

// I say to my Palestinian colleagues: Do not bemoan the establishment of the State of Israel; establish your own state, rejoice in its establishment and we will rejoice with you, since for us the establishment of the Palestinian state is not our Nakba, or disaster - provided that upon its establishment the word 'Nakba' be deleted from the Arabic lexicon in referring to Israel. //

– Israeli Foreign Minister Tzipi Livni at Annapolis talks, 27 Nov., 2008



Photo by Badil

Israel commemorates its independence day with a series of events celebrating a Jewish 'homecoming' to the land and the birth of the Jewish state as achievements of the Zionist dream for 'Eretz Israel' (all of Mandate Palestine).

As Israel celebrates, it entirely disavows any responsibility for the destruction of the homeland of the Palestinian people and their forced displacement – what Palestinians call the 'Nakba' or 'Catastrophe'. Early Zionist leader Israel Zangwill spoke of "a people without land returning to a land without people."

This denial is also found in schools, on official maps and in law. It, in turn, helps perpetuate ongoing confiscation of Palestinian land, an existing discriminatory legal regime, and today's forced displacement.

In the words of Eitan Bronstein of the Israeli *Zochrot* (Remembering) Association:

If the Nakba never happened, it is impossible that millions of Palestinians today are refugees who demand restitution of their rights. It is also impossible that the Palestinians demand control of at least one-fifth of Palestine, because they had nothing before.'

Between the end of 1947 and early 1949, more than half of the Palestinian population living in Mandate Palestine (esti-

Israel's 2008 Anniversary Celebrations

Israeli officials have prepared a series of public relations efforts around this year's 60th anniversary of Israel's creation, which also marks the 60th year of Palestinian dispossession.

Both former US president Bill Clinton and current president George W. Bush are serving as honorary co-chairs of Israel-60, and numerous heads of state, including President Bush, are scheduled to come to Israel to attend the festivities.

Educational packets celebrate the Israeli national anthem, 'HaTikva', which speaks of a 2,000-year-old yearning of the Jewish soul for "the land of Zion and Jerusalem". Israel's 1.2 Palestinian citizens have advocated for a national anthem that is inclusive of their aspirations.

Israel has declared the Saturday, the Jewish holy day, that will fall between Holocaust Remembrance Day and Independence Day in May 2008 as the "Jewish Peoplehood Sabbath" to be commemorated "by every Jew in every setting."

At the same time, a special blog created for the celebration seeks to debunk charges that Israel discriminates against its Arab citizens.



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mated at 1.3 million) was displaced by Zionist militia and the state of Israel.

After 1948, Israel used military regulations and legal statutes regarding 'absentee property' to ensure that Palestinian refugees and IDPs could not return to their property and claim it; those who remained on their land were also subject to discriminatory regulations (see sidebar) and a military government that lasted until 1966.

In 1950, Israel enacted the Law of Return, granting any Jew anywhere the right to citizenship as a Jewish national in Israel and (since 1967) also in the occupied Palestinian territory (OPT) while the 1952 Citizenship Law denationalised the Palestinian refugees. The establishment of a Jewish extra-territorial ethno-religious nationality as the basis for citizenship created one set of rules for Jews and another for Palestinians. Since 1967, Israel's military government in the OPT has established a similar discriminatory regime of military regulations.

While Israel presents itself as a democracy, UN experts have frequently raised concern. In 2003, the Committee on Economic, Social and Cultural Rights concluded that Israel's extraterritorial concept of 'Jewish nationality' is grounds for "exclusive preferential treatment" resulting in "discriminatory treatment against non-Jews, in particular Palestinian refugees." In June 2007, the Committee for the Elimination of Racial Discrimination (CERD) concluded that "the denial of the rights of many Palestinians to return and possess their homes in Israel is discriminatory and perpetuates violations of human rights." CERD also applied the concept of apartheid to some of Israel's practices towards Palestinian citizens of Israel, requesting that Israel "assess the extent to which the maintenance of separate Arab and Jewish 'sectors' may amount to racial segregation."

Israel's apartheid-like policies are visible in the Naqab (Negev), where 160,000 indigenous Bedouin live, many in unrecognized villages that were not included in Israel's national master plan. These 'unrecognized' villages have no access to public services (water, electricity, health or education) and are issued no construction licenses. Unlicensed buildings there are likely to face demolition. Officials estimate that 45,000 houses in the Naqab could be demolished under Israel law. At the same time, Israel initiated in 2005 a ten-year, US\$3.6 billion plan to develop the Naqab and double the number of its Jewish residents.

Israel considers the OPT 'disputed' not 'occupied'. In January 2007, UN Special Rapporteur on Human Rights in the OPT, Prof. John Dugard, reported that Israel's 40-year-long occupation of the OPT "included elements of colonialism and apartheid." Miloon Kothari, UN Special Rapporteur on the Right to Adequate Housing, found that "the institutions, laws and practices that Israel had developed to dispossess the Palestinians (now Israeli citizens) inside its 1948 border (the Green Line) have been applied with comparable effect in the areas occupied since 1967" and that "Israel's confiscation of land and properties belonging privately and collectively to the Palestinians in the occupied Palestinian territories is a dominant feature of the occupation and an essential component of Israel's population transfer programme."

Some Examples of Post-1948 Discrimination Against Palestinians

► 1948 – Article 125 of the 1945 Defence (Emergency) Regulations created by the British and amended by Israel allowed the state to declare a community a "closed military area". Military orders and laws related to "absentee property" were applied to both refugees and Palestinians present in Israel, so-called "present absentees". Both groups were banned from returning to their homes and land. By the mid-1950s, the state and the Jewish National Fund had acquired approximately 90% of the land of Israel (up from 11% pre-1948).

► 1953 – Land Acquisition Law retroactively validated Israel's acquisition of approximately 1.23 million dunams, including 70,000 dunams of land of Muslim religious endowments.

► 1953 – The Israel National Fund Law gave public status to the Jewish National Fund (JNF), despite the fact that it operates worldwide promoting exclusively Jewish interests. The JNF appoints half of the directors of the Israel Lands Administration, which administers some 80% of the land in Israel (of which 13% is directly controlled by the JNF).

► 1980 – Land Acquisition in the Negev (Peace Treaty with Egypt) Law confiscated thousands of dunams of land from Palestinian Bedouin in the Naqab.