

ELLEN CANTAROW

West Bank town under house arrest

AHMAD (NOT HIS REAL name), a Palestinian farmer, lives with his wife and their twelve children in a tiny stone house off the main road in Halhoul, a farm town of 12,000 persons on the West Bank, some 40 kilometers south of Jerusalem. Early in the morning of March 14, 1979, Ahmad left his house as usual, riding his donkey some ten kilometers toward Jerusalem to his five-dunam plot of land in the Judean hills. While Ahmad was working his crops, a crowd of Halhoul young people gathered at the center of town; they were protesting the arrest of Muhammad Milhem, their mayor, and several city councilors by the Israeli military authorities the night before. This demonstration was the second that week. At the earlier gathering—staged to protest President Carter's arrival in Israel, the Egyptian-Israeli peace treaty, and the autonomy plan—demonstrators at one point threw stones at a bus passing along the Jerusalem-Hebron road. (It was apparently in retaliation for the stone-throwing that the Israeli military authorities arrested the town government.)

The March 14 demonstration wended its way down to the Jerusalem-Hebron road, where yet another traffic incident occurred. A car carrying residents from the Israeli settlement of Kiryat Arba, a ten-minute drive to the north of Halhoul, arrived on the scene and tried to force its way through the crowd. Another round of stone-throwing ensued, with tragic results. News accounts vary: Either Israeli soldiers, or passengers in the car, or both opened fire

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on the crowd. What is certain is that the gunfire killed two Halhoul youths, and that Israeli army troops immediately sealed the town off. The army imposed a 23-hour-a-day curfew that lasted sixteen days—the longest yet for any Palestinian town during the twelve-year history of Israel's occupation of the territories.

When Ahmad made his way home through the Israeli soldiery, he found his household in a state of terror. A door to his house had been battered in—the wood near the top was splintered through. The family says Israeli soldiers did that to force Ahmad's wife to open the house to them. His three-year-old was so frightened she wasn't speaking, and would not, the family claims, for weeks to come. Other misfortunes, says Ahmad's wife, befell the family during the fifteen days that followed. During curfew hours one day, the eldest daughter hazarded a journey down the steep stone steps that lead from the upper story of the house to the lower one where her grandmother lives, to take the old woman a loaf of bread. Almost instantly the dusty little courtyard in front of their stable was filled with soldiers. According to the family, the soldiers threw stones, shattering the upper-story windows. Another day, a four-year-old boy slipped out of the house and was stoned by soldiers. When I spoke with the family five months later, the mother thrust

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the child toward me and pointed at a scar that still showed on his forehead: "What can we do?" she implored. "We have no weapons. We are helpless. We can't defend ourselves."

Collective punishment is common on the West Bank. Last spring curfews were levied on the town of Beit Sahur, north of Halhoul, and on the Jalazoun refugee camp near Ramallah; Bir Zeit University, just beside Jalazoun, was closed from May till July, after a demonstration in which Israeli gunfire wounded several students.

Such punishments are legal under Israel's Emergency Security Laws. Tak-

ports also must be supplied in conversions to condo, attesting to the quality of building components—though such matters as how much longer the boiler will last are almost impossible to predict. This is called full disclosure, and the converter or developer naturally passes along his legal and consultant costs to the buyers.

The developer of condominium units must follow all the costly procedures that builders of single-family homes contend with, but more so. In many cases, the key to approval of a condo project is to grease the proper hands. (Of course, it can be a lot of grease; for instance, the former mayor of Lansing, Illinois, raked off \$85,000 between 1970 and 1973 in payoffs on rezoning and annexation cases.)

Most of the scandals involving payoffs to local zoning officials have centered on efforts by developers to get approval to build condo projects. Because condos sell out and then are owned by their residents, condo developers know they have to pay off only once—not over a long period of years, as might be the case if they retained and rented apartments. For a one-time fee, passed along to buyers of the units, of course, they get their approvals, build, sell, and go elsewhere. Just another regulatory cost.

There is some evidence that a nationwide wave of resistance to overregulation is forming. President Carter has called on governors and mayors to do something about communities that halt development by refusing to expand their sewer systems. Carter also asked the officials to review requirements that developers donate facilities, as well as the number of permits they must obtain for a single project. Many realtors hope that Carter's message signals a new approach—less regulation rather than more.

The parents of those children born in the fifties may yet do their duty to their offspring and come to the rescue at the local level, believes Donald Hovde, head of the National Association of Realtors. "Attitudes are changing. The babies that we built so many schools for in the 1950s are now reaching home-buying age and finding that the no-growth philosophy of the last six to eight years has limited their chances to own a home. The parents of these young people are beginning to show a more responsible attitude toward reducing the regulation that keeps this essential housing from being built. That's because it is their children now who need access to shelter." □

en over wholesale in 1948 from the British, who enacted them to combat anti-British Zionist resistance and terrorism, the laws provide a wide range of sanctions: curfew, detention for prolonged periods without trial, the confiscation of lands, the closing of public institutions, and deportation. "The dialectic of occupation confounds Israel's professional Arabists and security experts," observed *New Statesman* Middle East correspondent Ian Black last spring, discussing the political impact of these laws. "Pupils whose schools are closed go back to studying in their home villages and Bir Zeit students are now preparing for exams with a zeal and self-discipline that no curriculum can impose. . . . Every curfew, every sealing of a house, every deportation or administrative detention strengthens Palestinian consciousness on the West Bank."

PUNISHMENTS LIKE THE curfew on Halhoul are only the most dramatic manifestations of a contest of national wills—the Israeli government's will to occupy and settle the territories, and the Palestinians' will to have their own state. The battleground is the land itself. It is pure south-

ment for Rural Settlement, in a 1978 document entitled "Master Plan for the Development of Settlements in Judea and Samaria, 1979–1983." "The disposition of the settlements," writes Drobles, "must be carried out not only around the settlements of the minorities [by "settlements" Drobles is referring to towns and villages centuries old, like Hebron and Nablus, and by "minorities" he means Arabs] but also *in between* them." Drobles's purported rationale for this particular configuration is that "over the course of time, with or without peace, we will have to learn to live *with* the minorities and *among them*, while fostering good-neighborly relations."

The distribution of the settlements cuts the Arab towns and cities geopolitically; it blocks actual physical continuity of contact. And so a very different interpretation from Drobles's "friendly coexistence" theory can be made for the pattern of Israel's West Bank settlements. The day after the curfew was imposed on Halhoul a senior officer of the military government observed to a *Ha'aretz* reporter, "There is an intention to tear Judea from Samaria, in order to disrupt the bonds and the political link-up between Samaria . . . and Judea." Com-

reh. One of the commonest experiences of Palestinian towns on the West Bank is land confiscation. Kiryat Arba, for instance, sits on 1200 dunams of land that used to belong to the town of Hebron. Tequ'a, a settlement in the district of Bethlehem, is on land that belonged to the village of Rafidia; the settlement Migdal Oz in the district of Hebron was established in 1976 on a 50-dunam plot that belonged to the village of Beit Ummar.

AS FOR LAND CONFISCATION, said Milhem, as we stood on the hillside discussing the settlements, so far Halhoul has escaped the fate of many of the Arab towns around it. But what has not taken place above ground in Halhoul has taken place beneath. Halhoul's water used to come from an underground well that it shared with Hebron. Before the municipal elections of 1976, which brought into office a group of militant mayors including Halhoul's Milhem and Nablus's Basam al-Shaka, the mayors of Halhoul and Hebron agreed—under pressure by the military government—to give up their independent water supply and connect with the central Israeli source controlled by the Kiryat Arba settlement. So it is that Halhoul now has its entire supply of water running in a three-inch pipeline from a hostile Israeli settlement.

The geopolitical situation lends itself easily to murder and vandalism: A rash of civilian acts of vandalism occurred last spring. Settlers—two from Kiryat Arba were later charged with the deed—uprooted several acres of grapevines belonging to farmers from Hebron which is adjacent to the Israeli settlement. Kiryat Arba residents also broke into several Arab houses in Hebron and wrecked them. The most recent act of vandalism by Jewish settlers took place November 28, when men from the Israeli West Bank settlement of Shiloh invaded and destroyed property in the UN-sponsored girls' school in the Jalazoun refugee camp.

More distressing to the inhabitants of Halhoul than random acts of civilian violence is the debilitating dependence that is the everyday reality of military rule. Like other Palestinian towns, Halhoul is a virtual ward of the Israeli authorities. All sales and purchases of certain basic supplies, like spare parts for water pumps, are controlled by the military government. In many jobs one's security also depends on the military authorities. For instance the governor

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ern Mediterranean, handmade stone walls marching steeply up the hills in irregular ridges, enclosing rectangles of red-brown earth blotted with the dark green of grapevines and fruit trees, the paler silver-green of olives. This is peasant land; the crops are the work of generations of Palestinian farmers like Ahmad. But during the curfew, Milhem told me, the farmers couldn't get out to spray their crops with pesticides and so between 30 and 40 percent of the year's yield was lost.

Israeli settlements are interspersed with Arab villages along the road to Halhoul—well-tended apartment blocks, cubicles, and slabs rising from the Judean hills, invariably surrounded by barbed wire and guarded by armed Israeli soldiers. The disposition of the settlements, which "seed" the countryside, as it were, reminds one of a statement by Matityahu Drobles, head of the World Zionist Organization's Depart-

menting on that remark Israel Shahak, head of the Israeli League for Human and Civil Rights, observed that "the tendency to divide the West Bank and Gaza into small fragments is clear. . . ."

The day I spoke with Ahmad's family and with the mother of one of the youths slain on March 14, I went with Milhem to a hilltop in Halhoul from which one can see Gush Etzion, an Israeli settlement just to the south. Kiryat Arba lies to the north. From this perspective the Israeli settlements seemed far less testimonies to friendly coexistence, and more like armed camps at the ready to grip Halhoul in a vise. "The settlements," observed Milhem, "are a cancer in our midst. A cancer can kill one man. But this cancer can kill a whole people."

The metaphor was an obvious reference to land seizures by the occupation authorities, the most recent of which was Israel's taking this fall of land near Nablus for the Israeli settlement Elon Mo-

n fire or transfer teachers at will, as he did in the case of one of Halhoul's city councilors who was ordered to move from his teaching job in Halhoul to one much smaller town some distance away. It was also the military government that rejected the town's proposal for a wholesale vegetable and fruit market. Funds for the market had already come through, says Milhem, partly from private sources in Kuwait and partly from American Near East Refugee Aid, a private charitable organization. Milhem estimates that the market would have brought in 1.5 million Israeli pounds a year.

According to Milhem the military government's aim is to keep the town government cowed and impotent: "They want daily to try to make us fail, to make the people think we can't do anything for them, to reject our projects," he said. What enrages the mayor is the town's beholdenness to the military government for everything—from having one's identity card checked when traveling home from one's own fields, to being turned down for economic projects like the market. Thus he and his townspeople fume when the autonomy plan is mentioned.

Israel's "autonomy" would give Palestinians jurisdiction over persons but not territory, and in practical terms this would mean a continuation of the status quo. Last spring journalist Danny Rubenstein observed in the Israeli newspaper *Davar* that under the plan Israel would maintain sovereignty over land and water resources in the territories; Israelis would still head the office of abandoned and State Property, which controls lands confiscated for settlements and military use; they would still head the customs office, still keep watch over the stream of Arab traffic back and forth over the bridge to Jordan, and still head the major ministries and departments—education, transport, statistics, electricity, welfare, and the interior.

Instead of such a sham autonomy, Halhoul's townspeople want homegrown economic vitality and real home rule. Of these they already have some elements. There is the land itself, which produces an abundance of grapes, apples, and peaches and which feeds the town some 500 million Israeli pounds yearly. Narrow shops selling fruits and vegetables line the main thoroughfare, and in a total of sixty stores one-third of the townspeople earn a living. There are two industrial firms in Halhoul. A garment factory employs about forty women and turns out goods

destined for West Bank sale. Another factory makes the boxes in which the town's produce gets packed. But without a wholesale market and new roads, it is impossible to develop more than a very primitive system for distributing the town's crops.

During the past twelve years it has



become increasingly difficult to wrest a living from the land on the West Bank and the Gaza Strip. Water rights are not secure, higher salaries are available in Israel, and Israeli policies have restricted marketing facilities and investment in land and agriculture. The number of farm workers has dropped from 44,000 to 31,000 in 1975.

To help make ends meet, Ahmad travels to Tel Aviv between crop seasons and works in construction. He goes off in the early hours of the morning and returns to Halhoul in the evening in a battered Arab bus. Such workers—and there are thousands of them—are not permitted to stay in Israel overnight, and they get fined and jailed if they do so.

DAILY LIFE FOR THE PALESTINIANS is different from that of their Jewish neighbors. The roads of Halhoul are buckling in places, and some are virtually unpaved. There are new houses going up in Halhoul to replace sixty that the Israeli military bulldozed in 1968 to avenge the killing of an Israeli soldier by a Halhoul resident. But these are rising slowly, and at private expense. In Kiryat Arba, in con-

trast, the streets are newly paved. The three-to-five-room flats—underwritten by the Israeli government—are modest (most Israeli apartments aren't up to American standards), but they are extremely comfortable, newly painted, and in good repair—with modern plumbing.

After last summer there was a deceptive lull in political activities on the West Bank. Then, in November, came the attack by the Shiloh settlers on the Jalazoun girls' school. Several days later the settlers returned to the school, abducted a student, and took her to military headquarters for questioning. (Both attacks are said to have been provoked when youths from Jalazoun threw stones at passing Israeli vehicles.) Such violence has continued through December. In the West Bank town of Beit Ummar, Israeli security forces threw tear-gas canisters and fired warning shots to break up a funeral procession that was mourning a local PLO official recently assassinated in Cyprus. At Bir Zeit University, clashes between Arab students and Israeli soldiers resulted in the arrests of thirteen students. According to William Claiborne, writing in the *Washington Post*, Mayor Milhem recently told foreign journalists that he fears for his life because of reports that civilian vigilantes from Kiryat Arba have sworn to kill him. Just before Milhem confided his fears to the press, a group of Kiryat Arba settlers burst into a Halhoul store and beat up the owner and a mukhtar (a local political authority)—allegedly to retaliate for stone-throwing by Halhoul teenagers.

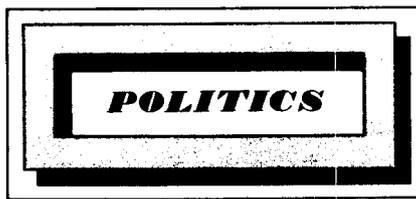
Early in December, Nablus's mayor Bassam al-Shaka was arrested, and his deportation seemed imminent. A PLO-endorsed resignation by West Bank and Gaza mayors—including Muhammed Milhem of Halhoul—forced his release. But no sooner did the mayors make their collective show of strength than Israel put two of them on trial for allegedly shoving an Israeli police sergeant in a courtroom more than a year ago. Mayors Kalim Khalef of Ramallah and Ibrahim Tawil of El Bireh assert their innocence, but conviction on the assault charge could mean dismissal from their posts. Of the larger politics surrounding the trial Khalef observed: "The Israelis' plan is to impose autonomy rule on our people. They are trying to get rid of some mayors and impose autonomy." Mayor Milhem is also threatened with trial for alleged administrative irregularities.

Since the attempt to deport Shaka,

reports Claiborne, "Sharply divided political forces on the West Bank and in the Gaza Strip [have begun] to pull together as never before." After Shaka's release, the Arab leaders in the occupied territories held a series of banquets, meetings, and receptions that has sent tremors through the military occupation. "In an apparent effort to undermine the new-found political alliance between the West Bank political establishment and leaders in the Gaza Strip," reports Claiborne, "the government ordered a ban on travel by Gaza mayor Rahid Sahwa and his municipal council." Claiborne reports that some military officials want all political meetings banned, others would tolerate them "as long as they do not become seditious." Of course, the definition of sedition, like the definition of other notions, including that of a homeland and who has the right to one, lies with the Israeli government. So does all legal authority.

The ban on all travel by the mayor of Gaza, like the arrest of Shaka and the trial of Khalef and Tawil, can be seen as part of an overall Israeli design to keep the West Bank Palestinians in a state of political and economic subordination. On November 11 the Israeli cabinet renewed its pledge to continue building in the territories, saying new settlements would be confined to "state-owned" land. But the distinction between "state-owned" and "private" land is senseless on the West Bank. Much of the land owned by farmers like Ahmad is *miri* land—public domain that under Jordanian law was considered the private property of whoever farmed it for three consecutive years. Such private ownership is often documented only in the old feudal way: by common village agreement, and in the minds of those who farm it. But under Israeli law it is "public," hence, up for grabs.

In Mayor Milhem's living room hangs a small oil painting. An idyllic countryside surrounds a little domed house in the old Arab style you rarely see anymore, a house like the ones bulldozed in Halhoul eleven years ago. A woman in traditional dress stands looking off towards the hills that rise peacefully in the distance. At her feet chickens peck at grain in a little yard. That quiet idyll seems a tribute to existential faith, while throughout the real countryside beyond the mayor's house the contest between Israel's will to rule the West Bank and the Palestinians' will to form an independent state continues unabated.



JAMES DALE DAVIDSON

The balanced budget and Jerry Brown

A CONSTITUTIONAL CONVENTION to propose a balanced-budget amendment is no longer just a possibility; instead it is an imminent reality. Thirty of the required thirty-four states have passed resolutions calling for such a convention should Congress fail to pass a balanced-budget amendment for the states to ratify.

More than seventy different constitutional amendments dealing with deficit spending were introduced in the first session of this Congress. Hoping to allay pressure for a convention, the Subcommittee on the Constitution of the Senate Judiciary Committee held hearings and approved a proposed amendment.

In 1980, eighteen of the twenty legislatures that have not called for such a convention will be in session, and chances are excellent that the resolution will pass in several states, perhaps in the required four. And, as the total number of the states having passed such resolutions approaches thirty-four, the pressure will become greater on Congress to act to avoid what many insist would become a constitutional crisis.

The question has already become an issue in the presidential campaign, where, among Democrats, Jerry Brown is the sole supporter of the amendment. This has brought severe criticism down on him, but his critics' complaints display a double standard about the role of public opinion in a democracy. Brown's support for a constitutional convention to propose a balanced-budget amendment has been widely interpreted as crass demagoguery. The *New York Times*, the *Washington Star*, the *New Republic*, the *Progressive*, and now *Inquiry* (Jan 7 & 21,

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1980), have all attacked Brown's position as an unseemly attempt to curry favor with the voters. The news media expressed a similar attitude toward Brown's shift of position on Proposition 13. After a large majority of California voters endorsed that substantial cut in property taxes—a cut he had opposed—Brown undertook, with fair diligence to make the plan work. The media responded as though it would have been more proper and honorable for the governor to frustrate and defy the clear wishes of his constituents.

Few would openly contend that the voters' views on the issues ought to mean nothing, or that the only function of voters in the political system should be to anoint one politician rather than another. But most persons who command power in America—whether media figures, politicians, big businessmen, or labor leaders—prefer to regard the relationship of popular opinion to governmental decisionmaking as undefined. This enables them to shift their attitude toward public opinion as expediency dictates. When a majority agrees with a view they advocate, that view is invested with moral authority. "The will of the people" should prevail. But if the majority is on the other side, these influentials defend "the courage to



do what is right, even though it is unpopular."

We know how the American people feel about a balanced-budget amendment. The opinion polls of 1979 show that 65 percent—Roper's findings in July 1979—or more, according to other pollsters, back such an amendment.

The attacks on Brown tell us two things: that the media by and large disapprove of the majority's views on balanced budgets and tax reduction, and that they see Brown's support for the more popular view on these questions as dangerous. The establishment is not really worried about what is called Jerry Brown's opportunism; the real fear is that he is sincere in espousing these positions, or that he takes public mandate seriously. Brown is feared because he might actually effect change—by shifting the institutional arrangement of the budget process—which would badly damage dozens of powerful spending constituencies.