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*"Unqualified support for Israel has made the grandiose ideals of the United States ring hollow."*

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## The United States Should Not Support an Oppressive Israel

Anne Marie Baylouny

Many United Nations resolutions against Israel have been vetoed by the United States or, if passed, ignored by Israel. In the following viewpoint, Anne Marie Baylouny argues that these resolutions highlight the severity of Israel's violations of international law and Palestinian rights. Baylouny contends that America, which prides itself on the principles of freedom and justice, devalues these principles by supporting a government that has stolen or destroyed Palestinian land and resources and that has waged a campaign of terror and violence against innocent Palestinians. Baylouny is the director of media and public relations for the American-Arab Anti-Discrimination Committee in Washington, D.C.

As you read, consider the following questions:

1. How has Israel prevented Palestinians from supporting themselves, in Baylouny's opinion?
2. What is collective punishment, and how has Israel enforced it, according to the author?
3. In Baylouny's opinion, how has Israel subverted American interests abroad?

"Human Rights Considerations and the United States-Israeli Relationship" by Anne Marie Baylouny was written expressly for inclusion in the present volume.

**F**rom the moment of its establishment in 1948 Israel has enjoyed a uniquely favored status in the foreign policy of the United States. U.S. political and financial support for Israel has been unprecedented in both its proportion and steadfastness, based in part upon claims of common moral and political values between the United States and Israel. However, a critical look at Israel's past and present reveals that the special nature of America's association with Israel is not in Israel's sharing of American ideals, but rather in America's seemingly inexhaustible capacity to forgive Israel for violating them. Despite persistent serious violations of human rights and international law, and indeed of fundamental American values on the part of Israel, American support continues unabated.

### **History of Palestine**

A look at the history of Palestine is required in order to fully comprehend the injustice represented by Israel's present acts of violence against the Palestinians. During the First World War the government of Great Britain promised the Arabs that it would ensure their independence after the war, in reward for rebelling against their Turkish rulers. Turkey, which had ruled the Middle East for approximately 400 years, was then allied with Great Britain's enemy, Germany. While the Arabs kept their part of the bargain by helping to defeat the Turks, the British government not only reneged on its promise of independence for the Arab population of Palestine, it instituted a policy of support for the establishment of a foreign nation there, Israel. During the thirty year period of British rule under a League of Nations mandate, the British authorities held the Palestinians at bay while European immigration swelled a Jewish population clearly intent on displacing them. As the British prepared to leave Palestine in 1947, an all-out war ensued between the immigrant Jews and native Palestinians. The well-equipped Jewish army conquered over three-fourths of Palestine, driving 750,000 Palestinians into permanent exile in the process. Twenty years later, Israel conquered the remaining quarter of Palestine, producing a second wave of Palestinian refugees. Today, 13% of the world's 6 million Palestinians live as second-class citizens within the state of Israel, an additional 29% live under Israeli military rule in the occupied territories of the West Bank and Gaza Strip, and fully 52% of Palestinians live outside of Palestine altogether. Nearly half a century after the establishment of the state of Israel, nearly one in five Palestinians remain in refugee camps supported by international relief agencies.

Israel's occupation of the West Bank and Gaza Strip since 1967 is in contravention of international law. The United Nations has repeatedly condemned this occupation as illegal. United Nations

Security Council Resolution 242, passed shortly after the 1967 war, reiterates the international law prohibition against "the acquisition of territory by war." It specifically declares the necessity of the "withdrawal of Israeli armed forces from territories occupied in the recent conflict." Israel, however, continues to ignore United Nations rulings and international law by maintaining its occupation of the West Bank and Gaza Strip, and denying the legitimate right of self-determination to the Palestinian people living there.

#### **Israel's Crimes**

In the course of maintaining this illegal occupation against the expressed wishes of the population, Israel has committed numerous human rights violations. These violations fall within two broad categories. First, violations of the rights of individuals, and second, collective violations or violations which affect the structure of Palestinian society. Individual human rights abuses include killings; beatings; torture; shooting with live ammunition at unarmed civilians, including children; and imprisonment without being charged. Structural violations include the confiscation of land and water, Israeli settlements in the occupied territories, demolition and sealing of houses, collective punishments such as curfew and expulsions, closing of schools, prevention of economic development and employment, and taxation without representation or services.

Each year in the occupied territories, more Palestinian land is confiscated by the Israeli government. The owners are forced off their lands and deprived of their livelihoods, with no compensation. To date, 70% of the West Bank (not including East Jerusalem) and 30% of the Gaza Strip has been seized by the government of Israel. Water, a necessary and rare resource in the Middle East, is also extensively expropriated by the Israelis. Eighty-three percent of the water in the West Bank and Gaza Strip has been diverted from the Palestinians, for use by Israelis both in settlements in the occupied territories and within Israel. These water resources have literally been stolen from under the feet of the Palestinians, taken from underground aquifers. Deprived of this precious resource, Palestinians are unable to grow crops and feed their families. Further restricting Palestinian access to water, the Israeli military authorities prohibit them from digging new wells when the old ones run dry. Adding to the economic oppression of the Palestinians, the state of Israel levies heavy taxes, without furnishing the corresponding municipal services or political representation. Around-the-clock curfews, imposed on entire villages, prohibit Palestinians from earning money, buying food, and seeking medical attention. These curfews can last weeks or months at a time. Again, all of this is in violation of international law, as stated in the Fourth

Geneva Convention, and numerous United Nations rulings.

Hundreds of thousands of Palestinians have been forced to live in refugee camps. These camps are little more than shantytowns crammed with tiny one-room shacks, which are usually unheated and without running water. Their narrow streets must double as sewers. Meanwhile, the land that was theirs for hundreds of years has been confiscated. This land was then given to Israeli settlers, many of whom are recent Jewish immigrants from such areas as the former Soviet Union and the United States. These Israeli settlements are contrary to the prohibition in international law against population transfer. Article 49 of the Fourth Geneva Convention specifically prohibits such settlements: "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

### **The Palestinian Uprising**

In response to these international law violations and the worsening situation in the occupied territories, the Palestinian *intifada*, or uprising, began in December 1987. To suppress this nonviolent protest movement, the Israeli army attempted to tighten its control over the Palestinian population, resulting in a dramatic increase in human rights violations against Palestinians.

One of the most prevalent Israeli human rights abuses is the practice of arbitrary arrest and detention. Under Israeli military law, Palestinians can be arrested and held in prison for periods up to six months, without trial or even charge. The Israeli authorities refer to this as "administrative detention." Imprisonment without due process of law violates both international law and the American Constitution. At any given time during the *intifada*, an average of 10,000-15,000 Palestinians were unlawfully detained by the Israeli military in the occupied territories. In 1990 when former American president Jimmy Carter visited the occupied territories, he noted in his report, "There is hardly a family that lives in the West Bank and Gaza that has not had one of its male members actually incarcerated by the military authorities." It is estimated that one in three adult male Palestinians have been detained at some time during their lives; many have been detained more than once.

The torture and beating of detainees is practiced regularly in Israeli prisons. Numerous Palestinians have died while under "interrogation." The Palestinian Human Rights Information Center, an internationally recognized human rights watch organization, reported that 35 people have died in detention from the start of the *intifada* to September 1993. The causes of these deaths include torture, medical negligence, shootings, and what is listed as "unexplained deaths." In one of these cases, a 17-year-old boy is reported to have died after being hooded and

handcuffed to a chair for four days, denied food, and beaten repeatedly, especially on his spine, with hammer blows to his head and joints.



"We beat them and killed them, occupied their land and expelled them. Help us figure out what else we can do to them."

Higazi/*Al-Ahali*. By permission of MERIP/Middle East Report, 1500 Massachusetts Ave. NW, #119, Washington, DC 20005, from p. 45, *MER* no. 152, May/June 1988. MERIP's mission is to educate the public about the contemporary Middle East. Our work is especially concerned with U.S. policy, human rights, and social justice issues. MERIP's major program, *Middle East Report*, is a bimonthly magazine that provides a lively, independent look at the region and U.S. policy.

An even more atrocious fact is that during this same period 1,240 Palestinians were killed or executed by Israeli security forces. This number includes a long litany of deaths by torture, beatings, tear gas, and gunfire. Many of those killed were in their homes, on their way to work or school, or engaged in non-violent protests, such as writing political graffiti. The victims range in age from the very young to the very old. During the raid of one home, the army beat a 75-year-old woman to death. Three hundred and twenty-five children, 16 years old or younger, were killed by Israeli forces. Indeed, infants have been shot by soldiers. One young boy, little more than a year and a half old, was killed while holding his father's hand. A 3-year-old girl was shot and killed while riding in her father's car. In another instance, two young boys, 11 and 12 years old, were shot in the head and killed while playing together. Ten-year-olds have been fatally shot, often multiple times, by Israeli army gunfire while coming home from school. Infants several months old have died from ex-

posure to the extremely toxic elements in the tear gas used by the Israeli army.

The deaths reveal only part of the story. Approximately 130,000 Palestinians have been injured by the same means, namely, gunfire, torture, beatings, and tear gas. Again, one-third of all those injured were 16 or younger, and one-fourth were women. These injuries were of a serious nature: arms, legs, and eyes have been lost, skulls fractured, bones broken. Pregnant women have been beaten. The *Physicians for Human Rights Report*, a 1988 report by four American doctors on conditions in the territories, concluded that Israel was engaged in "an unrestrained epidemic of violence by the army and police," and that many injuries were intentionally inflicted with the aim of breaking limbs. The member states of the European Community have stated that they "deeply deplore the repressive measures taken by Israel, which are violations of international law and human rights." Findings and reports by the United States Department of State confirm these conclusions, as do Amnesty International, the International Red Cross, Middle East Watch, and the United Nations.

### Collective Punishment

The Israeli military authorities also use collective punishments, targeted against entire families and villages, in an attempt to suppress dissent. Collective punishment is absolutely prohibited by the Fourth Geneva Convention, Article 33, which states, "No protected person may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited." Demolitions and sealings of the homes of suspected protesters are one form of collective punishment. From the start of the uprising, 2,500 houses have been demolished or sealed. Demolitions can take place at any hour of the day or night. Families are given as little as an hour to pack their belongings, and with no place to go are left destitute in the street. This tactic is used to suppress protest and instill fear in the community. The Palestinian school system, from kindergartens to universities, was closed by the Israeli military authorities, for several years, significantly disrupting the intellectual development of an entire generation of Palestinians. Another method of collectively oppressing the Palestinian population is the systematic uprooting of economically valuable orchards and trees. Over 160,000 such trees have been uprooted during this period, depriving the owners of their main source of livelihood.

Israel's digression from American values is not limited to the lands conquered in the 1967 war, but extends to within the boundaries of Israel itself. Israel practices a peculiar type of democracy, with no constitution. The set of "Fundamental Laws," which effectively replace a constitution, are overtly dis-

crimatory against non-Jews. Only those of the Jewish faith are entitled to full rights within Israel, including equal access to housing, social benefits, land control, and employment. Title to 93% of the land, for example, is held for the exclusive use of Jewish people. Many job opportunities in the government, the largest employer in Israel, are restricted to veterans, precluding Arabs who are not allowed to serve in the military. In Israeli Arab municipalities, the communities pay taxes without receiving proportional services. Some villages receive no services at all for the taxes they pay. For example, dozens of villages in the Galilee, home to approximately 40,000 taxpaying Palestinians, are not officially recognized by the state. As a result, these villages are without sewage systems, electricity, health facilities, and roads. Despite the patent injustice of this situation these communities have no legal recourse, since Arabs are officially considered second-class citizens. According to a justice of Israel's High Court, "The essence of a Jewish state is to give preeminence to Jews as Jews. Anyone who asks, in the name of democracy, for equality to all its citizens—Jews and Arabs—must be rejected as one who negates the existence of the Israeli state as the state of the Jewish people."

#### **Subverting American Interests**

In areas where the United States has distinct interests, Israel has subverted these interests while pursuing its own goals. For instance, while American hostages were being held in Iran in 1979, Israel continued to supply the Iranian government with military hardware. At a time when the Iranian government was actively hostile toward the United States, America's ally helped that government develop its military arsenal. In South Africa, Israel similarly ignored American goals as well as the desires of the international community. While the United States led an international economic boycott of South Africa in order to pressure the government to end its policies of apartheid and oppression of the indigenous black population, Israel continued its substantial economic relations and military cooperation with South Africa.

Another instance where American goals have been thwarted by Israeli actions is the case of Lebanon. Stability in Lebanon was an American policy goal; however Israel has worked to create instability, through its invasions, bombing and destruction of Lebanese villages, and its continued occupation of the southern part of Lebanon. The international community ruled that the continued presence of Israeli troops on Lebanese soil violates international law, and passed United Nations Resolution 425 stating this shortly after the 1978 invasion by Israel. In its most brutal violation of the international law guarantees against tar-

getting civilians, Israel's 1982 invasion of Lebanon was responsible for the deaths of over 16,000 innocent civilians. As recently as July 1993, an Israeli invasion displaced over a quarter of a million civilians.

Americans, steeped as they are in the tradition and belief of human rights, should find these repeated violations of human rights and international law reprehensible. Still, the United States continues to give the money, technology, military equipment, and political support that allows Israel to continue along the same path. The United States has insulated Israel from international censure, vetoing numerous United Nations resolutions critical of Israeli human rights violations. The United States also continues its massive monetary aid to Israel, more than \$3 billion each year. Putting this remarkable annual gift in perspective, it amounts to three times the aid given to the entire continent of Africa, and this continued aid to Israel contradicts American laws, which prohibit foreign aid to a country that, according to the United States Foreign Assistance Act, "engages in a consistent pattern of gross violations of internationally recognized human rights."

Within the context of the blatant disregard for even the most fundamental American principles of equality and freedom, unqualified support for Israel has made the grandiose ideals of the United States ring hollow. The practice of making exceptions for Israel, regardless of international law and human rights violations, poisons the American dedication to those values. To fulfill its role as world leader, the United States needs to exhibit evenhandedness in its relationship with Israel. Only unbiased support for justice will lead to a resolution of the conflict in the Middle East, and a resumption of respect for the United States and its values. As long as the present policy endures, the country that once stood as the bastion of civil liberties, freedom, and equality will continue to bear the accusations of hypocrisy and bias without an adequate response.