oxford, UK: OneWorld.

Swirski, S. (2007). *Plans for developing the Negev: A critical perspective*. Bedouin Center Research Unit Publication No. 2. Beer-Sheva: Negev Center for Regional Development, Ben-Gurion University of the Negev.

Swirski, S, & Hasson, Y. (2006). *Invisible citizens: Israeli government policy toward the Negev Bedouin*. Beer-Sheva: Negev Center for Regional Development, Ben-Gurion University of the Negev.

Further Readings

The Center for Bedouin Studies and Development and the Negev Center for Regional Development. (1999). *Statistical yearbook of the Negev Bedouin*. Beer-Sheva: Ben-Gurion University of the Negev.

Maddrell, P. (1990). *The Bedouin of the Negev*. Minority Rights Group Report No. 81. London: Minority Rights Group.

Relevant Websites

http://electronicintifada.net/v2/article6801.shtml

http://www.adalah.org/eng/legaladvocacyoverview.php

Palestinian Citizenship in Israel

Oren Yiftachel

2011

Palestinian Citizenship in Israel

Oren Yiftachel *

Introduction

This essay briefly reviews the status of Palestinian Arab citizenship in Israel.[1] Democratic citizenship is defined as full and equal membership in a political community, and entails a combination of legal, political, economic, and cultural rights and capabilities. In most recent formulations, full citizenship also means the extension of collective rights to national, ethnic and religious minorities.

As this essay will show, Arab citizenship in Israel has been structurally constrained by the state's ethnocratic regime and the associated hegemonic and colonizing Judaization project. Since the 1990s, certain liberal trends have positively affected the minority's formal status and rights, but material, military, and economic developments have, at the same time, further constrained the Arabs' ability to exercise these rights. The Arabs in Israel are hence trapped by the contradictions of the Israeli regime–that is, between the state's self-proclaimed "democracy," and the persisting oppressive and exclusive practices toward the Palestinians, both in the Palestinian territories occupied in 1967 and in Israel proper.

The civil status of the Arabs in Israel may be conceptualized as being that of ghettoized citizenship, situated within a stratified system of "creeping apartheid." This undeclared system of control stretches over Israel proper and the occupied territories, and sees groups such as Palestinians in East Jerusalem, the West Bank and Gaza; the Druze and Bedouin within the Green Line; Orthodox and Ultra Orthodox Jews; Jewish settlers; new Jewish immigrants (termed *Olim* in the Israeli Zionist lexicon); and migrant workers all enjoying different *de jure* and *de facto* "packages" of rights and capabilities. The civil status of these groups

* Oren Yiftachel is Professor in the Department of Geography and Environmental Development, Ben-Gurion University of the Negev, Beer-Sheva. He is the founding editor of the international journal *Hagar/Hajar: Studies in Culture, Polity and Space*, and currently works as a planner for the Regional Council of Unrecognized Bedouin Villages.

1 In most cases in this article Israel's Palestinian citizens are referred to as "Arabs in Israel," in order to clearly distinguish between them and their brethren in the Palestinian territories occupied in 1967 and the Diaspora, as well as to unequivocally include the Druze and Bedouin communities. **The use of the term does not exclude them, of course, from being part of the Palestinian people.**

is determined by their ethnicity, religiosity, and location (Yiftachel, 2006). The shaping of Arabs' citizenship within the Green Line can only be understood as part of this system.

Israel's continuing violent occupation of the West Bank and Gaza, and the settlement of more than 450,000 Jews beyond the Green Line including in occupied eastern Jerusalem (Israeli Central Bureau of Statistics (CBS), 2009), have exacted a high toll on Israel's Arab minority: their expressions of natural support for their Palestinian brethren have, in turn, increased Jewish anti-Arab racism, especially in times of violent conflict. The persistent Israeli-Palestinian conflict has also denied the Arabs the possibility to raise their grievances in the Israeli public discourse, and has deprived them of precious material and symbolic resources needed for development and empowerment.

Conditions of citizenship

Israel was established in 1948 following the Nakba, when two-thirds of Palestinians were expelled and became long-term refugees. The 160,000 Palestinians who remained within independent Israel (13% of the state's population) formed a weak and fragmented "enemy-affiliated" community. Israel granted them formal citizenship, but placed them under military rule for 18 years. Since then, the minority has grown eight fold, reaching 1.15 million in 2005, or 17% of the citizenry (CBS, 2009).

State policies have traditionally attempted to weaken the minority through segmentation (by separating the Druze and Bedouin communities), denial of most collective cultural or political rights, and pervasive material deprivation. The Arabs have, however, developed a collective political agenda based on grounding their status as a national homeland minority. They are determined to protect their property and heritage and to achieve equality and recognition.

Yet, formal citizenship and growing demographic weight have not translated into significant societal integration or political empowerment in Israel. Despite staging a long and non-violent campaign for equality and recognition, Palestinian Arabs in Israel have made few achievements. During six decades of Israeli independence, Arabs have had only negligible impact on Israeli politics. One notable exception was the 1993 Oslo Accord, which was passed in the Knesset only due to Arab support. Yet the precarious status of Arab citizenship was

perhaps truly reflected when Rabin's (the head of the government) assassin, Yigal Amir, declared Arab support of Oslo as a reason for the assassination (Shafir and Peled, 2002).

Several examples illustrate Arab marginalization:[2]

Power sharing
- In Israel's 31 governments, an Arab party was never a member of a ruling coalition.
- Among 676 overall ministerial appointments, only two Arabs have ever served as government ministers.
- Out of 55 Supreme Court judge appointments since 1948, only one Arab has ever been appointed a Supreme Court judge.
- Arabs are virtually excluded from Israel's scientific and business elite, comprising less than 1% of university professorships and similar percentage of membership to boards of directors.

Land ownership
- Arabs have lost more than half the land they owned in 1948 to state confiscations and have remained locked in their small geographical enclaves, where they control only 2.5% of the state's area (Kedar, 2003).
- No new Arab settlement has been allowed since 1948, except for coerced urbanization of the Bedouin. About half of the Bedouin of the Naqab region still reside on unrecognized villages on their ancestors' lands and are denied basic services and facilities (Yiftachel, 2000).

Economic well-being
- The 1990-2005 average income of Arab workers is only 68% of that of their Jewish counterparts.
- The Arabs' mean level of higher education qualifications reaches only one-third of the Jewish rate.
- Their levels of negative social indicators, such as incarceration and infant mortality, are substantially higher than national average.

---

2   Unless otherwise specified, based on official government publications.

Killing by the state

- The Israeli state has pervasively used violence against the minority, most conspicuously in events such as the Kufr Qassem massacre in 1956, when 49 Arab citizens were killed; and state reaction to mass protest events like Land Day *(Yawm al-Ard)* in 1976, when six Arab demonstrators were killed by the police; and the October Events of 2000, when 13 more were killed.

- By contrast, state authorities have killed one Jew in six decades of very active (and much more extensive) Jewish political protest (Shafir and Peled, 2002).

Judaization and the Arab minority

The inability of the Arabs to translate their formal citizenship into substantive and equal membership stems, first and foremost, from the state ethnocratic structure. Judaization–and the associated de-Arabization–is the result of the Zionist hegemonic project, which dictates the goals, resources, and policies of state institutions and wide-ranging racist attitudes towards the Arab minority. Judaization is the state's main ideology, which overrides its formal commitment to democracy. Despite its gradual waning in recent years in the face of growing globalization, the Judaization ideology is still dominant, and is fueled by the ongoing dialectics of violence between Jews and Palestinians.

The later liberalizing trend within the Israeli regime in the nineties has seen the enactment of basic laws on several civil rights and liberties, such as human dignity and liberty, gay rights, and freedom of occupation. This has prompted most Israeli scholars to define the state as a democracy. However, as the ethnocratic (and non-democratic) Judaization project continues, the new liberties, which have positively affected groups such as homosexuals and women, have had little material effect on the Arab minority.

Let us briefly examine how the ethnocratic regime structurally marginalizes Israel's Palestinian Arab citizens in key societal arenas:

Demography. Virtually, Israel allows only Jewish immigration. The lynchpins of the system have been the Law of Return, and the parallel denial of return for Palestinian refugees. According to the Israeli Ministry of Immigration Absorption, Israel has to date received 2.8 million Jewish immigrants, and it

continues to actively and globally encourage Jewish immigration. At the same time, Israel prevents the return of Palestinian refugees and imposes very strict constraints on the entry of any Palestinian, including a recent law (The Nationality and Entry into Israel Law) prohibiting family reunion between Arab citizens and their Palestinian spouses from abroad.

Space. Since 1948, Israel has pursued the maximal transfer of land control to Jewish hands, the settlement of Jews in all parts of Israel/Palestine, and the segregation and ghettoization of Arabs in a systematic manner coupled with the severe restriction of Palestinian-Arab settlement and development. At present, Palestinian Arabs, who form 17% of the state's population, control only 2.7% of the state's municipal jurisdictions, and own only 3.5% of the land area (Kedar and Yiftachel, 2006). State land, by and large, is used for exclusively Jewish purposes. Since 1948, the state has established more than 700 new Jewish settlements and not one Arab settlement. The only exceptions are the towns established for coerced concentration of the Bedouin (Yiftachel, 2000).

In the 2000 Qaadan ruling, the Israeli Supreme Court upheld the right of all citizens (including Arabs) to purchase state land, but this is yet to have an impact on Arab mobility or spatial equality. The exclusion of Arabs from most Israeli-Jewish space is augmented by the official role allocated to international Jewish organizations, such as the Jewish National Fund (JNF) and the Jewish Agency, in Israel's formal system of planning and development. Jews who do not live in Israel have broader land rights than Palestinian citizens in Israel.

Armed forces. "Security" (that is, Jewish security) is known as Israel's "second religion" and enjoys an extremely powerful position in dictating state policies and practices. The armed forces have been totally dominated by Jews, while Israel's Arab citizens have not been drafted to the Israeli army except for the co-opted Druze and some Bedouin. Except for the Druze, Arabs are exempt from serving in the Israeli army or other communal services. At the same time, this exemption is used to justify their civil discrimination. This has diminished their ability to pursue personal mobility and seriously constrained their mobility in many areas, especially in employment and housing opportunities.

Development. Policies guiding development and capital accumulation in Israel have also weighed heavily in favor of Jews, evidenced in the patterns of developmental incentives, industrial and employment location, water allocation

policies, subsidizing projects and employment practices. The state's recent liberalization and global outlook, and subsequent retreat from state regulation, have further deepened the economic gaps between Arabs and Jews.

Law. Until the 1980s, the legal system, by and large, backed the Judaization of the country. This included implicit support for the 1948-1966 military government, and for the occupation and settlement of the occupied territories in 1967 (Kimmerling, 2004). With regard to civil law, religious regulations were adopted by the state that prohibited civil marriage, thereby deepening the chasm between Jewish and Arab citizens. Since the 1990s, with the advent of a liberal-tending "judicial activism," the system has increased its independence and protection of civil rights, although this has not seriously challenged the practices of Judaization, as most recently noted by the passing of the law prohibiting Arab family reunification, which violates a basic human right in the name of ethnic engineering.

Public culture. State symbols, such as the flag, national anthem, ceremonies, and logos all stress the Jewishness of the state, as do national holidays and weekends, which are all structured around the Jewish calendar. Hebrew is used in nearly all bureaucratic and legal forums. Arabic is also an official language, but is rarely used for official state business. Place names, maps, road signs, state media, and the arts are all predominantly Hebrew and Jewish. The public discourse and culture have often been dominated by racist undertones towards the Arab citizens, with concepts such as "voluntary transfer," "demographic problem," "population exchange" and the minority being referred to as a "cancerous" growth being routinely discussed by leading personalities, such as Prime Minister Benjamin Netanyahu, former Housing Minister Ephraim Eitam, and Welfare Minister, Deputy Prime Minister and Minister of Internal Affairs Elli Yishai.

Ghetto citizenship

As we have seen, despite Israel's self-definition as Jewish and democratic, it is in effect a *Judaizing* state, with democracy being subordinated to the (often racist) project of Judaization in all central societal arenas–legal, institutional, material, and executive. The Judaization project has framed the meaning of Israeli citizenship, and worked to both exclude and marginalize the state's Arab citizens.

Israel's settler colonialism and violent oppression of the Palestinians in the West

Bank and Gaza has further marginalized the status of the Arabs in Israel, given their natural support for the Palestinian resistance. The "separate and unequal" citizenship structure actively prevents the creation of an integrated civil Israeli political community.

The result has produced a discriminatory and deeply flawed Israeli citizenship structure, with the allocation of stratified "packages" of rights and capabilities based on ethnic origins. Obviously, there are serious gaps between this reality and the notion of equal democratic citizenship outlined above. One prime example is the 2009 appointment of MK Avigdor Lieberman of the *Yisrael Beteinu* (Israel, Our Home) party–despite his open support for the forced removal of Arab localities from Israel–as Deputy Prime Minister in the Israeli government.

Therefore, Palestinian Arab citizenship in Israel can be characterized as existing in a ghetto. This ghetto is multifaceted–political, cultural, economic, and administrative. Consequently, it is also spatial. The Palestinian Arabs in Israel are officially part of society, yet structurally they are isolated into enclaves and weakened by domination, exclusion, and disempowerment, the end of which does not appear to be in sight.

References

English

Israeli Central Bureau of Statistics (CBS). (2009). *Statistical abstracts of Israel.* Jerusalem: Government Printers.

Kedar, A. (2003). On the legal geography of ethnocratic settler states: Notes towards a research agenda. In J. Holder and C. Harrison (Eds.), *Law and geography* (pp. 16-135). Oxford: Oxford University Press.

Kedar, A., & Yiftachel, O. (2006). Land regime and social relations in Israel. In H. de Soto and F. Cheneval (Eds.), *Realizing property rights: Swiss human rights book* (pp.129-146). Zurich: Rueffer & Rub.

Shafir, G., & Peled, Y. (2002). *Being Israeli: The dynamics of Israeli citizenship.* Cambridge: Cambridge University Press.

Yiftachel, O. (2000). *Land, planning and inequality: The division of space between Arabs and Jews in Israel.* Tel-Aviv: Adva. (Hebrew and English).

Yiftachel, O. (2006). *Ethnocracy: Land and identity politics in Israel/Palestine*. Philadelphia: University of Pennsylvania Penn Press.

Hebrew

Kimmerling, B. (2004). *Immigrants, settlers, natives: The Israeli state and society between cultural pluralism and cultural wars*. Tel-Aviv: Am-Oved.

Additional Readings

English

Ghanem, A. (2000). *The Palestinian Arab minority in Israel, 1948-2000: A political study*. Albany: SUNY Press.

Ghanem, A. (2003). The status of the Palestinians in Israel in the era of peace: Part of the problem but not part of the solution. *Israel Affairs, 9*(1-2), 263-289.

Smooha, S. (2002). The model of ethnic democracy: Israel as a Jewish and democratic state. *Nations and Nationalism, 8*(s4), 475-503.

Sultany, N. (2004). *Citizens without citizenship: Mada's first annual political monitoring report–Israel and the Palestinian minority 2000-2002*. Haifa: Mada al-Carmel—Arab Center for Applied Social Research. (Arabic, English and Hebrew).

Hebrew

Swirski, S., & Konor-Attias, E. (2007). *Israel: A social report.* Tel-Aviv: Adva Center.

Available at: http://www.adva.org/uploaded/tmunatmazav2007final.pdf

Yonah, Y. (2005). *In virtue of difference: The multicultural project in Israel.* Tel-Aviv & Jerusalem: Hakibbutz Hameuchad & Van Leer Jerusalem Institute.

Relevant Websites

http://plato.stanford.edu/entries/citizenship/

http://www.sikkuy.org.il/aravit/about_ar.html

http://www.ecmi.de/jemie/download/Focus4-2002_Kymlicka.pdf

http://www.adalah.org/eng/index.php