

WITHOUT



P R E J U D I C E

The EAFORD International Review of Racial Discrimination

Understanding Apartheid: Historical and Ideological Foundations

Alfred T. Moleah

"Uniqueness" of the Victims: Gypsies, Jews and the Holocaust

Ian Hancock

The Past as Prologue to the Intifadah

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Moment of Truth: The Kairos Document of South Africa

Book Reviews • Views from the World Press

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Without Prejudice

The EAFORD International Review of Racial Discrimination

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They are endowed with reason and conscience and
should act towards one another in a spirit of brotherhood.

Universal Declaration of Human Rights

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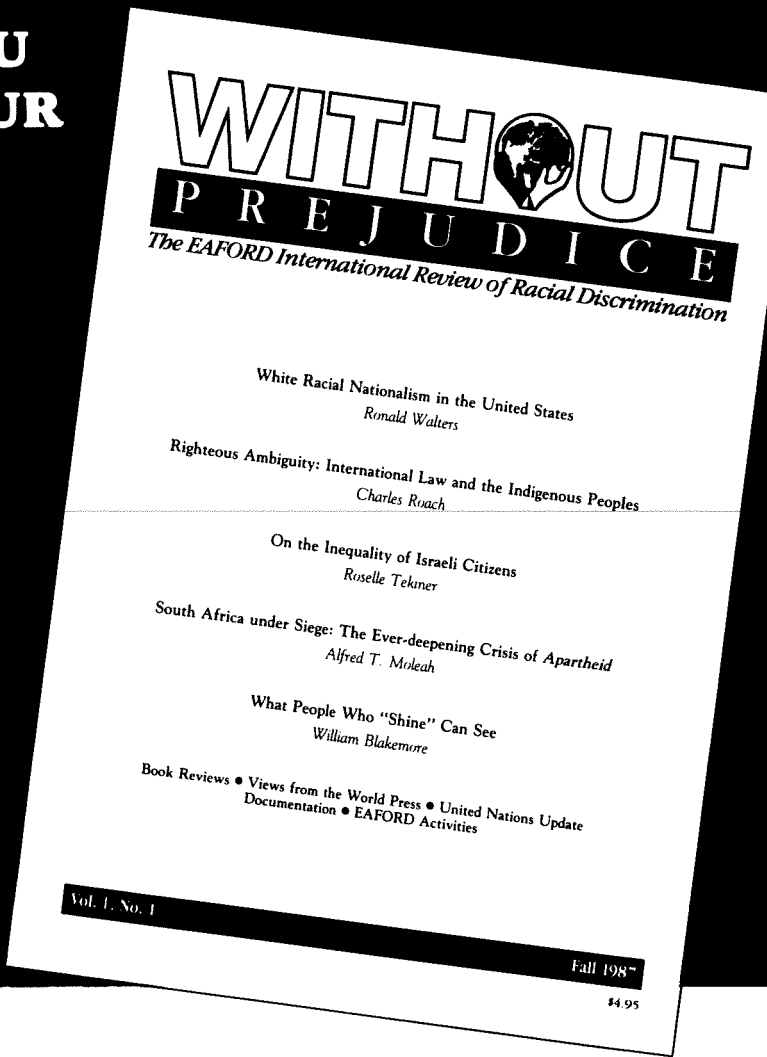
PREJUDICE

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Table of Contents

Editorial	3
Articles	
Understanding <i>Apartheid</i> : Historical and Ideological Foundations <i>Alfred T. Moleah</i>	7
“Uniqueness” of the Victims: Gypsies, Jews and the Holocaust <i>Ian Hancock</i>	45
The Past as Prologue to the <i>Intifadah</i> <i>Joseph Schechla</i>	68
<i>Cry Freedom</i> : A Film of Its Time and for Its Time <i>David Koff and Musindo Mwinyipembe</i>	100
Special Document	
Moment of Truth: The <i>Kairos Document</i> of South Africa.....	110
Book Reviews	
Martin: The American Indian and the Problem of History <i>reviewed by Bill Farrell</i>	135
Semyonov and Lewin-Epstein: <i>Hewers of Wood and Drawers of Water</i> <i>reviewed by Joost R. Hilterman</i>	137
Segev: 1949: The First Israelis <i>reviewed by Kathy Spillman</i>	139
Book Notes.....	141
Views from the World Press	148
United Nations Update	161
Documentation	174
EAFORD Activities	211

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Breaking the Vicious Cycle

A tragic cycle of oppression, resistance and suppression is inherent in the implementation of racist ideologies. By definition, racial discrimination denies, violates or impedes equality in dignity and rights. And in response, history attests to the human spirit's aspiration to such equality, in spite of denials, violations or impediments.

The colonial settlers who invaded the Americas, Africa, the Middle East, Australia and New Zealand could not gain and maintain their private perceptions of superiority except through an institutionalized system which violated the dignity and the most fundamental rights of the indigenous peoples there. In this bicentennial year of the European colonization of Australia (26 January 1788), we are reminded of the British crown's delusionary claims to all of Australia as *terra nullius*, empty land. Similarly, the near 500-year history of colonialization of the western hemisphere provides sterling examples of systematized oppression that are still considered by settler-colonial societies to be legal, patriotic and essential to building up the state. This history demonstrates how such state building can reach, and in some cases indeed did reach, the total annihilation of the indigenous people. And where physical annihilation was not achieved, a system of exclusion, theft of patrimony and erasure of the indigenous people was routinized. This is necessarily maintained by forceful measures to thwart any resistance.

In more recent times, Nazi Germany could not have maintained its ideology of racial superiority except through the state's oppression of those groups it considered "alien" and whose inferiority was legislated and enforced by the state's Nuremberg Laws. Such extreme pride in the state and state ideology led to the almost total annihilation in Nazi Europe of the

Jews and the Romani people, groups that had been classified by “race,” transferred out, and liquidated.

And yet, centuries of institutionalized discrimination and systematized oppression of indigenous peoples and others by remarkably consistent measures have failed to quell or kill the human aspirations among the indigenous peoples for that to which they are entitled: their rights, their dignity and their patrimony. These people are now on the rise—not to destroy, but to restore. They are organizing to restore their inalienable rights in their homelands. Long periods of apparent inactivity have been mistaken for acquiescence to, or at least inability to resist, some preordained inferiority and justifiable subjugation. However, the reawakening of the indigenous peoples and other victims of discrimination in visible ways has demonstrated that the notion of predestination to inferiority or subjugation, even in the face of massive, superior power, is a fallacy conjured in the mind of the victimizer. It is tragic that each racist regime lulls itself into thinking that it is immune to the negative consequences of its ideology.

In the period under review in this issue of *Without Prejudice*, we take note of special occasions in the tragic cycle attendant to repression and in the restoration of rights institutionally denied. For example, October 1987 marked the fiftieth anniversary of the massacre of some 20 thousand black Haitian workers at Rio Massacre in the Dominican Republic, during a campaign of president/dictator Rafael Trujillo Molina to “eliminate the Haitian menace.” Another 20 thousand were killed by Trujillo’s forces in the following week. On 29 October 1987, Caribbean human rights workers issued statements commemorating the anniversary and charging that the racist, anti-Haitian campaign of current Dominican president Joaquín Balaguer rings ominously similar to that of 1937. One month later, on 29 November 1987, the planned national elections in Haiti were canceled under the state violence carried out by the notorious *Tontons Macoutes*. In the Caribbean, issues of labor and race converge in a long and brutal history.

The date 29 November held special significance for Palestinians as well, whereupon forty years before, in 1947, the UN General Assembly adopted Resolution 181 which, without regard to the people of Palestine, its leadership or the states in the region, called for the “partition of Palestine with economic union.” In methods and language remarkably similar to other colonial enterprises, Israel later proclaimed itself as a state there under the state ideology of Zionism—which erected social and legal institutions to legislate and enforce inferior status and rights for the indigenous Palestinians within that state. This year, less than two weeks after that 29 November anniversary (also adopted by the UN as the International Day in Solidarity with the Palestinian People), the Palestin-

ians in the territories occupied by Israel since 1967 rose up in what is now known by the Arabic term, the *intifadah*, or uprising. Articulating their waning patience with the brutal treatment, dispossession, imprisonment and colonization of their country, the people and the Unified National Leadership of the *Intifadah* have once again claimed their right to self-determination and an end to Israeli occupation. The *intifadah* is demonstrating the persistence of the human spirit to restore justice, in spite of overwhelming odds, and in spite of the consequences that have filled our headlines for the past six months.

In South Africa, the situation has reached the stage of prohibitions on the white critics of the *apartheid* state. Detention, censorship, torture, and state assassinations are the order of the day. More newspapers have been banned in South Africa in the recent period, as the state has attempted to eliminate both the flow of information and all effective resistance through the 24 February banning of seventeen organizations and curtailing of the country's largest trade union organization, COSATU. In March 1988, the South African government conducted the assassination of African National Congress official Dulcie September in Paris, and a month later maimed ANC leader Albie Sachs in an attempted carbomb assassination in Maputo. (Also in April, Israeli special forces assassinated Palestine Liberation Organization leader Khalil al-Wazir (Abu Jihad) at his Tunis home, in a desperate and ill-conceived attempt to decapitate the resistance to occupation.)

History is not only filled with setbacks, however; there has also been forward movement. New Year's Day 1988 marked the 125th anniversary of U.S. President Abraham Lincoln's Emancipation Proclamation, officially ordering the end to slavery in the United States. And this year is also the centennial of the abolition of slavery in Brazil (13 May 1888). Unofficially, race remains a basis for discrimination in both societies, and African-Americans and native Americans throughout the continent know that the goal of equality in dignity and rights is still long in coming.

In the progress from slavery to the civil rights movement in the United States, a man of great conviction named Martin Luther King, Jr. gave much inspiration and guidance to that struggle and beyond. Twenty-five years ago, he delivered his memorable "I Have a Dream" speech in Washington from the steps of the Lincoln Memorial. King still inspires many to continue pursuing that dream, even after his tragic assassination twenty years ago.

The pages of the present issue of *Without Prejudice* address a part of this past. Mindful of the dull similarity of discriminatory systems and the repetition of regrettable history, an important lesson must not be lost. If we were truly to benefit from a knowledge of history, one truth would perhaps be inescapable: that there is no exclusivity in suffering, and that the victims

of racism shall overcome when they recognize themselves in each other. By recognizing a shared past, we can write the prologue of a more just, more moral future.

Anis Al-Qasem
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Editor

Understanding *Apartheid*: Historical and Ideological Foundations

Alfred T. Moleah*

Over the last few years debate has intensified about the nature of change in South Africa. Underlying this debate is the consensus that change—some change—is necessary in South Africa. Pieter W. Botha's succession as prime minister and his warning to his white followers to "adapt or die" gave rise and impetus to the change-by-reform perspective. As prime minister and now president, Botha has embarked on a series of reforms of *apartheid* to advance further the perspective of change-by-reform. Adherents of this perspective—the Ronald Reagans of this world—have sanctified it by anointing it with the cause of peace—peaceful change. This moral sleight of hand has made change subject to peace, that is, bloodless change. Any other call to change is equated with a call to violence and a bloodbath. Thus the more fundamental debate is preempted and subverted. Notwithstanding, a differing perspective does exist: that reform of *apartheid* is impossible; that *apartheid* is such a basic evil that it needs to be destroyed

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by total eradication. This view equates *apartheid* in its basic inhumanity and evil to Nazism—thus the solution of its total destruction as the only realistic, serious, viable and honest option.

Basic to this difference is an understanding of fundamentals, the roots, as it were. *Apartheid* is a social system that has developed over time to entrench domination of one group of human beings over another. Not only does it have deep roots, its roots are also varied and numerous. *Apartheid* is not a simple figment of one's imagination or fancy. It is a dangerous racist idea made manifest, which has caused and is causing grievous harm to millions of people. A thorough understanding of this evil idea and system is a necessary precondition to confronting and ultimately destroying it.

Racism and *apartheid* are products of white colonial settlement and occupation in South Africa. South Africa is a settler-colonial state; this is colonialism of a special kind. All colonialisms have a racist predicate, settler-colonialism, however, has a particularly virulent racist predicate. The two white groups in South Africa—English-speaking and Afrikaans-speaking, or Afrikaner—bear responsibility for South African racism. The Afrikaner majority ruling since 1948 (60 percent of the white sector) has been and is the staunchest and most adamant proponent of racism, and is the principal creator of the racial *apartheid* system.

The Afrikaner has come to embody and epitomize one of the most pernicious and sustained manifestations of racism the world has ever seen. What is particularly significant about this is that it refers not to a political party or movement, such as fascism or Nazism, but to a people. Racism is part of the make-up of Afrikaner peoplehood. The Afrikaner worldview is one that is thoroughly laced with racist assumptions which have since been so deeply embedded in Afrikaner history and culture as to be constituent.

European Background and Continuities

To unravel this tragedy, one has to resort to the very history that has brought forth the Afrikaner. The first settlers sent out by the Dutch East India Company to the Cape of Good Hope in South Africa in 1652 were a motley of Europeans, mostly Dutch and German. The company made little distinction between Dutch and German. But since this was a Dutch settlement, it was the Dutch influence that came to predominate and characterize the Cape. The French Huguenots arrived in 1688 and were quickly assimilated into what was developing into an Afrikaner identity. By the time the English settlers came in 1820, this Afrikaner identity had set in, and the English lived alongside and largely apart.

The Europeans who settled at the Cape were men begotten in the turbulence of Europe with its endless wars, massive despoliation and general

predatoriness. Holland itself had been at war longer than anybody could remember, since the 1560s. Hostilities had become a permanent feature of the relations between the Dutch, on one hand, and the Spaniards and Portuguese on the other. Between 1618 and 1648, Germany and much of central Europe were ravaged by the mercenary armies of the Thirty Years' War, which spread death and destruction in their wake. Life for the common people had become short and harsh, and this, in turn, had profound impact on the people involved. By the end of the Thirty Years' War, the 21 million inhabitants of the German Empire had been reduced to 13.5 million. Across the channel in England there were the devastating convulsions of the Puritan Revolution and Civil War of the 1640s. Europe was in general turmoil with ceaseless wars raging on all sides. The mercenary armies were murdering, torturing and destroying all they could, and it was mostly the peasants who bore the brunt of this carnage.¹

Amidst all this turmoil, the Netherlands achieved power and great wealth. The Netherlands became the first European power to develop the colonial system fully; it also led Europe on the road to capitalism. The Netherlands was in almost exclusive control of East India trade; had more capital than the rest of Europe put together; her trading company, the *Generale Vereenighde Nederlantsche Geocroyeerde Oostindische Compagnie* (General United Netherlands Chartered East India Company), was the largest, most powerful and extremely profitable. The common people became victims of this frantic search for wealth and "were . . . more overworked, more impoverished, and more brutally oppressed than those of all the rest of Europe put together."²

These brutal conditions produced brutalized men,* whose moral sense had been thoroughly eroded and who had come to accept predatory relations among human beings and peoples. This pathology was accentuated and given license outside their communities, particularly in the colonies where the native people were so different from themselves—the natives were seen as inferior and trade with them was on the basis of unequal exchange to the native people's disadvantage. All this not only invited brutality, but actually incited it among men who needed little encouragement. The so-called "great discoveries" of Europe were also the greatest acts of brutality the world had ever seen. The men who settled at the Cape bore this mark; they were "poorly fed, brutally disciplined for the slightest infraction of orders; many of them had been pressed into service in the first place, or were obtained by so-called "ziel-verkoopers" (soul-sellers) who made them drunk and then got them to sign binding contracts."³

* Initially, colonization was an exclusively male enterprise; women followed during the settlement stage—Ed.

Discipline in the company's service was harsh and brutish, and so it was at the Cape.

Religious Influence and Context

Religion, where it has a significant hold on the society, should act as a mitigating influence to such historically and socially imparted, inhuman and brutal outlooks and predatory social relations. However, as Europe's history of enslavement and colonization so amply attests, European religion, both Catholic and Protestant, largely condoned and abetted this moral perspective, and ironically provided it rationalization, if not sanction. Dutch Calvinism was no different and, in fact, has tenets and beliefs which accommodated inhuman social relations of slavery, colonialism and racism.

John Calvin placed great emphasis on the sovereignty of God, a God who is active and involved in every aspect of his creation. "Indeed so particular is God's providential rule 'that some mothers have full and abundant breasts, but others are almost dry, as God wills to fill one more liberally, but another more meagerly.'"⁴ Calvin further propounded "the inborn sinfulness of both humanity and the world as a result of the Fall [from Grace], and the election by predestination of the few through grace to glorify God in building his kingdom on earth, and the damnation of the rest of mankind, also to the glory of God."⁵

The idea of predestination is the first distinctive feature of Calvinism and its most outstanding central doctrine. As Ernst Troeltsch observes, "In the idea of predestination Calvin is not merely trying to discover and formulate the absolute miracle of salvation, its supernatural character, and the fact that it is a pure gift of free grace (its 'givenness'); he is also trying to express the character of God as absolute sovereign will."⁶ The issue of election or damnation is entirely up to God, and man cannot question because God's righteousness is beyond his ken.

It is in the Nature of God to give salvation to some without any merit on their part, purely out of His own free will and choice, and to prepare destruction for others on account of their sinfulness. No one has any right either to boast or to complain. Just as no one can choose whether he will be a human being or an animal, so no one has any right to claim to belong to the 'elect' rather than to the 'damned.' God's majestic sovereign will is the supreme cause, the supreme standard.⁷

Such an arbitrary notion of God's righteousness caused acute anxiety on the part of the believers, thus making anxiety an intrinsic characteristic of Calvinists. Calvinism emphasizes collective individualism. "The indi-

vidual's election is a matter between himself and God, but it remains both theologically and psychologically necessary that he voluntarily join a Christian community in which he is subject to strict disciplinary control."⁸ Even more pertinent to the South African situation, Calvin, in developing his doctrine of predestination, "embraces the Old Testament idea of an ethnic covenant between God and a chosen people. In the election of Israel 'one people is peculiarly chosen, while others are rejected' without any reference to merit."⁹ Another important and significant characteristic of Calvinism is the central place which it gives to the Bible. This has resulted in "a thoroughgoing fundamentalism, a literal interpretation of the Bible, not only as the revealed Word but also as the final source of all knowledge."¹⁰ These tenets have a pernicious potential which was largely realized in the Dutch settlers as they came to terms with the exigencies of South African history and social realities.

The South African Context

Afrikaners developed an intense nationalism which has enabled them to attain a cohesiveness, achieve a separate and distinct identity, and exhibit a tenacity and resoluteness which has assured them success and triumph and put them into a position of power and preeminence that has allowed them to shape South Africa after their own image. The peoplehood, referred to as *Afrikanerdom*, results from this nationalism. This nationalism in turn results from a complex of factors emanating out of their pre-South African and South African experiences. Central to Afrikaner perceptions of themselves, of others and of the world around them is their religion of Calvinism, which conditioned and determined their particular worldview. This has prompted the description of Afrikaner nationalism as a "theologized nationalism" or a "civil religion," and the Dutch Reformed Church as the "national party at prayer."

This is not to deny the concrete material factors that have given rise to the specific nature and content of Afrikaner nationalism. Afrikaner nationalist ideology, like all ideologies, did not grow out of thin air, nor out of any ideologue's fertile imagination. It is a reflection of historical forces, the reaction to those forces and ultimately the relations of production.

At its simplest—and therefore inadequate—level, ideology can be described as a system of thought that attempts to explain many forms of social and individual behavior.¹¹ Better still, Karl Mannheim divides the concept of ideology into two distinct and separable meanings: the particular and the total. By the particular meaning of ideology he refers to the sceptical perceptions given to positions advanced by one's opponents which are regarded as more or less conscious disguises of the real nature of the

situation. These are perceived as ranging from conscious lies to half-conscious and unwitting disguises; from calculated attempts to dupe others to self-deception. Total ideology refers to the characteristics and composition of the total structure of the mind of an age or epoch and of a concrete socio-historical group. In Mannheim's words, "[t]he latter presupposes simply that there is a correspondance between a given social situation and a given perspective, point of view, or apperception mass."¹² This relates ideology in its total meaning to the notion of "false consciousness"; that is, a distorted perception of reality arising out of life conditions and social position occupied.

Corresponding to Mannheim's total meaning, but in a much more precise manner, is the historical materialist concept of ideology. The essence of the materialist view of history is that consciousness is determined by social being. Karl Marx expounded on this in the famous *Preface to the Critique of Political Economy*:

In the social production of their life, people enter into particular, necessary relations independently of their will, relations of production which correspond to a particular stage of development of their material productive forces. These productive relations as a whole form the economic structure of society, the real base upon which a legal and political superstructure rises and to which particular forms of social consciousness correspond. The mode of production of material life conditions the social, political and mental life process in general. It is not the consciousness of men that determines their being but, on the contrary, their social being which determines their consciousness.¹³

This interpretation by Marx, essentially that social being determines consciousness, has led some to conclude that "historical materialism can never be too materialist, and to a metaphysical-materialist interpretation, that leads ultimately to economic fatalism. According to this interpretation, economic structures and forces do as they please, independently of man."¹⁴ It leads to an economic reductionism or determinism. This is a gross misunderstanding of Marx's theory, which

embodies the assumption that the ideas people hold about their world are not mere abstract formulations plucked from the air. Rather, for Marx, both the way in which people experience the world, and the ideas they derive from experience, are a function of the way the world actually is. There is thus an (objective) experiential basis for all (subjective) cognitive categories such as those of ideology.¹⁵

Without delving into the problematic of ideology in Marxist theory (a far from settled issue, as Dan O'Meara rightly observes), we shall simply note that the problem of ideology derives from the dichotomous conception

of base and superstructure, instead of the dialectical conception. Marxist theory asserts that the relations of production determine the superstructure and that "the relations of production, which in their totality form 'the economic structure of society,' should be recognized first of all as human relations."¹⁶ Ideology involves "false consciousness," but it is not a mere subjective fantasy; it is a conscious expression of the objective appearance of reality. O'Meara elaborates:

Categories of ideology, though in some ways partial and misrepresentative forms of cognition, are not entirely inadequate. They must allow people to make sense of their experiences of reality and provide the framework for them to formulate courses of action in a way which enables them to survive and function as social beings. If they did not, such ideological categories would rapidly be vitiated by experience.¹⁷

Marxist theory identifies the relations of production as the primary (but not sole) condition of the existence of ideology. However, ideology should not be reduced to a simple superstructural reflex directly readable from the economy; instead, it should be seen as an objective, systematized representation of social relations embodied in real material institutions.¹⁸

In the case of the Afrikaners, it is their religious beliefs that constitute the main blocks of their ideology and largely condition their worldview, or *weltanschauung*. So powerful is their religion that it assumes an apparent autonomy which is ideological. Afrikaner nationalism will, therefore, be examined through Afrikaner religion as a determinant of their apprehension of social reality and rationalization of their material condition.

The Afrikaners have been and continue to be overwhelmingly members of the Dutch Reformed churches (DRC). There are three Dutch Reformed churches in South Africa, namely *Nederduits Gereformeerde Kerk* (NGK), which is by far the largest of the three with over 1.5 million Afrikaner adherents; *Nederduits Hervormde Kerk* (NHK), with over a quarter of a million Afrikaner adherents; and the *Gereformeerde Kerk* (GK), with over 100 thousand Afrikaner adherents, according to 1970 figures.¹⁹ Nearly 90 percent of Afrikaners belong to the Dutch Reformed churches, thus making Afrikaners a religiously homogeneous people in contrast with the English-speaking whites who divide into a variety of denominations: Anglican (the largest with 15 percent), Methodist (8 percent), Roman Catholic (5 percent) and Presbyterian (3 percent).²⁰ The *Nederduits Gereformeerde Kerk* is the oldest, largest and most influential of the three Afrikaner churches and is usually the body referred to as the Dutch Reformed Church. This church, as discussed more fully below, is a transplant of the seventeenth-century mother church in the Netherlands. The theology of Dutch Reformed churches is Calvinism, as propounded in

the sixteenth and seventeenth centuries with very few changes, except those of interpretation, emphasis and slant imposed by the South African historical milieu.

The doctrinal standards of the Dutch Reformed Church in South Africa are the Belgic Confession, the Heidelberg Catechism and the Canons of Dort. The Belgic Confession and the Heidelberg Catechism were approved and accepted by the Synod of Dort and are, therefore, subsumed by the Canons of Dort. The synod met at Dordrecht in the Netherlands, from 13 November 1618 to 28 May 1619, to avert a full scale civil war over doctrinal issues. The canons of the synod assert: (1) that election is founded on God's purpose "before the foundation of the world"; (2) that the efficacy of Christ's atonement extends to the elect only; (3) that the Fall has left man in a state of corruption and helplessness: his gleams of natural light are of no value for salvation; (4) that regeneration is an inward renewal of the soul and of the will and is wholly a work of God, "powerful, delightful, astonishing, mysterious and ineffable"; (5) that God so preserves the elect, ever renewing their repentance, patience, humility, gratitude, and good works, that, despite their sins, they do not finally fall away from grace. We have here the five points of Calvinism: unconditional election, limited atonement, total depravity, irresistible grace, and the perseverance of the saints.²¹ The Canons of Dort, as we have already seen, are fully accepted by the Dutch Reformed churches in South Africa and form the basis of Dutch Reformed theology.²²

In South Africa, because of the peculiarities of its history and social realities, Calvinism remained stagnant. To the extent that it changed, the change was retrogressive and reactionary in direct contrast to its dynamic and progressive development in Europe. Commenting on this, Sheila Patterson observes:

the doctrines which the Boers[*] took with them on their long trek through the veld and the centuries were those of sixteenth century Calvinism, reduced to their simplest form in the memory of simple men with only the Bible to guide them. Chief among these doctrines were that of the "elect" and that of predestination.²³

Dutch Reformed churches have remained conservative and resistant to change in their theological postulates. While their doctrine remains based on the unadulterated Canons of Dort, the rest of the Calvinist world has irrevocably moved away from these tenets through radical adaptations or

* Dutch word for farmer, increasingly used as synonymous with Afrikaner—Ed.

outright abandonment. Daniel Walker Howe, commenting on the Canons of Dort in this regard, observes:

A century later this impressively consistent ideology had largely lost its hold upon the imaginations of men. After two centuries, its tenets were proving a distinct embarrassment, even to those who took them seriously enough to apologize for them. The Calvinist faith, mummified in formal creeds long after its early vitality was exhausted, had become a cultural anachronism by the 1800s. Meanwhile the voices of Protestant moderation that had been silenced at Dort obtained a wider hearing than ever. Few descendants of the Reformers were ready to dispense altogether with the aid and comfort of the Christian religion during the eighteenth and nineteenth centuries, but they displayed a secular trend toward greater reliance upon human rather than divine power. A faith in man's dignity and competence gradually replaced belief in his depravity and helplessness. The fierce theocentric piety of the Reformation mellowed into the humanism of the Protestant Enlightenment.²⁴

Afrikaner Calvinism is the result of the interplay, the dialectical result, if you will, between orthodox seventeenth century Calvinism and its South African environment. The South African socio-historical environment determined and shaped Afrikaner Calvinism. This result constitutes what Stokes calls "operant religion"—"a composition of those aspects of a formal religious tradition which have been pulled into the actor's phenomenal world and brought alive in the process of ordering experience"; and observes further that men live and act by "operant religion" rather than by formal religion; that is, men act in accordance with the precepts and tenets of their religion as determined by the contingencies of daily life and this applies also to groups or classes. "The contingencies of existence in South Africa called forth an operant version of Calvinism which had social and economic consequences contrary to those produced by European Calvinism."²⁵

The settlers who arrived at the Cape developed a heightened sense of their religion, since it constituted the divide between them and the non-Christian/non-European world around them. Their religion also served as a cohesive force which blended and united the Dutch, German and French/Huguenot settlers. This heightened religious sense owes much to the Huguenots who were "much more keenly conscious of their religion as a very vital thing than were the Dutch; they had actually suffered persecution in their own persons for its sake."²⁶ Thus, they took their religion much more seriously; it was also much more central to their existence and they adhered more strictly to its tenets. The Huguenots, thus, served to strengthen greatly the hold of Calvinism in the Cape and make its influence more telling.

Calvinism on the Frontier

As the colonists trekked further and further inland, away from the settled community of Cape Town and contact with Europe, and, even more importantly, from the organized church, they learned to read and decipher the Bible and the Heidelberg Catechism and worship daily in their homes. In addition to family services, most managed to trek to the nearest church several times a year for *Nagmaal* (Communion).²⁷ Religion played quite a large, in fact central, role in their everyday existence, determining and rationalizing their every act and offering solace and meaning as they moved inland. The further inland they moved, the more they entered a non-European environment of the Khoikhoi,* the San** and, eventually, the Bantu-speaking Xhosa. Their movement inland was an act of forcible dispossession of these African peoples with accompanying racial tensions and antagonisms. Conflict was a natural outcome of this circumstance. I. D. McCrone explains that

. . . of all the elements of the total attitude pattern of frontier society, race and religious attitudes were the most closely and intimately associated with one another. The term "Christian," which, in this context, meant, in the first place, that the individual to whom it applied had been accepted and was recognized as a member of a group professing a particular religion, was universally used as synonymous with the terms "European" and "white man."²⁸

In the interior, religion constituted even more of a divide between whites and blacks than in the initial settlement of Jan Van Riebeeck. Religion came to attest more than anything else to one's Europeanness and its cultural heritage, with its ever-prized civilization. As the Dutch settlers lost touch with the main stream of contemporary European culture, they clung even more tenaciously to the peculiar tradition of their seventeenth century European background in its original form. McCrone concludes further that "[i]t was that tradition that played a fundamental part in determining his race attitudes and in making him race conscious, for membership of his religious group was an exclusive privilege which distinguished and separated him by an immeasurable distance from those who did not share it with him."²⁹ In this setting, the Bible occupied a place of honor; it had great symbolic value as the outward and visible sign not only of one's religion, but of one's Europeanness and civilization. Under these circumstances, religion was much more than an expression of one's

* Derogatively referred to by whites as Hottentots.

** Derogatively referred to by whites as Bushmen.

relationship to one's maker. Its full meaning and significance is brought out in that

For the frontier farmer, then, his religion was, first and foremost, a social fact—and a jealously guarded group-privilege. By virtue of his religion, he justified his right to dominate the heathen by whom he was surrounded. They fell outside the pale, and their claims, therefore, could never compete on equal terms with those of the Christian group. The idea that Christians and non-Christians were, in any sense, equal, even before the law, or that an offense by a Christian against the person or property of a non-Christian should be taken as seriously or be dealt with as vigorously as a similar offense by a non-Christian, was entirely foreign to frontier mentality.³⁰

It is the colonist on the ever-advancing frontier who occupies centerstage in South African history; therefore, appreciation of the conditions of frontier life is essential to understanding the formative forces on the Afrikaner, as well as the determinants of Afrikaner outlook and religion. We are, of course, not suggesting that the frontier experience constituted a new beginning or created new socio-psychological elements in the colonists. The elements that were to characterize the Afrikaner were already in place, formed and shaped by prior conditions in Europe and the earlier settlement, as already indicated. What the frontier experience added was extremity and exaggeration of these elements to a point of virulence, particularly as regards the Africans.

As they moved further inland, the frontier farmers had to adapt themselves to conditions of life that were in keeping with their crude environment—their clothing, diet and shelter were reduced to the bare minimum required to satisfy their needs. This minimum existence imposed by the frontier is what prompted most visitors, especially from Europe, to express concern about the frontier farmers reverting to a state of more or less complete barbarism. This was a misperception, for this was only true in a physical or material sense. At a much more profound level of social attitudes, prejudices and beliefs, there was a continuity of what was already part of the social heritage adopted and reshaped to meet the requirements of the new environment and ensure social cohesion of the group, in spite of isolation and dispersion. The earlier formative forces were more strongly asserted under frontier conditions that entailed increased encounters with Africans, which encounters resulted in the Africans' increased and ever-continuing dispossession. These predatory encounters accentuated existing race attitudes almost to a morbid degree. The vigorous resistance of the now much-despised San to the frontier farmers' encroachment on land that belonged to the San only exacerbated this race attitude to a genocidal

degree. The plundering and murdering Afrikaner commando came to symbolize the frontier.³¹

Isolation imposed by frontier conditions gave the family unit a much more prominent role in social organization and made it much more self-contained and independent. The family also assumed a more patriarchal form, with the father having unchallenged authority and determining all important aspects of the family's life. Family ties became much more emphasized since, under frontier conditions, the family came to fulfill a role normally reserved to larger society. Frontier conditions also produced a rugged individualism which was often wild and anarchic. It engendered an attitude of reckless entitlement without any regard for the wishes and welfare of others or broader social or human interests. The frontier farmer, in McCrone's assessment, "above all things, lacked discipline, and much of the unruliness of frontier life sprang from an exaggerated individualism, an insistence upon rights at the expense of obligations, that was anti-social in its tendencies."³²

With regard to Africans, the frontier farmers became an "aristocracy of a rude society" who, accustomed since early childhood to an imperious spirit towards them, treated Africans with utmost disregard. The colonists displayed a mean-spiritedness and cruelty toward the Africans that can only be described as barbaric. In fact, this was the true barbarism that they had slipped into, not the then acknowledged loss of the accoutrements of European culture. Their concept of humanity had become exclusivist and most chauvinistic to a point of negation of the very concept. The African was perceived and defined as falling beyond the pale of their humanity and was treated as such. The chaotic and uninhibited life of frontier farmers gave license and latitude to these impulses.

The racism already rampant in the colony was rendered even more aggressive and bitter under frontier conditions. Frontier existence, whose most significant characteristic was its predatoriness towards the Africans, made survival for the colonist a prime value: *how* one survived became secondary. It was not the religion that shaped the outwardly pious Afrikaners' experience, however. Instead, it was the frontier experience which shaped the religious outlook. Commenting on this, J. Alton Templin observes that "[i]n later generations, as they began to develop their theological imagery, they were already conditioned by social, economic, racial, and geographical concerns, which must be understood as the foundation for the theological permutations of South African society."³³

Afrikaner Calvinism

Afrikaner Calvinism adheres to the basic tenets of seventeenth century Calvinism, but these tenets receive a peculiar twist and interpretation as determined by the South African historical experience. Central to the South African historical experience is the "native question"; i.e., the fact that European settlers, who later came to call themselves Afrikaners, had expropriated the land of the native African, and with it, his possessions and his labor. This is the essence of the South African situation. Afrikaner Calvinism, therefore, is largely a rationalization and legitimation of this basic and central fact.

As mentioned before, Calvin embraced the Old Testament idea of an ethnic covenant between God and a chosen people. This was, however, not election to salvation of every member of the nation, but only a part of them. The Afrikaners, being a distinct racial, cultural and religious minority within the South African context, came to see themselves, collectively, as the chosen people, the elect of God, and their society as sanctified, i.e., one which God had taken a direct hand in shaping.

Afrikaner nationalism and the formation of Afrikaner peoplehood derives from the Calvinist doctrine of election, or chosenness. Templin concludes that "[t]he concept of the elect people is one of the theological elements underlying the total development of Afrikaner culture; this culture cannot be completely understood until this motif is recognized and analyzed."³⁴

Afrikaners, as good Calvinists, believed in a God who was sovereign and intensely active, busy at every turning point in the affairs of nations and men. It therefore became difficult, if not impossible, for them to reconcile themselves to the fact that their presence and existence in the Cape was no more than a requirement dictated by the profit calculations of the Dutch East India Company. They sought a higher purpose and meaning. From their reading of the Old Testament, particularly the Chronicles and Exodus, they came to identify themselves with the Israelites.

Significant in Afrikaners' history is their leaving the eastern frontier of the Cape Colony into the northern interior (1835–37), in what is known in South African history as the Great Trek, or Voortrekkers movement. They left the Cape to escape British interference and oppression, especially the oppression of suggesting any equality between blacks and whites. This event gained mythical status among Afrikaners, equal to the Old Testament Exodus of the Israelites. Those who left the Cape, known as Voortrekkers, were the Afrikaners who were not only to determine Afrikanerdom, but future South Africa as well.

The Voortrekkers and the republics they founded created a place and role for the notion of election which had profound impact on the formation of Afrikaner peoplehood and Afrikaner nationalism. Voortrekkers saw their escape from the Cape as an exodus: "For the Afrikaners the parallel with the chosen of the Lord grew into a form of mysticism; by their suffering in fulfilling God's calling they would be purified."³⁵

Statements emanating from Trekkers are replete with inferences suggesting an analogy, if not an actual identity, with the Israelites. Their terminology is directly taken from the Old Testament; so are their references. They appointed "judges" to rule over them; some wished to call Natal the "New Eden"; Sunday was "the day of the Sabbath"; and before going into battle—for example, at the Battle of Blood River—they entered a "compact" with God.³⁶ For many of the Trekkers the Old Testament became a virtual manual of behavior and understanding. Their illiteracy and basic ignorance compounded their biblical reliance. Such is the case with an Afrikaner community called the Jerusalem Pilgrims, encountered by the Rev. Andrew Murray, Jr. in the western Transvaal. Under the leadership of J. A. Enslin, whom they called a prophet, the Afrikaners wanted to go from Rustenberg to Jerusalem by ox-wagon. This they were going to do by following the river which they had mistakenly named *Nylstroom* (Nile River). They had no idea of geography, and thus were totally unaware of the fact that the *Nylstroom*, and farther on, the Limpopo River, would not drain these waters north into the Mediterranean, but eastward into the Indian Ocean.³⁷ The journey was aborted by the death of their leader.

Also central to Calvinism is the idea of mission or calling, that is, "man, in relation to both nature and society, stands under the command of God to implement God's will in creating a new order on the divine pattern. Man has a mission to master nature and to mold society according to the divine plan."³⁸ In Afrikaner Calvinism the idea of mission is distorted into the "operant religion." The Calvinist mission, which was particularized as the Holy Community, became identified with the Afrikaner *volk*, and its mission is identified with the destiny of the *volk* in their specific situation in Africa.³⁹ The Afrikaner idea of mission, just like the idea of election, remains rather vague and unspecific and derives purpose largely from the vicissitudes of South African history. Afrikaner calling is explained by analogy as the Afrikaners equate themselves with the Israelites, with an identical mission *vis-à-vis* the heathen/Canaanites.

The Afrikaner mission or calling is intimately related to the "native question." The Trekkers' conception of their special calling inferred a sense of responsibility, tutelage and trusteeship of Christians toward heathens; of a higher toward a lower order of civilization; the promotion of Christian

civilization and the encouragement of the spread of evangelical doctrine and the education of the heathen races. "The Trekkers saw themselves as the instruments in God's hand who would *civilize* the non-whites and assist in their conversion to Christianity or, in other words, as the bearers and distributors of the torch of civilization in Stygian darkness."⁴⁰ Afrikaner leaders have a predilection for seeing themselves as men with a calling. This was true of the Voortrekker leader Piet Retief and the Transvaal Boer Republic president, Paul Kruger, who reminded his people that they should not pride themselves on their own achievements, but that the God of their fathers and "General Jesus" had supported them and that their leaders had merely been tools in the divine hand. This notion has persisted through time. In 1961, when dealing with the republican ideal, Dr. Hendrik F. Verwoerd, then prime minister, said, "It is the privilege of the leaders to be used by the Ruler of Nations and by their people as the vanguard in the fulfillment of this ideal." After the unsuccessful attempt on his life, he was convinced that God's hand had been outstretched over him for a purpose—a purpose that also related to South Africa.⁴¹ More recently, however, the emphasis on the Afrikaner calling has shifted considerably from a promotion of Christian civilization among the heathen natives (which was never true or even seriously attempted, as indicated by the fact that only 3 percent of the blacks are members of the Dutch Reformed churches) to maintenance of white civilization, with the emphasis on white.⁴²

The more fundamental influence upon Afrikaner "operant religion" is the long series of confrontations with the African peoples of South Africa—the so-called "native question." As Randall G. Stokes observes, "these confrontations provided generalized support for the notion that the Afrikaners were a Chosen People and, more specifically, for the belief in collective election."⁴³ Being few in numbers and surrounded by much more numerically preponderant and culturally—not to mention religiously—different Africans, and taking their superiority for granted, the Afrikaners saw themselves as the obvious elect. Quite early in South African history the conception of the religious elite was associated with the highly reliable criterion of skin color, hence providing justification for white supremacy and political oligarchy.⁴⁴ This followed almost naturally from the tendency in the doctrine of predestination toward discriminatory social distinctions. Since God has divided mankind into two irreconcilable categories, the elect and the damned, this, as Max Weber contended, causes anxiety and leads adherents to look for some earthly evidence of their ultimate fate. As Stokes explains: "In an age of faith, when damnation and salvation have undeniable reality, it is intolerable to remain passive in the face of such uncertainty. Some effort to lessen anxiety and to attain at least a degree of psychological peace would seem to be a necessary correlate of an active

belief in predestination."⁴⁵ In Europe, as Max Weber informs, evidence was sought in worldly economic success. In South Africa, white skin provided a far stronger and more certain basis for such distinction. This flowed naturally from the Afrikaner perception of collective election.

Adversities suffered by the Trekkers as a consequence of venturing into unknown lands and encroaching upon the lands of others exacerbated another element of election and chosen peoplehood; that is, the notion of testing and redemptive purification through suffering. On the psychological plane, the Great Trek deepened the Afrikaners' persecution complex and engendered what has since become a siege mentality. Fatalism became part of the Afrikaner outlook as well as faith in divine intervention to rescue them from their folly. Sarel Celliers, who became the spiritual guide and prophet of the Trek, best symbolizes this development. His exhortations to his fellow Trekkers convey this general attitude. Describing the moment just before battle with the Ndebele in October 1836, he states:

[I] addressed a few words to them, to the effect that we had a holy God, invested with Almighty power in heaven and on earth; and that we must unite in humbling ourselves before Him, and in praying to Him in His heaven, and that all must pray in heart with me. We all knelt down, our wives and children too, and I prayed to God that, in His boundless mercy, He would have regard to us in our great need, and if it were consistent with His counsels, would not forsake us, but would strengthen us to resist our enemy.⁴⁶

The Trekkers equated themselves with the Children of Israel and saw themselves as fulfilling God's bidding in invading African lands and plundering African possessions. This is the meaning they gave to the holy covenant. Their God was a God who played favorites irrespective of the justice or injustice of the cause. It was particularly during the Great Trek that the Afrikaners' beliefs crystallized and their worldview was set.

Afrikaner national self-consciousness was influenced by the basic elements of the Reformed faith, the Bible, the Psalter and creeds. (The central place given to the Bible in Calvinism has already been discussed.) Afrikaner Calvinism embodies this tendency, and biblical justification is invoked to explain Afrikaner behavior, especially toward Africans.

Among Afrikaners, the Psalter, the Calvinist songbook, was perhaps even more widely used than the Bible. From this source, the Boers gathered their theological ideas of reward and punishment and were reminded of the scriptures as they hummed songs or often quoted psalms to justify their decisions or their warnings. The psalms used in worship provided the pattern of life. In addition to the Bible and Psalter, Boer settlers knew the established catechism of their faith and referred to both the Heidelberg Catechism and the decrees of the Synod of Dort. Afrikaners on the frontier

and later in the interior of the country, during and after the Trek, came to be religiously self-reliant because of the general absence of any trained ministers. As they moved farther away, the Bible and the Psalter were often the only books they had. This led to development of a unique biblicism and "a folk-theology sustained by popular piety."⁴⁷

The center of the Afrikaner worldview is the so-called "native question"; that is, the perceived threat to Afrikanerdom emanating from the African majority. African exploitation is justified with the assertion that Africans are the descendants of Ham, cursed to be "hewers of wood and drawers of water in perpetuity." Expropriation of African lands and possessions is justified by reference to Psalm 105: "He brought forth his people with joy, and his chosen with gladness: and gave them the lands of the heathen; and they inherited the labor of the people." Racial segregation, particularly the prohibition of inter-racial sex and marriage, is justified by the New Testament advice to the Corinthians which reads:

Be ye not unequally yoked together with the unbelievers: for what fellowship hath righteousness with unrighteousness?
Wherefore come out from among them and be ye separate, saith the Lord, and touch not the unclean thing and I will receive you (II Corinthians 7:14).

Afrikaners, in accepting that they are the chosen people and that Africans are the reprobate, justify their behavior by invoking the authority of God as conveyed in the Bible.

A number of social implications and results follow from Afrikaner Calvinism. The Afrikaners' belief that they are a chosen people makes them believe that God had taken a direct hand in the organization and behavior of Afrikaner society—that theirs was a sanctified society. This makes for a highly constraining secular orthodoxy in which traditional behavior, attitudes, values and institutions are reified and made into moral imperatives; thus human beings cannot change or even modify Afrikaner traditional lifestyle, because to do so would be tampering with God's work.⁴⁸ In such a society there is no room for nonconformity, especially regarding policy toward Africans. Nonconformity is invariably defined as disloyalty and treason, particularly when committed by Afrikaners. This gives Afrikaner society an unusual degree of rigidity and resistance to change. The god of Afrikaners is sovereign and intensely active in the affairs of men and the world, especially in the affairs of the Afrikaners. This has resulted in a resignation, a pervasive fatalism and a perceived lack of efficacy. Afrikaners believe that God will always provide for them and everything will turn out well in the end. This attitude is best expressed by D. F. Malan, minister of religion and former prime minister:

Our history is the greatest masterpiece of the centuries. We hold this nationhood as our due, for it was given us by the Architect of the Universe. His aim was the formation of a new nation among the nations of the world . . . The last hundred years have witnessed a miracle behind which must lie a divine plan. Indeed, the history of the Afrikaner reveals a will and a determination which makes one feel that Afrikanerdom is not the work of men but the creation of God.⁴⁹

Such fatalism makes for Afrikaner conservatism. Afrikaner farmers refused to fight the devastating hordes of locusts which periodically descended on their crops; Afrikaner women refused to seek medical attention for children with remediable defects. In both cases the reason offered for lack of action was that, since their afflictions were the work of God, to take action would defy God's will.⁵⁰ This mindset negates rationalizing of conduct. Stokes explains further:

The reasons again have to do with the religiously rooted secular orthodoxy of Afrikaner society and the high degree of individual dependence on the collectivity. To rationalize conduct requires that one be prepared to view most behavior in a conditional fashion—as a means to achieve some desired end. Furthermore, one must be ready to alter behavior which is “inefficient” in achieving desired ends.⁵¹

With an emphasis on belonging to the collectivity, and, equally, on conforming to the norms of the group, there followed a tendency endlessly to prescribe behavior which then took on the aspect of extreme legalism, that is, a tendency to legislate every aspect of life, private or public, particularly as regards the central issue of the “native question.” An abiding characteristic of Afrikaner society is to be unable to make rational adaptations and changes, and instinctively to recoil from social innovations based on rational appreciation of social reality.

Characteristically, the Afrikaner manifests what could be described as a moral schizophrenia, or a form of cognitive dissonance, in upholding certain values without extending selfsame values to others, particularly the Africans. In fact, the Afrikaner vigorously denies selfsame values to Africans. South African history is replete with instances of this malady. The 1770s and 1780s were years of revolutionary ferment in Europe and America spurred on by the new consciousness about the rights of man and opposition to tyranny. This had its reverberations at the Cape in the form of colonists becoming more assertive of their rights and borrowing freely from the revolutionary language and vocabulary of this new political consciousness. In 1779, Carol H. Buytendag, a free burgher, was charged

with drunkenness and was sent to Batavia* in the East Indies. This prompted approximately four hundred burghers known as “patriots” in and around Cape Town to band together to compose a petition, on 7 May 1779, directed at Dutch East India Company officials in the Netherlands. In addition to protesting against the arrest of their compatriot and demanding his return from Batavia, the petition addressed other concerns of a decidedly racist nature: “In the future no burgher should be apprehended with violence and with Caffres [kaffirs] . . . A burgher should be arrested by no one but burghers.” More pointedly, the burghers asked that they “be allowed to punish their slaves themselves, short, however, of tyranny,” because punishment meted out by company officials was not considered harsh enough.⁵²

Inspired by the French Revolution, colonists in the districts of Graaff-Reinet and Swellendam, calling themselves “nationalists” and the “voice of the people,” and constituting themselves into a “national assembly,” submitted a declaration to Commissary General Abraham Josias Sluysken, making demands of rights, including that: “Bushmen, Bushwomen and Hottentots captured by commandos in the past and future shall henceforth remain from generation to generation the property of the burghers to whose lot they fall, and all Hottentots who run away shall be returned to their owners to be punished according to their deserts.”⁵³ The ideals of the French Revolution thus were distorted; the Cape Jacobins incredibly saw the right to enslave others as an important element in their liberty.

The Great Trek also represents this flaw in the Afrikaners’ moral outlook. While loudly proclaiming their quest for freedom and justice, Anna Steenkamp, an eloquent spokeswoman, could complain of “the shameful and unjust proceedings with reference to the freedom of our slaves” and added:

And yet it is not so much their freedom which drove us to such lengths as their being placed on an equal footing with Christians, contrary to the laws of God, and the natural distinction of race and color, so that it was intolerable for any decent Christian to bow down beneath such a yoke, wherefore we rather withdrew in order thus to preserve our doctrines in purity.⁵⁴

Even more incredibly, the Afrikaner Bond in the Cape, in propagating the idea of a free and independent South Africa in the early 1880s, used the slogan “Africa for the Afrikaners.”⁵⁵ Afrikaners loudly and rightly decry the

* Batavia, in the present context, was a harsh Dutch colonial outpost—a kind of Dutch Siberia. It is located in the densely populated region of Java, Dutch East Indies, now part of the Indonesian province of West Java—Ed.

suffering they had to bear at the hands of the English during the Anglo-Boer War (1899–1902), and some of their most moving poetry expresses their anguish; but the same people show a callous disregard for the suffering of the Africans caused by them. To the Afrikaners, the Africans are not a part of their humanity and, therefore, do not merit the same human consideration. This is the tragedy of Afrikanerdom.

It is this tragedy that is aided and abetted by the Afrikaner church. As already noted, religion might be expected to act as a corrective, but European Christianity generally had the opposite role. Afrikaner Calvinism as embodied by the Afrikaner churches has sanctified the unholy and upheld the un-Christian in the name of Christ. Pressure within the Afrikaner church has always been toward such retrogression and reaction.

The Afrikaner Church

The Reformed Church brought to South Africa by the 1652 settlers was the *Nederduits Gereformeerde Kerk* (NGK). This church, however, always suffered from a chronic paucity of qualified and ordained ministers at the Cape. This problem was aggravated by the further migration of frontier farmers, and by the Great Trek and its aftermath. On the trek, religious services were performed by laymen and lay ministers, and Boer children remained unbaptized. The Cape Colony church came to rely on ministers from Scotland, who eventually comprised the majority of its ministers. This became a source of discomfort for the anti-British Trekkers, who suspected them of pro-British loyalties as well as a liberal outlook, especially as regards the all-important “native question.” Instead, they preferred ministers from the Netherlands.

When Afrikaners in the north received a permanent religious leader in the person of Rev. Dirk Van Der Hoff, a native of the Netherlands, a break with the Cape church became unavoidable. On 8 August 1853 at Rustenburg, the governing *volksraad* (municipal council) on its own authority installed Van Der Hoff as minister and declared a church independent from any Cape affiliation. More than ecclesiastical reasons lay behind the schismatic decision. This was brought out by Van Der Hoff arguing that:

The Cape Synod stood under the supervision of the British Government, that ministers of the Cape Church were obliged to take the oath of allegiance to the Queen, that Cape ecclesiastical law placed whites and blacks upon a footing of equality, and that no modifications in the Church's laws and regulations would be granted to the congregations of the Transvaal.⁵⁶

The schismatic church took the name of *Nederduits Hervormde Kerk* (NHK).

In the Afrikaner church, as in Afrikaner politics, it is the right wing that sets the agenda, dominates the discussion and determines the outcome. Afrikaners are insecure and the surety of fanaticism is all the more consoling; and it is the fanaticism of the right that is reassuring by its conservative affirmations. This fanaticism harkens to the familiar and calls for its confirmation and deepening, instead of venturing into the wilderness of the unknown—change. Afrikaner conservatism is a product of Afrikaner insecurity, and it feeds on that insecurity.

Representative of this observation is that Afrikaner segment known as the Doppers. The word Dopper is of uncertain origin. At first, it was used as a term of reproach for conservatism and retrogression, but later came to be the “proud title of Doppers who opposed change in politics, in social concepts, as well as in their religious interpretations.”⁵⁷ The Doppers are not only of historical or religious interest; their importance is much wider and much more abiding. They are the ideological epicenter of Afrikanerdom—keepers of the faith, as it were. They predominated in the Transvaal, and still do, and constitute the conservative bedrock in Afrikaner politics. It is the Doppers and their present-day fellow travelers who, in fact, render any attempt at *apartheid*'s reform—as improbable as that is—impossible. It is the Dopper outlook and worldview that has come to symbolize Afrikanerdom and constitutes an autonomous entity that supercedes any other influence or result. This confounds both liberal/capitalist and Marxist prognoses and expectations, and constitutes the essence of the Afrikaner dilemma.

The separation of the NHK did not satisfy the Doppers. At the first general synod of the NHK, held in Rustenburg, Paul Kruger (later to become president of the Transvaal Republic) led the fight against evangelical singing in the churches. The Doppers, dissatisfied, decided to bring from the Netherlands a minister who would support their opposition to singing, among other issues. Accordingly, they contacted officials in the *Christelijke Afgeschiedene Gereformeerde Kerk* (Separated Christian Reformed Church) in the Netherlands, who then sent the Rev. Dirk Postma. The singing issue festered unresolved until the eighth general synod of the NHK of the Transvaal (January 1859), which passed a compromise resolution allowing hymns, but also allowing those opposed to refrain from singing. The compromise failed to satisfy the Doppers, who separated from the NHK in the Transvaal and formed the *Gereformeerde Kerk van Suid Afrika* (the Reformed Church of South Africa) with 310 members.⁵⁸

Evangelical singing of hymns was their immediate point of departure, but much more was involved in this schism. This parting of the ways was the culmination of deep cleavages that existed between conservative elements on the Cape's eastern frontier and the rest of the colony. Doppers,

even on the eastern frontier, came to be a self-conscious group knit together by a shared worldview and set of beliefs. They were strongly opposed to any equality with Africans and assumed their own superiority as a people, deriving from their acceptance and perception of themselves as God's chosen people, with a mission to spread his culture in Africa. They maintained God's pure word, rejected evangelical songs and accepted only the psalms as orthodox. Their strong reliance on the sovereignty of God led them to a stern individualism in all aspects of life. Politically it led them to reject temporal authority; they rejected any notions of equality with Africans and felt particularly threatened by British philanthropic ideas concerning Africans. Doppers were not so much anti-British as they were antimodern. "Through their circular reasoning, what they believed God required of them they sought to maintain against all odds, even if it meant flight or war."⁵⁹

In the interior, particularly in the Transvaal, the *Gereformeerde Kerk van Suid Afrika*, or the Dopper church, came to be closely associated and identified with "Christian nationalism" and "Christian national education," which later came to be the foundations of Nationalist party policy. It is these foundations that gave rise to modern Afrikaner nationalism and guided the Afrikaners to political dominance and the reshaping of South Africa into their own image—the *apartheid* state.

Christian Nationalism

Christian nationalism arose in the Netherlands early in the nineteenth century as a reaction to revolutionary changes which were sweeping Dutch society. This was a Calvinist reaction which had two sources: one aristocratic and one lower working class, each of which felt threatened by the new liberalism of the middle class. The aristocratic reaction was led by the poet Willem Bilderdijk, and from his original group two movements emerged, united by a common Calvinist faith. First, there was a literary-cultural movement led by the converted Jew, Isaac Da Costa, who wrote volumes of poetry in which he praised the Netherlands as "the Israel of the West"; the literary-cultural movement sought to glorify God and communicate Calvinism in the arts. Secondly, there was a working class Calvinist revival led by Groen van Prinsterer, which became much more of an ecclesiastical movement and seceded from the state church in 1834, creating the *Christelijke Afscheidene Gereformeerde Kerk* (Separated Christian Reformed Church), which suffered persecution from the Dutch government.⁶⁰

In the late 1830s, Groen van Prinsterer developed his own interpretation of European history. He contended that there "existed within

European society what he called 'the Spirit of Revolution,' which was an antireligious crusade finding expression in the French Revolution of 1789 and in all subsequent revolutions."⁶¹ According to him, revolutions and revolutionary thought opposed and threatened Christianity by denying the sovereignty of God in all aspects of life, and led inevitably to anarchy and atheism. His thought and the political movement he began were, therefore, called the Antirevolutionary Movement, which in positive terms was styled "Christian nationalism." Van Prinsterer also held that, to maintain a pure Calvinism, it was necessary to protect the children of Reformed people by shielding them from the liberalism of state education. This the parents could ensure by having some control over the appointment of teachers. He was strongly opposed to liberal education, which he deemed the enemy of Calvinism, and argued that by "advocating toleration, liberals paved the way for atheism; and by supporting all reform, whatever the justice of the case, they created political anarchy and prepared nations for revolution."⁶²

Van Prinsterer himself did not have much impact on Dutch society; rather this was to be realized by his greatest disciple, Abraham Kuyper. In Kuyper, the aristocratic and populist elements of Dutch Calvinist revival merged and members of the *Christlijke Afscheidene Gereformeerde Kerk* became his staunch supporters. He created a mass movement, out of which the first modern Dutch political party, the Anti-revolutionary party, emerged in 1879, which enabled Kuyper, as its leader and theorist, to become prime minister in 1901. The whole structure of Dutch society was profoundly changed by the emergence of a revitalized and aggressive Calvinism.⁶³ The Rev. Dirk Postma, who led the fifteen members of the Rustenburg congregation, including the future Boer South African Republic President Paul Kruger, out of the NHK in 1859, and founded the *Gereformeerde Kerk*, as already discussed, came from the Netherlands where he had been a minister in the dissenting *Christlijke Afscheidene Gereformeerde Kerk*. His chief assistant, Jan Lion-Cachet, who was the principal of a theological school Postma created in Bergersdorp in the Cape, was educated in the household of Da Costa. This direct initial link with the Netherlands was continued and strengthened by sending the better theological students to Kuyper's newly created Free University of Amsterdam. Thus was "Christian nationalism" brought to South Africa and sustained as a powerful politico-theological force. Doppers became the principal supporters of J. B. M. Hertzog when he formed the Nationalist party in 1913, and their ideas became the hallmarks of Afrikaner nationalism. "They consistently argued for the separation of the Afrikaner people from their neighbors—both black and white. They wanted their policy of 'apartheid' applied in the political realm—separation from both the African and the English—in order to preserve Afrikanerdom."⁶⁴ Therefore, though the

smallest of the Afrikaner churches, the *Gereformeerde Kerk* has exercised a profound influence and remained the most conservative, having escaped the violent controversies between liberal rationalism and conservative orthodoxy that raged within the Calvinist church in the nineteenth century.⁶⁵

Contemporary Afrikaner Nationalism and the Apartheid Idea

Contemporary Afrikaner nationalism receives its formative impetus from preceding Afrikaner history. Important in this regard are the Great Trek and resultant attempts to establish Afrikaner republics in the north, free of British interference, with free scope to have the Afrikaner way of life and worldview—especially as regards the “native question”—as state policy. This effort and attempt was effectively halted by the Anglo-Boer War of 1899–1902, when the British defeated the Afrikaners. The British were magnanimous in victory and largely conceded to the Afrikaner worldview as regards the “native question.” The Union of South Africa resulted in 1910, forcing the Afrikaners into two basic camps: those seeking white reconciliation and unity in order to dominate the African majority, and those who sought Afrikaner political control and dominance so as to reshape South Africa after the Afrikaner image. Contemporary Afrikaner nationalism was to be the ideological and organizational instrument of realizing the latter end. This is “a theologized nationalism, affirming what the Afrikaner understands to be his God-given identity, culture and tradition.”⁶⁶

Afrikaner nationalism formalized its contemporary outlook in the post-Union period as Afrikaner leadership passed on to a young and educated elite. This was to a large extent the fulfillment of *Gereformeerde Kerk* efforts, which had resulted in the establishment of the theological school in Bergersdorp in 1869 (which moved to Potchefstroom in 1905, and later became a full university). The best Afrikaner students went abroad to further their studies. Some went to Germany, where they came under the influence of neo-Fichtean nationalism. The mecca for those going abroad for study, especially from Potchefstroom, was the Free University of Amsterdam, founded by Abraham Kuyper in 1880 “on reformed principles,” where they were profoundly influenced by Kuyperianism. The Free University turned out Calvinists more rigid than their South African teachers, especially at Stellenbosch University. It was Kuyperianism blended with a neo-Fichtean socio-philosophical framework that was to be the ideological foundation of contemporary Afrikaner theologized nationalism.

As already indicated, Kuyper was a formative influence on Afrikaner theology and socio-political outlook. Kuyper's neo-Calvinist political faith was expressed in three true Calvinist axioms:

- (1) God is the only sovereign over men,
- (2) in the realm of politics, sin has broken down direct rule of God, and governmental authority is designed by God as a "mechanical remedy,"
- (3) a man never, however, possesses power over his fellow man other than in accordance with the authority given him by God.⁶⁷

Kuyper's neo-Calvinism introduced a new element not included in Calvin's writings: *sowerinietet in eie kring* (sovereignty in the individual social spheres). This was translated and transmuted into the policy of separate development—which is the hallmark of *apartheid*. The theologians of the Afrikaner church included the nation in the "individual social sphere," the organic entities ordained by God as such. In his "Stone Foundation" lecture on Calvinism and politics, Kuyper asserts:

God created nations. They exist for Him. They are His own. And therefore all those nations, and in them humanity, must exist for His glory and consequently after His ordinances, in order that in the well-being, when we walk after His ordinances, His divine wisdom may shine forth.⁶⁸

This was used as a justification and an argument for asserting the God-willed "uniqueness" of the Afrikaner nation as well as its special mission in South Africa, especially *vis-à-vis* the "native question."

The most eminent of South African Kuyperian philosophers was professor of philosophy H. G. Stoker. Extending Kuyper's teaching on the sovereignty of the spheres, Stoker thus justified the inclusion of the nation as such a sphere, ordained and created by God with its own innate law of life. Stoker drew a sharp distinction between community and society. He defined society as a loose bond of individuals without a specific goal in which the sovereignty of the individual is exalted at the expense of the people as a whole, as advocated by liberal democracy. Community, on the other hand, he defined as having an organic, primary structure and goal that gives vitality and energy to such basic units as family and people. He also made a distinction between *volk* (people) and *staat* (state). A *volk*, according to him, is an organic community based on bonds of blood, culture, fatherland and history, whereas a state can be comprised of several *volke*.⁶⁹

Ultimately, "Stoker's Calvinism was able to accommodate the Afrikaner civil religion, indeed undergird it, for the Afrikaner people, too, was sovereign in its own circle, acknowledging no other master but God, whose

purpose was to be seen in its structure and calling, its historical destiny.”⁷⁰ He argued that the Afrikaners had a special calling and purpose, asserting that the Afrikaners had prevailed against all odds: “Not because we Afrikaners are such tremendously good people, but because God, the Disposer of the lot of the nations, has a future task laid away for our People. Thus let us become conscious of our calling.”⁷¹

While religious and theological positions predominate as influences and determinants of the Afrikaner worldview and nationalism, other more secular influences have also played a part. Such an influence was that of the biologist, H. B. Fatham, whose views on race and race admixture have had considerable influence on some ideologues of Afrikaner nationalism and their consequent influence on the Dutch Reformed Church. Concerning racial admixture, Fatham held:

A fact that has often been noted is the poor physique and bad health, especially in the first cross of the offspring of many . . . racial admixtures . . . bad teeth are common, even in quite young people. Physical disharmonies occur . . . Such disabilities lead to relatively short life. Marital disharmony often accompanies the physical and is shown in violent outbursts of temper, vanity and sexual instability.⁷²

Fatham’s immediate influence was on Geoff Cronjé, among others, who in turn had a pivotal role in the formulation of contemporary Afrikaner nationalism.

Afrikaner nationalism stirred vigorously among Afrikaner students in the 1930s and 1940s. Students in the Afrikaner universities were hotly discussing and debating not only the form and content of the new nationalism, but also, as a necessary corollary, the coming republic—the restoration and fulfillment of Afrikanerdom. Of course, they were preoccupied with the all important and central “native question” and race relations in general. The organizational expression of this young Afrikaner intellectual ferment was the consecrated band of the nation-conscious *Afrikaanse Nasionale Studentebond* (Afrikaner National Student Union [ANS]), which had come into existence in 1933 when it broke away from the predominantly English and liberal National Union of South African Students over its admission of African students. In 1935, the ANS published a manifesto “declaring its intention to ‘stand on guard’ for the national struggle of a separate Afrikaans nation with its own separate calling. It sought to inspire students to national service and national cooperation on the basis of ‘the Protestant-Christian and Cultural-National principles of our Nation.’ ”⁷³

The *Afrikaanse Nasionale Studentebond* came under the tutelage of leading Afrikaner intellectuals and academics, the most prominent three

being Dr. Nic Diederichs, who returned from studies in Munich, Cologne, Berlin and Leiden to take up the chair in political philosophy at the University College of the Orange Free State in Bloemfontein (and was much later to become minister of finance); Dr. Piet J. Meyer, founder of the Afrikaner Studentebond, who after study in Germany returned to be an official of the *Federasie van Afrikaner Kultuurorganisasies* (Federation of Afrikaner Cultural Organizations); and Dr. Geoff Cronjé, professor of sociology at Pretoria University. Others, including Dr. Hendrik F. Verwoerd, were involved, but not as prominently or centrally as these three. "At the secret heart of all this activity was the deep inner circle of the Broederbond."⁷⁴ This was an elite Afrikaner organization that gave substance and direction to the Afrikaner cause. Membership in it was essential for any leadership role.⁷⁵

Diederichs elaborated the philosophical basis in his pamphlet *Nasionalismee as Lewenbeskouing en sy erhouding. Tot Internasionalisme* (Nationalism as a Worldview/Weltanschauung and Its Relation. To Internationalism). This was to be the basis of what would soon become the concept of *apartheid* or "separate development" and was the first sustained statement of theologized politics to come from an Afrikaner; it was to become the first chapter in an evolving secular doctrine and the core of the Afrikaners' "new politics."⁷⁶ In summary and for present purposes, Diederichs argued that the idea of an individual was an abstraction which did not exist, and that mankind is more than individuals. In T. Dunbar Moodie's summary, "[s]ince man is by nature a social being, he is never fully man except within a human community. Moreover, according to Diederichs, man is called not only to be a member of a community, but specifically and above all to belong to a *national* community."⁷⁷ Diederichs asserted that his was a nationalism which was a "spiritual attitude, a path of life which colored every expression of life." His nationalism was a worldview. One could only realize oneself within a community—within a nation. "Man was specifically called to be a member of the nation. Of all human groupings, the nation was the highest, the most all-inclusive, the most total. Without membership [in] a nation, the human being could never fully be himself."⁷⁸ Accordingly, the nation is the only true reality; true individuals and true humanity exist only in and through the nation. It is only within the nation that one can have and fulfill a calling, because "on each particular nation there rests a special task to do its part in the final divine goal of the cosmos, both through being itself and through the fulfillment of its apportioned calling as a nation."⁷⁹ Nations are not a human creation; therefore, "nationalism finds its final justification and anchoring in the religious belief that the very ground of the being of a nation is in the will and love of God; that my love for my nation is a part of my loving duty towards God."⁸⁰ On

the basis of this social metaphysics, Diederichs was unequivocally opposed to any doctrine of human equality, arguing that some are more human because the spiritual powers within them are more expressed and developed.

Diederichs also asserted that the separateness and diversity of nations was in accordance with God's creation for aesthetic and teleological reasons. He expressed the aesthetic reason thus:

God willed that there should be nations so that through them the richness and beauty of His creation might be heightened. Just as he ruled that no deadly uniformity should prevail in nature, but that it should demonstrate a richness and variety of plants and animals, sounds and colors, forms and figures, so in the human sphere as well. He ruled that there should exist a multiplicity and diversity of nations, languages and cultures.⁸¹

This divine arrangement should be respected and, of course, never interfered with, because any attempt to remove national differences would be to oppose God's natural law. God created nations to execute his will:

God does not work only through men, but also through nations. To each nation to which He entrusted a special calling He laid up a special task which would have to be fulfilled as part of His providential plan with creation . . . An effort to obliterate national differences thus means more than collision with God's natural law. It also means an effort to shirk a divinely established duty or task.⁸²

For Diederichs, nationalism was religious. He concludes with the assertion that "[t]o work for the realization of the national calling is to work for the realization of God's plan. Service to the nation is thus service to God."⁸³

Diederichs deified the nation. His treatise represents a transmutation of the political into the religious, which leads to worship of the nation and the state that embodies it. This is dangerous in the extreme, for it makes Afrikaner nationalism and politics a religious phenomenon outside human understanding and accountability. It gives it a license which exempts it from normal human consideration and compunction.

Meyer added to and expanded the religio-national pantheism of Diederichs with his lectures to Afrikaner students and his book, *Die Afrikaner* (1940). He also saw Afrikaner politics as the fulfillment of a calling, an expression and an extension of Afrikaner religion. He wrote:

What especially comes to decisive and determining utterance in the religion of the Afrikaners is the subjection to the ordinations of God as the Almighty and All-knowing Disposer over the lives and destinies of the individual and the *volk* even to the smallest details . . . Subjection to the Ordination of God as He has revealed it in His Word, and acceptance of the individual and national task as

divine calling which should be honored in His name, is then the directing channel in which the essence of Afrikaner *volkskap* (being as a nation) is unfolded, and in which the Afrikaans order of values, as it has been given in the Christian faith, is realized.⁸⁴

To Meyer, also, the individual only gained significance within the context of the nation, and both the individual and the nation as part of creation have been called by God. Meyer confirms the transmutation of the political into the religious with the assertion that the "Afrikaner accepts his national task as a divine task, in which his individual life-task, and his personal service to God has been absorbed in a wider, organic context."⁸⁵

Cronjé, in his book *'n Tuiste vir die Nageslag* (*A Home for Posterity*) published in 1945, rounded out ideas he had been developing for years in his lectures and speeches. The book added to what Diederichs, Meyer and others had maintained, and much more, because "in its own way, it was a remarkable piece of preliminary draughtsmanship for the coming system. Essentially, everything which was to be part of an 'unfolding' of the redemptive idea of 'Apartheid' or 'Separate Development' was contained in these pages."⁸⁶ He echoed Diederichs by asserting that "the racial policy which we as Afrikaners should promote must be directed to the preservation of racial and cultural variety. This is because it is according to the Will of God, and also because with the knowledge at our disposal it can be justified on practical grounds."⁸⁷ Cronjé argued condescendingly that Africans, based on Afrikaner historical experience, should be separated so as to enable them to make their own particular contribution to the culture of humanity of which they formed a separate part. Complete racial separation, he argued, was beneficial to all. More importantly, for whites, such complete separation would ensure the purity of their blood and assure a home for posterity. Cronjé, unlike most, spelled out practical measures to implement these ideas. This entailed legislation which was later enacted. He argued that "the more consistently the policy of apartheid could be applied, the greater would be the security for the purity of our blood and the surer our unadulterated European survival. Total racial separation . . . is the most consistent application of the Afrikaner idea of racial apartheid."⁸⁸ Cronjé extended the idea of total separation territorially.

In 1947, Cronjé, with two Dutch Reformed Church figures, published *Regverdigte Rasse-apartheid* (*A Just Racial Separation*) which was largely a reaffirmation of his basic ideas, albeit more succinctly presented. He cautioned about the tremendous sacrifices that whites would have to make to realize the idea of *apartheid*, such as foregoing African servants and learning to do "kaffir work." This caution has not been heeded and constitutes the central dilemma of *apartheid* today. Prof. E. P. Groenewald,

in his contribution to the same volume, argued that when God willed (ordained) separation it was to be complete. That is to say, when God gave the various nations their separate existences, he meant for them to remain separate. In support for his contention, he invoked the authority of the Bible. There was Deuteronomy 32:8: "When the Most High gave nations their inheritance when he divided the sons of man he fixed their bounds according to the numbers of the sons of God"; and Acts 17:26: "From one single stock he not only created the whole human race so that they could occupy the entire earth, but he decreed how long each nation would flourish and what the boundaries of its territory should be." Above all, there was Genesis 11, which tells how, in building the Tower of Babel, men sinfully tried to preserve the unity and homogeneity of the human race. God intervened and upset the plans of the builders by a confusion of tongues. He then ordained the division and distribution of nations over all the earth.⁸⁹ Of course, it never occurred to Prof. Groenewald and other Afrikaner exponents that, perhaps, it was wrong to leave Europe and settle in South Africa in the first place. Moral or even logical consistency is not a hallmark of the Afrikaners.

These exponents of Afrikaner nationalism and new politics all laid great emphasis on the calling of Afrikanerdom. Although they all asserted that Afrikanerdom was called to serve God in some unique and special way, they did not specify the precise content of the Afrikaner calling. In his book, *Die Afrikaner*, Meyer tried to tackle this issue, but without much success. According to him, "most important for the Afrikaner 'life-order' were the patriarchal family, the republican constitutional form and a system of wardship over the South African natives; most important for the cultural 'value-whole' was a sense of subordination to an absolute and sovereign God as found in Calvinism, general economic welfare, Christian National education, and uniquely ethnic arts and science."⁹⁰ The idea of Afrikaner calling remained popular, in spite of its vagueness—or because of it, for it implicitly spelled election and superiority of Afrikaners as Afrikaners. This eases, simplifies and assures Afrikaners with regard to their central problem—the "native question."

The Dutch Reformed Church (DRC) is fully implicated and involved in the formulation and assertion of this theologized nationalism. As already mentioned, Geoff Cronjé published his second book, *Regverdige Rasse-apartheid*, with two DRC figures, Dr. W. Nicol (moderator of the Transvaal synod of the DRC) and Prof. E. P. Groenewald. A year after publication, the Transvaal synod of the DRC accepted a slightly modified version of the chapter written by Groenewald as its official stand. The synod's resolution concluded:

For the sake of clarity it must finally be noted that the church definitely stands on the standpoint of racial apartheid. That is different from national apartheid, for different nations can be grouped under the same race when the propensity to assimilate is so . . . [otherwise it is] obvious that it will lead to spiritual degeneration among national groups involved.⁹¹

This clearly derives from Fatham, as well as Cronjé. Such is but one example among plentiful others, previously and subsequently, of church support, endorsement and even instigation of racial *apartheid*.

The Afrikaner church is the anchor of Afrikanerdom; accordingly, it exercises great influence in the private and public life of Afrikaners. This is so because the Calvinist cannot hope to win personal salvation by godly behavior, but he can glorify God by prayer and action and create a sanctified society. For this, an all-embracing discipline is required, and this discipline is provided by the church. The church stands guardian over the "divinely ordained" purity of Afrikanerdom and protects it from blood admixture and pollution of morals by alien values. For the Afrikaner church, the ideal unit of private life remains the old-style Boer family, with its strong pattern of paternal authority. The church condemns birth control and encourages large families on religious and political grounds so as to reverse the Afrikaners' numerical disadvantage. Afrikaners are encouraged to remain Afrikaners by not marrying non-Afrikaners and not living in a non-Afrikaner environment. The church advocates the strict observance of the Sabbath and "blue laws." It remains highly suspicious of modern trends, especially Americanization through films, songs, dance and publication, and supports strict censorship on moral and political grounds.⁹² The Afrikaner *predikant* (minister) remains a commanding figure who jealously watches over his flock with largely unquestioned authority. It is the church's task to ensure that Afrikaners remain true to their calling, which means that they should remain Afrikaners because of God's calling—to be exclusively Afrikaner.

With regard to the all important "native question," the church plays an important, if not crucial, role of interpretation, justification and legitimation of *apartheid*. As seen above, the Dopper element in Afrikaner society forced the church finally and decisively to succumb to popular pressure in 1857 and to sanction the practice of separate ministration of white and nonwhite. Since it is but a short distance from separating members of different races into separate congregations to organizing the segregated congregations into separate churches, in 1881 the DRC established a mission church. This became the instrument of implementing *apartheid* within the church.⁹³

After the Anglo-Boer War of 1899–1902, Afrikaner *predikants* abandoned their neutrality in politics and entered party politics as followers and leaders in the nationalist cause. After the Nationalist party was founded, a number of ministers occupied prominent roles in it and the church increasingly became identified with the Nationalist party. “Increasingly, membership in the two institutions overlapped, gradually fusing the twin pillars of *Volkskerk* and *Volksparty* into an organic *Afrikanerdom*.”⁹⁴ As the idea of comprehensive *apartheid* gained ground, the church sought guidance from scripture. The church struck the theme of unity in diversity; that is, the principle that it is God’s command that separate peoples keep their separateness intact. Such is the principle that Christian unity is spiritual and does not imply the blurring of “natural” distinctions. The church rendered the idea of *apartheid* morally and ethically palatable by changing the *baaskap* (boss) formula of inferior, therefore unequal, to the *apartheid* formula of equal but irreconcilably different.⁹⁵ The Afrikaner church made it possible to be both a “good” Calvinist Christian and an outright racist.

Afrikaner “[n]eo-Calvinism is essentially a natural theology in which political structures acquire a soteriological function,” in the penetrating observation of a South African theologian. “The individual is created within a particular *volk* with its ‘innate law of life’, and that individual becomes truly human as he affirms and identifies himself with that ‘innate law’. The *volk*, in turn, attains unto its true nature as it realizes itself in a nation.”⁹⁶ Afrikaner neo-Calvinist theology is also essentially a theology of culture and a deification of the state. To the Afrikaner, his identity is more than a social fact, it has instead a transcendent meaning. To the Afrikaner “the purity and sovereignty of culture within a particular sphere is a mandate and ordinance of God to be protected at all costs.”⁹⁷

Afrikaner nationalism evokes a synthesis between God and nation; this is expressed clearly in the Afrikaner axiom of Christian national education, history, culture, etc. The Rev. Andrew Murray’s fears have come to pass. In his opposition to Kuyperian influence on Afrikaner thought, he had warned: “The danger exists that the voice of blood, the voice of passion, of partisanship, of group interest, will overpower the voice of the Gospel.” More recently, André Hugo has observed:

Today, after a half century of Christian nationalism, we stand before the terrifying reality of an Afrikaner nationalism which also controls the religious life of the Afrikaner instead of the other way around . . . those who protest or reject this state of affairs are labelled as liberals, communists and as being disloyal. But this disloyalty is not disloyalty to the Gospel, it is disloyalty to the policy of the state and the Church, in other words, *apartheid*. In this way, the Church is being degraded to an important structure, necessary for the ideology of the nation, exactly as in the times of the *Deutsche Christentum*.⁹⁸

Conclusion

We conclude by returning to our beginning. The critical question facing South Africa today is whether the Afrikaner—who since 1948 has monopolized political power and used it to shape South Africa after his own image—is able to change his outlook and worldview. This is basic to any discussion of reforming or dismantling *apartheid*. It is the question of whether the Afrikaners can liberate themselves from the prison of their ideological myths, if they can ever escape Christian nationalism.

Much has been made of Afrikaner divisions and splits, within the ruling Nationalist party and the Dutch Reformed Church. P. W. Botha, who succeeded John Vorster as prime minister in 1978, and who is now president, warned Afrikaners to “adapt or die,” leading many to expect change. The evidence now in is that Botha was not calling for any serious or fundamental change—he could not. What he called adaptation or change was to be a new approach or system that would “rationalize apartheid and convert what is in many ways an incoherent system of control into a smooth running machine of domination.”⁹⁹

So-called changes within the DRC have been even more vacuous. What passes for agonizing reappraisal and re-examination deftly skids the main and central issue. The heart of the problem is best described by Villa-Vicencio: “Afrikaner political theology portrays a singular lack of emphasis on the Kingdom of God. There is an explicit rejection of world citizenship and an interpretation of pre-Fall existence in terms of differentiated and separated people.”¹⁰⁰

The most die-hard, right-wing and reactionary elements among the Afrikaners set the terms of the intra-Afrikaner debate. What appears as a serious squabble is seldom if ever about fundamentals. Form and method, rather than substance, are centers of quarrel. Such is the case with regard to the political schisms that have occurred in the breakaways from the Nationalist party: first, the *Herstigste Nasionale* party in 1969 and the more significant Conservative party in 1982. Within this quarrel, the central issue of white domination and black subjection and exploitation, i.e., *apartheid*, hardly enters the picture. It is really a quarrel between old and new methods to serve the same end—white domination.

This charade is equally mirrored within the Afrikaner church. A newly formed, all-white offshoot of the *Nederduits Gereformeerde Kerk* came into existence on 27 June 1987, with the coming into being of what is provisionally called the *Afrikaner-Protestante Kerk*. The split centers on the DRC’s October 1986 synod and its policy document, *Kerk en Samelewing* (Church and Society). In the policy document, the synod accepted the principle of an “open church” with black membership, albeit with some

subtle qualifications. Faced with a challenge, a hasty retreat ensued even from this tepid position. The challengers were assured that the NGK had not become an open church, and that blacks would only be accepted under exceptional circumstances; that is, subject to boundaries and ministerial needs of congregations, thus making it impossible in practice.¹⁰¹ The conflict and resultant split is emblematic of Afrikaner quarrels—to all other people they would be “much ado about nothing.” A careful reading of the policy document clearly shows:

- (1) it did not accept the physical, organized unification of the racially separated Dutch Reformed churches into one nonracial church;
- (2) it accepted the concept of separate ethnic groups as the basis of political structures, and the principle of separate schools;
- (3) it explained the “problematics” of our “complicated society” with its multiethnic basis in exactly the same manner as the government defends its policies in pamphlets.¹⁰²

More revealing as to this “change” in the NGK are the views of Johan Heyns, the new moderator of the NGK’s Northern Transvaal Synod and head of the Department of Dogmatics and Ethics at the University of Pretoria. Of importance also is that Heyns is considered a moderate and a symbol of positive hope. He sees what is taking place in the DRC as great, if not fundamental, change. This he pronounces in the following terms:

What is very important is that we did in the past give apartheid a theological, ethical justification. We have completely abolished that, and I believe that is a tremendous step forward. These decisions tell members that the church is the church of Lord Jesus Christ, that it is not the church of the Afrikaner *volk* or of the white man. These decisions say the church is an open church, that it cannot be closed to people of other cultures. They tell the ordinary church member that there is no such thing as white superiority or black inferiority. They say that all people are equal before God. They say that they may not be under any circumstances a political policy based on oppression, discrimination and exploitation.¹⁰³

After observing that about 80 percent of all cabinet ministers and about 70 percent of members of parliament are members of the NGK, and after asserting that the new position of the NGK requires that “the politician must know that he may not enact laws which are not based on the fundamental principles of justice,” the moderator nevertheless went on to say, “I don’t think it is the task of the church to campaign against any laws, even if they are unjust.” And he incredibly asserts that “[b]y the same token, if it is wrong to give to apartheid a theological, ethical justification, then it is also wrong to give antiapartheid a theological, ethical

justification."¹⁰⁴ This is moral neutralism of the worst kind in the face of the perverse and egregious evil of *apartheid*.

This so-called change in the DRC stands in stark contrast to the unequivocal stand against *apartheid* of the *Kairos Document*,* a clear repudiation and challenge to *apartheid* by South African church men and women initially from twenty-seven denominations, including Roman Catholics, Anglicans, Methodists, United Congregationalists, Lutherans and the Dutch Reformed Mission Church. It repudiates "state theology," which it describes as "simply the theological justification of the *status quo*, with its racism, capitalism and totalitarianism." It calls on Christians to be active in the struggle for liberation—for the church to be on the side of the oppressed.¹⁰⁵

Theologized nationalism or Christian nationalism continues its hold throughout Afrikanerdom. The pristine custodians are the right-wing conservatives of the *Herstigte Nasionale* and Conservative parties. They represent assurance and continuity, and are connected to the veritable and self-evident truths of Afrikanerdom. The unwavering voice of Andries Treurnicht** is much more assuring than Botha's unsure, vacillating and contradictory stance. The Conservative party has emerged as the real opposition and stands poised to contest political leadership of Afrikanerdom and South Africa. To the threatened and forever paranoid Afrikaners, Treurnicht is reassuring as he affirms the Afrikaner tradition of "civil religion." In his *Credo van 'n Afrikaner*, he affirms the theologized nationalism of Afrikaners firmly and with conviction. Unlike Botha, Treurnicht has deep roots in the Afrikaner "civil religion" tradition. As editor of the NGK weekly, *Die Kerkbode*, "[i]n a series of leaders [editorials] from 1961–64, he restated the case for a church policy closely aligned to the theologized, mystic concept of the nation." He stressed the "idea of ordination, of the nation as one of many autonomous spheres of existence, existing in themselves as entities, as organisms, and endowed by the creator with their own inner structures, each with its own particular 'law of life' to which absolute obedience was owed."¹⁰⁶

Treurnicht and his Conservative party, and Jaap Marais with his *Herstigte Nasionale* party,¹⁰⁷ in spite of their current minority status among Afrikaners and South African whites, are the critical forces in any contemplation and determination of South Africa's future, in terms of Afrikaner response and reaction. They represent and symbolize the Afrikaner ideological dilemma—a false consciousness that no longer even remotely reflects reality.

* See the *Kairos Document*, reprinted in this issue.—Ed.

** Andries Treurnicht is a right-wing standardbearer and leader of the Conservative party.—Ed.

The African majority remains the central contradiction and dilemma of Afrikaner theologized nationalism. It was the "native question" that conditioned the Afrikaner worldview; and it is the "native question" that nurtures the seeds of its destruction. Afrikanerdom finds itself hoist on the petard of the ideal of segregation and the reality of white domination predicated on black service, exploitation and dispossession. T. Dunbar Moodie observes, in this regard:

The dichotomy between ideal and reality was mirrored in the very Biblical imagery used by the frontier farmers. On the one hand, the black South African was a Canaanite and thus subject to the ban; on the other hand, he was a son of Ham, and so destined to be a hewer of wood and a drawer of water for his white compatriots.¹⁰⁸

The Afrikaners' dilemma, the South African dilemma as a result of their power and predominance, is, to use Marxist terminology, of the superstructure, taking command and establishing an apparent autonomy. More conventionally, it is the problem of a deeply embedded and religiously endowed worldview that presumes to explain and determine social and political relations. Herein lies the tragedy. The march of history has totally unhinged this worldview and rendered it even more manifestly ideological—a false consciousness. It now offers no answers to face its main contradiction and nemesis, the African majority. The African majority is determined to reclaim its patrimony, and be free. It imposes its superior worldview, whose triumph is inevitable because it is correct, just and historical. Victory for the cause of the African majority is as unavoidable as the rain. And, as Africans are wont to say: *nobody* can stop the rain.

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“Uniqueness” of the Victims: Gypsies, Jews and the Holocaust

Ian Hancock*

In Sydney Schiffer's 1986 play, *The Far Side of Enough*,¹ the representative of a fictitious international Gypsy organization offers to give a talk on the Romani (Gypsy) holocaust** at an equally fictitious Jewish holocaust memorial center, but is told that while such a talk would be possible, even welcome, the wording would first need to be changed. The rabbi explains that “we believe the Nazis singled us out for extermination in a way that justifies our applying the term ‘The Holocaust’ to us and us alone . . . I would feel honored to have you

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** In compliance with common standards of spelling and style, including *The Chicago Manual of Style* (Thirteenth Edition, 1982) and *Webster's Ninth New Collegiate Dictionary*, the word “holocaust” is spelled lower case, except when capitalized in direct quotation—Ed.

“speak, if you would only agree to substitute the term ‘Genocide.’” The Gypsy becomes angry, and the discussion after his departure centers on how any trouble he could make might be “neutralized,” since his having “wandered into the precincts of the Jewish establishment.” Someone else says, “let the Gypsy speak. We’ll ask our friends in the media to bury it—so deep no one will notice.” We are left wondering at the end of the play whether the address is ever given.

In some respects, this fictitious account mirrors rather uncannily the situation as it actually exists. During this writer’s term as special advisor to the U.S. Holocaust Memorial Council (USHMC), its former director, Richard Krieger, advised that an argument could be made for treating the holocaust as a uniquely Jewish event, although reasons for such an argument were not spelled out. After meeting with Krieger in Washington, a review of USHMC correspondence and publications was in order to see whether the word “holocaust” had, in fact, ever been used in connection with Romani victims of Nazism. It had not—not even on the program for the Romani Day of Remembrance, which took place on 16 September 1986, separated by some months from the Jewish Days of Remembrance earlier in the year. (Gypsies were left out altogether in the 1987 and 1988 Days of Remembrance.)

The U.S. Government Printing Office lists the booklet, *In Memory of the Gypsy Victims of Nazi Genocide*, produced following that 1986 Day of Remembrance, under the Library of Congress subject heading “Holocaust: Jewish,”² and the February 1988 USHMC circular announcing its National Writing Contest on the holocaust referred to “The six million Jews who perished in the Holocaust, and the millions of others.” The Council’s 62-page brochure circulated in May 1988, *The Campaign for the U.S. Holocaust Memorial Museum*, on the first page singles out Jewish victims by saying that only “[o]ne people, the Jewish people, were killed because they were Jews.”³ Of course, only Gypsies were killed because they were Gypsies, too; but this fact remains unstated and, by implication, is not a part of holocaust history. Evidently, requests that this perspective be modified continue to fall on deaf ears. The Holocaust Memorial Council had been created in response to pressure from Jewish organizations which had the Jewish tragedy firmly in mind. No one had thought about the Gypsies; no one was ready for them.

At first, this writer’s reaction was academic; no answer was anywhere to be found as to why the holocaust was being interpreted as only Jewish, but the question seemed to be closely connected with the use of the word “unique,” which appears repeatedly in the Council’s literature. According to the *Oxford English Dictionary*, “holocaust” in English has meant since 1671 the “complete consumption by fire . . . of a large number of

persons," and "unique" means "one and only; single, sole, solitary." A number of personal inquiries have been made over the past year to various individuals on the Council as to the justification for the continued reference to the Jewish experience in the holocaust as "unique," but so far without success.

American language specialist William Safire again raised the issue of the "uniqueness of Jewish suffering," preferring the Hebrew word *shoah* to "holocaust," since the latter "has been used to encompass more than the murder of Jews. From the casualties in our Civil War . . . to the wholesale murder of [G]ypsies in World War II."⁴ Claude Lanzmann similarly rejected "holocaust" in favor of *shoah*, arguing that the former suggests "sacrifice" or "burnt offering," rather than "fearful catastrophe." For Roma, the holocaust was the *pořaimós*, or "great devouring" of the people, a fearful catastrophe by whatever name. The editor of *Midstream* wrote in a letter on 8 February 1988, after reading an earlier draft of this essay, to say he believed that the Jewish tragedy was unique, because the treatment of Gypsies was "merely an afterthought, a social prophylaxis" on the Nazis' part.

It then occurred to this writer that perhaps his posing such questions, after all, simply affirmed former USHMC Acting Director Micah Naftalin's perception of Gypsies as "naive." The U.S. Holocaust Memorial Council was established in 1980 to honor the memory of the victims of the holocaust, but if the holocaust can be kept, in Nobel Prize winner Elie Wiesel's words, as "an essentially Jewish event," and its Romani victims merely as the targets of genocide (or even just wartime "casualties," as referred to in the first issue of the Council's *Museum Newsletter*),⁵ then by its self-created definition, the Holocaust Memorial Council was never meant for non-Jewish victims, since non-Jewish victims were not a part of the holocaust specifically, and the memorial museum would be under no obligation to involve, more than as a courtesy, other victims. Elie Wiesel made it clear that, while the Council sought "no omission" of non-Jewish victims, it would countenance "no equation" either.⁶

Edward Alexander writes at length of a "worldwide campaign of misrepresentation of the holocaust" by not treating it as a uniquely Jewish event, in an article in *Midstream*, significantly entitled "Stealing the Holocaust."⁷ In the same issue of that magazine, Yehuda Bauer refers to "a certain paradoxical envy on the part of non-Jewish groups directed at the Jewish experience of the Holocaust . . . [which] would seem to be an unconscious reflection of anti-Semitic attitudes."⁸ From the Romani point of view, of course, such an assumption is unthinkable.

The Struggle for History

For some time, a growing number of activists have been attempting to bring the situation of the Romani people in Hitler's Germany to the attention of historians and, in particular, holocaust-related organizations in the United States and Europe. Sadly, activity in this area is causing discomfort in some Jewish quarters. There seems to have been a tightening of the ranks, as though admitting that another population fared as badly somehow diminishes the magnitude or exclusiveness of the fate of the Jewish victims. As already indicated, persistent efforts have been made to find out why, but no plainly spelled-out or morally justifiable responses have so far come forth.

The persistence of this attitude is cause for deep concern. What constitutes "uniqueness" here? Is it a matter of who was victimized earliest? Or the extent of the agonies endured? Or numbers lost? It seems quite tasteless to engage in a one-upmanship of suffering or, in this case, to quote numbers. After all, Gypsies lost the same, or perhaps an even higher percentage of their overall population; but presenting the facts of the Romani holocaust before the public does not qualify as one-upmanship, nor should it be interpreted as confrontational. These are facts which have been hidden for the past forty years. If they can be disproved, this can only be cause for gladness; if the gloomy details can be shown to be fiction, then it means that the Romani people were mercifully spared the fate endured by their Jewish brothers and sisters. But if they can be shown to be factual, then they must be acknowledged fully, without resentment or rancor.

Revisionists are to be denounced for obfuscating history, for writing out or denying the episodes they want forgotten. When facts of history are not even given the chance to find their place in our chronicles, when events are minimized or allowed to fall through the cracks and become lost in time, this is as unacceptable as rewriting history. Either way, the record is concealed; no lesson is learned.

Romani organizations have not had a great deal of success so far in redressing this omission of their history. This is perhaps understandable, just as it is understandable that the holocaust should be seen to be "essentially Jewish"; the world has been hearing about the Jewish tragedy for forty years, and a vast amount of research has been undertaken by Jewish scholars on the *shoah*. For the Roma, no such body of scholarship, and only a handful of Romani scholars, exists, and research on the Romani holocaust is in its infancy. When scholars have approached the subject, invariably it has been from the perspective of their own interests; emphasis is necessarily upon the areas of greatest concern to them. When Yehuda Bauer wrote that the Nazi policy against the Gypsies was "more apparent than real," and that

Gypsies were "the victims more of a campaign against so-called 'asocials' than against the Gypsy people as such," and that "not to realize that the Jewish situation was unique, is to mystify history,"⁹ it is not assumed by this author that he was deliberately diluting the facts. However, it seems that very little effort was spent on his part to research or to understand the Romani situation.

In her book addressing the holocaust and historians, Lucy Dawidowicz devotes just two paragraphs to the fate of Romani prisoners, admitting that "Gypsies and their offspring were to be treated as Jews, that is, murdered," but still goes on to say on the same page that "the fate of the Jews under National Socialism was unique."¹⁰ Gerald L. Posner and John Ware's *Mengele: The Complete Story* (1986) does not even list Gypsies in its index, although Gypsies, and especially Gypsy twins, were Joseph Mengele's obsession. Some descriptions of medical experiments in the book, such as that on page 37, actually describe children that we know to have been Gypsies, but they are not identified as such.¹¹

It is to such books that others go for the "history," the "complete story" of the holocaust. The California State Board of Education obviously did so when it compiled its *Model Curriculum for Human Rights and Genocide* for use in the schools in that state. While Jews were listed as an example of the victims of genocide in the holocaust, Gypsies were relegated only to a category of "people who have suffered from totalitarian policies."¹² The same document lists the United Nations' five criteria defining genocide, the last two of which (sterilization and the permanent removal of children from their families) are still actively in effect against Gypsies in parts of Europe today.¹³ This California curriculum will ensure that school children statewide will receive only a partial account of what happened in the holocaust. A recently published book by R. Conrad Klein, aimed at the same audience and published by The Children's Press, similarly glosses over the Romani situation, which receives just two fleeting and uninformative mentions in the entire volume.¹⁴

All this is not to say that these one-sided accounts are deliberate. It is merely that, until now, few historians have given much thought to the Gypsy case, or have been disposed to pursue it. Very little concern has been expressed at all and, as one French doctor remarked after the war, "everyone despises Gypsies, so why exercise restraint? Who will avenge them? Who will complain? Who will bear witness?"¹⁵

The Roots of Discrimination

Prejudice has much to do with the treatment of Gypsies today and the negligible attention given them in holocaust literature. In December 1986,

the Holocaust Memorial Council proposed the formation of a committee on anti-Semitism; but no similar proposal was made to form a group to combat anti-Gypsyism. Because they can usually get away with it, the news media and popular literature exploit the Romani situation. The word "Gypsy" is used generically, so that it has come to mean "confidence trickster." However, the same reporters and writers are careful to avoid using, for example, "Mafia" and "Italians" interchangeably. In the past year, the North American public has been exposed to an increasing number of "special reports" on "Gypsy crime," in which Gypsies are treated as a monolithic whole dedicated to bilking the non-Gypsy public. The point is not made that the conviction rate for theft within the Romani population is no higher than the national average, and for major offenses, such as rape or murder, it is significantly lower. No acknowledgment is given to historical circumstances which have brought those Gypsies—just a few generations removed from five hundred years of slavery in eastern Europe, and some refugees from eastern Europe whom the postholocaust situation still affects forty years later—to their present situation. And too seldom is attention given to the thousands of law-abiding and concerned Romani citizens in skilled and professional occupations, but who are citizens fearful of speaking up, lest they, too, be tarred with the same bigoted media brush.

Although the popular conception holds that the Roma are a wandering people with mysterious origins, it has been known for over two centuries that their roots are in India, and only a tiny fraction of the world's nine million or so Gypsies are truly nomadic. Gypsies came into Europe at the beginning of the Middle Ages, swept across the Bosphorus from the Byzantine Empire on the crest of the Islamic tide, and were persecuted by the Turks because they were not Muslims. Their ancestors had left India perhaps three centuries earlier, possibly as a result of the Indo-Persian wars. One contemporary theory holds that these first migrants consisted of Rajput horsemen who, with their camp followers, moved further and further into Persia sometime in the ninth or tenth centuries, traveling westward in a succession of Middle Eastern wars. Certainly, the Gypsy language, Romani, and the culture, Romanija, point to this period of Indian history.

On arrival in the Balkans, the Roma met a confused social order resulting from the Crusades, which had caused a serious depletion of manpower and had created an urgent demand for weaponry and labor. Gypsies, who among other things had been metal workers in Byzantium, filled these needs. By the mid-1300s, so necessary had they become to the Moldavian and Wallachian economy that legislation was adopted to make them the property of the state. This was the beginning of the five hundred years of slavery, not fully abolished until 1864. After emancipation, thousands of the liberated Roma fled from southeastern Europe, many

reaching the Americas. Most Gypsies in North America are descended from this population.

As legislation concerning the Gypsies grew more stringent in the fifteenth century Balkans, large numbers moved north and west into the rest of Europe. Here, however, they were perceived to be part of the Islamic expansion that had occupied Spain, parts of France, eastern and southern Europe, and they were vigorously repulsed. Even today, in a number of European languages, including Dutch, German and Swedish, words for Gypsy are "Tatar" and "Heiden" (i.e., heathen). Their strange appearance, language and customs were too alien to the Europeans. Strict laws were brought into effect, first banishing Gypsies into neighboring lands, then requiring them to be put to death if caught. Many of these laws are still in effect and have served as precedents for treatment of the Gypsies in the American legal system. Roma are the only ethnic minority in the United States today who face laws restricting them as a people, and who are periodically subjected to those laws.

With the European colonial expansion overseas, western European nations found a useful dumping ground for their Gypsy populations. From the early 1500s, Spain, Portugal, France, Germany, the Netherlands, England and Scotland all shipped Gypsies off to the Americas, and even West Africa and India, their original homeland, to labor in the colonies. British Gypsies were well represented working alongside blacks in the early Virginia and Barbados plantations.

Centuries of being moved on has perversely led to the literary myth of the "wandering Gypsy." But the truth is that the Gypsies have had little choice. In England today, a number of government reservations have been set up throughout the country which Gypsies there may inhabit, but they can be fined or jailed if they stop anywhere in between, traveling from one to another. A consequence of being kept on the move in western Europe (in eastern Europe, Gypsies were tied to the land in slavery or serfdom) has been a denial of access to shops and merchants—hence subsistence stealing in order to survive—and a denial of access to churches and schools. Most Gypsies today are not literate in any language. This has meant that the literary image has been able to flourish unchecked: no organized rebuttals from the Romani population, no letters to the editor, no literature countering the novelists' fancies. It has been argued that societies need a population on which to project their fantasies or to serve as scapegoat, and that Gypsies have fulfilled this function. It has been argued, also, that societies need a cultural antithesis in order to keep a perspective on their own boundaries. As Kai Erikson said, "one of the surest ways to confirm an identity, for communities as well as for individuals, is to find some way of measuring what one is *not*."¹⁶ The literary Gypsy challenges the establish-

ment's perception of honesty, sexual decorum, hygiene, and social responsibility. And while the truth is very different, the Gypsy image is perpetuated, nonetheless, for these reasons.

Chronology of Nazi Racism: Gypsies and Jews

The persecution of Gypsies by the German people stretches back to the Middle Ages, but the seeds of the persecutions in the twentieth century were sown in the 1800s. In the 1830s, German authorities in Nordhausen tried to bring an end to Romani life by forcibly and permanently removing children from their families—a technique employed in this century from the 1920s to the 1970s in Switzerland.¹⁷ There were “open seasons” during which Gypsies were hunted down and killed for sport in the forests. In the early 1890s, a conference on the “Gypsy scum” (*das Zigeunergeschmeiss*) was organized in Swabia; in 1899 an information bureau monitoring the movements of Gypsies was established in Munich, later to be called the Central Bureau for Combatting the Gypsy Menace. At a policy conference on Gypsies held in 1909, it was suggested that they be permanently branded for purposes of identification. During the 1920s, Gypsies were being routinely photographed and fingerprinted by special police. Meanwhile, the Weimar constitution of 1918 had reaffirmed the equality of Jewish citizens with other Germans, and according to one source,

[they] enjoyed full civil, political and economic rights. Many German Jews were leaders in their communities and prominent in their professions. Few suffered discrimination and anti-Semitism was even less prevalent in Germany than in the United States at the time.¹⁸

For Jews, the coming to power of the Nazis meant the implementation of new and terrifying policies against them. But for Gypsies, the new regime meant only the intensification of the measures already in effect; they had been victims of this kind of institutionalized persecution in Germany since the end of the previous century. For Gypsies, it was nothing new.

Felice Davis noted that, while Jews were “constitutionally equal to other Germans, Gypsies were treated as second class citizens and were being rounded up.”¹⁹ Jeremy Noakes expanded on this.

Long before the Nazis came to power, the Gypsies had been treated as social outcasts. Their foreign appearance, their strange customs and language . . . they were seen as a-social, a source of crime, culturally inferior, a foreign body within the nation. During the 1920s the police, first in Bavaria and then in Prussia, established special offices to keep the Gypsies under constant surveillance. They were photographed and fingerprinted as if they were criminals. With the Nazi

takeover, however, a motive was added to the grounds for persecution: their distinct and allegedly inferior racial character.²⁰

In 1933, the very year in which Hitler came to power, a genocidal policy directed specifically at “a-socials”—a category into which Gypsies fell at that time—was drawn up. From 1934 on, they were being sent to camps at Dachau, Dieselstrasse, Mahrzan and Vennhausen for sterilization.

A law was introduced on May 26th, 1933, to legalize eugenic sterilization . . . beyond this, the cabinet, headed by Hitler, passed a law on July 14th, 1933, against propagation of *lebensunwertes Leben* (“lives unworthy of life”), now called the “Law for the prevention of hereditarily diseased offspring.” It ordered sterilization for certain categories of people . . . specifically Gypsies and most of the Germans of black color were targets for sterilization.²¹

In fact, a recommendation to destroy the Gypsies by sinking them in boats at sea was made the year Hitler came to power in 1933, and again in 1937. Also, the sterilization of all Gypsies throughout the country had also been recommended, though not implemented, in Norway, in 1933. (At the same time, professor of theology and advisor to the Nazi party Gerhard Kittel had suggested to the Nazis that Jews be given “guest status” in Germany.) In 1938, a Nazi party proclamation stated that the Gypsy problem was categorically *a matter of race* (mit Bestimmtheit eine Frage der Rasse)²² and was to be dealt with in that light. In the same year, race hygienist Adolf Würth wrote that “the Gypsy question that we face today is above all a racial question.”²³ Dr. Kurt Ammon declared that the Nazi policy “views the Gypsy problem primarily as a racial one.”²⁴ The following year, Dr. Johannes Behrendt of the Office of Racial Hygiene released a statement asserting that:

All Gypsies should be treated as hereditarily sick; the only solution is elimination. The aim should, therefore, be the elimination with hesitation (*Aussondern ohne Zögern*) of this characteristically defective element in the population.²⁵

According to Jewish historian Miriam Novitch, “[t]he decision to resolve the Jewish and the Gypsy questions was made by Hitler in 1939, and Poland became the tomb for both peoples.”²⁶ Müller-Hill indicates that the decision to exterminate both peoples came two years later.

The racial analysis which Dr. Ritter had made was disconcertingly similar to that which the “race investigators,” such as Günther, had made of the Jews: an oriental racial admixture with an asocial European component.” This explains why Heydrich, who had been entrusted with “the final solution of the Jewish question” on July 31st, 1941, also included the Gypsies in his final solution . . .

The Einsatzkommandos, which began their work shortly after the assault on the USSR, received the order to kill all Jews, Gypsies and mental patients.²⁷

In an address before the Holocaust Memorial Council's February 1987 conference on "other" victims, Dr. Erika Thurner of the Institut für Neuere Geschichte und Zeitgeschichte, University of Linz, gave her own analysis of the historical sequence: "Heinrich Himmler's infamous Auschwitz decree of December 16th, 1942, can be seen as the final stage of the final solution of the Gypsy question. The decree served as the basis for *complete extermination*" (emphasis added).²⁸ Dr. Thurner, in fact, challenged the widespread assumption that "the decision to seek a final solution for the Gypsy question came at a later date than that for the Jewish question," concluding that "the first steps taken to exterminate the Gypsies were indeed initiated *prior* to this policy decision and that the first gassing operations against Gypsies as taking place as early as late 1941 or early 1942." Romani holocaust specialist Rebecca Sherer places it even earlier.

It is believed that the official decision to exterminate the Gypsies was made in the spring of 1941 when the Einsatzgruppen were formed . . . Gypsies were subject to three methods of genocide: sterilizations, deportation and homicide. Mass killing was the most common.²⁹

Under Nazism, only Jews and Gypsies (and the few blacks) in German society were targeted for annihilation as distinct peoples, on specifically racial grounds. Donald Kenrick and Grattan Puxon quote Nazi party statements from 1935, such as: "In Europe generally, only Jews and Gypsies are of foreign blood,"³⁰ and "apart from the Jews, only the Gypsies came into consideration in Europe as members of an alien people."³¹ Kenrick and Puxon believe that "the Gypsies were considered as non-Aryans from the beginning of the Nazi period."³² Already in 1936, the German anti-Gypsy campaign became transnational in Europe when Interpol established in Vienna the International Center for Combatting the Gypsy Menace.

Documenting the Numbers

In assessing the Nazi tragedy, the comparison of numbers has provided a pretext for claims of "uniqueness" of its victims. Selma Steinmetz, for example, relies on this to state the case:

The Gypsies murdered in concentration camps and in mass executions in Poland, Yugoslavia and the USSR, or killed in the gas chambers at Auschwitz,

remain in the shadow of the Six Million murdered Jews; in the face of such enormous human suffering, numbers decide.³³

Actually, the overall percentage of losses for both Jewish and Romani populations is generally considered to have been about the same. Simon Wiesenthal referred to this in a 1984 letter to the U.S. Holocaust Memorial Council, protesting the omission of Gypsies in its program: "The Gypsies had been murdered in a proportion similar to the Jews, about 80% of them in the area of the countries which were occupied by the Nazis."³⁴ In his 1980 study of the persecution of homosexuals, Heinz Heger poses the rhetorical question: "How many people in Britain and America today are aware that the Gypsies of Europe were rounded up by the Nazis and sent to their death in almost similar proportions to the Jews?"³⁵ Margot Strom and William Parsons also conclude: "The Nazis killed between a fourth and a third of the Gypsies living in Europe, and as many as 70 percent in those areas where Nazi control had been established longest."³⁶ Wolf in der Maur puts it higher still, citing a 70 percent death rate within Nazi-controlled territories and 50 percent elsewhere in Europe.³⁷ The same figure of 70 percent is also found in a study by G. Von Soest.³⁸

More recent research is beginning to demonstrate that even these estimates may be too low. A study undertaken at the Frankfurt Fachhochschule by Professor Stephen Castles indicates that Romani losses may be as high as one and a half million, nearly three times the next highest estimate;³⁹ a report by Sylvia Puggiole on the persecution of Gypsies in contemporary Italy states that "[c]enturies of prejudice culminated in the genocide of more than a million Gypsies in Nazi concentration camps during World War II."⁴⁰ Sylvia Sobek writes of the disposal of "about one million Gypsies in the concentration camps."⁴¹ Wolf in der Maur makes it clear that all current estimates of Romani deaths ". . . are vague, the real number of victims probably being much higher . . . at least one million Gypsies were murdered."⁴² He makes the point in the same volume that many of those killed who were listed in the category of "suspicious persons" were very likely, in fact, to have been Gypsies.

Dr. Tilman Zülch of the Göttingen-based Gesellschaft für Bedrohte Völker, who has written widely on the Romani holocaust, cites (though also queries) research by one Dr. Mark Münzel of the Frankfurt Ethnologischesmuseum, which suggests that the Romani death toll may actually have been as high as four million.⁴³ In his 1939 report on the Gypsies, however, Johannes Behrendt indicated that the total population was only half that: "There are two million throughout Europe and in North America, and in Germany itself 6,000 pure Gypsies living together with 12,000 part Gypsies."⁴⁴ If even the one-and-a-half million assessment is

accurate, then the *total* percentage of Romani lives lost far exceeds that of any other targeted group. Today, the Romani population worldwide numbers between six and eleven million (and is commonly estimated at nine million), perhaps five million of whom are in Europe. Whatever those figures were, the point has been made by British holocaust historian Donald Kenrick that “had the war continued, 100% of the Jews and the Gypsies would have been killed, and the holocaust would have extended to the Slavs.”⁴⁵

The reason for our lack of precise documentation lies in the fact that almost all research on Hitler’s racial policies has focused upon their Jewish, rather than their Romani victims. In addition, while it was primarily the SS which dealt with the disposal of the Jewish prisoners, Gypsies were dealt with together with the Jews and others by the Gestapo, whose records have not yet been fully scrutinized. From even a cursory examination of the documents which are now being collected by various holocaust scholars, it is becoming clear that all previous estimates of the number of Gypsies murdered are underrepresentations. The Holocaust Memorial Council has made arrangements to obtain copies of Gestapo-related and other documentation from German and Polish sources; and, from an examination of these, more details of the Romani genocide will surely emerge. It has been learned, for instance, that a special camp for the murder of Gypsies and non-Gypsies existed at La Risiera di San Sabba, near Udine in northern Italy, and from 1940 began processing transports of Romani victims.⁴⁶ Erika Thurner of the University of Linz has published a study of the Lackenbach concentration camp in Austria, where thousands of Gypsies were sent to die.⁴⁷ Neither of these camps has received adequate attention in the holocaust literature to date.

In terms of actual materials—paperwork, racist posters and the like, much more was produced, and has survived, which refers to Jews than to Gypsies in Nazi-occupied Europe. The Germans did not fear Gypsies as they did the Jews. Gypsies were more easily identifiable than Jews and, as in modern America, were in some sense “non-people,” characters whose real identity had been distorted by writers of sentimental fiction and thus removed from reality. Eradicating Jews from the fabric of German society meant purging from within; with Gypsies, it was often only a matter of locating them throughout the countryside and dispatching them on the spot, methodically and without the fanaticism we associate with the annihilation of the Jews. It is a cruel irony that the German *Zigeunerromantik*, or preoccupation with the romantic Gypsy image, persisted throughout those years of bitter persecution at the hands of the same people.⁴⁸

It is this method of murdering of Gypsies where they were found which makes it impossible to estimate the numbers lost. Holocaust historian Bernard Streck wrote that:

Attempts to express Romani casualties in terms of numbers cannot do justice to the physical and psychological damage endured by those who survived . . . any numbers we have cannot be verified by means of lists, or card-indexes, or camp files; most of the Gypsies died in eastern and southern Europe, shot by execution troops or fascist gang members. The numbers of those who actually died in the camps have only partially been handed down to us; almost all the files were destroyed when those camps were evacuated.⁴⁹

Racial Classification

It has been argued that the genocide of the Roma was socially, not racially motivated. In his 1980 article, Yehuda Bauer states plainly that "[t]he Gypsies were not murdered for racial reasons, but as so-called asocials . . . [nor] was their destruction complete,"⁵⁰ repeating his 1978 remark (cited above). This is a commonly raised point; but Gypsies *were* being categorized by race, from the very same year that Jews began to be so classified. In any case, as Gisela Bock has made abundantly clear,

"Asociality" had been an important criterion in the sterilization courts . . . race hygiene theory had established the hereditary character of the disease, "asociality" with such efficiency that it had become a central category of racism (emphasis added).⁵¹

Former Holocaust Memorial Council director Seymour Siegel, echoing Yehuda Bauer's sentiments, questioned whether Gypsies really did constitute a distinct racial or ethnic population,⁵² a particularly insensitive comment, since it was because of their "racial" identity that Gypsies were targeted for genocide. That the Romani people do not constitute a "racial" group has, in fact, been used as an argument by the German governments to withhold reparations payments, capitalizing on the fact that Gypsies as a people were in no condition after the war to be able to challenge this ruling. Grattan Puxon drew attention to the German position in an article which appeared in 1977:

A circular issued by the Württemberg Ministry of the Interior, early in 1950, said judges hearing restitution claims should bear in mind that "Gypsies had been persecuted under the National Socialist regime not for any racial reason, but because of an asocial and criminal record. This preposterous ruling excluded from compensation almost the entire Gypsy population."⁵³

But the Roma *were* a race as far as Hitler was concerned, and most recently have been determined to be such by a team of geneticists whose report appeared in the prestigious medical journal, *The Lancet*:

Analysis of blood groups, haptoglobin phenotypes, and HLA types, establish the Gypsies as a distinct racial group with origins in the Punjab region of India. Also supporting this is the worldwide Gypsy language Romani, which is quite similar to Hindi.⁵⁴

Writing on the testimonies of Einsatzgruppen commanders, Glenn Infield recounts:

At the U.S. Government War Crimes Tribunal, [SS general Otto] Ohlendorf . . . told [presiding judge Michael A.] Musmanno that he did his duty as best he could at all times. Asked if he killed others than Jews, Ohlendorf admitted he did: gypsies.

"On what basis did you kill gypsies?"

"It is the same as for Jews," he replied.

"Racial? Blood?"

. . . Ohlendorf shrugged his shoulders. "There was no difference between gypsies and Jews."⁵⁵

Logistics of Extermination

Arguments have been made that the Romani situation was less extreme than the Jewish one, because some Gypsies were to be spared for anthropologists to study later, because Gypsy families were not broken up in the camps, and because their destruction was (mercifully) not complete. Likewise, the last of these conditions can apply equally to the other victims. Without Romani and Jewish survivors, we would know far less about the Nazi horror than we do. The six thousand or so Karaim (Karaites) Jews, scattered throughout eastern Europe from the Crimea to the Baltic, were able to convince the Nazis to exempt them as targets of genocide, and have survived.⁵⁶ Jewish families were not broken up either, in some cases, including those transported to Auschwitz from Theresienstadt in September 1943, for example. Miriam Novitch further documents the case of some Jews in Holland who were married to Aryan women, who could escape death on condition that they submit to sterilization.⁵⁷ Foreign Jews were spared from deportation, but foreign Gypsies weren't.⁵⁸ As Miriam Novitch emphasizes, even those being kept alive for future study had eventually gone to the ovens, too. In any case, the suggestion to keep some Gypsies alive was seen as a whim on Himmler's part; and under pressure from Goebbels and others, he was persuaded to abandon it in 1943, when his decree went

out to have all Gypsies throughout Germany, without exception, sent to Auschwitz for liquidation.

The Nuremberg Law for the Protection of Blood and Honor was instituted on 15 September 1935, forbidding intermarriage or sexual intercourse between Aryan and non-Aryan peoples. It affected both Gypsies and Jews, though not equally: criteria for identification as a Gypsy were exactly twice as strict as those applied to Jews. If two of a person's eight great-grandparents were even part-Gypsy, that person had too much Romani ancestry later to be allowed to live. The Nuremberg decree, on the other hand, defined a Jew as being minimally a person having one Jewish grandparent; i.e., someone who was of one-quarter Jewish descent.⁵⁹ If criteria for classifying who was Jewish had also applied to Gypsies, some eighteen thousand would have escaped being murdered.⁶⁰

It is manipulative to take arguments out of context, without regard to the time period involved or the changing policies in Nazi Germany. A recent example of this appears in the U.S. Department of Defense pamphlet *Guide for Days of Remembrance Observances*, which disqualifies Gypsies as victims of the holocaust in the statement, "Gypsies, too, were killed throughout Europe, but Gypsies who lived in the same place for two years or more were exempt [from Hitler's genocidal policies]."⁶¹ This statement must be interpreted in context; in the spring of 1943, such a recommendation was indeed made by one field commander in a small part of the Nazi-occupied U.S.S.R.;⁶² Himmler's ruling, however, which was the one which was instituted, stated that "Nomadic Gypsies and part-Gypsies are to be placed on the same level as Jews, and put into concentration camps,"⁶³ while settled Gypsies were to be used as slave labor. This was, in any case, applicable only in Russia and the Baltic territories, where Romani lives lost reached nearly 100 percent by the end of the war, some Baltic Romani peoples, such as the Layenge, having been exterminated completely.

The Aftermath: Dismissing the Gypsy Case

The Allied victory over the Nazi military in 1945 did not mark the end of the days of suffering for the Romani people. There were Gypsies who had left the concentration camps afraid to show themselves publicly until as late as 1947, because prewar anti-Gypsy legislation was still in effect, and those unable to provide documentation of German citizenship were being incarcerated in labor camps. Jews were subject only to Nazi laws, which were abandoned with the fall of the Third Reich. Gypsies were subject to Nazi as well as pre-Nazi laws, and the latter remained in effect until well into the 1950s. The Central Council of German Sinti and Roma, an advocacy organization for the defense of Gypsy rights, has evidence that

documents compiled by Interpol in the 1930s are still being used against their people in Europe today. In 1985, it came to light that German Gypsies are finding it to their advantage to give themselves “Jewish” surnames, in order to find employment, so selective is the compassion for the victims.⁶⁴ A *Time Magazine* report made the point:

The downfall of the Third Reich did not halt the devaluation of Gypsy lives. Though West Germany paid nearly \$715 million to Israel and various Jewish organizations, Gypsies as a group received nothing . . . West German officials have rejected the efforts of several thousand Gypsy survivors of the war to establish citizenship in the Federal Republic, even though their families have lived in Germany for generations.⁶⁵

And Kevin Costelloe reported further that:

Seven companies have paid more than 58 million marks (\$29 million) to Jewish forced laborers and their families. Oscar Rose [of the Central Council of German Sinti and Roma, in Heidelberg said that] . . . absolutely none of the Gypsies had been paid so far . . . Rose said 700 German Gypsies have notified him of claims for slave labor, but added that the number could rise to 1,000.⁶⁶

No war crimes reparations have been paid to the Gypsy survivors, nor ever seem likely to be. As recently as the 1970s, West German government spokesman Gerold Tandler called Gypsy demands for war crimes reparations “unreasonable” and “slander[ous],”⁶⁷ while in 1985, Mayor of the City of Darmstadt Günther Metzger told the Central Council of German Sinti and Roma that they had “insulted the honor” of the memory of the holocaust by wishing to be associated with it.⁶⁸ According to a 1986 account in *The Boston Globe*, the German Finance Ministry issued a report in that year concluding that “all victims of Nazism have received adequate compensation and that no new legislation is required to extend the circle of beneficiaries,”⁶⁹ while in late January 1988, the East German government announced that it would begin the reparation process for Jewish, but not Gypsy, survivors.⁷⁰

A fact sheet distributed by the Los Angeles Simon Wiesenthal Center, entitled, “Thirty-six Questions Often Asked about the Holocaust,” includes the statement: “The Jews were the only group singled out for total systematic annihilation by the Nazis.” Elie Wiesel defended this claim in an interview by stating that the holocaust was only a “Jewish tragedy” on the grounds that “a decision was made by the German High Command in January 1942 to exterminate the Jews to the last man. The entire Jewish people were condemned to death. No such decision was made to kill any

other group in this way, although the Gypsies come closest of all to the Jewish tragedy."⁷¹

In the brochure accompanying the *Auschwitz: A Crime Against Mankind* exhibition, Yitzchak Mais, director of the museums at Yad Vashem (Jerusalem), wrote:

Denial of the right to live is what singles out the fate of the Jews from all other victims—Gypsies, Poles, Russian prisoners of war, Jehovah's Witnesses—of the Nazi system. The brutal policies carried out against those and other so-called "enemies" of the Third Reich were clearly inhuman, but nonetheless their fate was different from the fate of the Jews.⁷²

The program for the U.S. Holocaust Memorial Council's February 1987 conference, entitled, "The Other Victims," made it clear that, while acknowledgment was being made that many groups were murdered by the Nazis, it has done so "without diminishing the uniqueness of the Jewish tragedy."⁷³ That word again. Incidentally, no Gypsies were invited to participate in the organization of that conference, which included a session on Gypsy victims. The word "others" is dehumanizing in any case, and it categorizes all victims in terms of being "plus or minus Jewish."

While there are parties who refuse adamantly even to consider the Romani situation (a number of participants in the Seventh Annual Conference on the Holocaust, held at Millersville University, in April 1988, refused to attend this writer's presentation), there are others whose excesses lie in the other direction. One hears from a growing number of individual Jews who declare staunchly that, of course, Gypsies must not be left out—and nor should homosexuals, Slavs, Jehovah's Witnesses, the physically disabled or the political dissidents either.

It is in the Romani reaction to this that we come closest to understanding the Jewish position. For us, these groups were not the same, though their liquidation and the justifications for their fate are clearly no less reprehensible. But they were not targeted for genocide on racial grounds, nor did they lose 70 percent or more of their total number.

One fear shared by both Jewish and Gypsy victims of the holocaust is that including other groups will "generalize" it. The holocaust cannot and must not be generalized. But we must be cautious that too self-centered an interpretation does not turn on itself and provide antagonists with fuel for their hatred. One hears such arguments as "if the holocaust was only directed at the Jews, then the rest of us don't need to worry for our own safety," and "if it *was* only the Jews, maybe they really were being divinely punished for something." We can dismiss this kind of rhetoric as naive and bigoted.

But what of the argument that insistence on the “uniqueness” of the Jewish tragedy has taught the world that the racial persecution of the Jews was a crime against humanity? Has the world really learned that racial hatred against *all humanity* is equally destructive and vile? Is society really sensitized to the dangers of its happening again, but to another (or even the same) people next time? One might ask that, if the holocaust was a crime against all mankind, which this writer believes it was, how does that equate with “uniqueness?”

In presenting the above argument, this writer does not intend to be “alarmist,” as a spokeswoman for one holocaust memorial center has charged; the message of the Romani holocaust is no cause for alarm. However, what is alarming is that efforts to trivialize the past have been particularly effective in the Gypsy case. But there is also hope. This writer addresses Jewish congregations in synagogues and holocaust survivors’ children at Hillel centers, and corresponds with a great many concerned Jewish friends in the United States and abroad; and it can be stated that, on an individual basis, Jewish understanding of the Romani situation is sincere and often passionate. The facts cited above are based on Jewish research—Jewish scholars have in the main been the only ones even to bother about the Romani holocaust. The main issue is not a Jewish-versus-Gypsy one.

What, then, causes this situation to exist? Why is the word “holocaust” being redefined to exclude non-Jews? It is possible that the consistent, exclusive use of the word “unique” may have a theological basis; the “unique destiny” of the Jewish people is referred to in the Aleinu prayer, for instance, a position discussed in depth by Emil Fackenheim.⁷⁴ This is the principal argument made in a circular dated 13 May 1988, distributed to Council members by Rabbi Rav A. Soloff of the Beth Sholom Congregation in Johnstown, Pennsylvania. In it, he forcefully cautioned that the holocaust, and by implication the Holocaust Memorial Council, be kept Jewish as they were intended to be, and not to allow other human tragedies, “justified and unjustified,” to be equated with the *shoah*: “Please keep the Holocaust Memorial just that, a memorial to the unique Shoah which consumed six million Jews.” If any leeway were given, he warned, “The U.S. Holocaust Memorial Council will be lobbied by Gypsies and Armenians, Native Americans and Palestinians, *ad infinitum*. Surely that is not what we want.” Yet, the U.S. Holocaust Memorial Council was established as a secular, federal body and not as a religious or ethnic one, and has the express function of honoring the memory of those who perished in Hitler’s Germany. This exclusivist Jewish position seems, in any case, to conflict with the concept of the separation of church and state as provided by the United States Constitution.

In her address to the Holocaust Memorial Council in March 1987, Erika Thurner observed further that:

Gypsies have generally been forgotten, or been reserved for the footnotes of historical investigation . . . this very position as a fringe social group with negligible social status, is responsible for the fact that, after 1945, the Gypsy holocaust was not acknowledged for so many years, and continues to be neglected to a certain degree to this very day. Ignorance as to the fate of the Sinti and Roma in the Third Reich has made historical reconstruction especially difficult. It has led to further discrimination against Gypsies, and to the *refusal* to recognize their right to restitution of both a material and an ideal nature.⁷⁵

Conclusion

It took until May 1987 to get just one Rom appointed to the Holocaust Memorial Council; *The Washington Post* reported in 1983 that the composition of the Council made some people "uncomfortable, for it included non-Jews among the victims of the holocaust,"⁷⁶ though no Gypsies were a part of it then. There were Afro-Americans and Armenians, but no Gypsies. In 1984, the director of the USHMC at that time, Seymour Siegel, was quoted as saying that Romani efforts to obtain representation on it were "cockamamie,"⁷⁷ while former acting director Micah Naftalin called the Rom "naive" in their dealings with the Council.⁷⁸

The question must be raised why it took over seven years to get even one Romani representative appointed to the Council, when the percentage of Romani losses was the same as, or perhaps even higher than that of the Jews. Why have the Roma not been invited to participate in the annual Days of Remembrance? And why was the Jewish tragedy unique, when Romani victims experienced exactly the same fate, for exactly the same reasons, and the Romani people are still paying Hitler's price? If Jews were "ignored" and "abandoned"—themes common in holocaust-related book titles—how much more do such terms apply to the Romani case? There is just one argument which would be morally justifiable, and that would be if it could be proved that statements about the Romani holocaust were false, that it did not happen. There are those, of course, who make this claim about the holocaust in its entirety.

The only argument remaining—and, sadly, it is one we do sometimes hear one way or another—is that Gypsies were not as *valuable* in terms of human worth as other victims, and should, therefore, not be accorded the same acknowledgment. This attitude differs little from that which led to the official devaluation of the Roma's human worth in Hitler's Germany, and to

the eventual establishment of racial policies leading ultimately to attempted total extermination.

North American Jews have no privy knowledge of the Romani people; they are subject to the same media biases and have the same prejudices.⁷⁹ *Outlook* ended its May 1987 editorial, "Gypsies and Jews in the Nazi Holocaust," with the words: "American Jews need not fear the false Gypsy image any longer. Gypsies, like Jews, have endured a long history of defamation, deportation and destruction. They should stand together and demand equality."⁸⁰ But for some, that fear remains. In 1987, the U.S. Romani Anti-Defamation League was threatened with legal action by the B'nai B'rith Anti-Defamation League, if they continued to employ that same phrase for themselves. The phrase, "Anti-Defamation League," is copyrighted. One fears that the same claim would be made for the word "holocaust" if it could. This writer has even been told that Gypsies want merely to "get onto the Jewish bandwagon," to "get in on the act" (two of the things which have actually been told him); but in the light of history, these accusations are callous and unjustified. Jews and Roma are not opponents, but victims of the same circumstances. Why is it so difficult for them to stand side by side? What the Roma want least of all is to hitch a ride on Jewish coattails; they must stand independently and be judged by their own history. But they do ask for Jewish moral support. Who else can even come close to understanding what the Roma are trying to tell the world?

In 1980, the Polish government forcibly deported groups of Gypsies by boat, after having confiscated any documents which would have allowed their re-entry into that country.⁸¹ At this time, the Czechoslovakian government is implementing a program of compulsory sterilization of Gypsy women and taking away their children;⁸² and in 1984, a citycouncillor for the City of Bradford, England called for the extermination of Gypsies.⁸³ Deportation, sterilization and suggested extermination, not forty years ago, but all within the past decade. For Gypsies, the war is far from over.

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The Past as Prologue to the *Intifadah*

Joseph Schechla*

Almost every retrospective written in recent months on the current uprising in Palestine has focused on the events of 8–9 December 1987. These dates mark a concentrated series of events which are credited with sparking a change in the spirit of the Palestinian people under Israeli occupation. That was when an Israeli settler driving a semi-truck and trailer under contract with the Israeli army slammed into oncoming traffic at the northern Gaza border, killing four Palestinian workers returning from jobs in Israel, and injuring nine, in what local Gazans are convinced was an act of revenge for an earlier killing of an Israeli settler in Gaza City's Palestine Square.¹ At the funeral demonstration the following day, Israeli soldiers shot and killed a 17-year-old Palestinian and injured at least twenty-four others. Within a few days, the entire Gaza Strip had risen up in protest; everywhere flaming roadblocks were erected, and violent clashes pitted the people against the army. By 11 December, demonstrations against the

* Joseph Schechla, Director (USA) of the Washington office of EAFORD and Editor of *Without Prejudice*, recently took part in an emergency delegation to Palestine under the auspices of the North American Coordinating Committee of Nongovernmental Organizations on the Question of Palestine. The emergency delegation was organized in response to the first announced closure of the occupied territories at the end of March 1988 in connection with the Palestinian national day, *Yaum al-Ard* (Day of the Land). Through interviews and their eyewitness, the delegation gathered information in closed areas not reported in the international press during that period.

occupying army spread to the West Bank and, in Nablus, the army killed another 17-year-old and wounded one more while shooting at stone-throwing youths. On 21 December, the Palestinians within Israel—heretofore struggling mainly for equal rights among citizens of Israel—held significant strikes in solidarity with the resistance to occupation in the West Bank and the Gaza Strip.

In an effort to “shake off” the oppressive occupation, the people have emerged with a resolve to confront the occupier on a human scale, without trepidation, and in spite of the familiar consequences. Within the first week, the Israeli army killed at least seven Palestinians, including 70-year-old Khalil Mahsiri and 4-day-old Fatmah Muhammad Yahya al-Qisri with tear gas.² Since the uprising began, the Israeli army and settlers have killed over 250 Palestinians. Thousands have been wounded by beating or shooting. More than ten thousand have been arrested since December 1987; over five thousand are currently held in prisons and prison camps,³ some two thousand of which are in administrative detention; twenty-two have been expelled and another five are threatened with expulsion.⁴

These events are an important feature of what by now the world knows by its Arabic name, *al-intifadah* (the uprising). However, the *intifadah*—although signifying certain and irreversible changes in Palestinian society—should not be seen as an “event.” Indeed it serves the purpose of understanding the *intifadah* to avoid becoming overwhelmed with details of specific events during the uprising, but rather to see it in a larger context as the present culmination of a historical continuum. This is the continuum of occupation that, for West Bank and Gaza Palestinians, has lasted twenty-one years. For others who remained in 1948 Palestine, this year marks forty years of Israeli rule. The Palestinians who have endured this occupation for part or all of their lives know and understand well this continuum. The *intifadah* did not simply erupt overnight, sparked by a mere series of “events.” It is rather a clear response to the anguish that Israel has brought to bear on the indigenous people of Palestine over decades.

Nor are the patterns of resistance new. Acts of civil disobedience, demonstrations and stone-throwing confrontations with Israeli forces are not radically different occurrences from those over the twenty-one years of Israel’s occupation of the West Bank and Gaza Strip, or those throughout the history of the Palestinian struggle against foreign occupation. However, the sporadic confrontations of the past were regarded as containable. The current uprising, rather, is distinguishable from the recent past by its consistency and its organization. It involves almost every segment of Palestinian society. It is well coordinated and innovative. Moreover, it has succeeded in debunking any notion of a quiescent occupied population by advancing an image of a unified people which has overcome its fear of the

occupier. It is the *shabab*, the youth raised under occupation, who now symbolize this struggle and personify the will to be free. Having exhausted alternative channels of recourse—not the least of which include the intercession of states—to restore their national and civil rights, Palestinians have resorted to taking matters into their own hands. They are confronting the occupier face to face, with their “holy stones.”

This sustained confrontation with occupation forces has led some Israeli authorities to observe that the present uprising “has had no parallel” in the past twenty years of occupation.⁵ At the outset of the uprising, Israeli spokespersons were insisting that the Palestinians, as they saw them, were engaging the occupying forces on orders from the outside, and Israeli Defense Minister Yitzhak Rabin specifically singled out the second in command of the Palestine Liberation Organization (PLO), Khalil al-Wazir (Abu Jihad), as directing the uprising.⁶ However, as the uprising spread and carried with it the whole of the Palestinian population in the West Bank and Gaza Strip, such claims by Israel of external PLO instigation were also seen as tantamount to an admission of PLO competence to mobilize and speak for the Palestinian population in “the territories,” including its youth—a notion Israel customarily rejects. Rabin was compelled then to reverse himself and announce that the Israeli government had intelligence indicating that the uprising was indeed a *spontaneous* expression of the Palestinians’ “frustrated nationalism.”

The truth lies somewhere in between. Broadly organized within the PLO political and social infrastructure, the Palestinians of the West Bank and Gaza Strip have, in fact, seized the initiative and mobilized independently on a mass scale which Israel is incapable of suppressing by its usual tactics. Furthermore, Israel’s attempts to do so have captured the world’s attention. This is perhaps the single most important feature of the *intifadah*. Though to Palestinians it has always been clear that, in resisting their cancellation as a people in their own homeland, they confront forces of goliath proportion, the world now stands as witness to the process. This witness has long been the Palestinians’ most effective defense.

The *intifadah* has come to expose Israeli policies and practices to a wider public, and even some of Zionist Israel’s most constant supporters have been compelled to criticism. However, while such new-found critics seem to show genuine concern with what Israel does, most remain cautious on more fundamental questions of what Israel is. Most Palestinians would attest that the scenes now under international scrutiny—when the press is allowed to report from the occupied territories—are not qualitatively inconsistent with previous decades of Israeli occupation.

The Palestinian uprising against Israeli occupation evokes questions much less about the actual reasons for it than about its timing. If

Palestinians are responding to the conditions of occupation, why has the *intifadah* started only now? The precise answer to this may lie somewhere beyond the province of the political scientist; however, a look at the institutionalized conditions of life under Israeli rule, with a view to the chronology of the occupation, offers insight into the causes and evolving character of the popular *intifadah* in Palestine. Such analysis naturally calls for inquiry into the nature of the occupier, as well as into the consciousness of the occupied.

The following look into some of the roots of the *intifadah* focuses on relevant aspects of Palestinian experience, particularly since 1967. It surveys the occupying power's institutionalization of the theft of patrimony, forcible demographic transformation and other measures to control and diminish the indigenous population in the areas of Palestine not yet incorporated *de jure* into the Israeli state. The conclusion reflects briefly on some of the characteristics of the *intifadah* as a response to, and a culmination of, a long history of foreign occupation. Among these characteristics is a clarity of vision and of demands for a liberated future, a clarity that has consistently met with stubborn dismissal in the West—until now.

Theft of Palestinian Patrimony

Through history, Palestine has been an agriculturally-based society which has supported a few important urban ports and market centers. The dependence of Palestinian life and economy on the land is affirmed through Palestinian national culture, traditions, literature and the arts. The seminal importance of the land in providing and defining the cycle of life and the livelihood of the Palestinians renders Israeli expropriation policies worthy of considerable attention here.

Land

Traditionally, like most of Palestine, the West Bank and Gaza Strip are predominantly rural, agricultural areas. Of a combined total area of 5,863,800 dunums* (5.5 million, West Bank; 363,800, Gaza Strip), so far well over half of the occupied territories has been taken under Israeli control by various state measures.⁷ According to Meron Benvenisti, the foremost Israeli specialist on his government's occupation policies, "[t]he history of the Zionist enterprise is an account of physical *faits accomplis* through land acquisition and settlement, created to achieve national,

* The metric *dunum* as a measure was established in 1928 to equal one-tenth of a hectare; one thousand dunums, or one hundred hectares, equal one square kilometer; 2.471 acres equal one hectare; .2471 acres equal one dunum—Ed.

political and military objectives . . . backed by the full coercive power of a sovereign state."⁸ This has been achieved through elaborate "legal, quasi-legal or coercive measures undertaken by the military government or other official or quasi-official Israeli agencies."⁹ Such measures include outright confiscation by force. By 1985, land expropriation by the state had become routine. Since 1985, however, the process of land expropriation and the declaration of state land has decreased, especially after revelations that year of fraudulent land transactions involving Israeli officials.¹⁰

Though Israel's practice of expropriating Arab land for "the Jewish people in perpetuity"¹¹ had been instituted by the state since 1948, land confiscation and transfer to the Jewish National Fund began in the occupied territories during the 1967 war.¹² In June 1967, the Israeli army seized 20 thousand dunums of land near Latrun (West Bank) which belonged to three Palestinian villages: Beit Nuba, Yalu, and 'Amwas (the biblical Emmaus). There Israeli forces demolished six thousand houses and made homeless ten thousand people;¹³ nothing of these villages remains but the memory and the refugee families. In their place Kibbutz Mevo Horon was built, as well as a recreational area, Canada Park, so named in honor of the Canadian Zionist community whose generosity made possible the erasure of the Palestinian villages and their transformation into an Israeli picnic ground.

At least 385 villages¹⁴ were destroyed by Israel in 1948 Palestine; Israeli attempts to level other West Bank villages since 1967 were thwarted mainly by international outcry.¹⁵ However, Palestinian lands are still forcibly taken by Israel as a continuing policy of dispossession of the indigenous population for immigrant Jewish settlement. Former Israeli Minister of Energy Mordechai Zippori praised the confiscation of land belonging to 'Anabta village, near Tulkarm, on the occasion of the 1982 dedication of the Jewish settlement of Inav there:

The continuation of settlement is the backbone of the Zionist movement in the West Bank and it is the only means to defeat any peace initiative . . . The presence of an Arab majority in the West Bank should not prevent the Israeli authorities from accelerating the settlement process in the occupied territories.

And, personalizing the continuity of Israel's history of taking over Palestinian land, Zippori recalled:

I was born in Petah Tikva which was surrounded by many Arab villages, such as Kufr Anna, Abu Kisheh and Khayriyeh—and no trace has been left of those villages today, but Petah Tikva remained.¹⁶

Although vast areas were evacuated by embattled Palestinian villagers through the four-stage campaign of forcible eviction by Zionist military units prior to and during the 1948 war,¹⁷ by contrast, the area of land left

behind by 1967 refugees was rather small, totaling only 8 percent of West Bank land.¹⁸ Consequently, Israel had to devise a variety of methods to control and possess Palestinian Arab land in the newly occupied territories.

In addition to 430,000 dunums of property evacuated during wartime (under Military Order [M.O.] 58), the Israeli state first confiscated lands that had been acquired by Jews in the West Bank before the 1948 partition (30,000 dunums), and Jordanian "state" lands (750,000 dunums), added to which were another 35 thousand dunums to fill "urgent military needs" (M.O. 59, 1967). Gradually, other lands were declared "closed" for military training purposes under clause 2(2), 70 of M.O. 3 (1967). The total area closed was estimated in 1984 to be 1.15 million dunums. Already in 1973, Israel was able to announce that over 700,000 dunums in the West Bank were lands held by the government for "Jewish nationals."¹⁹

In 1980, a new legal approach to "state land" facilitated land confiscation in the West Bank, based on the Israeli High Court's interpretation of the Ottoman Land Law of 1855: all currently uncultivated, unregistered land (both *mawat*, or fallow land adjacent to a village, and *miri* land, held hereditarily on a usufruct basis)²⁰ could from then on be declared as state land. In this way, almost 1.5 million dunums were confiscated under legal pretexts. Based on Jordanian law and on Israeli military orders 321 and 949, 50,000 dunums of land were expropriated for "public [Jewish] use," with another 100,000 dunums designated for expropriation. Some 50,000 dunums were requisitioned for military purposes between 1968 and 1979; this technique became a principal pretext for expropriating Palestinian Arab land for the establishment of Jewish settlements. Some 580,000 dunums have been restricted from Arab use in areas around settlements and along roadsides; 250,000 dunums have been confiscated as "nature preserves" and 90,000 dunums have been so designated.²¹

A brief look at some settlements can illustrate how various confiscation techniques are used to serve the Israeli settlement movement at the expense of Palestine. The plan for the settlement of Kiryat Arba (Master Plan No. 510) involved a four-stage process: (1) expropriation of thirty noncontiguous parcels of land over some 70,000 dunums near the Palestinian city of al-Khalil (Hebron); (2) prohibition of Palestinian use of the land in the areas of Jewish settlement on the confiscated land; (3) eventual expropriation of Arab land for the purpose of connecting the Jewish "parcels"; and (4) ensuring that the area is used for extensive Jewish housing. Palestinian lands for this settlement have been transferred to Kiryat Arba by the occupation authorities as "state lands," "closed areas" and "requisitioned areas."

The expropriation process for the Mateh Binyamin (Ramallah district) settlement region is similar. Land initially designated for Israeli habitation

is 24,000 dunums in a general area of 220,000 dunums. The plan (Master Plan No. 200), however, encompasses an area of nearly one million dunums, including some ninety-five Palestinian Arab villages with over 150,000 Arab inhabitants. The number of Israeli settlers in the area in 1985 totaled 6,180, living in twenty-two settlements. No provision for development of the Arab villages is included in the plan. In fact, Arab villages are not mentioned at all, except to state that the land designated for Jewish development is located on Arab-owned land and that it is to be "expropriated for public purposes."²²

Property within the city of Jerusalem, too, has been confiscated by the state for commercial use, as in the case of the Hyatt Regency Jerusalem hotel. This 522-room luxury complex opened for business in August 1987 on property Israel confiscated from its Palestinian owners from the largely destroyed village of Liftah and the town of Ramallah. The 29-dunum area (7.25 acres) allocated for Hyatt Regency is part of a 3,425 dunum (855 acre) property confiscated on 18 January 1968, following Israel's unilateral annexation of Arab Jerusalem. Exclusively Jewish residential settlements, as well as the Hebrew University's Mount Scopus campus, and the Hadassah Mount Scopus Hospital have also been built on this stolen land.²³

By these various methods, 36 percent of the land in the West Bank has come under exclusive Israeli control as "state land," in addition to areas restricted from Palestinian use; and no building license has been granted to Palestinian residents of the West Bank since January 1987. Approximately half of Palestinian land in the West Bank is now set aside for exclusive use by Jewish foreigners eligible for Israeli citizenship under the Law of Return.²⁴ In the Gaza Strip, one-third of the land is under Israeli control; by 1986, 2,150 settlers lived in eighteen settlements on 22,250 dunums (10.4 dunums per settler). In comparison, the eight refugee camps in the area, housing those 250,000 or so rendered homeless by Israel since 1948, occupy only 5,500 dunums of land (0.02 dunums per Gazan refugee).

Agriculture

Unlike Israeli agriculture, Palestinian agriculture does not have the benefit of any state subsidies or incentives. According to Benvenisti, this forms part of an intentional Israeli strategy to "develop Palestinian agriculture without introducing structural changes." "Structural changes" include needed credit to augment physical infrastructure, as well as access to irrigation water. In Benvenisti's words, "Palestinian agriculture was allowed to develop only insofar as it would not affect Israeli agriculture, and on condition that its development would not involve a fiscal or economic drain on the Israeli economy or government."²⁵

West Bank and Gaza agriculture is thus forced into an institutionalized disadvantage with an Israeli agricultural economy—capital intensive, highly subsidized and protected by military orders—while export of Palestinian agricultural produce is subject to severe and arbitrary curtailment. The aim of Israel's economic policy in the areas occupied in 1967 has been to limit economic development to the utmost, except insofar as it serves the Israeli economy, but, above all, to undermine Palestinians' economic (and, therefore, social) viability and progress toward their self-determination in their own land. And where land has not yet been denied, denial of water resources becomes a means of particular pressure on the land-based Arab population.

Water

Water is one of the most precious commodities in Israel and the occupied territories of Palestine. Since 1967, the West Bank water system has been managed by the military government, and, in 1982, control was transferred to the Israeli national water company, *Mekorot*. One quarter of Israel's annual water supply is taken from the West Bank, and for this reason Israel insists that control over West Bank water potential must remain in Israeli hands unconditionally. Of an annual West Bank water potential of 600 million cubic meters (cu.m.), Palestinians in the West Bank use approximately 100 million cu.m.; Israel takes the rest (81 percent of the total) for use by the state and its settlements in the the occupied territories.²⁶

Palestinian water consumption reached approximately 115 million cubic meters in the early 1980s, of which 100 million was used for irrigation, and the rest for domestic and industrial use. Although a water surplus exists in the eastern part of the West Bank near the Jordan River, "authorities have not permitted [Palestinians] to expand the utilization of their water sources."²⁷

Israeli occupation authorities limited available water for Palestinian agriculture to 90–100 million cubic meters, a level which, according to official Israeli development plans, will remain unchanged until the year 2010, regardless of increased needs of the Palestinian Arab population. This restriction is enforced by water rationing and charging exorbitant water prices for agricultural and household purposes. The water available for Israeli agriculture, however, will increase by over 100 percent in the 1980s alone.

In the early 1980s, the level of annual Palestinian *per capita* water consumption in the occupied territories was 35 cu.m. (in towns, and 15 cu.m. in villages), while provision for Jewish settlement consumption is set

at 90 cu.m. *per capita* (compared with 83 cu.m. annually in most of western Europe). To further illustrate the discrimination against the occupied population through water distribution, in 1990, 60 million cu.m. will be made available to thirty Israeli settlements in the West Bank, while only about one-third of this volume will be available for 400 Palestinian villages.²⁸ In the Gaza Strip, where agriculture accounts for the largest single economic activity and 90 percent of all exports, Israeli settlers exercise a great degree of control over the very limited water resources. While Israeli settlers there have established 35–40 new wells in recent years, strict water quotas on Arab farmers have been enforced for more than a decade, and overuse results in severe fines to them.²⁹

Creating a “Land without a People”

The myth of the “empty land” has persisted throughout colonial history as a necessary pretext for a central colonial power to appropriate land and its resources. The colonization of Australia two hundred years ago, to give one historical example, was accompanied by the legal concept, *terra nullius*, which claimed all of that territory as empty and free for the taking, regardless of the wishes of the indigenous people. The land-clearing policies of other colonial-settler societies of the western hemisphere demonstrate the stubbornness of European colonizers to enforce the “empty-land” claim—through genocide if necessary.

The same myth has been the basis of much argument in favor of the Zionist program since the end of the nineteenth century. The often-quoted phrase attributed to the proto-Zionists Max Nordau and Israel Zangwill claiming Palestine to be a “land without a people for a people without a land” remains a premise for persistent revisionist history today.³⁰ Zionism’s attachment to this notion, however, says more about the vision of its promoters than the existing reality of their time, or any time since. The “empty land” myth of Israel’s state ideology makes that movement not an aberration, but places it in the company of other movements in history, no matter how anachronistic that company may be. Faced with the Palestinian people as the persistent contradiction to Zionism’s preference for land empty of non-Jews, the state of Israel has instituted aggressive policies which set out to realize Zangwill and Nordau’s ominous vision. The process of eliminating the indigenous people from Palestine for exclusive Jewish Israeli settlement is known in Israeli parlance as *geulat haqarqa* (redemption of the land).

In 1948, 770–780,000 Palestinians were made refugees by forced displacement, threat of massacre and by village demolition; 120–130,000 Palestinian Arabs remained in the newly proclaimed Jewish state.³¹

Appreciably fewer Palestinians were displaced by the June 1967 war. Just before that war, 900,000 Palestinians lived in the West Bank, and between 400 and 450,000 in the Gaza Strip.³² The September 1967 Israeli military occupation census showed that 665,377 Palestinians lived in the West Bank, and 356,260 in the Gaza Strip.³³ Although the 1967 war directly displaced some 350,000 Palestinians from the West Bank and the Gaza Strip, the vast majority of the people remained on their land.³⁴

Today, there are 1.75 million Palestinians living in the occupied territories. By the year 2010 there are projected to be as many Palestinian Arabs as Israeli Jews in all of historical Palestine.³⁵ What is significant, too, is the fact that almost 46 percent of West Bankers and 48 percent of Gaza Strip residents are currently under 14 years of age; roughly 60 percent are under 17 years of age,³⁶ and the proportion of persons aged 25–34 in the West Bank has doubled since 1978.³⁷ And 1987 was the year in which Palestinian Arab births and Jewish Israeli births reached parity.³⁸

Thus, the Israeli political debate has renewed focus on the “demographic threat.” Israel’s Labor party argues for an exchange of *some* land for peace, in order to maintain an exclusivist Jewish state with as small a Palestinian Arab minority as possible. (On 25 March 1988, Defense Minister Yitzhak Rabin [Labor] made a case for such territorial compromise with the objective of maintaining Jewish demographic domination.³⁹ However, Rabin’s own history as a major force in the expulsion of thousands of Palestinian villagers from Lydda and Ramlah in 1948 perhaps says more about his party’s position than political pronouncements about compromise.⁴⁰) Without attention to the background of its leadership, the Labor party program is often perceived as one of coexistence and accommodation with the Arabs in the occupied territories.

The Likud bloc, on the other hand, remains firmly opposed to any return of territory to Arab control, notwithstanding the number of Palestinian Arabs living under Israeli rule. In fact, the Herut party, associated with the Likud bloc, still calls for the further expansion of “the Jewish state” to include the east bank of the Jordan River, within the Hashemite Kingdom of Jordan.

Lately, the idea of a population transfer, meaning the mass expulsion of Palestinians from Israel and/or the occupied territories of Palestine, has gained more vocal support among the Israeli establishment. For some years, Knesset member Meir Kahane (Kach party) held the dubious distinction of being the only Israeli politician openly to advocate the expulsion of Arabs from Israel and the occupied territories. Other political leaders, even those of the extreme right, shied away from publicly endorsing such ideas. In July 1987, this situation changed drastically; two mainstream Israelis—Deputy Defense Minister Michael Dekel and Major-General (res.) Rehavam

Ze'evi—openly voiced their support for the “transfer” of the Arabs. Michael Dekel (Likud) is a close associate of Prime Minister Yitzhak Shamir; Ze'evi, a veteran of the prestate *Palmach** militia, is currently the curator of the Tel Aviv municipal museum.⁴¹

In the autumn months prior to the *intifadah*, Ze'evi and Dekel were joined in open support for “transfer” by a number of Israeli officials, including Minister without Portfolio Yosef Shapira; chairman of the Knesset Education Committee Kachman Raz, former cabinet member Yuval Neeman (Tehiya party); Minister for Industry and Commerce Ariel Sharon; and former Chief of Staff Rafael Eitan. On 22 February 1988, Ze'evi organized a symposium around the “transfer” proposal. According to him, the public's response to his call for a mass expulsion of Arabs was encouraging. “We have lit the torch—and it shall burn,” he said.⁴² Ze'evi, Likud activist Aharon Pappo and Land of Greater Israel activist Zvi Shiloah argued that expulsion would be a humane and practical solution, since Israel wanted to hold on to the West Bank and Gaza and did not want to deal with the millions of Arabs who would be living within the envisaged borders by the beginning of the next century. Transfer would be the way to ensure that “we won't have to wake up every morning and ask how many Arabs were born during the night,” Shiloah remarked.⁴³ This echoes the mentality of the late Prime Minister Golda Meir who, when insisting on the need to ensure a “large Jewish majority” in Palestine, looked forward to the day when “we don't have to get up every morning afraid to ask, ‘Who was born last night—was it a Jew or an Arab?’ ”⁴⁴

Irrespective of their attitude toward the idea of mass transfer, all Israeli governments, both before and after 1967, followed a policy of making as many Palestinians as possible leave the area under their control and of preventing the majority of those who had left from ever returning home. Recent reports in the press have revealed that secret programs of “relocation” of Palestinians by a variety of means date back to closed cabinet meetings of June 1967.⁴⁵ Other indirect means, including severe restrictions on indigenous industry, agriculture and commerce, have encouraged Palestinians to emigrate in search of economic opportunities denied at home.

A more blatant method of assault, however, has been direct expulsion, based on the Defence (Emergency) Regulations implemented by the British mandatory government in 1945. When Israel was proclaimed, the new state continued to apply these emergency regulations, and many Palestinians were expelled between 1948 and 1967. Since the beginning of the state,

* *Palmach* is the Hebrew abbreviation for *Plugat Machats* (Striking Force)—Ed.

and again after the occupation of the West Bank and Gaza Strip in 1967, expulsions have been an integral part of Israeli war and occupation policy.

Community leaders have consistently been the targets of this policy. The first Palestinian to be expelled after June 1967 was the Islamic Council's president, Sheikh 'Abd al-Hamid Sayih, forced over the Jordanian border on 23 September 1967. He was followed by a three-man committee of West Bank political leaders who had joined together to coordinate political resistance to the occupation: Communist party leader Fa'iq Warrad (7 December 1967); journalist Kamal Butrus Nasir* and lawyer Ibrahim Bakr (20 December 1967). The expulsions of 1967-70 succeeded in eliminating much of the local pro-Jordanian community leaders and other activists. These included students, educators, clerics, professionals, merchants, municipal council members and teachers. In 1969, the mayor of Ramallah, Nadim Zaru, was expelled (6 October) after he protested against the demolition of a house by the army.⁴⁶ Israeli military authorities have responded to both alleged civil and military resistance by the Palestinians under occupation with similar measures. Small-scale expulsions have been practiced in varying degrees throughout the twenty-one years of occupation as a means of social control; in 1970, for example, the number of expulsions totaled 406.⁴⁷ In the first nine years of Israeli occupation, well over 1,100 Palestinians had been forcibly expelled from the occupied territories.⁴⁸ In 1985, thirty-one Palestinian community leaders were forced out of the country, five followed in 1986, four in 1987, and twenty-two in 1988 (as of June).⁴⁹

The large majority of expellees had played some leadership role in Palestinian society, and Palestinian leadership in the occupied territories has been effectively weakened as a result of their expulsion.

State Violence

Expulsion and expropriation of national resources is practiced against the Palestinians within a context of violence routinely committed by the army and by settlers. Coupled with the theft of patrimony, the violence of the state constitutes for Palestinians an immutable image of Israel.

Settler/Brigands: Agents of the Occupying Power

A distinction between settler and military use of Palestinian Arab lands becomes vague in Israel's interpretation of The Hague Regulations

* Kamal Nasir was among three Palestinian leaders killed by Israeli commandos in a notorious Mossad operation in Beirut in 1973—Ed.

(IV of 1907). In 1980, Israel's High Court of Justice determined that, where article 55 reads "[r]equisition . . . shall not be demanded . . . except for the need of the army of occupation," settlements on Palestinian land are "an integral part of the Territorial Defense System of the IDF" [Israeli Defense Forces].⁵⁰ Israeli settlers often fulfill this integral role by way of random attacks on Palestinian civilians and raids on family homes, accompanying these acts of violence with threats of further action and calls for the Palestinians to leave the country or face fatal consequences.⁵¹

In 1987, about 65,000 settlers lived in the West Bank (in 118 settlements), and 2,700 in the Gaza Strip. Eighty-five percent of the settlers were concentrated in the metropolitan area of Jerusalem, while a mere 15 percent were living in rural areas.⁵² According to Benvenisti,

All settlers belong to the security forces, being an integral part of the Israeli army (Territorial Defense Units). It is estimated that the settler population possesses no less than 10,000 firearms of all types, as well as other military equipment such as wireless sets and vehicles. The extreme ideological outlook shared by the settlers and their relative independence in defining their military role must lead to *excesses* [emphasis added]. Moreover, military and police authorities are reluctant to prosecute vigilantes even when illegal operations, aimed against official government decisions, are perpetrated.⁵³

An excellent study of Israeli settler violence, published by the Palestine Human Rights Campaign (Chicago), charted the steady increase of settler "excesses" against Palestinian civilians during 1980–84. Reported cases involve killings; injuries by beating and shooting; abductions (of males, two-thirds being children); harassment; attacks on vehicles, public places and institutions, farm land, homes, holy sites and religious institutions, and on schools. During the period under review, the study reported that settlers killed twenty-three Palestinians, including eleven children and twelve adults. Of these killings, four were females, and nineteen were males, while 40 percent were committed by firearms and 25 percent by bombs, grenades and mines of military issue.⁵⁴

In 1981, Israeli Attorney General Yitzhaq Zamir established a commission under his deputy, Yehudit Karp, to inquire into the enforcement of law in the occupied territories. The Karp Commission's report provided startlingly frank documentation of settler vigilante activities in the West Bank. It confirmed that settlers shoot Palestinian civilians much more readily than do average soldiers and noted that, of the seventy reviewed cases of murder, damage to property and vigilante activities by settlers, only fifteen were investigated by the police. The report called for "a radical reform of the basic concept of the rule of law in its broadest and most

profound sense.”⁵⁵ Although submitted in May 1982, the recommendations of the Karp Report have not been implemented to this day.⁵⁶

One of the most infamous cases of settler attack is that of the 26 July 1983 machine gun assault on the Islamic University in al-Khalil, in which settlers killed three persons and wounded at least thirty. It was not until April 1984 that suspects in this crime were detained in a roundup of the Jewish terror underground (*Terrur neged Terrur*, or TNT). The arrest of twenty-five TNT members followed the discovery of time bombs planted on six Arab busses in Jerusalem with the apparent intent of mass murder of Palestinian Arab civilians.

Although not officially condoned, such violence is granted tacit approval by the extension of extraordinary official leniency. During the *intifadah*, Justice Minister Avraham Sharir indicated on 2 April 1988 that convicted members of the TNT Jewish terror underground would be released by Israel's fortieth Independence Day.⁵⁷

On the very day of Sharir's announcement of government leniency, some ten settlers wearing *kufiyyahs* (Palestinian peasant headdresses) drove a Velox minivan into the Sabra neighborhood of Gaza City, sniping at passers-by with automatic pistol fire, killing three and wounding four. Moments later, the army arrived on the scene spraying machine gunfire that seriously wounded another four Palestinians.⁵⁸ The apparent close cooperation of the regular armed forces with settler actions, as in this case, has increased during the *intifadah*. It has been observed that settler initiatives facilitate an obscuration of state responsibility for the brutalization and incremental massacre of Palestinian civilians by deflecting some public attention from the involvement of regular Israeli forces and from the state's legal obligations in the matter. However, the state does not escape responsibility under international law. Article 29 of the Geneva Convention Relative to the Protection of Civilian Persons in Times of War (12 August 1949) states clearly:

The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred.⁵⁹

Shooting Palestinians—Not a Punishable Offense

In an exemplary case after the dismissal of Palestinian elected mayors of Nablus, Ramallah and al-Birah in the spring of 1982 by the “civil administration,” riots broke out all over the area, in the course of which the army killed ten Palestinians and wounded almost one hundred others.

During protests in the al-Khalil (Hebron) area in April 1982, an 18-year-old student was shot dead while trying to get to the village center

to find out if the army had wounded any protesters. In a trial in the fall of the same year, a paratroop officer was found guilty of murdering the student "by negligence." He was given a four-month suspended sentence. Commentator Mati Golan concluded in *Ha'aretz* that "[t]he practical lesson [in such cases] is that one can shoot at and kill people in Judea and Samaria, i.e., the West Bank, in breach of the law, without being punished in any real sense."⁶⁰

Army shootings of Palestinians are also conducted in conjunction with general harassment and collective punishment, with or without pretext. In one July 1984 example, a group of residents of Dahayshah refugee camp were returning by bus from a picnic in celebration of the end of Ramadan, the month of fasting. Israeli soldiers halted the bus at a checkpoint near Rachel's Tomb, outside Bethlehem. After searching the bus, the unit commander ordered the young men to get out. The soldiers then lined them up, forced them to stand for an hour in the heat with their hands up, and beat them. One young man fell dizzy and could not stand. With no provocation, a soldier shot him in the legs, and when the victim's friends came to his aid, the soldiers shot another.⁶¹

Such cases of unprovoked shootings of Palestinians by military occupation forces often result in civilian death and, as documented elsewhere, form a pattern of criminal behavior by the army that routinely goes without redress.

House Demolitions as Extrajudicial Punishment

Since the first days of the occupation, Israeli forces have demolished Palestinian homes in reprisal for resisting occupation, sometimes for no more than the throwing of a stone. In addition to its punitive application, the Israeli government has affirmed that house demolitions also constitute a "deterrent" to future acts of resistance. Between 1976 and 1982, Israeli authorities destroyed fifty-six homes and sealed nineteen. Between January 1983 and November 1984, another nine houses were demolished and twenty-nine others sealed. In 1985, fifty-five houses were demolished; in 1986 forty-eight; and, in 1987, 138 were demolished or sealed on various pretexts.⁶² Approximately 1,300 Palestinian homes have been punitively demolished by Israeli occupation forces in the West Bank and Gaza since 1967.⁶³ House owners are given little or no notice before their houses are blown up and usually are unable to save their possessions from destruction. The International Committee of the Red Cross (ICRC) has repeatedly petitioned the Israeli government to cease this practice on the grounds that it violates articles 33 and 53 of the Fourth Geneva Convention (1949).

Besides punishment for acts of resistance, Israel also demolishes houses as part of a policy to deny development or expansion of villages for

Palestinian habitation, citing as a pretext that the homes are "unlicensed." Since building licenses are routinely denied to Palestinians even in villages suffering critical housing shortages, many of these homes are indeed "unlicensed," although many others have been destroyed whose owner had a valid license in hand. Palestinian sources reported seventy-two homes destroyed on this pretext in 1985, and over one hundred in 1984.⁶⁴

Army Violence/General Harassment

Harassment by the occupying army routinely exceeds even that stipulated in the dreaded military orders. Before a Jaffa military court in 1982–83, Israeli soldiers testified to a variety of harassment measures and brutality ordered by military commander of the West Bank Colonel Ya'acov Hartabi and commander of al-Khalil (Hebron) Lt. Colonel Shalom Lugassi. Those under their command were ordered to "shoot at [Arabs'] solar water heaters, to break watches, to assemble passers-by or people outside their homes in groups of six or eight in order to beat them up . . ." ⁶⁵

A comprehensive chronicle of the impact of the military occupation on daily Palestinian life in the West Bank and Gaza is not possible here. It is important to note, however, that every aspect of life of a Palestinian under Israeli occupation is controlled through military regulations. Movement itself is strictly regulated; for example, it is forbidden for Palestinians from the occupied territories to spend the night either in Jerusalem or anywhere inside Israel without a special permit, a regulation especially oppressive to the tens of thousands of Palestinians who work inside Israel, and who must either spend long hours commuting daily to work, or find clandestine sleeping quarters in storerooms, alleyways, or fields. Nor are Palestinians allowed to leave the country without permission from the military governor. Sometimes whole villages, towns or areas are collectively punished with the refusal of exit permits, and leaving is often denied altogether to people who have been in prison.

A more drastic method of restriction is the curfew. The first military order applied in the occupied territories was the declaration of a general curfew on 7 June 1967. This was gradually lifted, but curfews have since become part of the general pattern of army control of populated areas. Curfews are usually imposed as forms of collective punishment, but also serve to disrupt observances of religious and Palestinian national holidays. The imposition of curfews has become increasingly common, especially since 1983.

The army holds supreme and absolute power over the Palestinian civilians in the occupied territories. The military government legislates and executes the law, and controls both local courts and its own system of

justice—the military courts. Permits from the military authorities are required for a Palestinian to obtain a driver's license, professional license (lawyer, pharmacist, etc.), business permit, to install a telephone or to sign a lease for more than three years, or to export or import goods. All of these essential permits are available only after extensive delays and high fees, and may be withheld altogether from Palestinians considered “troublemakers” by the military authorities.

Development of Palestinian business, agriculture or municipal services is stifled by a denial of adequate funds; as a consequence, schools, health services, roads and civil services are sadly lacking or in disrepair. Israel has refused to permit any Arab lending institution to function in the territories, thereby denying even private funding to Arab businesses. Israel has also refused to permit the formation of any national Arab agricultural council or authority, preventing the development of an urgently needed comprehensive agricultural policy for the Palestinian Arab sector.

The Israeli Ministry of Defense is currently compiling a West Bank and Gaza Strip data bank with an investment of \$8.5 million by the United States. The stated objective is to computerize all civilian administration functions and to store information pertaining to the population regarding property, real estate, family relations, political attitudes, involvement in “illegal” organizations or activities, licensing, occupations, consumption patterns, etc. With this new technology, the occupiers will gain “complete control in real-time of all information on the territories, which will ensure strategic control and improvement of services.”⁶⁶

Impediments to Education

Although the Palestinian school system in the West Bank and Gaza Strip follows respectively the Jordanian and Egyptian systems, the schools and their curricula are subject to Israeli supervision. All books and references to “Palestine” or to the Arab history of the region are banned, and any teacher revealing Palestinian nationalist sympathies is dismissed.⁶⁷

Palestinian universities, often locations of Palestinian activism, are regularly subjected to army sieges and armed attacks and are frequently closed by the military authorities in response to student demonstrations or local resistance. In 1987, for example, al-Najah University was closed for six weeks, Bethlehem University for two months, and Bir Zeit University for a total of four months. Universities are also effectively, if “unofficially,” closed by army roadblocks set up on access roads, preventing students and faculty from reaching the campus. Such closures persistently disrupt the educational process, and serve to delay students' graduation.

Education is further disrupted by the arrest and detention of students and faculty. Any activity—even of a scholarly nature—perceived as nationalist by the military authorities is met with arrests and raids. Al-Najah University professor Muhammad Shadid, who directed the widely-published 1986 poll of political opinion in the West Bank, was promptly banned from the West Bank—and thereby from his position—as a result of his efforts.⁶⁸ A particularly cruel form of harassment is the arrest of secondary students on the day of their matriculation exams, thereby forcing them to repeat their entire final year of schooling. In addition to those arrested and held in Ansar II prison in the spring of 1987, the Israeli education liaison in Gaza prevented ninety-three students there from sitting for final secondary level exams.⁶⁹

Political Organization, Thought and Expression

Israel permitted municipal elections on 12 April 1976, expecting the election of candidates favorable to Israeli policies. In free elections, however, pro-PLO candidates captured the majority in eighteen out of twenty-four municipal councils.

In the autumn of 1978, a series of public meetings led to the formation of an 11-member National Guidance Committee (NGC) composed of local mayors and popular leaders. The NGC publicly supported the PLO and an eventual peace settlement. It also directed Palestinian resistance to the Camp David accords (which, by neutralizing Israel's southern border with Egypt, helped facilitate the 1982 Israeli invasion and continuing occupation of Lebanon), and coordinated opposition to the Village League system of collaborators and to the Israeli "civil administration" of the territories (discussed below). Israel responded with a campaign of expulsions, arrests and imprisonments. In 1980, Shaykh Tamimi and the mayors of al-Khalil and Halhoul were expelled—with their heads shrouded in black hoods—by helicopter over the Lebanese border. The same year, Nablus mayor Bassam Shak'a and Ramallah mayor Karim Khalaf were maimed in car bombings, while al-Birah mayor Ibrahim Tawil narrowly escaped a similar bombing. These three—and most of the other elected mayors of the West Bank and Gaza—were later dismissed, and the NGC itself was dissolved by the military authorities in 1981.

The military government acknowledges no right to freedom of thought or expression. Censorship of newspapers is rigorous, and the banning of material considered potentially subversive extends even to the colors of the Palestinian flag. Possession of banned books or materials is punished by fines and imprisonment. In one case, under M.O. 101, Israeli occupation forces confiscated a Bethlehem journalist's entire library of five hundred books in

1985. Twelve titles were finally presented as evidence by the prosecution for which he was convicted of possessing banned materials. He was charged a punitive fine, sentenced to seventeen days in prison, and given an additional suspended sentence. When his lawyer demanded the return of the other 488 books, he was informed that the volumes had accidentally been burned.⁷⁰

A political science lecturer at al-Najah University was sentenced, in July 1987, to eight months in prison (suspended), and fined the equivalent of (U.S.) \$6,250 for publication of "inciting" materials. He appealed to the Israeli High Court, arguing that the charge was in violation of his freedom of expression. The state attorney's office argued against this, on 30 June, saying "there is no freedom of speech in the territories."⁷¹

Political Prisoners

The army maintains rigid control over those popular figures who appear to command any political influence. A common method of surveillance and control is town arrest, under which a person is not allowed to leave his/her town of residence and must report to the police once or twice daily. The order is usually valid for six months, and is subject to renewal. In 1982, fifty-two people were put under town arrest, forty-six in 1984, thirty-one in 1985; sixty-two in 1986; and 110 new town-arrest orders were issued in 1987.⁷²

Any soldier in the Israeli army has the power to search Palestinian premises and arrest anyone upon suspicion without a warrant. As a result, approximately 200,000 security prisoners and detainees have been in Israeli prisons; that is, 20 percent of the West Bank population. Under M.O. 378, anyone can be arrested and held for eighteen days without charge or trial, and the period can even be extended.

Administrative detention is a special class of imprisonment under which the detainee can be incarcerated for up to six months without trial and without charges. As of 28 January 1988, at least 129 Palestinians were reported to be held under this form of detention. At the end of May 1988, the figure had increased to approximately two thousand.⁷³

Torture in Prison

Although Palestinians have been reporting their mistreatment at the hands of Israeli torturers since the proclamation of the state of Israel, the first detailed report of Israeli torture in prison to reach the mainstream Western press found its way into *The Sunday Times* (London) in 1977. That report, based on corroborating testimonies and investigation, concluded that "[t]orture of Arab prisoners is so widespread and systematic that it

cannot be dismissed as 'rogue cops' exceeding orders. It appears to be sanctioned as deliberate policy."⁷⁴ Then, in a period of less than two years (March 1977 to January 1979), the Consular Section of the United States Consulate General in Jerusalem issued over forty reports to the State Department regarding the mistreatment of Palestinian Arab political prisoners in Jerusalem and the West Bank.⁷⁵ In its 1984 report, *Torture in the Eighties*, Amnesty International cited the use of torture in three West Bank prisons: Hebron; Ramallah; and al-Far'a, near Nablus.⁷⁶

There are five major prisons in the occupied territories, holding—prior to the *intifadah*—3,000–3,500 prisoners. One of the most notorious centers is al-Far'a prison, established in 1982 and designed mostly to house teenage prisoners aged 15–18, many of whom are high-school and university students. They are commonly incarcerated on vague charges of "endangering state security." The most frequent charge is "participating in stone-throwing demonstrations," but charges include membership in an "illegal organization" (PLO), setting up of a road block, or even simply raising the Palestinian flag. However, in many cases reviewed in the United States State Department's *Country Reports on Human Rights Practices for 1986*, Palestinian political detainees were not aware of the reason for their imprisonment.⁷⁷

Torture in Israeli prisons includes severe beatings; suspension by the hands; covering the prisoner's head with a heavy canvas hood and forcing him/her to stand for days at a time; bad food; sleep deprivation; exposure to intense heat and cold, including tying up the prisoner while naked overnight in the rain; cigarette burns to the flesh; denial of access to toilet and bathing facilities; intrusion of objects into the prisoner's penis or anus;⁷⁸ and exhaustive interrogations under such conditions which have produced mental breakdowns in some prisoners. Particularly humiliating are various forms of sexual abuse tortures, including forcing prisoners to masturbate in front of interrogators and beating of the genitals, in some cases to the point of causing sterility.⁷⁹ Routine conditions in the prisons are also abominable and sometimes produce severe health disorders. Reports of prisoners, confirmed by international and even Israeli investigating teams, consistently describe inadequate bedding, food and medicine; overcrowding; and lack of exercise, fresh air or sunlight. Punishments for infractions of discipline include confinement to tiny "punishment cells," or *zinzanahs*, and occasionally the firing of tear gas into the cells.

In Neve Tertza women's prison near Ramlah, inside Israel, both gas and injections of nerve irritants have reportedly been used against inmates.⁸⁰ One member of the Israeli League for Human and Civil Rights characterized the use of gases in Neve Tertza as "monstrous."⁸¹

The bludgeoning murder by the *Shin Bet* (Israeli internal security service) of two Palestinians attempting to hijack a bus to the Egyptian border in 1984 indirectly sparked an inquiry into the systematic use of torture to extract "confessions" later to be admitted as evidence in Israeli courts. In the autumn of 1987, a censored version of the Landau Commission report was published, which contained sanitized language to discuss selectively certain regular tortures of Arab prisoners used to obtain such "confessions." These measures, "which are largely to be commended, both morally and legally,"⁸² according to the commission, were not at issue. What did invite the condemnation of the commission was the failure of the *Shin Bet* fully to inform the court of the practice.

Out of fear of reprisals and personal modesty, not all prisoners have spoken openly about their experiences under interrogation and torture. However, some revealing accounts of Israel's treatment of Palestinian political prisoners have come from Israeli eyewitness testimonies, such as one by a soldier named Yoske, who spoke in January 1987 of the "celebration of torture" at Gaza's Ansar II prison.⁸³

Referring specifically to conditions at al-Far'a, Palestinian lawyer and human rights defender Raja Shehadeh concluded that "[t]he aim of the [Israeli] prison remains . . . to degrade the prisoner and his integrity as a human being and to intimidate both him and the society to which he will return, and not to fulfill the normal purpose of a prison."⁸⁴ Two reports issued separately in 1986 by Amnesty International⁸⁵ and the Jerusalem-based Alternative Information Center⁸⁶ further confirmed the details of systematic torture in Israeli jails; while the practice by Israel of torture of those detained in southern Lebanon, both those in its self-acclaimed "security belt" in that country and those brought from Lebanon to prisons in Israel, such as Atlit, near Haifa, also has been reported elsewhere.

Perhaps the most disturbing accounts of all are those concerning the torture of children as young as ten years old, including hanging-suspension, bludgeoning and beatings to the most sensitive parts of the body. A multiple-case report issued by three human rights workers from the United States, published in 1987, concluded that "[t]he *modus operandi* of the Israeli military rule ensures that every child arrested, whether held for two hours or two months, is subjected to intimidation, humiliation, and excessive use of force."⁸⁷ Such detention and mistreatment may not elicit the desired effect, however. As Gaza lawyer Khalid al-Qidrah has said, "putting small boys in an army camp does not repress their nationalist feelings." To this Gaza Red Crescent Society President Dr. Haidar 'Abd al-Shafi added: "The kids are drawing different conclusions. They are becoming more daring, and they are not running away."⁸⁸

From "Civil Administration" to "Iron Fist"

In 1981, the military administration in the occupied territories was replaced with a "civil administration" (under M.O. 9479) which was to simulate civilian rule, while concomitantly sustaining the role of the army in repressing dissent as well as normal social and political development. Under a variety of military orders in addition to the British Defence (Emergency) Regulations of 1945, military commanders still retained powers not specifically transferred to the "civil administration" and exercised legislative power to issue new military orders and create new laws. Initiated by Prime Minister Menachem Begin and then Minister for Agriculture and Settlement Ariel Sharon, "civil administration" was designed to establish a system of order bearing the appearances of a genuine civilian government to pacify Palestinian resistance and ensure Israel's hold on the territories. In the words of one Israeli analyst, introduction of the civil administration "was a deliberate attempt to create irreversible and administrative conditions, which would impose the *Israeli version* of autonomy" (emphasis added).⁸⁹

Strikes and intense protests broke out in November 1981 against the "civil administration." The protests, which largely emanated from schools and universities, were met with house demolitions, large-scale arrests, beatings and shootings of a number of young Palestinians by the occupation army. The press was severely censored as an attendant measure. The relative quiescence of the occupied population throughout 1982 is largely attributed to this effective repression, a tactical prerequisite to the Israeli invasion of Lebanon in that year.

A new wave of protest and specific attacks on Israeli occupation soldiers in Gaza, Nablus and al-Khalil marked the end of 1984. It was also during this time that Israeli mobs had lynched a number of Palestinian Arabs on both sides of the "green line" (dividing Palestine into the state of Israel and the occupied territories). By 4 August 1985, Yitzhak Rabin announced the "iron fist" policy, the same title officially applied seven months earlier to the ongoing Israeli occupation of southern Lebanon.⁹⁰ As in other colonial situations, however, the Israeli occupiers' perception of the indigenous will and sentiment was greatly at variance with the reality. In executing the "iron fist" policy against the Palestinians, most of the measures of control discussed above were exacerbated during the two years leading up to the *intifadah*.

The Intifadah

In the early days of the 1936–39 Arab Revolt against foreign occupation and colonization, Palestinian peasants defended themselves against

forced eviction from their lands by throwing stones; the British mandate police responded with lethal gunfire. Escalating confrontations led to a six-month general strike.⁹¹ Palestinian Arabs had lost any remaining hope that the occupier would address their just grievances or recognize their independence, as it did with Trans-Jordan and Egypt, and as France did in Syria and the newly state of Lebanon. As the colonization of their country proceeded, their leaders killed or exiled, Palestinians found little effective support from the states of the Arab League (after 1945): four of its seven members were still dependent upon military relations with the British.⁹² Clearly, such regional disempowerment facilitated the dispossession of the Palestinians in the decade following the Revolt. From that dispossession emerged an organized resistance nearly a generation later—the Palestine Liberation Organization. However, the 1967 war resulted in Israel's further dispossession of the Palestinians.

Israeli writer Amos Kenan* was a participant in the 1967 operation that destroyed the villages and expelled the people from the area that became Canada Park. Recalling the scene of destruction and dispossession Kenan reflected:

The chickens and doves were buried in the rubble. The fields were turned into waste land in front of our eyes. The children who went crying on the road will be *fedayeen* [resistance fighters] in nineteen years, in the next round. Thus we have lost the victory.⁹³

Two more decades passed before the *shabab*, the youth, adopted the central role in the current stage of struggle on Palestinian soil. It is the youth who are among the occupation's primary victims, and the *intifadah* manifests the utter hopelessness facing the new generation under Israeli occupation.

Even in the absence of a major war, the further elimination of the people of Palestine through "transfer" is being openly and officially planned and discussed. The steady, routinized deterioration of life, partially chronicled above, bears even more heavily on the patience of Palestinian society in the context of fruitless, rhetorical flourishes about the elusive international peace conference. In the midst of all this, the November 1987 Arab Summit in Amman effectively dismissed the Palestinians from its agenda. Nor were the Palestinian people themselves able to challenge effectively the forces against them; the only identifiable act of resistance against Israeli occupation was the 25 November 1987 hang glider assault from Lebanon on an Israeli military camp in upper Galilee.

* See Amos Kenan's reply to Palestinian poet Mahmoud Darwish in "Views from the World Press" section, this issue—Ed.

Patience is a virtue often demanded of the victim. Palestinian patience with the occupation and the disingenuous outside forces has now devolved into new forms of self-reliance. The unprecedented high level of cooperation in Palestinian society during the *intifadah* reflects a collective realization of the few available means for national (and personal) survival. The "holy stone," as Palestinians now refer to it, carries tremendous symbolic value. In Palestinian history, and hence in Judeo-Christian-Islamic tradition, the story of the battle against *Jalut* (Goliath) is one of triumph over brutal and militarily superior forces for justice' sake. And it was the stone that ultimately brought down *Jalut*. In the Palestine/Israel conflict, the extreme disproportionality of forces and their application make Palestinians' civil resistance even more crucial in their struggle for justice. This is realized in their coordination of countless local committees, women's societies, neighborhood watch groups, etc. Common acts of national solidarity involve communities gathering and sharing food with refugee camps and villages under curfew or blockade, landlords foregoing rents, merchants adhering strictly to local and nationwide strikes, collective refusal to pay Israeli taxes, popular boycott of Israeli goods and selective consumption of Palestinian products, and, of course, hoisting the flag of Palestine. Most households in the West Bank and Gaza are tending new vegetable gardens as a further measure toward self-sufficiency.

The village of Qabatyah, for example, has emerged as a symbol of this solidarity and steadfastness. Israeli forces imposed a total blockade there for forty-three days after villagers attacked and killed a notorious collaborator for having shot and wounded fourteen fellow villagers and murdered a 5-year-old boy. During the blockade, soldiers killed two by tear gas (a 70-year-old man and a 20-day-old baby boy), demolished four homes and arrested some 120 persons. At least one young man has disappeared. During the blockade, villagers rationed scarce water—the army had cut off water and electricity—and decided collectively to abstain from meat, not butchering any animals during the blockade. Qabatyah lived on the wild greens that abound in the spring there; villagers claimed they could hold out for a year, if they had to. Soldiers still frequently force their way into homes on random searches and spoil family foodstores. (The scene cannot escape comparison with that of U.S. General Philip Sheridan ordering his troops to starve out the native Americans and "attack their commissaries.") After the blockade was lifted on 2 April 1988, Qabatyah's mayor assessed their situation and reflected: "We have now lost three martyrs to the *intifadah*, five hundred have been imprisoned, and we have suffered under blockade. But we recognize this is part of the price we have to pay for our freedom. We have no choice but to resist occupation. We have only our bodies and our will, but we must resist."⁹⁴

In spite of Israel's extensive network of collaborators within Palestinian society, in spite of its superior weapons and the highly technologized means of social control, the Israeli authorities were not prepared for what erupted in December 1987. Nor have they succeeded so far in stifling the countless organizers on all levels who, with the participation of a large majority of Palestinians of all classes and all walks of life, direct and maintain the *intifadah*.

It is clear that the organization and development of local initiatives and pronouncements of the *intifadah* are a reflection of the composition and infrastructure of the PLO. As demonstrated by the last election permitted there (1976) and by numerous polls, the vast majority of the Palestinian people of the West Bank and Gaza identify with the PLO. Virtually every social and economic organization, club, professional association, union or welfare service is established through, and maintained by, the PLO infrastructure. Israeli leaders know and understand this well; and their refusal to recognize Palestinian nationality as such necessitates a refusal to recognize the PLO, and to criminalize both. Thus, the forces of occupation attempts to suppress all forms of Palestinian national expression and resistance.

The Israeli response to the *intifadah*, therefore, has been an escalation of the usual tactics. As of 31 May 1988, Israel's army and settlers killed 269 Palestinians: 182 by gunfire, 49 from tear gas, 38 from beatings and other causes.⁹⁵ Tens of thousands have been injured, at least two thousand seriously.⁹⁶ Women—particularly women of peak child-bearing age—are often maced or tear gassed by the army; maternity care centers, both in Gaza and the West Bank, have been the specific target of Israeli army tear gas attacks,⁹⁷ and some eighty reported intrauterine fetal deaths have been attributed to Israeli tear gassings during the uprising.⁹⁸

Over five thousand Palestinian men and women have been arrested during the *intifadah*, and dozens of new prison facilities have sprung up in order to accommodate the overflow. Among these is Ansar III (Ktsiyot camp), the tent concentration camp in the southern desert. Over two thousand prisoners have been transferred and detained there in unbearable conditions.⁹⁹ Of a total of over five thousand prisoners taken during the *intifadah*, about two thousand are in administrative detention without charges or legal recourse, and procedures for such detention were liberalized on 21 March to allow any army officer over the rank of colonel to place someone in administrative detention without judicial review.

In the effort to prevent the free flow of information, Israeli authorities forced the Palestine Press Service to cease operation indefinitely on the occasion of the first complete closure of the occupied territories for the Palestinian national holiday, *Yawm al-Ard* (Day of the Land), at the end of

March 1988. And now, the long arm of the military censor has reached the Israeli Jewish press as well, with confiscation of equipment and arrests of staff from the Alternative Information Center, and the arrest and imprisonment of the *Derech HaNitzotz/Tariq al-Shirarah* staff. Two of its members, Roni Ben Efrat and Michal Schwartz, are known to have been severely beaten in Neve Tertzah women's prison.¹⁰⁰

An escalated crackdown on workers' organizations has brought a series of raids on unionists' offices and homes, and at least fifteen trade unions were closed for two years' time during the *intifadah* under a new military order.¹⁰¹ But the most spectacular attempt to silence identifiable Palestinian national leadership was the commando-style assassination of Khalil al-Wazir (Abu Jihad) in his Tunis home by Israeli special forces in the early morning hours of 16 April 1988.

But the *intifadah* has no "head" to remove, no "agitators" to neutralize. Certainly Israel's incapacity to quell it by intensifying usual measures has aggravated fears that Israel may resort to even more drastic action: a massacre, or especially, a mass expulsion of the Palestinian population. International scrutiny and response are considered to be the principal deterrent to such action now, though this may not suffice in the future. And the prospect of larger war reminds us of that context in which such measures have been justified in the past. The Israeli state ideology perceives Palestinians such that their national existence cannot be tolerated in any form; Palestinians constitute the central ideological challenge to Zionism's claim to all of Palestine "on behalf of the Jewish people." Consequently, Palestinian quiescence is seen as a minimum requirement to ensure Israel's economic and internal political stability, and to allow Israel's continued appropriation of land and water. Thus, to many Israelis, surrender of the occupied territories is unconscionable, and further riddance of the indigenous people from the land seems a reasonable, though necessarily incremental, solution.

At the end of May, the National Unified Leadership of the *intifadah* set out basic conditions in their Proclamation No. 18 for the appeasement of the uprising in the occupied territories. They include:

- (1) withdrawal of the Israeli army from the cities, villages and refugee camps;
- (2) releasing prisoners and lifting the "state of siege";
- (3) allowing expelled Palestinians to return;
- (4) canceling special military orders and new civil regulations as a result of the uprising;
- (5) allowing for democratic and free elections;
- (6) removing restrictions placed on [the] national economy, allowing the development of the industrial, agricultural and service sectors.¹⁰²

The proclamation also called for these steps to be monitored by international observers "to provide the necessary protection for our people." It also called on other Arab states to work for the Palestinian cause "not by statements of denunciation and condemnation" of Israel, but by advocacy of Palestinian concerns. The leadership envisioned these steps as leading to implementation of "the right to return, to self-determination and [to] the right to establish our own independent state."¹⁰³ The message of the *intifadah* has been a clear and simple one: Palestinians assert their presence in the West Bank and Gaza Strip and their determination not only to stay, but to claim their right to self-determination and to the establishment of an independent Palestinian state against all the daunting odds posed by the greater configuration of powers. The humiliations and oppression of the past have engendered a level of defiance of the odds, above all among the "occupation generation." It is this past which makes the young Palestinians ready to confront the occupier with stones—and their claim for a future—in their own hands.

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1. *Al-Fajr* Palestinian Weekly (Jerusalem), 13 December 1987; *Jerusalem Post*, 12 December 1987; also see DataBase Project on Palestinian Human Rights (Chicago) [hereinafter DBPPHR]. *Updates*, citing the driver as operating a truck under contract with the Israeli army, based on human rights workers' on-site reports.
 2. DBPPHR. "Palestinians Killed by Israeli Occupation Forces, Settlers and Civilians during Uprising," *Update* (9 December 1987 to 7 February 1988), 2.
 3. Figures taken from statement of Maj. Gen. Ehud Barak in Glenn Frankel. "Israel Expels 8 Arabs, Orders 12 More Deported," *The Washington Post*, 12 April 1988, cited on 18.
 4. Statistics compiled by *al-Haq/Law* in the Service of Man, Ramallah; see also *Jerusalem Post*, 25, 29 April 1988. This number includes the expulsion of Mubarak Awad by order of the High Court, 13 June 1988.
 5. Bradley Burston and Joel Greenberg. "Gaza protests continue—one killed," *Jerusalem Post*, 15 December 1987, 1.
 6. See Salim Tamari. "What the Uprising Means," *MERIP Middle East Report* (Special Issue on the Uprising) No. 152 (May-June 1988), 24–30, cited on 27.
 7. Meron Benvenisti reported in 1984 that 52 percent of West Bank land alone was under Israeli control by April 1985. See Meron Benvenisti with Ziad Abu Zayed and Danny Rubenstein. *The West Bank Handbook: A Political Lexicon* (Boulder, CO: Westview Press and Jerusalem: *Jerusalem Post*, 1986), 25.
 8. Meron Benvenisti. *The West Bank Data Base Project* (Washington: American Enterprise Institute for Public Policy Research, 1984), 19.
 9. *Ibid.*, 30–31.
 10. For details of the land fraud scandal of 1985, see *al-Fajr*, 16 August 1985, 1 and 23 August 1985, 8; 30 August 1985, 8; 6 September 1985, 3 (for a description of illegal land procurement); 13 December 1985, 10, 13; and 20 December 1985, 10 (for a discussion of Israeli officials investigated in the scandal, including current Deputy Defense Minister Michael Dekel).
 11. For the legal implication of this phrase from the Jewish National Fund charter,

- see Roselle Tekiner. "On the Inequality of Israeli Citizens," *Without Prejudice* Vol. 1, No. 1 (1987), 48–57; Uri Davis and Walter Lehn. "And the Fund Still Lives," *Journal of Palestine Studies* Vol. VII, No. 4 (Summer 1978), 3–33; Walter Lehn. *The Jewish National Fund: An Instrument of Discrimination*, EAFORD Paper No. 18 (London: International Organization for the Elimination of All Forms of Racial Discrimination [EAFORD], 1982).
12. In 1971, a "general permit" was granted to *Himanuta* (a Jewish National Fund subsidiary) to "execute land transactions." Moshe Dayan later proposed that such a permit be extended also to private Israeli enterprises, but the Israeli government rejected this idea in 1973. Private Israeli Jewish land speculation in the occupied territories was finally permitted in 1979. Such speculation in close cooperation with the military government resulted in massive land fraud and the 1985 scandal. See Meron Benvenisti. *Report 1986: Demographic, economic, legal, social and political developments in the West Bank* (Boulder, CO: Westview Press; and Jerusalem: *Jerusalem Post*, 1986), 139.
 13. According to Ibrahim Matar, "Israeli Settlements and Palestinian Rights," in Naseer Aruri, ed. *Occupation: Israel over Palestine* (Belmont, MA: AAOUG Press, 1983), 117–41, discussed on 128.
 14. Recent studies have placed this number higher. See Basheer Nijim and Bishara Muammar. *Toward the De-Arabization of Palestine/Israel, 1945–1977* (Dubuque, IA: Kendall/Hunt Publishing Co., 1984), citing the total number to be 444.
 15. For a detailed discussion of the circumstances following 1967, see Michael Adams. *Chaos—Or Rebirth: The Arab Outlook* (London: British Broadcasting Co., 1968).
 16. Quoted in Matar, op. cit., 120.
 17. Benny Morris. "The Causes and Character of the Arab Exodus from Palestine: The Israel Defence Forces Intelligence Branch Analysis of June 1948," *Middle Eastern Studies* (London) Vol. 22, No. 1 (January 1986), 5–19; also his *The birth of the Palestinian refugee problem, 1947–1949* (Cambridge: Cambridge University Press, 1987).
 18. Benvenisti. *Report* (1986), op. cit., 25.
 19. Benvenisti (1984), op. cit., 31. See also Tekiner, op. cit.; Davis and Lehn (1978), op. cit.; and Lehn (1982) op. cit., note 11 above.)
 20. See Doreen Warriner. "Land Tenure in the Fertile Crescent," in Charles Issawi, ed. *The Economic History of the Middle East, 1800–1914: A Book of Readings* (Chicago: University of Chicago Press, 1966), 71–78; and John Ruedy. "Dynamics of Land Alienation," in Ibrahim Abu Lughod, ed. *The Transformation of Palestine* (Evanston, IL: Northwestern University Press, 1987), 119–38; also Benvenisti (1984), op. cit., 30–31.
 21. Benvenisti. *Report* (1986), op. cit., 27–29; *Handbook* (1986), op. cit., 114–21; and *Report 1987: Demographic, economic, legal, social and political developments in the West Bank* (Boulder, CO: Westview Press and Jerusalem: *Jerusalem Post*, 1987), 37.
 22. Benvenisti. *Report* (1986), op. cit., 33–34.
 23. DBPPHR. *Information Bulletin* (October 1987); also "Hyatt Regency Goes Up on Expropriated Arab Land," *al-Fajr*, 18 November 1983.
 24. Benvenisti. *Report* (1987), op. cit., 36–38.
 25. Benvenisti. *Handbook* (1986), op. cit., 2.
 26. Data taken from *ibid.*, 223–24; also see Türkaya Ataöv. *The Use of Palestinian Waters and International Law*, EAFORD Paper No. 20 (London: EAFORD, 1982).
 27. Water surpluses are found mostly in the Ghor (Jordan Valley), Gush Etzion block and on Jabal al-Khalil (Mt. Hebron). See Benvenisti. *Handbook*, 224.
 28. *Ibid.*, 224–25.
 29. Sara Roy. "The Gaza Strip: A Case of Economic De-Development," *Journal of Palestine Studies* Vol. XVIII, No. 1 (Autumn 1987), 56–88, on 69.
 30. See, for example, Joan Peters. *From Time*

- Immemorial: The Origins of the Arab-Jewish Conflict over Palestine* (New York: Harper and Row, 1984); also see discussion of Peter's revisionism by Bill Farrell. "Joan Peters and the Perversion of History," *Journal of Palestine Studies* Vol. XIV, No. 1 (Fall 1984), 128-34; Norman Finkelstein, "The Immemorial Hoax," *In These Times* Vol. 8, No. 3 (5 September 1984); and Alexander Cockburn. "Lies Immemorial," *The Nation* Vol. 239, No. 9.
31. Janet Abu Lughod. "The Demographic Transformation of Palestine," in Ibrahim Abu Lughod, ed. *Transformation of Palestine* (Evanston, IL: Northwestern University Press, 1971), 139-64, figures cited on 160-61.
 32. Janet Abu-Lughod. "The Demographic Consequences of Occupation," in Naseer Aruri. *Occupation: Israel over Palestine* (Belmont, MA: AAUG Press, 1983), 255-68, on 256.
 33. *Ibid.*, Table 10.1, on 158.
 34. Based on figures in Janet Abu Lughod. "Demographic Characteristics of the Palestinian Population," Annex I of Part II of the (mimeo) *Palestine Open University Feasibility Study* (Paris: UNESCO, 1980), cited in Edward W. Said, and others, *A Profile of the Palestinian People*, Revised Second Edition (Chicago: Palestine Human Rights Campaign, 1987), 16.
 35. Elaine Ruth Fletcher and Avi Temkin. "Benvenisti 'finds' 322,000 more Arabs in areas," *Jerusalem Post*, 18 March 1988, 19, quoting new research by Benvenisti. The ratio of Jews to Arabs in Palestine (including Israel and the occupied territories combined) is 59 percent Jews (3,611,000) to 41 percent Arabs (among them 800,000 Palestinian Arab "citizens" of Israel, without nationality under Israeli law).
 36. Salim Tamari. "What the Uprising Means," *MERIP Middle East Report*, Special Issue on the Uprising No. 152 (May-June 1988), 24.
 37. Benvenisti (1987), cited in Penny Johnson and Lee O'Brien with Joost Hiltermann. "The West Bank Rises Up," *MERIP Middle East Report*, op. cit., 5.
 38. Salim Tamari, op. cit., 28.
 39. *Jerusalem Post*, 27 March 1988. Rabin was quoted to say: "If there were 7 million Jews here versus 2 million Arabs, I would oppose any return of territory for peace But since the Jewish people in the diaspora did not respond to the Zionist challenge I support territorial compromise, including the return of two-thirds of Judea and Samaria to Arab rule, meaning Jordan."
 40. In 1948, then Lt. Colonel Rabin was deputy commander of Operation Dani, which expelled some 50,000 Palestinian civilians from their homes in the Palestinian towns of Lydda and Ramlah. Palmach O.C. Yigal Allon also oversaw the operation under the guidance of revered Israeli statesman and first prime minister, David Ben Gurion, who himself gave the order, "Garesh otom" (expel them). See Michael Bar-Zohar. *Ben Gurion* Vol. II, 775, as cited in Benny Morris (1987), op. cit., 207. This operation which sought "to induce civilian panic and flight" entailed a three-hour slaughter which left 250 to 400 townspeople dead and forced the expulsion of Lydda's inhabitants "quickly without attention to age" (Rabin). The expulsion order was signed by Yitzhak Rabin. Kibbutz Meuhad Archives, Palmach Papers, 141-43, Operation Dani headquarters, Eighth Brigade headquarters, 13:30 hours, 12 July 1948, as cited in Benny Morris (1987), op.cit., 207.
 41. When recently asked to give his reasons for this proposed "transfer" of all Arabs from the occupied territories of Palestine to neighboring countries, his first response was to prevent mixed marriages between Jews and non-Jews (*Ma'ariv* [Tel Aviv], 10 July 1987). Kahane has long been outspoken on the urgency of more explicit legislation against miscegenation and has proposed laws that would punish sex between a Jew and an Arab with fifty years in prison. See J. Hoberman. "Broken Ha'aretz," *The Village Voice* (New York), 24 May 1988, 69.
 42. Joshua Brilliant. "Zeevi encouraged by

- response to 'transfer,' " *Jerusalem Post*, 23 February 1988, 1.
43. *Ibid.*
 44. *The Times* (London) 23 October 1972.
 45. Yossi Melman and Dan Raviv. "Expelling Palestinians: It Isn't a New Idea, and It Isn't Just Kahane," *The Washington Post*, 7 February 1988; also "Al-Wazir [Yosef] Shapira yad'u ila tarhil al-'Arab muqabil ishrin alf dular li kulin minhum" (Minister [Yosef] Shapira Calls for Expulsion of the Arabs for \$20,000 Each), *al-Itihad* (Haifa), 30 October 1987.
 46. Ann M. Lesch. "Israeli Deportation of Palestinians from the West Bank and Gaza Strip" (Part I), *Journal of Palestine Studies* Vol. VIII, No. 2 (Winter 1979), 101-131, discussed on 108-10.
 47. *Ibid.*, also (Part II), *JPS* Vol. VIII, No. 3 (Spring 1979), 80-112. Total number of 406 expellees is compiled up to August 1976 only.
 48. *Ibid.*
 49. Benvenisti (1987), 40.
 50. Benvenisti (1984), 31.
 51. See cases and testimonies compiled in Raja Shehadeh. *Occupier's Law: Israel and the West Bank* (Washington: Institute for Palestine Studies, 1985), especially on 186.
 52. Benvenisti (1987), 52. This compares with 1982, when only 57 percent resided in the metropolitan areas, with 43 percent in rural areas.
 53. Benvenisti (1987), 41-42.
 54. Jan Demarest Abu Shakra and others. *Israeli Settler Violence in the Occupied Territories: 1980-1984* (Chicago: Palestine Human Rights Campaign, 1985), 16.
 55. *The Karp Report: An Israeli Government inquiry into settler violence against Palestinians on the West Bank* (Washington: Institute for Palestine Studies, 1984), 49.
 56. Shehadeh (1985), 11. See also *The Karp Report*, op. cit.
 57. Dvorah Getzler. "Sharir hints at clemency for last five Jewish terror underground members," *The Jerusalem Post*, 3 April 1988, 2. And on that day, President Chaim Herzog indeed extended the state pardon to these most notorious of the Israeli settler/brigands.
 58. Report of the North American Coordinating Committee (NACC) of NGOs Emergency Delegation (eyewitness testimonies, 2 April 1988). Presented at press conference, United Nations headquarters, New York, 14 April 1988.
 59. *International Red Cross Handbook* Eleventh Edition (Geneva: International Committee of the Red Cross, 1971), 168.
 60. Mati Golan in *Ha'aretz*, December 1982, quoted in Shehadeh. op. cit., 129.
 61. *Ibid.*, 130-32.
 62. Benvenisti (1987), 40; updated by DBPPHR: eleven as collective punishment; twenty-three partially or totally sealed; two partially demolished or sealed; 100 demolished as "unlicensed"; building stop orders for two.
 63. Cited by Bill Blakemore in broadcast of ABC News, *Nightline from the Holy Land: Part 2 Town Meeting*, Show #1807 (transcripts), 26 April 1988 (New York: Journal Graphics, 1988), on 11.
 64. DBPPHR. "Human Rights Violations in 1967 Israeli Occupied Territories (including E. Jerusalem, excluding the Golan Heights)," *Update* (31 August 1987); also see "House Demolitions in the West Bank," a report of *al-Haq/Law* in the Service of Man (Ramallah), 28 July 1986.
 65. *Ha'aretz* Weekly Supplement, 11 March 1983; cited in Shehadeh. op. cit., 126. For more recent cases of army brutality in the West Bank, see Joel Greenberg's Hebron Diary, in *Jerusalem Post Magazine* (5 December 1986), 4-5, and (19 December 1986), 14-15.
 66. Benvenisti. *Report* (1987), op. cit., 34-35.
 67. After a teachers' strike in 1981, teachers were subject to arrest, punitive salary cuts, transfers and dismissals. See *al-Fajr*, 8 February 1981, 1,2; 12 July 1981, 15; 19 July 1981, 3; 16 August 1981, 3; 23 August 1981, 2; 30 August 1981, 3; and 6 September 1981, 2. Such measures are also applied in the Palestinian Arab areas occupied before 1967. See, for example,

- Salih Baransi, "Oral History: The Story of a Palestinian under Occupation," *Journal of Palestine Studies*, Vol. XI, No.1 (Autumn 1981), 3-30.
68. *Al-Fajr*, 21 November 1986.
 69. *Al-Fajr*, 28 June 1987; also discussed in Shehadeh, op. cit., 167.
 70. Shehadeh. op. cit., 161.
 71. *Jerusalem Post*, 30 June 1987; cited in Penny Johnson. "Palestinian Universities under Occupation, May-July 1987," *Journal of Palestine Studies* Vol. XII, No. 1 (Autumn 1987), 129-135, cited on 131, and again in lecture, Jerusalem, 15 May 1988.
 72. Benvenisti. *Report* (1987), op. cit., 40; also see Amnesty International. "Town Arrest Orders in Israel and the Occupied Territories" (AI Index: MDE 15/16/84), 1 October 1984.
 73. DBPPHR. *Update* (20 March and 31 May 1988).
 74. "Israel and Torture: An Insight Inquiry," *The Sunday Times* (London), 19 July 1977. It should be noted that, subsequent to publication of this 1977 report, the Israeli state suspended the use of electric shock as a routine method of torture in its prisons.
 75. "Israel and Torture," Special Feature, *Journal of Palestine Studies* Vol. IX, No. 2 (Winter 1980), 79-116.
 76. Discussed in Shehadeh. op. cit., 147-51.
 77. U.S. State Department. *Country Reports on Human Rights Practices for 1986* (Washington: [United States] Government Printing Office, February 1987), 1187.
 78. See especially Rafael Gaon. "A Cucumber . . . from the Anus to the Mouth," *Al Hamishmar*, 22 December 1986.
 79. See International Commission of Jurists and *al-Haq/Law in the Service of Man. Torture and Intimidation in the West Bank: The Case of Al-Fara'a Prison (al-Haq/Law in the Service of Man: Ramallah, 1984)*; also see Anita Vitullo. *ANSAR 2: Detention, Humiliation and Intimidation, A Report of DBPPHR* (Chicago: HRREF/Data-Base Project, June 1987); and on the issue of deprivation of medical care, see John P. Egan. "An American Testimony from an Israeli Prison: The Case of Mike Mansour," *Journal of Palestine Studies* Vol. XIV, No. 1 (Fall 1984), 118-25.
 80. *Al-Sharq al-Awsat* (London), 24 December 1983.
 81. David Blundy. "Row over the Use of Gas in Prisons Divides Israel," *The Sunday Times*, 5 August 1984, quoting Hebrew University professor of organic chemistry Israel Shahak. The issue is discussed further in the Israeli press, including corroborative testimonies by Israeli Jewish prisoners and resulting from the Knesset inquiry into prison gasings. See report by Shuki Ben-Ami and Yitzhak Shor. *Al Hamishmar*, 11 June 1984; also an interview (by Baruch Meiri) with Interior Minister Joseph Burg in *Ma'ariv*, 11 June 1984.
 82. *Report of the Commission of Inquiry into the Methods of Interrogation of the General Security Service Regarding Hostile Terrorist Activity*, State of Israel Press Bulletin (Jerusalem), 31 October 1987, Introduction, 3.
 83. "Israeli Soldier's Account of Ansar 2," *Davar*, 16 January 1987; see also "Israeli Soldier: "Twenty-one Days in Gaza" (translated by Israel Shahak) *Ha'ir* (no date indicated), reprinted in Anita Vitullo. *Ansar 2*, op. cit., 47-48.
 84. Shehadeh, op. cit., 150.
 85. Amnesty International. *Allegations of Ill-treatment and Torture in the Israeli Occupied Territories: The Case of Adnan Mansour Ghanem*, (AI Index: MDE 15/25/867), 22 August 1986.
 86. Ghadda Abu Jaber. 1985—*Policy of Torture Renewed: Survey, Testimonies and Allegations* (Jerusalem: Alternative Information Center, February 1986).
 87. Dina Lawrence, Kameel Nasr, with portions on Gaza by Karen White. *Children of Palestinian Refugees vs. the Israeli Military: Personal Accounts of Arrest, Detention and Torture* (Lafayette, CA: BIP Publications, 1987), 8.
 88. Quoted in Anita Vitullo, op. cit., 9.
 89. Benvenisti, *Report* (1986), 39.
 90. See Joseph Schechla. *The Iron Fist: Israel's*

- Occupation of South Lebanon, 1982-1985*, Issue Paper No. 17 (Washington: ADC Research Institute, 1985).
91. See discussion in Nevill Barbour. *Nisi Dominus: a survey of the palestine controversy* (Beirut: Institute for Palestine Studies, 1969), 163.
 92. See discussion in Pamela Ann Smith. *Palestine and the Palestinians, 1878-1983* (New York: St. Martin's Press, 1984), 63-64.
 93. Amos Kenan. "Israel Imperial News" (originally published March 1968), as reprinted in Michael Adams and Christopher Mayhew. *Publish it not: the Middle East cover-up* (London: Longman, 1975), 79-80.
 94. From interview with North American Coordinating Committee of NGOs on the Question of Palestine (NACC) Emergency Delegation, Qabatyah, 4 April 1988, reported in UN press conference, op. cit., 14 April 1988.
 95. DBPPHR. *Update* (9 December-31 May 1988); see also *Israel and the Occupied Territories: The Misuse of Tear-gas by Israeli Army Personnel in the Israeli Occupied Territories* (Washington: Amnesty International, 1 June 1988).
 96. Data on total injuries is derived from a report that, as of February 1988, 33,000 had been injured. See *The Casualties of Conflict: Medical Care and Human Rights in the West Bank and Gaza Strip* (Somerville, MA: Physicians for Human Rights, 30 March 1988).
 97. As in the case of the siege on Ramallah Hospital, 7 March 1988. See report of NACC Emergency Delegation, op. cit.
 98. Data taken from DBPPHR. "Palestinians Killed by Israeli Occupation Forces, Settlers and Civilians during Uprising, 9 December 1987 through 31 May 1988" *Update* (June 1988).
 99. See "Hundreds Detained in Desert Prison with Inadequate Water," Press Release No. 13, *al-Haq/Law in the Service of Man, Ramallah*, 2 April 1988; "Delegation that visited Ansar III prison camp," *Ha'aretz*, 5 April 1988; Glenn Frankel. "Israel Expels 8 Arabs," op. cit.; Glenn Frankel. "Israeli Army Allows Press Inspection Of Detention Center for Palestinians," *The Washington Post*, 3 June 1988; Joel Brinkley. "In Desolate Israeli Desert, 2,000 Prisoners 'Just Sit'," *The New York Times*, 3 June 1988.
 100. "Attacks on Roni Efrat and Michal Schwartz in Prison," Press Release, Forum of Action for Freedom of the Press (and the reopening of *Derech HaNitzotz/Tariq al-Shirarah*), Jerusalem, 30, 31 May 1988.
 101. Statement of the General Federation of Trade Unions in the West Bank, Jerusalem 1 May 1988.
 102. From translation in Joel Brinkley. "Ex-Israeli Officers Ask Deal on Peace: Former Military Figures Say the Occupation Is Hurting the Nation's Security," *The New York Times*, 31 May 1988.
 103. *Ibid.*

Cry Freedom: A Film of Its Time and for Its Time

*David Koff and Musindo Mwinyipembe**

A Film of Its Time

In an interview a few months before his death in September 1977, Steve Biko said: "You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing."¹ Biko died at the hands of South African security police while under arrest without charge, the forty-fifth person to have died in such circumstances in South Africa following the formal legitimation of detention without cause in 1963.

Among those politicized by the "method" of Biko's death was Donald Woods, a friend of Biko and the editor of the *Daily Dispatch*, a newspaper in the Eastern Cape. Woods, a liberal opponent of *apartheid*, had initially been a liberal opponent of black consciousness, an ideology that was finding

* David Koff is a filmmaker whose work includes *Black Man's Land*, a trilogy on colonialism and nationalism in Africa; *Blacks Britannica*, a study of race and class in Britain; and *Occupied Palestine*, a feature-length documentary on Zionism and the Palestinian resistance.

Musindo Mwinyipembe, who coproduced *Blacks Britannica* and narrated the *Black Man's Land* trilogy, is a nationally syndicated radio commentator in the U.S. on African affairs for "In the Public Interest." She has worked with the BBC Africa Service, the Voice of Kenya, and public television and radio in North America.

increasing organizational expression in South Africa from the 1960s onward and with which Biko, one of the founders and leaders of the South African Students Organization, was prominently associated. For Woods, black consciousness was the other side of the coin of *apartheid*.

Biko's ability, in life, to sensitize and politicize Woods (as well as Woods' wife, Wendy), moved Woods, after Biko's death, to defy a banning order prohibiting him, among other things, from writing. In the passion, pain and anger Woods felt—not only at the loss of his friend but at what he thought this loss would mean to the resolution of the struggle for power in South Africa—he wrote a manuscript about Biko, smuggled it in sections out of South Africa to a British publisher, and ultimately fled South Africa with his family, prior to the legal and political consequences that would inevitably flow from the book's publication, had Woods remained in South Africa.²

Woods' relationship with Biko in the two years before Biko's death, and Biko's own speeches and writings, provided the raw material from which *Cry Freedom*, a dramatic feature film directed by Sir Richard Attenborough, was fashioned.³ For Woods, who worked closely in every stage of the film's production with Attenborough and screenwriter John Briley (who also wrote the screenplay for Attenborough's film, *Gandhi*), *Cry Freedom* represented a continuation of the political commitment that had taken him into exile; its "main purpose . . . was that it should result in a new awareness in the world of the real nature of *apartheid*—that *apartheid* had depths of horror that the world was not yet aware of and that more had to be done by governments everywhere to unite to rid the human race of this scourge."⁴

For his part, Attenborough, too, wanted *Cry Freedom* to reflect his "passionate abhorrence and opposition to the repressive regime which presently operates in South Africa."⁵ The film, produced with a budget in excess of \$20 million, represents by far the largest single commitment of film production financing to a motion picture explicitly critical of *apartheid*. No doubt Attenborough's "bankability" as a director, enhanced by the commercial success of *Gandhi*, which returned more than \$100 million at the box office, played a critical role in securing the financial deal to make the film.

Beyond this fact, however, lies an even more significant one: the resistance of South Africans to *apartheid* has become a central feature in the mass media of the West; it is a fact that can no longer be ignored, denied, or diminished. The production and worldwide distribution of *Cry Freedom* is powerful evidence that the ideological arena in North America and Europe is no longer dominated by well-funded and widely disseminated

audiovisual and other “informational” materials produced by or on behalf of the South African state or South African corporations.

Recall, for example, that little more than a decade ago there were only three or four films critical of *apartheid* regularly available in the United States. Perhaps the best known among them was *Last Grave at Dimbaza* (1974). Produced on a miniscule budget, clandestinely filmed by volunteer activist filmmakers, *Dimbaza* was exhibited almost exclusively in nontheatrical settings such as libraries, churches, community centers, schools and colleges. It was not uncommon, shortly after such screenings, for a slickly produced South African propaganda film to be shown in the same venue, as part of a campaign mounted by the South African government to discredit or undermine the impact of *Dimbaza*.

The effectiveness of this campaign was nowhere more clearly demonstrated than during the public television broadcast of *Dimbaza* in October, 1975. WNET, the New York station that provided the program to PBS, agreed to air the “controversial,” 52-minute film on two conditions: first, that a South African government representative be given ample opportunity to rebut the film in a post-program discussion; and second, that no black South African participate in that discussion. Thus, Nana Mohomo, *Dimbaza*'s producer, was forced to stand on the sidelines and watch *New York Times* columnist Anthony Lewis, WNET's chosen representative of the South African masses, debate the pros and cons of *apartheid* with Roelof (Pik) Botha, then South Africa's ambassador to the United States.

By 1987, *apartheid* and the resistance to it had moved from a “controversial” issue in the narrowly defined arena of public television into the mainstream of commercial film and television production. In the United States, Attenborough's film was released at about the same time Home Box Office broadcast the feature length drama, *Mandela*; Paul Simon's “Graceland” concert in Harare, Zimbabwe, became available on home video; and CBS News produced and broadcast the network documentary, *Children of Apartheid*. The previous year, the Academy Award nominations for Best Documentary Feature of 1986 included the powerful and very important film, *Witness to Apartheid*.⁶

The audience for these productions had also increased dramatically in the decade since *Dimbaza*'s partial broadcast on public television. The divestment and disinvestment movements encompassing college campuses, trade unions, and churches, had sensitized tens of thousands to the nature of *apartheid*. Daily television and press coverage—until it was banned under the state of emergency—of military and police actions against unarmed civilians brought conditions in South Africa directly to the attention of millions.

Cry Freedom, in other words, while unusual for its scale and its origin as a conventional feature film financing deal, is also a product of its time. Real, and in some cases, revolutionary changes in the relations of power in the southern Africa region, marked by the success of national liberation movements in Mozambique, Angola and Zimbabwe, and by the widening struggle against *apartheid* in South Africa, have inspired international support and attention, without which the production of a film like *Cry Freedom*, regardless of the involvement of an Attenborough, would be unlikely.⁷

A Film for Its Time

Cry Freedom, which is set in South Africa in the critical period of 1975–77, speaks to the present even more than it does to the past. It is no mere reenactment of a closed chapter in history. The knock on the door in the middle of the night to search for “illegal” males in the African domestic servants’ quarters is still heard; the banning of government opponents who may not write, travel, be quoted, or associate with more than one person at a time unless they are among family, has not abated; the indiscriminate shooting of child protesters, the disappearances, detentions and deaths in police custody continue; and every other one of the basic facts of life in South Africa that are contained in *Cry Freedom* is happening now, and on as great, if not a greater scale.

In that sense, *Cry Freedom*’s relevance to audiences today is more immediate than almost any other political feature film in recent memory. The historical liberation struggles recreated in *Lion of the Desert* (on the Libyan national resistance to Italian colonialism and fascism, focusing on the historical figure ‘Umar al-Mukhtar) and *Battle of Algiers*, for example, had both resulted in independence before these films were made.⁸ *Cry Freedom*, on the other hand, begins with a sequence that might well have been seen at any time in the last few years on a network television news report from South Africa. The sequence is a reenactment of an assault, by South African police armed principally with bulldozers, on an African “squatter” community, in this instance the settlement of Crossroads, which was destroyed in November 1975.

The quotidian calm of early morning is violently shattered by the mechanical growl of heavy equipment, of “hippo” armored troop carriers, and by the abrupt unleashing of vicious dogs, teargas canisters, and club-swinging police. People scatter, kids scream, animals panic; orders are barked over loudhailers; houses crumble and collapse before the advancing phalanx of bulldozers, burying possessions and sometimes people. On the

exposed walls of ruined living spaces, posters of Nelson Mandela and Steve Biko may be seen.

The camera here is clearly with the oppressed. It is in the streets and passageways, under the feet of fleeing children, inside the dwellings as they fall. The dramatic film lets the audience see that which is normally hidden from the documentary camera—the point of view of a child as a snarling police dog bears down on it, the family buried as their home falls in upon them.

The implications of this sequence, which Attenborough and Briley wanted to use at the opening in order to “set the story indelibly in South Africa,” in fact go far beyond South Africa.⁹ It contains an essential metaphor for the methods of colonialist oppression everywhere: surprise attack, destruction of the material base of existence of the colonized, beginning with the home and the community. Indeed, in this one sequence, *Cry Freedom* takes its audience into countless other communities, now and in recent history, in Africa, in Palestine, in Southeast Asia, in Latin America, where the bulldozer, especially suited to the destruction of the homes of the poor—those structures of earth, cardboard, corrugated iron sheets, cloth, burlap, bark and wattle—finds its most political application.

The transition from this brutal and raucous sequence into the main story of the film is made through the silence of a bedroom many miles from Crossroads. At Zanempilo Clinic, Dr. Mamphela Ramphele (Josette Simon) awakens to a Radio South Africa news broadcast about the Crossroads operation: “There was no resistance to the raid,” the announcer says, “and many of the illegals voluntarily presented themselves to the police.” With a single and simple stroke, Attenborough highlights the role of the “official story.” The military operation we have just witnessed is transformed by the news into a benign roundup in which “illegals” willingly submit to arrest.

From the insecurity and devastation of Crossroads to the healing atmosphere of the clinic at Zanempilo, where several of Biko’s colleagues and Biko’s wife, Ntsiki (Juanita Waterman), speculate on Biko’s possible arrest, the film moves directly to the office of Donald Woods (Kevin Kline) examining photographs of the Crossroads operation.

In this early scene, Woods displays a classic liberal posture. On the one hand, he says, “I want the police blamed” for the destruction of Crossroads, which he decides to feature in the next edition of the paper; on the other hand, he wants to “take care of Biko” in an editorial, which he publishes under the title of “Bantu Stephen Biko—The Ugly Menace of Black Racism.” Like a self-appointed referee, Woods wants to set the rules of the

game, restraining “extremists” on both sides so that action, when it occurs, is under the control of moderates.

The action in *Cry Freedom*, however, is inspired not by the liberal Woods, but by Steve Biko (Denzel Washington), and through him, by the movement of South African youth not only against the oppression of *apartheid*, but also against liberal European guidance in the method of their liberation. In the film, it is Biko who teaches Woods, Biko who sensitizes Woods, Biko—in life and in death—who moves Woods to take steps that bring him ever more directly and consciously into opposition to the South African state.

It is Biko, for example, who initiates the relationship, inviting Woods to meet him in Kingwilliamstown, where he is restricted under a five-year banning order. Biko asks Woods, at the beginning of their relationship, whether he has ever visited an African township. When Woods, who considers himself an enlightened white liberal, hesitates, Biko tells him: “Don’t be embarrassed . . . We know how *you* live. We cut your lawns, cook your food, clean your rubbish. How would you like to see how *we* live, the ninety percent of your fellow countrymen who have to get off your white streets at six o’clock at night?”

A series of episodes follows in which Woods, through Biko, is brought into contact, from an African perspective, with some of the realities of African life in South Africa: poverty and violence in the urban townships, constant surveillance, police harassment and thuggery, arbitrary arrest, death in detention. Woods also meets Biko’s family and some of Biko’s colleagues, two of whom, Thenjiwe (Tenjy) Mtintso and Mapetla Mohapi, he hires as reporters for his paper. (Both were subsequently detained by the police, and Mapetla died while in police custody.)

Through Biko, Woods grudgingly comes to accept the legitimacy of the black consciousness movement, which he had previously condemned in the pages of the *Daily Dispatch* as being the black counterpart of *apartheid*: “With one bunch of lunatics saying *white supremacy* justifies anything,” Woods says in the scene in his office at the beginning of the film, “all we need is some black nut case saying *black supremacy’s* going to save the world.”

The significance of this underlying relationship in *Cry Freedom* should not be minimized. Every ideological expression of colonialism incorporates the notion that the colonized possess nothing of value, and certainly have nothing to teach the colonizers; on the contrary, it is the “native” who is the *tabula rasa*, born and waiting to be inscribed with civilized form by the conqueror. *Cry Freedom* not only refutes this notion implicitly in the relationship between Biko and Woods, it explicates its refutation through Biko’s dialogue and character. For example, in a sequence early in the film, Biko takes Woods on a tour of the Zanempilo Clinic, a medical center, as

Biko describes it, “for black people, staffed by black people—and run by a black doctor.” Zanempilo was, in fact, established under the aegis of BCP, the Black Community Programmes movement with which Biko had worked in Durban and later, when banned to the Kingwilliamstown area, helped build there. As they walk through the clinic grounds, observed by the ubiquitous security police, Biko tells Woods:

When I was a student, trying to qualify for the jobs you people let us have, I suddenly realized that it wasn't just the good jobs that were white. The only history we read was made by the white man, written by the white man. Television, cars, medicines, all invented by the white man, even football . . . In a world like that, it's hard not to believe that there's something inferior about being born black . . . I began to think that this idea of inferiority was an even bigger problem for us than what the Afrikaners were doing to us. I felt that, first, the black man had to believe he had as much capacity to be a doctor, a leader, as a white man.

Here Biko's screen dialogue about what, in his actual testimony at the SASO/BPC trial in 1976, he called “the roots of self-negation which our kids get even as they grow up,” echoes the work of Frantz Fanon, one of the few times in a major film production that even an echo of such ideas can be heard. “In the colonial context,” Fanon wrote, “the settler only ends his work of breaking in the native when the latter admits loudly and intelligibly the supremacy of the white man's values. In the period of decolonization, the colonized masses mock at these very values, insult them, and vomit them up.”¹⁰ As, indeed, the youth of Soweto did in 1976.

The arena of Biko's political activity, in life as in *Cry Freedom*, did not end at the boundaries between blacks and whites. Undertaking “the education of a white liberal,” though not nearly as urgent or compelling a political responsibility as work within the black community, was nevertheless a task Biko accepted on countless occasions.¹¹ In Woods' case, Biko's influence was substantial. From being “a white liberal who clings to all the advantages of his white world: jobs, housing, education, Mercedes,” as Biko characterizes Woods when they first meet in the film, Woods, and his family, through their relationship with Biko, come more and more into conflict with the South African state.¹²

It is here, in its delineation of the contradictions inherent in the role of the “liberal” in a period of intensifying class struggle, that *Cry Freedom* also offers a number of lessons.¹³ The most important of these, implicit in the film, is that the role of the liberal, in a social order based on inequality, is itself a product of that inequality and exists only so long as it serves the purposes of those who rule. And it can serve these purposes only so long as those who are oppressed defer to it.¹⁴ As class struggle intensifies, the

“middle ground,” that special turf claimed by liberals, is seen more and more by the oppressed for what it truly is: a refuge that allows liberals to enjoy the privileges commensurate with their place in an unjust social order, all the while heartily condemning “extremism on both sides.”¹⁵ Similarly, as the ruling class feels itself imperiled it readily discards its tolerance for, and its willingness to subsidize the gadflies whose guarded criticisms are proof, in better times, of its flourishing democracy.

Thus, in *Cry Freedom*, Woods finds all of his comfortable, conventional roles evaporating. The African masses and their new-found leadership refuse to listen to his appeals for moderation and nonracialism. If he wishes to have anything at all to do with their liberation, it is he who will listen to them. The ruling class, and its representatives in the state, refuse to listen to his appeals for leniency and reason in their dealings with Africans. If he complains, as one European to another, to the minister for police about the role of the police in destroying a black community center, or about the harshness of Biko’s banning order, he is himself visited and threatened by the police, and the terms of Biko’s banning are made harsher.

Ultimately, Woods has to choose between “clinging to all the advantages” that, in South Africa, are his by birth, or pursuing the course that Biko himself outlined for “true liberals”: to “realize that they themselves are oppressed, and that they must fight for their own freedom . . .”¹⁶ For Woods, who was served with a banning order after taking a leading role in efforts to investigate and publicize Biko’s death, this meant escape into exile, with no more than he and his family could carry in their hands. There, through writing and speaking out, and, eventually, participating in the making of *Cry Freedom*, Woods appears to have applied himself “with absolute dedication to the idea of educating his white brothers that the history of the country may have to be rewritten at some stage.”¹⁷

The Final Message

Cry Freedom ends with a moving and critically important tribute to all those martyrs, black and white, who met their deaths in police custody between 1963 and 1987. While a chorus sings *Nkosi Sikelel’i Afrika*, name after name, accompanied by the officially stated cause of death, scrolls up the screen; Biko’s, the forty-fifth, is followed by more than twenty others, carrying the roll of honor almost to the present, indeed, right up to the point in 1987 when, under emergency regulations, deaths in custody were no longer acknowledged publicly.

As the official causes of death (“slipped in shower,” “fell down stairs,” “suicide by hanging,” “leapt from tenth floor window,” etc.) accumulate on

the screen, they become, in their repetitiveness, a banal obscenity, and a powerful exposure of the contempt with which the *apartheid* state regards the lives of those whom it opposes. Few motion pictures with the studio "pedigree" and the distribution network available to *Cry Freedom* have dared to conclude with so unequivocal a memorial to the victims of racist state terror.

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1. Steve Biko. *I Write What I Like* (San Francisco: Harper & Row, 1986), 152.
 2. The manuscript was published as *Biko* (New York: Vintage Books, 1979). A few years later, from exile, Woods wrote *Asking for Trouble*. (New York: Atheneum, 1981), an autobiographical account that includes the period covered in *Biko* as well as the story of how Woods and his family fled South Africa.
 3. *Asking for Trouble* and *Biko*, which includes excerpts from court testimony and interviews given by Steve Biko, are the primary sources for the story of *Cry Freedom*. Indeed, some dialogue in the film is taken almost literally from the text in these two books. A "novelization" of *Cry Freedom* by the screenwriter, John Briley, has been published: *Cry Freedom* (New York: Berkley Books, 1987).
 4. Donald Woods. *Filming with Attenborough: The Making of Cry Freedom* (New York: Henry Holt & Co., 1987), 112.
 5. Gary Stern. "A Black Gandhi," *Horizon* (November 1987), 37.
 6. Unlike *Last Grave at Dimbaza*, *Witness to Apartheid* was neither shortened, nor "balanced" by another film or a postprogram discussion when it was broadcast on public television in the United States in 1986.
Information on audio-visual resources on South Africa is available from the Southern Africa Media Center, 630 Natoma Street, San Francisco, CA 94103.
 7. A valuable chronology and annotated bibliography dealing with economic and political developments in southern Africa in the decade from 1974 to 1984 may be found in Kevin Danaher. *In Whose Interest: A Guide to U.S.-South Africa Relations* (Washington: Institute for Policy Studies, 1984).
 8. This is not to suggest that these films lack contemporary political significance. Each, in its own way, speaks directly to the ongoing Palestinian struggle against Zionism. By way of contrast, *Hannah K*, the Costa Gavras feature set in Israel, though more recently made than these films, contains little of relevance to understanding the revolt against Zionist occupation that has continued on the West Bank and in the Gaza Strip since December 1987.
 9. See Woods. *Filming With Attenborough*, op. cit., 76.
 10. Frantz Fanon. "Concerning Violence," *The Wretched of the Earth* (New York: Grove Press, 1968), 43. Biko was certainly influenced by Fanon's writings; see Biko. *I Write What I Like*, op. cit., and Biko's testimony at the SASO/BPC trial, reproduced in Woods, *Biko*. op. cit., 173-241.
 11. See, for example, the memorandum Biko prepared, less than a week after his release from 101 days in detention, for a meeting with U.S. Senator Dick Clark, chairman of the Senate Sub-Committee for Africa. Biko. *I Write What I Like*, 138-42. Although he addressed himself often to European liberals, the order of Biko's priorities was clear:
"The liberals view the oppression of blacks as a problem that has to be solved, an eyesore spoiling an otherwise beautiful view. From time to time the liberals make themselves forget about the problem or take their eyes off the eyesore. On the other hand, in oppression the blacks are experiencing a situation from which they are unable to escape at any given moment. Theirs is a struggle to get out of the situa-

tion and not merely to solve a peripheral problem as in the case of the liberals" (Steve Biko. "Black Souls in White Skins" in *I Write What I Like*, 22).

This essay was first published in the SASO Newsletter, August 1970, and contains a clear analysis of the historical role of liberals in South Africa. The title would seem to be a play on Fanon's study, *Black Skin, White Masks*. Substantial parts of Biko's film dialogue reflect the ideas in this essay, as well as in "We Blacks," *I Write What I Like*, op. cit., 27-32.

12. Biko's film dialogue with Woods when they first meet about why a white liberal "is perhaps not the person best qualified to tell blacks how they should react to *apartheid*," reflects ideas contained in Biko's essays, "Black Souls in White Skins?" and "White Racism and Black Consciousness," in *I Write What I Like*, especially 21-26 and 63-66. In the latter essay, for example, Biko wrote that "being white, [the liberal] possesses the natural passport to the exclusive pool of white privileges from which he does not hesitate to extract whatever suits him. Yet, since he identifies with the blacks, he moves around his white circles—white-only beaches, restaurants, and cinemas—with a lighter load, feeling that he is not like the rest."
13. Critics of *Cry Freedom* who have pointed to what they consider the film's overemphasis on Woods' experiences, and in particular the family's escape from South Africa, have failed to note these aspects of the film's political content. This is not to imply that *Cry Freedom's* treatment of events after Biko's death, including Woods' escape, is above criticism; rather, that much of the criticism has been insensitive and misdirected.
14. In another African colonial context, Tunisian philosopher Albert Memmi provides a paradigm of the liberal "colonizer who refuses," the relevance of which is affirmed by the role of the "liberal" portrayed by Woods in *Cry Freedom*. See Albert Memmi. *The Colonizer and the Colonized* (Boston: Beacon Press, 1965), 19-45.
15. See Biko's essays, "Black Souls in White Skins?" and "White Racism and Black Consciousness," in *I Write What I Like*, op. cit.
16. Biko. "White Racism and Black Consciousness," in *I Write What I Like*, 66.
17. Biko. "Black Souls in White Skins?" in *I Write What I Like*, 25.

Moment of Truth: The Kairos Document of South Africa

On 24 February 1988, the South African Ministry of Law and Order banned the activities of seventeen legal organizations working toward a nonracist South Africa, including the United Democratic Front, and severely restricted the country's largest labor movement, the Congress of South African Trade Unions. Five days later, Catholic Archbishop Stephen Naidoo and Anglican Archbishop Desmond Tutu were detained briefly for attempting to march to Parliament with a petition protesting Pretoria's new restrictions. On 7 March, the Committee for the Defence of Democracy was launched with Tutu and World Alliance of Reformed Churches President Allan Boesak as its principal figures. The Southern Africa Catholic Bishops' Conference also responded with an 11 March pastoral letter reaffirming the church's duty to oppose injustice and stating that, if secular groups opposed to apartheid were banned, then religious leaders would be duty-bound to fill the vacuum.

The new committee was banned on 12 March because it constituted "a threat to the safety of the public [and] the maintenance of public order," according to Minister for Law and Order Adriaan Vlok. In a verbal offensive, President Pieter W. Botha further widened the gulf between the government and the clergy by suggesting Archbishop Tutu had acted "on behalf of communism"; and Tutu counteraccused Botha of upholding racial policies that are "unbiblical, un-Christian, immoral and evil." The state further intensified its confrontation with church leaders and the popular anti-apartheid movement with its 22 March

*See Orders of the South African Ministry of Law and Order, in Documentation, this issue—Ed.

closure of the two-year-old weekly newspaper, *New Nation*, published by the Southern Africa Catholic Bishops' Conference.

The popular struggle against apartheid in South Africa has increasingly called upon the witness of a number of religious leaders. Their outspoken support for the elimination of institutionalized racism includes the South African Council of Churches' controversial Lusaka Declaration of July 1987, which recognized the use of force by liberation movements "as a means to end oppression." Perhaps the Christian community's most eloquent expression on the political crisis in South Africa today is contained in the Kairos Document. It serves as a biblical and theological comment on injustice in South Africa and challenges some of the theological models that currently undergird state ideology and much of the churches' efforts to resolve the problems of apartheid. The Kairos Document offers an alternative, "prophetic" model that is intended to induce reflection and guide the churches to new types of action. The authors and signers of this statement acknowledge their own kairos (moment of truth) in calling people of conscience to witness and oppose the injustice of apartheid.

The Kairos Document was originally signed by 153 members of all the major Christian denominations in South Africa and subsequently has been signed by many more. Not since the 1930s, when the Confessing Church in Nazi Germany issued the Barmen Declaration, has a group of Christians produced such an explicit statement of faith in response to political conditions. The Kairos Document, reprinted here with permission, was first published on 13 September 1985 to serve as a basis for further discussions, and future editions are expected to incorporate the comments and recommendations generated by the South African Christian community. In light of the increasingly crucial role of the clergy in the anti-apartheid struggle, it is fitting at this time that Without Prejudice readers consider the full text of this historic document.

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The Moment of Truth*

The time has come. The moment of truth has arrived. South Africa has been plunged into a crisis that is shaking the foundations and there is every indication that the crisis has only just begun and that it will deepen and become even more threatening in the months to come. It is the *kairos*, or moment of truth, not only for *apartheid* but also for the church.

We as a group of theologians have been trying to understand the theological significance of this moment in our history. It is serious, very serious. For very many Christians in South Africa this is the *kairos*, the moment of grace and opportunity, the favorable time in which God issues a challenge to decisive action. It is a dangerous time because, if this opportunity is missed and allowed to pass by, the loss for the church, for the Gospel and for all the people of South Africa will be immeasurable. Jesus wept over Jerusalem. He wept over the tragedy of the destruction of the city and the massacre of the people that was imminent, "and all because you did not recognize your opportunity (*kairos*) when God offered it" (Luke 19: 44).

A crisis is a judgment that brings out the best in some people and the worst in others. A crisis is a moment of truth that shows us up for what we really are. There will be no place to hide and no way of pretending to be what we are not in fact. At this moment in South Africa the church is about to be shown up for what it really is and no coverup will be possible.

What the present crisis shows up, although many of us have known it all along, is that *the church is divided*. More and more people are now saying that there are in fact two churches in South Africa—a white church and a black church. Even within the same denomination there are in fact two churches. In the life and death conflict between different social forces that has come to a head in South Africa today, there are Christians (or at least people who profess to be Christians) on both sides of the conflict—and some who are trying to sit on the fence!

Does this prove that Christian faith has no real meaning or relevance for our times? Does it show that the Bible can be used for any purpose at all? Such problems would be critical enough for the church in any circumstances, but when we also come to see that the conflict in South Africa is between the oppressor and the oppressed, the crisis for the church as an institution becomes much more acute. Both oppressor and oppressed claim loyalty to the same church. They are both baptized in the same baptism and participate together in the breaking of the same bread, the same body and

*This document is not for reprint. Additional copies are available in the United States at \$2.95 each, or \$2.00 for prepaid orders of ten copies or more. Send order and check to Foundation for Peace and Justice, 475 Riverside Drive, Rm. 861, New York, NY 10115—Ed.

blood of Christ. There we sit in the same church while outside Christian policemen and soldiers are beating up and killing Christian children or torturing Christian prisoners to death while yet other Christians stand by and weakly plead for peace.

The church is divided and its day of judgment has come.

The moment of truth has compelled us to analyze more carefully the different theologies in our churches and to speak out more clearly and boldly about the real significance of these theologies. We have been able to isolate three theologies, and we have chosen to call them “state theology,” “church theology” and “prophetic theology.” In our thoroughgoing criticism of the first and second theologies we do not wish to mince our words. The situation is too critical for that.

Critique of State Theology

The South African *apartheid* state has a theology of its own and we have chosen to call it “state theology.” “State theology” is simply the theological justification of the *status quo* with its racism, capitalism and totalitarianism. It blesses injustice, canonizes the will of the powerful and reduces the poor to passivity, obedience and apathy.

How does “state theology” do this? It does it by misusing theological concepts and biblical texts for its own political purposes. In this document we would like to draw your attention to four key examples of how this is done in South Africa. The first would be the use of Romans 13: 1–7 to give an absolute and “divine” authority to the state. The second would be the use of the idea of “law and order” to determine and control what the people

Romans 13: 1–7

Every person must submit to the supreme authorities. There is no authority but by act of God, and the existing authorities are instituted by him; consequently anyone who rebels against authority is resisting a divine institution, and those who so resist have themselves to thank for the punishment they will receive. For government, a terror to crime, has no terrors for good behavior. You wish to have no fear of the authorities? Then continue to do right and you will have their approval, for they are God’s agents working for your good. But if you are doing wrong, then you will have cause to fear them; it is not for nothing that they hold the power of the sword, for they are God’s agents of punishment, for retribution on the offender. That is why you are obliged to submit. It is an obligation imposed not merely by fear of retribution, but by conscience. That is also why you pay taxes. The authorities are in God’s service and to these duties they devote their energies.

Discharge your obligations to all men; pay tax and toll, reverence and respect to those to whom they are due (*The New English Bible with the Apocrypha* [New York: Oxford University Press, 1971], 205).

may be permitted to regard as just and unjust. The third would be the use of the word “communist” to brand anyone who rejects “state theology.” And finally there is the use that is made of the name of God.

Romans 13: 1–7

The misuse of this famous text is not confined to the present government in South Africa. Throughout the history of Christianity, totalitarian regimes have tried to legitimize an attitude of blind obedience and absolute servility towards the state by quoting this text. The well-known theologian Oscar Cullman pointed this out thirty years ago:

As soon as Christians, out of loyalty to the gospel of Jesus, offer resistance to a State's totalitarian claim, the representatives of the State or their collaborationist theological advisers are accustomed to appeal to this saying of Paul, as if Christians are here commended to endorse and thus to abet all the crimes of a totalitarian State (Oscar Cullman. *The State in the New Testament*. [London: SCM Press, 1957], 56).

But what then is the meaning of Romans 13: 1–7 and why is the use made of it by “state theology” unjustifiable from a biblical point of view?

“State theology” assumes that in this text Paul is presenting us with the absolute and definitive Christian doctrine about the state, in other words an absolute and universal principle that is equally valid for all times and in all circumstances. The falseness of this assumption has been pointed out by numerous biblical scholars (see, for example, Ernst Kasemann. *Commentary on Romans* [London: SCM Press, 1982], 354–57; Oscar Cullmann. *op. cit.*, 55–57).

What has been overlooked here is one of the most fundamental of all principles of biblical interpretation: every text must be interpreted *in its context*. To abstract a text from its context and to interpret it in the abstract is to distort the meaning of God's word. Moreover, the context here is not only the chapters and verses that precede and succeed this particular text, nor is it even limited to the total context of the Bible. The context includes also the *circumstances* in which Paul's statement was made. Paul was writing to a particular Christian community in Rome, a community that had its own particular problems in relation to the state at that time and in those circumstances. That is part of the context of our text.

Many authors have drawn attention to the fact that in the rest of the Bible, God does not demand obedience to oppressive rulers. Examples can be given ranging from Pharaoh to Pilate and through into apostolic times. The Jews, and later the Christians, did not believe that their imperial overlords, the Egyptians, the Babylonians, the Greeks or the Romans, had

some kind of divine right to rule them and oppress them. These empires were the beasts described in the Book of Daniel and the Book of Revelations. God *allowed* them to rule for a while but he did not *approve* of what they did. It was not God's will. His will was the freedom and liberation of Israel.* Romans 13: 1-7 cannot be contradicting all of this.

But most revealing of all is the circumstances of the Roman Christians to whom Paul was writing. They were not revolutionaries. They were not trying to overthrow the state. They were not calling for a change of government. They were what has been called "antinomians" or "enthusiasts" and their belief was that Christians, and only Christians, were exonerated from obeying any state at all, any government or political authority at all, *because* Jesus alone was their lord and king. This is, of course, heretical, and Paul is compelled to point out to these Christians that before the second coming of Christ there will always be some kind of state, some kind of secular government, and that Christians are not exonerated from subjection to some kind of political authority.

Paul is simply not addressing the issue of a just or unjust state or the need to change one government for another. He is simply establishing the fact that there will be some kind of secular authority and that Christians as such are not exonerated from subjection to secular laws and authorities. He does not say anything at all about what they should do when the state becomes unjust and oppressive. That is another question.

Consequently, those who try to find answers to the very different questions and problems of our time in the text of Romans 13: 1-7 are doing a great disservice to Paul. The use that "state theology" makes of this text tells us more about the political options of those who construct this theology than it does about the meaning of God's word in this text. As one biblical scholar puts it: "The primary concern is to justify the interests of the state and the text is pressed into its service without respect for the context and the intention of Paul."

If we wish to search the Bible for guidance in a situation where the state that is supposed to be "the servant of God" (Romans 13: 16) betrays that calling and begins to serve Satan instead, then we can study chapter 13 of the Book of Revelations. Here the Roman state becomes the servant of the dragon (the devil) and takes on the appearance of a horrible beast. Its days are numbered because God will not permit his unfaithful servant to reign forever.

*The biblical reference here is to those who keep the word of God, as revealed through the Hebrew prophets, rather than to the modern state of the same name—Ed.

Law and Order

The state makes use of the concept of law and order to maintain the *status quo* which it depicts as "normal." But this *law* is the unjust and discriminatory laws of *apartheid* and this *order* is the organized and institutionalized disorder of oppression. Anyone who wishes to change this law and this order is made to feel that they are lawless and disorderly. In other words, they are made to feel guilty of sin.

It is indeed the duty of the state to maintain law and order, but it has [no] divine mandate to maintain any kind of law and order. Something does not become moral and just simply because the state has declared it to be a law, and the organization of a society is not a just and right order simply because it has been instituted by the state. We cannot accept any kind of law and any kind of order. The concern of Christians is that we should have in our country a just law and a right order.

In the present crisis and especially during the state of emergency, "state theology" has tried to reestablish the *status quo* of orderly discrimination, exploitation and oppression by appealing to the consciences of its citizens in the name of law and order. It tries to make those who reject this law and this order feel that they are ungodly. The state here is not only usurping the right of the church to make judgments about what would be right and just in our circumstances; it is going even further than that and demanding of us, in the name of law and order, an obedience that must be reserved for God alone. The South African state recognizes no authority beyond itself and, therefore, it will not allow anyone to question what it has chosen to define as "law and order." However, there are millions of Christians in South Africa today who are saying with Peter: "We must obey God rather than man (human beings)" (Acts 5: 29).

The Threat of Communism

We all know how the South African state makes use of the label "communist." Anything that threatens the *status quo* is labeled "communist." Anyone who opposes the state and especially anyone who rejects its theology is simply dismissed as a "communist." No account is taken of what communism really means. No thought is given to why some people have indeed opted for communism or for some form of socialism. Even people who have not rejected capitalism are called "communists" when they reject "state theology." The state uses the label "communist" in an uncritical and unexamined way as its symbol of evil.

"State theology," like every other theology, needs to have its own concrete symbol of evil. It must be able to symbolize what it regards as godless behavior and what ideas must be regarded as atheistic. It must have

its own version of hell. And so it has invented, or rather taken over, the myth of communism. All evil is communistic, and all communist or socialist ideas are atheistic and godless. Threats about hellfire and eternal damnation are replaced by threats and warnings about the horrors of a tyrannical, totalitarian, atheistic and terrorist communist regime—a kind of hell-on-earth. This is a very convenient way of frightening some people into accepting any kind of domination and exploitation by a capitalist minority.

The South African state has its own heretical theology and according to that theology millions of Christians in South Africa (not to mention the rest of the world) are to be regarded as “atheists.” It is significant that in earlier times when Christians rejected the gods of the Roman Empire they were branded as “atheists”—by the state.

The God of the State

The state in its oppression of the people makes use again and again of the name of God. Military chaplains use it to encourage the South African Defence Force, police chaplains use it to strengthen policemen, and cabinet ministers use it in their propaganda speeches. But perhaps the most revealing of all is the blasphemous use of God’s holy name in the preamble to the new *apartheid* constitution:

In humble submission to Almighty God, who controls the destinies of nations and the history of peoples; who gathered our forebears together from many lands and gave them this their own; who has guided them from generation to generation; who has wondrously delivered them from the dangers that beset them. . .

This god is an idol. It is as mischievous, sinister and evil as any of the idols that the prophets of Israel had to contend with. Here we have a god who is historically on the side of the white settlers, who dispossesses black people of their land and who gives the major part of the land to his “chosen people.”

It is the god of superior weapons who conquered those who were armed with nothing but spears. It is the god of the *casspirs* and *hippos*, the god of teargas, rubber bullets, *sjamboks*, prison cells and death sentences. Here is a god who exalts the proud and humbles the poor—the very opposite of the God of the Bible who “scatters the proud of heart, pulls down the mighty from their thrones and exalts the humble” (Luke 1: 51–52). From a theological point of view the opposite of the God of the Bible is the devil, Satan. The god of the South African state is not merely an idol or false god, it is the devil disguised as Almighty God—the antichrist.

The oppressive South African regime will always be particularly abhorrent to Christians precisely because it makes use of Christianity to justify its evil ways. As Christians we simply cannot tolerate this blasphemous use of God's name and God's word. "State theology" is not only heretical, it is blasphemous. Christians who are trying to remain faithful to the God of the Bible are even more horrified when they see that there are churches, like the white Dutch Reformed churches and other groups of Christians, who actually subscribe to this heretical theology. "State theology" needs its own prophets, and it manages to find them from the ranks of those who profess to be ministers of God's word in some of our churches. What is particularly tragic for a Christian is to see the number of people who are fooled and confused by these false prophets and their heretical theology.

Critique of "Church Theology"

We have analyzed the statements that are made from time to time by the so-called "English-speaking" churches. We have looked at what church leaders tend to say in their speeches and press statements about the *apartheid* regime and the present crisis. What we found running through all these pronouncements is a series of interrelated theological assumptions. These we have chosen to call "church theology." We are well aware of the fact that this theology does *not* express the faith of the majority of Christians in South Africa today who form the greater part of most of our churches. Nevertheless, the opinions expressed by church leaders are regarded in the media and generally in our society as the official opinions of the churches. We have, therefore, chosen to call these opinions "church theology." The crisis in which we find ourselves today compels us to question this theology, to question its assumptions, its implications and its practicality.

In a limited, guarded and cautious way this theology is critical of *apartheid*. Its criticism, however, is superficial and counterproductive because instead of engaging in an in-depth analysis of the signs of our times, it relies upon a few stock ideas derived from Christian tradition and then uncritically and repeatedly applies them to our situation. The stock ideas used by almost all these church leaders that we would like to examine here are: reconciliation (or peace), justice and nonviolence.

Reconciliation

"Church theology" takes "reconciliation" as the key to problem resolution. It talks about the need for reconciliation between white and black, or between all South Africans. "Church theology" often describes

the Christian stance in the following way: "We must be fair. We must listen to both sides of the story. If the two sides can only meet to talk and negotiate they will sort out their differences and misunderstandings, and the conflict will be resolved." On the face of it this may sound very Christian. But is it?

The fallacy here is that "reconciliation" has been made into an absolute principle that must be applied in all cases of conflict or dissension. But not all cases of conflict are the same. We can imagine a private quarrel between two people or two groups whose differences are based upon misunderstandings. In such cases, it would be appropriate to talk and negotiate to sort out the misunderstandings and to reconcile the two sides. But there are other conflicts in which one side is right and the other wrong. There are conflicts where one side is a fully armed and violent oppressor while the other side is defenseless and oppressed. There are conflicts that can only be described as the struggle between justice and injustice, good and evil, God and the devil. To speak of reconciling these two is not only a mistaken application of the Christian idea of reconciliation, it is a total betrayal of all that Christian faith has ever meant. Nowhere in the Bible or in Christian tradition has it ever been suggested that we ought to try to reconcile good and evil, God and the devil. We are supposed to do away with evil, injustice, oppression and sin—not come to terms with it. We are supposed to oppose, confront and reject the devil, and not try to sup with the devil.

In our situation in South Africa today, it would be totally unChristian to plead for reconciliation and peace before the present injustices have been removed. Any such plea plays into the hands of the oppressor by trying to persuade those of us who are oppressed to accept our oppression and to become reconciled to the intolerable crimes that are committed against us. That is not Christian reconciliation, it is sin. It is asking us to become accomplices in our own oppression, to become servants of the devil. No reconciliation is possible in South Africa *without justice*.

What this means in practice is that no reconciliation, no forgiveness and no negotiations are possible *without repentance*. The biblical teaching on reconciliation and forgiveness makes it quite clear that nobody can be forgiven and reconciled with God unless he or she repents of their sins. Nor are we expected to forgive the unrepentant sinner. When he or she repents, we must be willing to forgive seventy times seven times, but before that, we are expected to preach repentance to those who sin against us or against anyone. Reconciliation, forgiveness and negotiations will become our Christian duty in South Africa only when the *apartheid* regime shows signs of genuine repentance. The recent speech of P. W. Botha in Durban, the continued military repression of the people in the townships and the jailing

of all its opponents is clear proof of the total lack of repentance on the part of the present regime.

There is nothing that we want more than true reconciliation and genuine peace—the peace that God wants and not the peace the world wants (John 14: 27). The peace that God wants is based upon truth, repentance, justice and love. The peace that the world offers us is a unity that compromises the truth, covers over injustice and oppression, and is totally motivated by selfishness. At this stage, like Jesus, we must expose this false peace, confront our oppressors and sow dissension. As Christians we must say with Jesus: “Do you suppose that I am here to bring peace on earth. No, I tell you, but rather dissension” (Luke 12: 51). There can be no real peace without justice and repentance.

It would be quite wrong to try to preserve “peace” and “unity” at all costs, even at the cost of truth and justice and, worse still, at the cost of thousands of young lives. As disciples of Jesus we should rather promote truth and justice and life at all costs, even at the cost of creating conflict, disunity and dissension along the way. To be truly biblical, our church leaders must adopt a theology that millions of Christians have already adopted—a biblical theology of direct confrontation with the forces of evil rather than a theology of reconciliation with sin and the devil.

Justice

It would be quite wrong to give the impression that “church theology” in South Africa is not particularly concerned about the need for justice. There have been some very strong and very sincere demands for justice. But the question we need to ask here, the very serious theological question is: what kind of justice? An examination of church statements and pronouncements gives the distinct impression that the justice that is envisaged is *the justice of reform*, that is to say, a justice that is determined by the oppressor, by the white minority and that is offered to the people as a kind of concession. It does not appear to be the more radical justice that comes from below and is determined by the people of South Africa.

One of our main reasons for drawing this conclusion is the simple fact that almost all church statements and appeals are made to the state or to the white community. The assumption seems to be that changes must come from whites or at least from people who are at the top of the pile. The general idea appears to be that one must simply appeal to the conscience and the goodwill of those who are responsible for injustice in our land and that once they have repented of their sins and after some consultation with others they will introduce the necessary reforms to the system. Why else

would church leaders be having talks with P. W. Botha, if this is not the vision of a just and peaceful solution to our problems?

At the heart of this approach is the reliance upon "individual conversions" in response to "moralizing demands" to change the structures of a society. It has not worked and it never will work. The present crisis with all its cruelty, brutality and callousness is ample proof of the ineffectiveness of years and years of Christian "moralizing" about the need for love. The problem that we are dealing with here in South Africa is not merely a problem of personal guilt, it is a problem of structural injustice. People are suffering, people are being maimed and killed and tortured every day. We cannot just sit back and wait for the oppressor to see the light so that the oppressed can put out their hands and beg for the crumbs of some small reforms. That in itself would be degrading and oppressive.

There have been reforms and, no doubt, there will be further reforms in the near future. And it may well be that the church's appeal to the consciences of whites has contributed marginally to the introduction of some of these reforms. But can such reforms ever be regarded as real change, as the introduction of a true and lasting justice? Reforms that come from the top are never satisfactory. They seldom do more than make the oppression more effective and more acceptable. If the oppressor does ever introduce reforms that might lead to real change, this will come about because of strong pressure from those who are oppressed. True justice, God's justice, demands a radical change of structures. This can only come from below, from the oppressed themselves. God will bring about change through the oppressed, as he did through the oppressed Hebrew slaves in Egypt. God does not bring his justice through reforms introduced by the Pharaohs of this world.

Why then does "church theology" appeal to the top rather than to the people who are suffering? Why does this theology not demand that the oppressed stand up for their rights and wage a struggle against their oppressors? Why does it not tell them that it is *their* duty to work for justice and to change the unjust structures? Perhaps the answer to these questions is that appeals from the "top" in the church tend very easily to be appeals to the "top" in society. An appeal to the conscience of those who perpetuate the system of injustice must be made. But real change and true justice can only come from below, from the people—most of whom are Christians.

Nonviolence

The stance of "church theology" on nonviolence, expressed as a blanket condemnation of all that is *called* violence, has not only been

unable to curb the violence of our situation, it has actually, although unwittingly, been a major contributing factor in the recent escalation of state violence. Here again nonviolence has been made into an absolute principle that applies to anything anyone *calls* violence, without regard for who is using it, which side they are on or what purpose they may have in mind. In our situation, this is simply counterproductive.

The problem for the church here is the way the word violence is being used in the propaganda of the state. The state and the media have chosen to call violence what some people do in the townships as they struggle for their liberation; i.e., throwing stones, burning cars and buildings and sometimes killing collaborators. But this *excludes* the structural, institutional and unrepentant violence of the state, and especially the oppressive and naked violence of the police and the army. These things are not counted as violence. And even when they are acknowledged to be "excessive," they are called "misconduct" or even "atrocities," but never violence. Thus, the phrase "violence in the townships" comes to mean what the young people are doing and not what the police are doing or what *apartheid* in general is doing to people. If one calls for nonviolence in such circumstances, one appears to be criticizing the resistance of the people, while justifying or at least overlooking the violence of the police and the state. That is how it is understood not only by the state and its supporters, but also by the people who are struggling for their freedom. Violence, especially in our circumstances, is a loaded word.

It is true that church statements and pronouncements do also condemn the violence of the police. They do say that they condemn *all violence*. But is it legitimate, especially in our circumstances, to use the same word violence in a blanket condemnation to cover the ruthless and repressive activities of the state and the desperate attempts of the people to defend themselves? Do such abstractions and generalizations not confuse the issue? How can acts of oppression, injustice and domination be equated with acts of resistance and self-defense? Would it be legitimate to describe both the physical force used by a rapist and the physical force used by a woman trying to resist the rapist as violence?

Moreover there is nothing in the Bible or in our Christian tradition that would permit us to make such generalizations. Throughout the Bible the word violence is used to describe everything that is done by a wicked oppressor (e.g., Psalms 72: 12-14; Isaiah 59: 1-8; Jeremiah 22: 13-17; Amos 3: 9-10; 6: 3; Micah 2: 2; 3: 1-3; 6: 12). It is never used to describe the activities of Israel's armies in attempting to liberate themselves or to resist aggression.* When Jesus says that we should turn the other cheek, he

*See Editor's note above.

is telling us that we must not take revenge; he is not saying that we should never defend ourselves or others. There is a long and consistent Christian tradition about the use of physical force to defend oneself against aggressors and tyrants. In other words there are circumstances when physical force may be used. They are very restrictive circumstances, only as the very last resort and only as the lesser of two evils, or, as Dietrich Bonhoeffer put it, "the lesser of two evils." But it is simply not true to say that every possible use of physical force is violence and that no matter what the circumstances may be, it is never permissible.

This is not to say that any use of force at any time by people who are oppressed is permissible simply because they are struggling for their liberation. There have been cases of killing and maiming that no Christian would want to approve of. But then our disapproval is based upon a concern for genuine liberation and a conviction that such acts are unnecessary, counterproductive and unjustifiable and not because they fall under a blanket condemnation of any use of physical force in any circumstances.

And finally what makes the professed nonviolence of "church theology" extremely suspect in the eyes of very many people, including ourselves, is the tacit support that many church leaders give to the growing *militarization* of the South African state. How can one condemn all violence and then appoint chaplains to a very violent and oppressive army? How can one condemn all violence and then allow young white males to accept their conscription into the armed forces? Is it because the activities of the armed forces and the police are counted as defensive? That raises very serious questions about whose side such church leaders might be on. Why are the activities of young blacks in the townships not regarded as defensive?

In practice what one calls "violence" and what one calls "self-defense" seems to depend upon which side one is on. To call all physical force "violence" is to try to be neutral and to refuse to make a judgment about who is right and who is wrong. The attempt to remain neutral in this kind of conflict is futile. Neutrality enables the *status quo* of oppression (and, therefore, violence) to continue. It is a way of giving tacit support to the oppressor.

The Fundamental Problem

It is not enough to criticize "church theology"; we must also try to account for it. What is behind the mistakes and misunderstandings and inadequacies of this theology?

In the first place we can point to a lack of *social analysis*. We have seen how "church theology" tends to make use of absolute principles like reconciliation, negotiation, nonviolence and peaceful solutions and applies

them indiscriminately and uncritically to all situations. Very little attempt is made to analyze what is actually happening in our society and why it is happening. It is not possible to make valid moral judgments about a society without first understanding that society. The analysis of *apartheid* that underpins “church theology” is simply inadequate. The present crisis has now made it very clear that the efforts of church leaders to promote effective and practical ways of changing our society have failed. This failure is due in no small measure to the fact that “church theology” has not developed a social analysis that would enable it to understand the mechanics of injustice and oppression.

Closely linked to this is the lack in “church theology” of an adequate understanding of *politics and political strategy*. Changing the structures of a society is fundamentally a matter of politics. It requires a political strategy based upon a clear social or political analysis. The church has to address itself to these strategies and to the analysis upon which they are based. It is into this political situation that the church has to bring the gospel. Not as an alternative solution to our problems, as if the gospel provided us with a nonpolitical solution to political problems. There is no specifically Christian solution. There will be a Christian way of approaching the political solutions, a Christian spirit and motivation and attitude. But there is no way of bypassing politics and political strategies.

But we have still not pinpointed the fundamental problem. Why has “church theology” not developed a social analysis? Why does it have an inadequate understanding of the need for political strategies? And why does it make a virtue of neutrality and sitting on the sidelines?

The answer must be sought in the *type of faith and spirituality* that has dominated church life for centuries. As we all know, spirituality has tended to be an other-worldly affair that has very little, if anything at all, to do with the affairs of this world. Social and political matters were seen as worldly affairs that have nothing to do with the spiritual concerns of the church. Moreover, spirituality has also been understood to be purely private and individualistic. Public affairs and social problems were thought to be beyond the sphere of spirituality. And finally the spirituality we inherit tends to rely upon God to intervene in his own good time to put right what is wrong in the world. That leaves very little for human beings to do except to pray for God’s intervention.

It is precisely this kind of spirituality that, when faced with the present crisis in South Africa, leaves so many Christians and church leaders in a state of near paralysis.

It hardly needs saying that this kind of faith and this type of spirituality has no biblical foundation. The Bible does not separate the human person from the world in which he or she lives; it does not separate the individual

from the social or one's private life from one's public life. God redeems the whole person as part of his whole creation (Romans 8: 18–24). A truly biblical spirituality would penetrate into every aspect of human existence and would exclude nothing from God's redemptive will. Biblical faith is prophetically relevant to everything that happens in the world.

Towards a Prophetic Theology

Our present *kairos* calls for a response from Christians that is biblical, spiritual, pastoral and, above all, prophetic. It is not enough in these circumstances to repeat generalized Christian principles. We need a bold and incisive response that is prophetic because it speaks to the particular circumstances of this crisis, a response that does not give the impression of sitting on the fence but is clearly and unambiguously taking a stand.

Social Analysis

The first task of a prophetic theology for our times would be an attempt at social analysis, or what Jesus would call "reading the signs of the times" (Matthew 16: 3) or "interpreting this *kairos*" (Luke 12: 56). It is not possible to do this in any detail in this document but we must start with at least the broad outlines of an analysis of the conflict in which we find ourselves.

It would be quite wrong to see the present conflict as simply a racial war. The racial component is there, but we are not dealing with two equal races or nations, each with their own selfish group interests. The situation we are dealing with here is one of oppression. The conflict is between an oppressor and the oppressed. The conflict is between two irreconcilable *causes* or *interests* in which the one is just and the other is unjust.

On the one hand, we have the interests of those who benefit from the *status quo* and who are determined to maintain it at any cost, even at the cost of millions of lives. It is in their interests to introduce a number of reforms in order to ensure that the system is not radically changed and that they can continue to benefit from it as they have done in the past. They benefit from the system because it favors them and enables them to accumulate a great deal of wealth and to maintain an exceptionally high standard of living. And they want to make sure that it stays that way, even if some adjustments are needed.

On the other hand, we have those who do not benefit in any way from the system the way it is now. They are treated as mere labor units, paid starvation wages, separated from their families by migratory labor, moved about like cattle and dumped in homelands to starve—and all for the benefit of a privileged minority. They have no say in the system and are

supposed to be grateful for the concessions that are offered to them like crumbs. It is not in their interests to allow this system to continue, even in some “reformed” or “revised” form. They are no longer prepared to be crushed, oppressed and exploited. They are determined to change the system radically so that it no longer benefits only the privileged few. And they are willing to do this even at the cost of their own lives. What they want is justice for all.

This is our situation of civil war or revolution. The one side is committed to maintaining the system at all costs and the other side is committed to changing it at all costs. There are two conflicting projects here and no compromise is possible. Either we have full and equal justice for all or we don't.

The Bible has a great deal to say about this kind of conflict, about a world that is divided into oppressors and oppressed.

Oppression in the Bible

When we search the Bible for a message about oppression we discover, as others throughout the world are discovering, that oppression is a central theme that runs right through the Old and New Testaments. The biblical scholars who have taken the trouble to study the theme of oppression in the Bible have discovered that there are no less than twenty different root words in Hebrew to describe oppression. As one author says, oppression is “a basic structural category of biblical theology” (T. D. Hanks. *God So Loved the Third World* [Maryknoll, NY: Orbis, 1983], 4).

Moreover, the description of oppression in the Bible is concrete and vivid. The Bible describes oppression as the experience of being crushed, degraded, humiliated, exploited, impoverished, defrauded, deceived and enslaved. And the oppressors are described as cruel, ruthless, arrogant, greedy, violent and tyrannical and as the enemy. Such descriptions could only have been written originally by people who had had a long and painful experience of what it means to be oppressed. And indeed nearly 90 percent of the history of the Jewish, and later the Christian, people, whose story is told in the Bible, is a history of domestic or international oppression. Israel as a nation was built upon the painful experience of oppression and repression as slaves in Egypt. But what made all the difference for this particular group of oppressed people was the revelation of Yahweh. God revealed himself as Yahweh, the one who has compassion on those who suffer and who liberates them from their oppressors:

I have seen the miserable state of my people in Egypt. I have heard their appeal to be free of their slavedrivers. I mean to deliver them out of the hands of the

Egyptians. . . The cry of the sons of Israel has come to me, and I have witnessed the way in which the Egyptians oppress them (Exodus 3: 7–9).

Throughout the Bible, God appears as the liberator of the oppressed. He is not neutral. He does not attempt to reconcile Moses and Pharaoh, to reconcile the Hebrew slaves with their Egyptian oppressors, or to reconcile the Jewish people with any of their later oppressors. Oppression is sin, and it cannot be compromised with; it must be done away with. God takes sides with the oppressed. As we read in Psalm 103: 6, “God, who does what is right, is always on the side of the oppressed.”

Nor is this identification with the oppressed confined to the Old Testament. When Jesus stood up in the synagogue at Nazareth to announce his mission he made use of the words of Isaiah:

The Spirit of the Lord has been given to me, for he has anointed me. He has sent me to bring the good news to the poor, to proclaim liberty to captives and to the blind new sight, to set the downtrodden free, to proclaim the Lord’s year of favor (Luke 4: 18–19).

There can be no doubt that Jesus is here taking up the cause of the poor and the oppressed. He has identified himself with their interests. Not that he is unconcerned about the rich and the oppressor. These he calls to repentance. The oppressed Christians of South Africa have known for a long time that they are united to Christ in their sufferings. By his own suffering and his death on the cross he became a victim of oppression and violence. He is with us in our oppression.

Tyranny in the Christian Tradition

There is a long Christian tradition relating to oppression, but the word that has been used most frequently to describe this particular form of sinfulness is the word “tyranny.” According to this tradition, once it is established beyond doubt that a particular ruler is a tyrant or that a particular regime is tyrannical, it forfeits the moral right to govern and the people acquire the right to resist and to find the means to protect their own interests against injustice and oppression. In other words, a tyrannical regime has no *moral legitimacy*. It may be the *de facto* government and it may even be recognized by other governments and, therefore, be the *de jure* or legal government. But if it is a tyrannical regime, it is, from a moral and a theological point of view, *illegitimate*.

There are indeed some differences of opinion in the Christian tradition about the means that might be used to replace a tyrant, *but* there has not

been any doubt about our Christian duty to refuse to cooperate with tyranny and to do whatever we can to remove it.

Of course everything hinges on the definition of a tyrant. At what point does a government become a tyrannical regime?

The traditional Latin definition of a tyrant is *hostis boni communis*—an enemy of the common good. The purpose of all government is the promotion of what is called the common good of the people governed. To promote the common good is to govern in the interests of, and for the benefit of, all the people. Many governments fail to do this at times. There might be this or that injustice done to some of the people. And such lapses would indeed have to be criticized. But occasional acts of injustice would not make a government into an enemy of the people—a tyrant.

To be an enemy of the people, a government would have to be hostile to the common good *in principle*. Such a government would be acting against the interests of the people as a whole and permanently. This would be clearest in cases where the very policy of a government is hostile towards the common good and where the government has a mandate to rule in the interests of some of the people rather than in the interests of all the people. Such a government would be in principle *irreformable*. Any reform that it might try to introduce would not be calculated to serve the common good but to serve the interests of the minority from whom it received its mandate.

A tyrannical regime cannot continue to rule for very long without becoming more and more *violent*. As the majority of the people begin to demand their rights and to put pressure on the tyrant, so will the tyrant resort more and more to desperate, cruel, gross and ruthless forms of tyranny and repression. The reign of a tyrant always ends up as a reign of terror. It is inevitable because from the start the tyrant is an enemy of the common good.

This account of what we mean by a tyrant or a tyrannical regime can best be summed up in the words of a well-known moral theologian: “a regime which is openly the enemy of the people and which violates the common good permanently and in the grossest manner” (Bernard Haring, *The Law of Christ: Special Moral Theology*, Vol. 3 [Cork: Mercier Press, 1963], 150).

That leaves us with the question of whether the present government of South Africa is tyrannical or not. There can be no doubt what the majority of the people of South Africa think. For them, the *apartheid* regime is indeed the enemy of the people and that is precisely what they call it: the enemy. In the present crisis, more than ever before, the regime has lost any legitimacy that it might have had in the eyes of the people. Are the people right or wrong?

Apartheid is a system whereby a minority regime elected by one small section of the population is given an explicit mandate to govern in the interests of, and for the benefit of, the white community. Such a mandate or policy is by definition hostile to the common good of all the people. In fact, because it tries to rule in the exclusive interests of whites and not in the interests of all, it ends up ruling in a way that is not even in the interests of those same whites. It becomes an enemy of all the people. A tyrant. A totalitarian regime. A reign of terror.

This also means that the *apartheid* minority regime is irreformable. We cannot expect the *apartheid* regime to experience a conversion or change of heart and totally abandon the policy of *apartheid*. It has no mandate from its electorate to do so. Any reforms or adjustments it might make would have to be done in the interests of those who elected it. Individual members of the government could experience a real conversion and repent but, if they did, they would simply have to follow this through by leaving a regime that was elected and put into power precisely because of its policy of *apartheid*.

And that is why we have reached the present impasse. As the oppressed majority becomes more insistent and puts more and more pressure on the tyrant by means of boycotts, strikes, uprisings, burnings and even armed struggle, the more tyrannical will this regime become. On the one hand, it will use repressive measures: detentions, trials, killings, torture, bannings, propaganda, states of emergency and other desperate and tyrannical methods. And on the other hand, it will introduce reforms that will always be unacceptable to the majority because all its reforms must ensure that the white minority remains on top.

A regime that is in principle the enemy of the people cannot suddenly begin to rule in the interests of all the people. It can only be replaced by another government—one that has been elected by the majority of the people with an explicit mandate to govern in the interests of all the people.

A regime that has made itself the enemy of the people has thereby also made itself the enemy of God. People are made in the image and likeness of God, and whatever we do to the least of them we do to God (Matthew 25: 45, 49).

To say that the state or the regime is the enemy of God is not to say that all those who support the system are aware of this. On the whole, they simply do not know what they are doing. Many people have been blinded by the regime's propaganda. They are frequently quite ignorant of the consequences of their stance. However, such blindness does not make the state any less tyrannical or any less of an enemy of the people and an enemy of God.

On the other hand, the fact that the state is tyrannical and an enemy of God is no excuse for hatred. As Christians, we are called upon to love

our enemies (Matthew 5: 44). It is not said that we should not or will not have enemies or that we should not identify tyrannical regimes as indeed our enemies. But once we have identified our enemies, we must endeavor to love them. That is not always easy. But then we must also remember that the most loving thing we can do for *both* the oppressed *and* for our enemies who are oppressors is to eliminate the oppression, remove the tyrants from power and establish a just government for the common good of *all the people*.

A Message of Hope

At the very heart of the gospel of Jesus Christ and at the very center of all true prophecy is a message of hope. Nothing could be more relevant and more necessary at this moment of crisis in South Africa than the Christian message of hope.

Jesus has taught us to speak of this hope as the coming of God's kingdom. We believe that God is at work in our world turning hopeless and evil situations to good so that his "kingdom may come" and his "will may be done on earth as it is in heaven." We believe that goodness and justice and love will triumph in the end and that tyranny and oppression cannot last forever. One day "all tears will be wiped away" (Revelations 7: 17; 21: 4) and "the lamb will lie down with the lion" (Isaiah 11: 6). True peace and true reconciliation are not only desirable, they are assured and guaranteed. This is our faith and our hope.

Why is it that this powerful message of hope has not been highlighted in "church theology," in the statements and pronouncements of church leaders? Is it because they have been addressing themselves to the oppressor rather than to the oppressed? Is it because they do not want to encourage the oppressed to be too hopeful for too much?

As the crisis deepens day by day, what both the oppressor and the oppressed can legitimately demand of the churches is a message of hope. Most of the oppressed people in South Africa today, and especially the youth, do have hope. They are acting courageously and fearlessly because they have a sure hope that liberation will come. Often enough, their bodies are broken, but nothing can now break their spirit. But hope needs to be confirmed. Hope needs to be maintained and strengthened. Hope needs to be spread. The people need to hear it said again and again that God is with them.

On the other hand, the oppressor and those who believe the propaganda of the oppressor are desperately fearful. They must be made aware of the diabolical evils of the present system and they must be called to repentance, but they must also be given something to hope for. At present they have false hopes. They hope to maintain the *status quo* and their

special privileges with perhaps some adjustments, and they fear any real alternative. But there is much more than that to hope for and nothing to fear. Can the Christian message of hope not help them in this matter?

There is hope. There is hope for all of us. But the road to that hope is going to be very hard and very painful. The conflict and the struggle will have to intensify in the months and years ahead because there is no other way to remove the injustice and oppression. But God is with us. We can only learn to become the instruments of his peace, even unto death. We must participate in the cross of Christ if we are to have the hope of participating in his resurrection.

Challenge to Action

God Sides with the Oppressed

To say that the church must now take sides unequivocally and consistently with the poor and the oppressed is to overlook the fact that the majority of Christians in South Africa have already done so. By far, the greater part of the church in South Africa is poor and oppressed. Of course, it cannot be taken for granted that everyone who is oppressed has taken up their own cause and is struggling for their own liberation. Nor can it be assumed that all oppressed Christians are fully aware of the fact that their cause is God's cause. Nevertheless, it remains true that the church is already on the side of the oppressed because that is where the majority of its members are to be found. This fact needs to be appropriated and confirmed by the church as a whole.

At the beginning of this document, it was pointed out that the present crisis has highlighted the divisions in the church. We are a divided church precisely because not all the members of our churches have taken sides against oppression. In other words, not all Christians have united themselves with God, "who is always on the side of the oppressed" (Psalms 103: 6). As far as the present crisis is concerned, there is only one way forward to church unity, and that is for those Christians who find themselves on the side of the oppressor or sitting on the fence to cross over to the other side to be united in faith and action with those who are oppressed. Unity and reconciliation within the church itself is only possible around God and Jesus Christ, who are to be found on the side of the poor and the oppressed.

If this is what the church must become, if this is what the church as a whole must have as its project, how then are we to translate it into concrete and effective action?

Participation in the Struggle

Christians, if they are not doing so already, must quite simply participate in the struggle for liberation and for a just society. The campaigns of the people, from consumer boycotts to stayaways, need to be supported and encouraged by the church. Criticism will sometimes be necessary, but encouragement and support will also be necessary. In other words, the present crisis challenges the whole church to move beyond a mere "ambulance ministry" to a ministry of involvement and participation.

Transforming Church Activities

The church has its own specific activities: Sunday services, communion services, baptisms, Sunday school, funerals and so forth. It also has its specific way of expressing its faith and its commitment; i.e., in the form of confessions of faith. All of these activities must be reshaped to be more fully consistent with a prophetic faith related to the *kairos* that God is offering us today. The evil forces we speak of in baptism must be named. We know what these evil forces are in South Africa today. The unity and sharing we profess in our communion services or Masses must be named. It is the solidarity of the people inviting all to join in the struggle for God's peace in South Africa. The repentance we preach must be named. It is repentance for our share of the guilt for the suffering and oppression in our country.

Much of what we do in our church services has lost its relevance to the poor and the oppressed. Our services and sacraments have been appropriated to serve the need of the individual for comfort and security. Now these same church activities must be reappropriated to serve the real religious needs of all the people and to further the liberating mission of God and the church in the world.

Special Campaigns

Over and above its regular activities, the church would need to have special programs, projects and campaigns because of the special needs of the struggle for liberation in South Africa today. But there is a very important caution here. The church must avoid becoming a "third force," a force between the oppressor and the oppressed. The church's programs and campaigns must not duplicate what the people's organizations are already doing and, even more seriously, the church must not confuse the issue by having programs that run counter to the struggles of those political organizations that truly represent the grievances and demands of the people. Consultation, coordination and cooperation will be needed. We all have the same goals, even when we differ about the final significance of what we are struggling for.

Civil Disobedience

Once it is established that the present regime has no moral legitimacy and is in fact a tyrannical regime, certain things follow for the church and its activities. In the first place, *the church cannot collaborate with tyranny*. It cannot or should not do anything that appears to give legitimacy to a morally illegitimate regime. Secondly, the church should not only pray for a change of government, it should also mobilize its members in every parish to begin to think and work and plan for a change of government in South Africa. We must begin to look ahead and begin working now with firm hope and faith for a better future. And finally, the moral illegitimacy of the *apartheid* regime means that the church will have to be involved at times in *civil disobedience*. A church that takes its responsibilities seriously in these circumstances will sometimes have to confront and to disobey the state in order to obey God.

Moral Guidance

The people look to the church for moral guidance, especially in the midst of our present crisis. In order to provide this, the church must first make its stand absolutely clear and never tire of explaining and dialoguing about it. It must then help people to understand their rights and their duties. There must be no misunderstanding about the *moral duty* of all who are oppressed to resist oppression and to struggle for liberation and justice. The church will also find that, at times, it does need to curb excesses and to appeal to the consciences of those who act thoughtlessly and wildly.

But the church of Jesus Christ is not called to be a bastion of caution and moderation. The church should challenge, inspire and motivate people. It has a message of the cross that inspires us to make sacrifices for justice and liberation. It has a message of hope that challenges us to wake up and to act with hope and confidence. The church must preach this message not only in words and sermons and statements but also through its actions, program campaigns and divine services.

Conclusion

As we said in the beginning, there is nothing final about this document. Our hope is that it will stimulate discussion, debate, reflection and prayer, but, above all, that it will lead to action. We invite all committed Christians to take this matter further, to do more research, to develop the themes we have presented here, or to criticize them and to return to the Bible, as we have tried to do, with the question raised by the crisis of our times.

Although the document suggests various modes of involvement, it does not prescribe the particular actions anyone should take. We call upon all those who are committed to this prophetic form of theology to use the document for discussion in groups, small and big, to determine an appropriate form of action, depending on their particular situation, and to take up the action with other related groups and organizations.

Editor's Note: Signers of the *Kairos Document* include representatives from at least the following churches and groups:

African Methodist Episcopal Church
Apostolic Faith Mission Church
Apostolic Methodist Church of South Africa
Anglican Church
Assemblies of God
Belyndendekring
Dutch Reformed Mission Church
Evangelical Presbyterian Church
Lutheran Church
Methodist Church
National Baptist Church
N.G. Kerk
Order of Ethiopian Church
Reformed Church in Africa
Reformed Presbyterian Church

Book Reviews

Rebuilding a Broken Past

The American Indian and the Problem of History, by Calvin Martin, ed. New York: Oxford University Press, 1987. xiv + 220 pages. Bibliography to 232. \$9.95, paper.

*Reviewed by Bill Farrell**

The nineteen scholars whose essays appear in this collection agree that it is necessary, or at least desirable, to re-evaluate the history of the Native American. Most of the authors would agree further that this “new” history must approach, seek to understand and come to incorporate the cosmology of the American Indian.

Previous versions of the history of the American Indians have failed to do this. The earliest versions usually present the Indians as obstacles to be overcome in the greater forward march of Western civilization. In such accounts, the variation in viewpoint ranges from the Indians as thoroughly evil savages to poor, benighted creatures who simply were unprepared to adapt to progress. Later, as attitudes shifted, the Indians emerged as victims. History was written then as a chronology of atrocities and of the promises made with the Indians which the white men later broke. In these accounts, the Indians and their treatment provided the standard against which the morality of white actions can be measured.

Though this latter approach to history was certainly more honest and accurate, it still did not view the Indians in their own terms. Instead, Indians remained a means of elucidating white history, changing from the measure of white tenacity to the measure of white morality. Still the Indian viewpoint never appeared. At times, this reached the extreme in which a white historian condemned certain Indian nations for allying themselves with whites against other Indians. No thought, it seems, was ever given to what these Indian

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nations [e.g., the Iriquois Empire] thought they were accomplishing, or to the history leading to such alliance. Once again, a white man was telling Indians how to behave. Indians themselves were once again trivialized.

This, however, illustrates a deeper problem admitted by Calvin Martin in his introductory essay. What is the "Indian viewpoint?" There are hundreds of ethnic groups, tribes or nations (some of which are extinct) who are encompassed by the term American Indian. Can there be an Indian worldview anymore than there is a European, as opposed to a French or a German worldview?

The "Indian viewpoint" exists only on a very high level of abstraction. Beyond this level, the coherent, unitary Indian viewpoint breaks down.

A major element of the Indian cosmology which many of the authors in this work wish to incorporate into a history is the "Indian view" of both time and history. Indians, according to this analysis, do not have a linear view of time; rather, they have a view of an unchanging, eternal reality. While such a viewpoint has a subjective reality, it is also the result of historic conditions and development. It cannot step outside history.

The structure of the collection reflects the problems facing historians. Calvin Martin's leading essay attempts to delineate the native American thoughtworld, in which the "Indian was an observer-participant in nature." However, beyond the Indian view of time as cyclical instead of linear, Martin never fully explains in clear, understandable terms (in his Introduction or his lead essay) either its actual meaning or its effects. How would an Indian with such a worldview behave differently from a member of Western culture who has, in Martin's terms, a voyeuristic relationship to nature? Though metaphysical concepts are notoriously difficult to translate between cultures, an argument in favor of understanding a particular metaphysics is severely undercut if it fails to explain the metaphysics in question, or to promote understanding.

In the very next essay, Robert Berkhofer, Jr. suggests that the Indian cosmology may not be compatible with the discipline of history, while he cautions against throwing out "the ethnocentric bathwater of Indian history without tossing out the baby of history" (44).

Richard Drinnon ("The Metaphysics of Dancing Tribes") accepts the conflict between the native American cosmology and history. (He quotes with approval Vina Deloria, Jr.'s observation [in another work] that "Christian religion and the Western idea of history are inseparable and mutually self-supporting" [111].) However, Drinnon rejects Berkhofer's caution, writing that "we are sliding swiftly down our linear history to extinction. The history that has swallowed up so much already will shortly swallow up itself" (111). Essentially, Drinnon advocates not merely understanding Indian cosmology, but conversion to Indian metaphysics.

Michael Dorris, himself a native American, probably would dispute the notion that the historian should promote the adoption of the Indian cosmology. In the essay preceding Drinnon, "Indians on the Shelf," he requests not conversion, but respect, complaining that native American societies were "rarely penetrated by the tools of logic and deductive analysis automatically reserved for cultures prejudged to be 'civilized'" (101). Dorris' request requires use of the same "dominative" logic rejected by Drinnon.

This collection raises important problems, both methodological and metaphysical. However, none of the essays sketch out methods for successfully overcoming them. Indeed, frequently the framework tentatively laid out in one essay is undermined in one that follows.

This book documents a crisis in the field of Native American history, a crisis from which it is difficult to discern an exit.

Toward an Ethnically Distinct Labor Force

Hewers of Wood and Drawers of Water: Noncitizen Arabs in the Israeli Labor Market, by Moshe Semyonov and Noah Lewin-Epstein. International Report No. 13. Ithaca, NY: ILR Press (New York State School of Industrial and Labor Relations, Cornell University), July 1987. xii + 116 pages, incl. twenty-eight tables and figures. Appendixes to 136. References to 147. Index to 152. \$25.00, cloth; \$10.95, paper.

*Reviewed by Joost R. Hiltermann**

According to figures released by the Israeli Employment Service at the end of February 1988, only 58 percent of Palestinian workers from the occupied Palestinian territories employed in Israel were turning up for work at that time, due to the popular uprising that began in December 1987 (*Jerusalem Post*, 1 March 1988). Around the same time, a commander of the Israeli armed forces in Lebanon reported a 50 percent increase in Lebanese workers in Israeli workplaces because of the mass stayaways of Palestinian workers (*Jerusalem Post*, 3 March 1988). From the beginning of the workers' strike in December, calls have been made by various Israeli employers and politicians for a further increase of foreign workers in the Israeli economy. These workers would presumably come from southern Europe, in particular from Portugal.

The Palestinian uprising in the West Bank and Gaza ushers in a new era in the relationship between occupier and occupied. Over the past twenty years, the economy of the occupied territories has gradually been integrated into that of Israel, creating a "common market" in which Israel picks most of the fruits and the West Bank and Gaza districts of Palestine bear the brunt of the burden (for example, in the form of taxes). The dominant features of this arrangement are Israeli access to the Palestinian market—its second-largest after the US market—and to a steady flow of cheap, unorganized labor. Now, however, Palestinians are for the first time beginning to disentangle themselves from this intricate relationship, thereby exposing one of the major vulnerabilities of the Israeli economy: dependency on the Palestinian market and labor forces of the West Bank and Gaza.

The appearance of the book by Semyonov and Lewin-Epstein comes, therefore, at an opportune time for those who want to understand better the importance of Palestinian labor to the Israeli economy. The reader must, however, be able and willing to wade through fields of dense technical material and be prepared to draw his or her own conclusions about the significance of the data presented by the two researchers.

The authors, who have looked at the period 1969–1982, are "concerned with the mechanisms governing the incorporation of noncitizen Arabs into the Israeli economy, the status of these workers in the Israeli labor market, and the effect their integration has had on the social and ethnic organization of the labor market" (2). This, then, is a study of how Palestinians from the occupied territories have simultaneously been integrated

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economically into, and segregated politically from Israeli society. Using various methods of statistical analysis, the authors reach a number of conclusions, including: that Palestinians from "the territories" have been concentrated at the bottom of the occupational ladder in Israel; i.e., that they have become the "hewers of wood and drawers of water" of Israeli society; that the influx of a large number of Palestinians as a separate ethnic group has led to a worsening of Palestinians' average occupational position over time; that the influx of Palestinians has enhanced the upward mobility of Israeli workers; that this influx led to a decrease of the income level of Israelis in the same jobs; and that, nevertheless, Palestinians have received considerably lower incomes than Israelis in the same jobs due to market discrimination (114-15).

On a purely technical note, the authors have used a suspect statistic as a basis for their own calculations. They claim, referring to estimates of the Israeli Central Bureau of Statistics, that "more than 75,000" Palestinians from the territories were employed in Israel in 1982. This figure is far too low. It excludes a large number of irregular, unregistered workers, especially women and children who are easily skipped in household surveys. Palestinian trade unionists estimate that, during the 1980s, at least 120 thousand Palestinians have been employed annually in Israel, with a possible peak of 150 thousand during harvest time. In this writer's view, however, use of the lower statistic does not invalidate the authors' findings.

More to the point is that this book and its conclusions do not represent anything new. That Palestinians have been concentrated in the meanest jobs in Israel is hardly a startling observation. In his excellent article on the Palestinian reserve army of labor in *Khamsin* (No. 7, 1980), Emmanuel Farjoun's conclusions about the discriminatory practices exercised against Palestinian workers are much more exciting than those of Semyonov and Lewin-Epstein. The Farjoun article is not referred to by the two researchers. Nor do they refer to the work of Stanley Greenberg, who devoted a chapter in the recent book, *Race and State in Capitalist Development* (Yale University Press, 1980), to the role of the Histadrut in protecting Jewish as opposed to Arab workers. (Another forthcoming work by Greenberg deals with the role of the labor exchanges in channeling workers from the territories into the Israeli economy.) Again, Greenberg's observations on ethnicity and exclusion are much more illuminating, with much wider implications for policy than the conclusions reached by Semyonov and Lewin-Epstein.

The main problem with this book, therefore, is its attempt to apply new and intricate statistical techniques to an old phenomenon, and to do nothing beyond that. (It is to the credit of earlier researchers that the results obtained by Semyonov and Lewin-Epstein support their findings.) In their narrow technical approach, however, the authors have cleansed the issue entirely of its political content. This is reflected in their use of language: "noncitizen Arabs," instead of Palestinian residents of the occupied territories; "ethnic minority," instead of national group; "administered," instead of occupied territories. The authors may be correct in concluding (115) that the fact that social and market conditions are accountable for the discrimination of Palestinian workers means that, from a technical point of view, the situation in Israel is not unique, that similar conclusions could be drawn from places like West Germany with its Turkish workers and the U.S. with its Mexican labor force. But the situation, seen from a less technical vantage point, is different. Turkish workers in Europe have their own state to which they can return and of which they continue to be full citizens. So do Mexicans. Both Turks and Mexicans have rights under the laws of

the countries where they work, and they have recourse, problematic though this may be, through labor unions and legal aid organizations, and they can seek protection through intervention by their own government. Palestinians, on the other hand, have no state of their own; and in the Israeli workplace are at the complete mercy of their employers. They receive little or no protection from the Histadrut, their own unions in the territories are repressed, and if they try to organize in the workplace, they face harassment and intimidation by the Israeli internal intelligence service, the Shin Bet.

By focusing on narrow technical issues, while ignoring the wider political context, Semyonov and Lewin-Epstein say little of significance about the status of Palestinian workers in Israel. Nor, therefore, do they provide the tools to gain insight in such crucial issues as the dependence of Israel on this labor force, and, for example, the bargaining power of Palestinian labor in the current uprising. Those who are after some basic statistics, however, may find this book useful.

As It Was in the Beginning . . .

1949: The First Israelis, by Tom Segev.[†] English language editor Arlen Neal Weinstein. New York: The Free Press, 1986. 323 pages. \$19.95, cloth.

*Reviewed by Kathy Spillman**

The ongoing Palestinian popular uprising against the Israeli occupation of the West Bank and Gaza Strip has led to a renewed flurry of investigative media reports, newspaper editorials and last-ditch diplomatic efforts to bring about a return to the *status quo ante*. Israeli, Western and Arab academia, media and political circles have largely focused on immediate causes and possible outcomes of the uprising, the political and economic effects of the occupation on Palestinian society, and even the psychological impact of the role of occupier on young Israeli soldiers, or on how by its occupation of the West Bank and Gaza Strip Israel is "losing its moral soul."

There is one consequence of the uprising, however, that has yet to be raised: how it threatens to expose and escalate the political, socioeconomic, religious and ethnic contradictions present in Israel's exclusivist Jewish society.

1949: *The First Israelis*, by Israeli journalist Tom Segev, is a shockingly revealing, painstakingly thorough, yet highly readable partisan history. From the vast amount of recently declassified documents, memoranda, personal diaries and private correspondence marshaled by Segev has come an exciting and frank account of the crucial first year of Zionist state formation. According to Segev, it was during 1948-1949 that the fundamental contradictions and schisms afflicting current Israeli politics and society were formed. As Segev tells it, the power struggle between the religious Orthodox and the secular Zionist establishments; Ashkenazi-Sephardi tensions; and a popular, idealistic Jewish state mythology versus a pragmatic policy of state consolidation and expansion did not only harm the

[†] Originally published in Hebrew: 1949: *ha-Yisre'elim ha-rishonim*. (Jerusalem: Domino Press, 1984). Also available in Arabic: *al-Isra'iliyun al-Awa'il*, 1949. Translated by Halim Ayid, Rita Salman, Randa Charara and Kamal Ibrahim. (Beirut and Washington: Institute for Palestine Studies, 1986).

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indigenous Palestinian Arab population. It was also often antithetical to the best political and economic interests of Jews who came to settle in Israel following statehood in 1948.

1949 treats the genesis of Israeli society's enduring antagonisms in four sections. "Between Jews and Arabs," the first section, deals with the contentious issue of the Palestinians' expulsion from their homeland in 1948. However, Segev's account of the Zionist leadership's deliberate plans to make Palestine as *arabrein* as possible is rather cursory and terse. (On this critical subject, the works of Erskine Childers and Benny Morris are much more thorough.) Also, Segev refers to Arab farmers who tried to infiltrate the 1948 borders in order to return to their confiscated fields as "terrorists." Nevertheless, this section contains fascinating detail and revealing anecdotes for both the novice and the scholar. Segev exposes early dealings of Arab elites with Zionist leaders, emphasizing the cordial meetings between King Abdulla of Transjordan and various Zionist emissaries, including Moshe Dayan. Even more interesting is the author's precise account of the actual losses suffered by the fleeing Palestinians; the sheer magnitude of the property, businesses, furniture, clothing, jewelry, etc., either destroyed or confiscated by the army and the government, or looted by Israeli civilians, is awesome.

Another absorbing episode is the ingathering of tens of thousands of Jewish immigrants to the new state, many of them European survivors of the Nazi holocaust, but most from North Africa and Yemen. Segev chronicles in his section, "Between Veterans and Newcomers," the callous and even brutal treatment accorded these emigres by the *sabra* (native-born) leadership. Here he exposes the discrimination experienced by even the newly-arrived European Jews who were looked upon as weak and easily manipulated by the ("socialist") Mapai party leadership consumed foremost with building a viable Jewish state. But as Segev meticulously documents with internal memoranda and official minutes, the new government heaped the most abuse on Jewish immigrants from the Middle East for their Oriental culture and social behavior in terms replete with racist stereotypes and derogation. Further, Segev presents solid evidence of Israeli authorities' plundering priceless, religious artifacts of Eastern Jews, their heirloom jewelry and, even more appalling, the infants of Yemeni Jewish women who were allegedly given to childless Western Jewish couples. Also examined in this section are the still-debated efforts of Israeli secret agents to smuggle Jews out of Arab countries, sometimes inciting violence against certain communities living relatively peacefully with their largely Muslim compatriots, in order to provoke an exodus to augment the low Jewish population in Israel. "Between Veterans and Newcomers" is the most gripping section of 1949 and should be read by all wishing to understand at least one of the fundamental reasons why much of the Sephardic community in Israel turned in sharp opposition to what later became the Labor party and looked to extreme religious-nationalist parties and movements for economic and political empowerment.

In 1987, television news viewers watched incredulously the fierce battles between Orthodox and secular Jews over the posting of sexually explicit bus-stop advertisements and the opening of cinemas and cafes on the Jewish sabbath in Jerusalem. Few people were aware, or cared to admit that the clashes were deeply rooted. As Segev points out in his third section, "Between the Orthodox and the Secular," the political and ideological struggles surrounding the establishment of the Jewish state had the potential to polarize Israeli Jewish society to the point of a violent break in an already tenuous national consensus on what constitutes an "Israeli identity." Segev quotes extensively from the records of the heated meetings between Orthodox and secular leaders that were held to resolve the paramount

question of what role religion should play in Israeli politics and society. On most important issues, from education to state-mandated observance of Jewish religious laws, the Orthodox won major concessions. This later led to acrimony between secular and Orthodox activists, and also to the strident, albeit largely private, opposition of the Reform and Conservative American Jewish establishments to Orthodox hegemony in Israeli political and social life. As Segev demonstrates, the Orthodox were able ultimately to impose their civil and religious agenda on the new state for an entirely secular reason: the nonclerical, ruling Mapai needed the support of the Orthodox minority so as to form a majority government.

Finally, Segev describes in engrossing detail the disillusioning gap between the vaunted ideals of statehood inculcated in most (Israeli) Jews with the harsh realities of everyday life in 1949 Israel. These included a government austerity program that hit poor Jews hardest, a thriving black market in which some high-level officials participated and benefited, and the petty power struggles and personality clashes that preoccupied many of Israel's leaders. Still, those leaders were ultimately concerned with forging a single national identity out of an almost unmanageable tangle of religious, ethnic and political groups. Indeed all the cold-hearted and pragmatic decisions concerning the Jewish newcomers and the violent and racist actions against the indigenous Arab population of Palestine were carried out precisely because of a belief in the righteousness of the creation of an exclusivist Jewish state.

Segev concludes with a word to the new generation of Jewish Israelis on the reality of the first year of statehood. The first Israelis were prepared to excuse all excesses, mistakes and even crimes in pursuit of that goal. However, while the Zionist movement succeeded in establishing a Jewish state in Palestine, the society the first Israelis shaped for themselves was, in Segev's words, ". . . less enlightened, less idealistic, less altruistic and less Ashkenazi than they had hoped. It promised neither justice for all, nor equality for all, nor peace. The first Israelis never recognized this—absorbed in euphoria, they failed to see the reality as it was" (322-23). Anyone who cares about the future of Jews and Arabs in historical Palestine will find this a profoundly disturbing, yet immensely enlightening and eloquently anti-nostalgic book.

Book Notes

Asiegbu, Johnson. *Slavery and the Politics of Liberation, 1787–1861: A Study of Liberated African Emigration and British Anti-slavery Policy*. New York: Africana Publishing Corporation, 1969. xvi + 159 pages. Appendices to 214. Bibliography to 224. Index to 231. \$45.00, cloth.

Scholarly writing on the Atlantic slave trade and the abolitionist movement has tended to fall into two camps: those portraying British emancipation and anti-slavery policy as a selfless act of imperial humanitarianism, and those who argue that economic self-interest motivated British policy-makers. In *Slavery and the Politics of Liberation*, Johnson Asiegbu takes the reader beyond simple bipolar analysis and examines the different anti-slavery policies adopted by the government. Efforts by anti-slavery activists and plantation owners to affect policy and a behind-the-scenes assessment of British policymaking aid in the assessment of the relative merits of the humanitarian versus self-interest perspectives.

Dewart, Janet, ed. **The State of Black America: 1988**. New York: National Urban League, 1988. xii + 216 pages. Notes to 238. \$18.00, paper.

This collection of scholarly articles examines the socio-economic and political health of the contemporary black community in the United States. With particular regard to education, crime, civil rights, and the prospects for economic advancement in the community, *The State of Black America: 1988* indicates that racism and poverty continue to be major stumbling blocks to black progress.

Perhaps most indicative of the wide gulf separating black and white communities in the United States are the statistics cited by David Swinton in his chapter entitled, "Economic Status of Blacks 1987." Using Bureau of the Census figures, Swinton shows that black *per capita* income in 1986 was only 58 percent of white income, and that this same figure holds for median family income as well.

The material in this book is presented in a straightforward, nondogmatic fashion. A host of facts are marshaled to support the view that racial inequality in the United States persists, and may be worsening. Reagan administration policies which have diminished the provision of social services to the poor are cited as having had a disproportionately negative impact upon the black community. The picture is perfectly clear, but whether there is the political will on a national level to address the issues is not.

Drinnon, Richard. **Facing West: The Metaphysics of Indian-Hating and Empire Building**. New York and Scarborough: New American Library, 1980. 467 pages. Notes and bibliographic essay to 553. Index to 571. \$10.95, paper.

James, Wilmot G., ed. **The State of Apartheid**. Boulder: Lynne Rienner, 1987. ix + 198 pages. Appendix to 202. Bibliography to 210. \$25.00, cloth.

Okihiro, Gary, ed. **In Resistance: Studies in African, Caribbean and Afro-American History**. Amherst, MA: University of Massachusetts Press, 1986. ix + 225 pages. Index to 228. \$30.00, cloth; \$12.95, paper.

These three books provide insight into the function of state formation in the fostering of racial prejudice. The process whereby a group establishes a national identity and ideology is also a mechanism for the exclusion of others. In the case of settler-colonial states such as the United States and South Africa, national ideology was exclusionary and racist from the start.

Richard Drinnon, in *Facing West*, examines the historical link between North American "native-hating" and national expansionism. Tracing the development of a national identity based upon the assumption that native Americans were virtually indistinguishable from the other fauna of the wilderness, Drinnon documents the racist ideology which was used to justify white colonial expansionism. But this is not simply a study of the racism of the eighteenth and nineteenth century pioneers who thoughtlessly exterminated the native American. Rather, Drinnon seeks to prove that the whole American political mythos—brave settlers on the wild frontier—is the function of a voracious drive for more land, a drive to conquer territory and peoples and subjugate them. The worldview of the United States as a national entity is, for Drinnon, steeped in a racism so abiding that it has

defined policy objectives up to the Vietnam war and beyond. In some profound fashion, the very identification of an "us" (as a nation or people) implies the inferior status of "them" (i.e., the native Americans and other indigenous peoples who have stood in the way of United States expansionism).

In Resistance, edited by Gary Okiihiro, is an attempt to document the African, Caribbean and Afro-American resistance to racist state ideologies as described so eloquently by Drinnon. Based upon a 1983 conference at Stanford University (Palo Alto, CA), the scholarly articles in this volume examine the historical phenomenon of "black rebellion" against white oppression. Challenging the traditional and racist view that the sum of black colonial and slave experience was one of passive acquiescence to white rule (the happy, singing Negro stereotype), the authors in this book provide evidence that it is resistance to oppression, not its acceptance, which is at the core of the African and Afro-American historical experience.

The State of Apartheid, edited by Wilmot James, is the study of the impact of *apartheid* on contemporary South Africa. Ironically, for a state based upon one of the most explicitly racist national ideologies in the modern era, it is the very rigidity of *apartheid* that may spell its destruction. As James explains in his introduction:

The critical balance between reform and continued white control was hard and impossible to maintain, insofar as those little changes and minor adjustments to *apartheid* became cracks in the system (2).

With deracialization an impossibility in the face of the elaborate construction of the white *volk* with all its nationalist dogma, reform is shown as leading only to the breakdown of governance. As Afrikaner nationality is based upon race, so any deracialization of the South African polity means the destruction of Afrikaner nationalism.

National identity and the development of the modern nation-state has created great difficulties for governments from Nigeria to Iran. As the three books reviewed above demonstrate, racism as a tool of nationalism is a global phenomenon worthy of study.

Americas Watch Committee and the Andean Commission of Jurists. **Human Rights in Ecuador**. New York: Americas Watch Committee, 1988. ii + 86 pages. \$6.00, paper.

This timely report focuses attention on four main human rights areas: individual liberty and physical integrity, freedom of speech and the press, prison conditions, and urban and rural violence. Of these areas, the report suggests that the treatment of detainees by the national police is the cause of greatest concern.

Human Rights in Ecuador is concise but thorough. The role of special *fuero* courts to try cases involving police or military torture is critically reviewed, as are a number of other constitutional provisions which assign judicial functions to the executive and the police. Unfortunately, a scant two pages are devoted to the abuse of indigenous Ecuadorians in the Amazon valley whose protection under the Ecuadorian constitution is minimal.

United Nations Institute for Namibia. **Namibia: Perspectives for National Reconstruction and Development**. Lusaka: United Nations Institute for Namibia, 1986. 992 pages. Acknowledgements to 996. Index to 1008. No price indicated, cloth and paper.

This book is the outcome of a 20 December 1982 General Assembly resolution calling for the preparation of a comprehensive study on all aspects of economic planning for an independent Namibia. Prepared in conjunction with SWAPO, the Office of the UN Commissioner for Namibia, and the UN Development Programme, this document addresses questions ranging from wildlife and tourism to science and technology.

A common rationalization for the perpetuation of South Africa's illegal occupation of Namibia is the fear that economic collapse would follow the withdrawal of skilled white managers and technicians. On the contrary, as President Kenneth D. Kaunda of Zambia points out in his foreward, "The bulk of the country's earnings . . . are drained out of the country in interest payments, corporate profits and other remittances Thus Namibia is rich but Namibians are poor." The more than one thousand pages of this study exhaustively detail the state of the Namibian economy, its current exploitation by South Africa and transnational corporations, and the many opportunities for real economic growth available to an independent Namibian government. Comprehensive policy recommendations included in this document should make the job of future Namibian policymakers easier.

Titles Received

Abourezk, James and Hyman Bookbinder. **Through Different Eyes**. Moderated by David K. Shipler. Bethesda, MD: Adler & Adler, 1987. ii + 279. Sources to 293. Appendices to 310. Acknowledgments to 312. \$18.95, cloth.

American-Arab Affairs Council. **The Palestinians**. Washington: American-Arab Affairs Council, 1987. ix + 50 pages. \$5.00, paper.

Americas Watch Committee. **The Sumus in Nicaragua and Honduras: An Endangered People**. Washington: Americas Watch Committee, 1987. iii + 43 pages. \$6.00, paper.

Amnesty International Publications. **Amnesty International Report 1987**. London: Amnesty International Publications, 1987. 383 pages. Appendices to 391. \$10.00, paper.

Avnery, Uri. **My Friend, the Enemy**. Westport: Lawrence Hill, 1986. 335 pages. Index to 340. \$12.95, paper.

Bambata Committee, Anti-Apartheid Forum. **Apartheid: From the Shocking News to the Contemptuous Reaction**. Ouagadougou: Bambata Committee, 1988. 131 pages (each in English and French texts). No price indicated, paper.

Barrett, Stanley R. **Is God a Racist? The Right Wing in Canada**. Toronto: University of Toronto Press, 1987. xiv + 355 pages. Appendix to 360. Bibliography to 372. Index to 377. \$40.00, cloth; \$16.95, paper.

Bennett, Norman R. **Arab versus European: Diplomacy and War in East Central Africa**. New York and London: Africana Publishing Company, 1986. 258 pages. Notes to 318. Index to 325. \$49.50, cloth.

Berteli Verlag. **Nichts Wird uns Trennen: Südafrikanische Fotografen und Dichter** [Nothing Will Separate Us: South African Photographers and Writers]. Bern: Berteli Verlag, 1983. 159 pages. SFr28.00, paper.

Boyle, Francis A. **Defending Civil Resistance Under International Law**. Dobbs Ferry, New York: Transnational Publishers, Inc., 1987. xxii + 316 pages. Appendices to 358. Bibliography to 369. Index to 378. \$45.50, cloth.

Center for Democratic Renewal. **They Don't All Wear Sheets: Chronology of Racist and Far Right Violence—1980–1986**. Compiled by Chris Lutz with an introduction by Leonard Zeskind. Atlanta: Division of Church and Society of the National Council of the Churches of Christ in the USA, 1987. 94 pages. \$10.00, paper.

Chagnollaud, Jean-Paul, Régine Dhoquois and Jean-Louis Weil. **Commission of Inquiry in the Palestinian Territories Occupied by Israel since 1967 (29 December 1987–3 January 1988)**. Paris: International Centre for Information on Palestinian and Lebanese Prisoners, Deportees and Missing Persons, 1988. 24 pages. Annexes to 36. No price indicated, paper.

Craig, H.A.L. **Bilal**. New York: Quartet Books, 1977. 158 pages. \$4.95, paper.

Dirección de Información Parlamentaria. **Tratamiento de la Cuestión Indígena**. Serie Estudios e Investigaciones No. 2. Buenos Aires: Congreso de la Nación, April 1986. 252 pages. No price indicated, paper.

Ekin, Larry. **Enduring Witness: The Churches and the Palestinians**, Volume II. Geneva: World Council of Churches, 1985. xiv + 121 pages. Notes to 128. Appendix to 135. \$6.95, paper.

Ellis, Marc. **Toward a Jewish Theology of Liberation**. Maryknoll, NY: Orbis Books, 1987. xii + 122 pages. Notes to 142. Reading list to 144. Index to 147. \$9.95, paper.

Garaudy, Roger. **Palestine: Terre des messages divins**. Paris: Editions Albatros, 1986. 397 pages. FFfr130.00, paper.

Gates, Henry Louis, Jr., ed. **Race, Writing, and Difference**. Chicago: The University of Chicago Press, 1986. 409 pages. Index to 422. \$30.00, cloth.

Hall, Gus. **Fighting Racism**. New York: International Publishers, 1985. 299 pages. Notes to 304. \$4.95, paper.

Hooglund, Eric J., ed. **Crossing the Waters: Arabic-Speaking Immigrants to the United States before 1940**. Washington: Smithsonian Institution Press, 1987. xiv + 185 pages. Bibliography to 188. \$22.50, cloth.

Human Rights Watch. **The Persecution of Human Rights Monitors: December 1986 to December 1987**. New York: Human Rights Watch, 1987. ii + 107 pages. \$7.00, paper.

Independent Commission on International Humanitarian Issues. **Indigenous Peoples: A Global Quest for Justice.** Forward by Co-chairmen Sadruddin Aga Khan and Hassan bin Talal. London: Zed Books, 1987. xviii + 131 pages. Notes to 138. Suggested reading to 141. Appendices to 181. \$29.95, cloth; \$9.95, paper.

King, Michael C. **Enduring Witness: The Churches and the Palestinians**, Volume I. Geneva: World Council of Churches, 1981. vi + 121 pages. Appendix to 138. \$8.95, paper.

Lambert, Jean-Marie, ed. **The First 100 Days: The Background to the Palestinian Uprising/Les premiers 100 jours du soulèvement Palestinien.** Geneva: International Co-ordinating Committee of NGOs on the Question of Palestine, March 1988. 213 pages. No price indicated, paper.

McLaurin, Melton A. **Separate Pasts: Growing up White in the Segregated South.** Athens, GA and London: University of Georgia Press, 1987. 164 pages. \$13.95, cloth.

Oded, Arye. **Africa and the Middle East Conflict.** Boulder: Lynne Rienner, 1987. xii + 222 pages. Appendices to 232. Bibliography to 238. Index to 244. \$29.50, cloth.

Pomeroy, William J. **Apartheid, Imperialism and African Freedom.** New York: International Publishers, 1986. 237 pages. Appendix to 241. Notes to 253. Index to 259. \$6.95, paper.

Quarles, Benjamin. **Black Mosaic: Essays in Afro-American History and Historiography.** Introduction by August Meier. Amherst, MA: University of Massachusetts Press, 1988. 213 pages. \$27.50; cloth; 12.95, paper.

Rodinson, Maxime. **Europe and the Mystique of Islam.** Seattle: University of Washington Press, 1987. xv + 130 pages. Notes to p. 145. Bibliography to p. 153. Index to p. 161. \$10.95, paper.

Secretariat of the International Association of Democratic Lawyers. **Palestine et Droit.** Brussels: International Association of Democratic Lawyers, 1987. 107 pages. No price indicated, paper.

Shamir, Shimon, ed. **The Jews of Egypt: A Mediterranean Society in Modern Times.** Boulder: Westview Press, 1987. xxi + 297 pages. Index to 304. \$48.50, cloth.

Singham, A.W. and Shirley Hune. **Namibian Independence: A Global Responsibility.** Westport, Conn: Lawrence Hill, 1986. 99 pages. Notes to 103. Bibliography to 124. \$7.95, paper.

Tamez, Elsa. **Bible of the Oppressed.** Translated by Matthew J. O'Connell. Maryknoll, NY: Orbis Books, 1982. 84 pages. Scriptural index to 88. \$6.95, paper.

Tarhaka. **Black Manhood: The Building of Civilization by the Black Man of the Nile**, Revised edition. New York: University Press of America, 1979. xx + 295 pages. Appendix to 308. Bibliography to 324. Index to 380. \$14.25, paper.

Walker, George K., ed. **Proceedings of the 79th Annual Meeting: New York, N.Y. April 25-27, 1985**. Washington: The American Society for International Law, 1987. ix + 394 pages. Appendices to 413. Indexes to 453. \$15.00, paper.

Views from the World Press

In this section, analyses and opinions from the international press are excerpted or reprinted in full. These selections focus on current issues and developments around the globe in response to racism and its practice, as well as efforts to combat discrimination and institutionalized forms of racism.

- **No Reason to Celebrate:** White Australia marks bicentennial, Aborigines commemorate two centuries of invasion;
- **Authoring Their Own Destiny:** Indigenous people of the Philippines host first-ever Pan-Asian conference of indigenous peoples where their collective sight is set on the future;
- **Staggering to Their Feet:** Organizations opposing *apartheid* in South Africa regroup after the state deals two devastating blows;
- **The Pen and the Sword:** One of Palestine's most revered poets responds forcefully to occupation, and an Israeli "dove" takes offense.

No Reason to Celebrate

Two hundred years ago, the first white men came to the land now known as Australia. By claiming it as terra nullius (empty, or no-man's land), the British Crown accorded to white settlers the legal right to occupy the newly found territory. Last 26 January, the Australian government celebrated the bicentennial of this event. Meanwhile, it has still largely failed to recognize Aboriginal rights or the complex system of indigenous customary law, which Aborigines argue predates the British invasion by some 100 thousand years. In an excerpt from his essay, "Our Land, Your Law," published in Survival International News No. 18 (1988), Prof. Garth Nettheim reviews the legal background of the struggle to defend Aboriginal rights.

If Australia had been uninhabited at the time of white settlement, ownership of the land would properly have vested in the Crown so as to be freely available to settlers. But both international law and British law at the time recognized that pre-existing Aboriginal rights continue until clearly and lawfully extinguished by the government. The normal means of extinguishing title required "the consent of the natives," and treaty-making was a crucial factor of the European settlement in the United States of America, Canada and New Zealand.

However, the colonies that were established in Australia (later to become the states of the Australian Commonwealth) behaved as if the country was indeed uninhabited; this is the doctrine that the land was *terra nullius* (no man's land).

The Courts

On similar reasoning, the colonies themselves were treated in terms of British colonial doctrine as having been acquired by "settlement," as distinct from "conquest" or "cession." The significance of this "settled colony" theory is that it meant the immediate application in the colony of English law as at the date of settlement. Even so, the theory need not necessarily have meant that Aboriginal law and Aboriginal rights were displaced. The operation of the introduced English law could have been confined to the newcomers. But in a number of court cases judges held that Aboriginal people were fully subject to the introduced legal system, even in their dealings with each other. By contrast, the courts failed to give any significant recognition to Aboriginal land rights or other rights.

The denial of Aboriginal rights has not been total. For example, some courts have taken Aboriginal law into account in deciding criminal cases or imposing sentence, and in deciding a variety of civil actions. More specifically, the Australian Law Reform Commission, in its 1986 report on Aboriginal customary law, recommended recognition of Aboriginal law in a number of contexts.

These initiatives do not go far enough, however. It is time to reconsider the whole question. There may be an opportunity for this when the High Court of Australia decides the legal issues presented by the *Mabo v. Queensland* case, which is listed for hearing in February 1988.

New Historical Evidence

This reconsideration will be helped by an important reassessment of the historical record which is being carried out by historians, in particular by Henry Reynolds in his books *Frontier* and *The Law of the Land*. Among other things, Reynolds has established from official archives that, when the colony of South Australia was founded in the 1830s, the British government of the time insisted that its establishment should be accompanied by a full recognition of Aboriginal land rights and other rights. These instructions were subsequently flouted and conveniently forgotten.

In 1971, a judge of the Northern Territory Supreme Court held that it was the *absence* of any such official recognition of Aboriginal rights by the executive that distinguished the situation in Australia from that in North America and New Zealand; this was the basis for his judgment denying Aboriginal land title. In the light of the new historical evidence, the

supposed distinction does not look so clear; and such judgments may not be possible to sustain in future.

Parliaments

Aboriginal Land Rights have also been recognized by parliaments, both state and commonwealth (federal). (The constitutional position at present is that, on federation in 1901, the states retained sole lawmaking power in regard to Aboriginal peoples, but in 1967 the commonwealth parliament acquired a concurrent power and can, if it chooses, override the state legislation.)

The Aboriginal Land Rights (Northern Territory) Act, passed in 1976 when the Northern Territory was under commonwealth control, transferred existing "reserves" into local Aboriginal ownership. It also established a land claim procedure in respect to "unalienated Crown land;" i.e., land to which no other claim exists. If Aboriginal people can satisfy an Aboriginal land commissioner (a judge) that they own the land in aboriginal law, he can recommend that they be granted the land under Australian law. Aboriginal land in the Northern Territory is held under inalienable freehold title, with important rights of control in regard to access, resources development, and so on.

Since then, South Australian legislation has transferred ownership of arid land comprising some 15 percent of the state's land area to the Pitjantjatjara and Maralinga peoples. New South Wales legislation has transferred small areas of "reserves" to local Aboriginal communities, established a very limited land claim mechanism, and provided short-term funding to Aboriginal people to purchase available land.

Queensland has transformed its regime of tightly controlled reserves into something approximating to local government areas. There has been limited movement in Victoria, less in Western Australia and Tasmania.

The [Prime Minister Bob] Hawke federal government that came to office in 1983 pledged to enact national land rights legislation to establish minimum standards of Aboriginal land holding, and control and protection of sacred sites, in all parts of the nation state. But they withdrew from that commitment in late 1984 under heavy political pressure from mining interests.

Constitution and Treaty

In 1987 two other possible forms of recognizing Aboriginal rights have come to the forefront. One is constitutional recognition. A government-appointed constitution commission, supported by four advisory committees, has been asked to propose changes to the federal constitution by mid-1988. Two of the Advisory Committees have made limited proposals in regard to Aboriginals.

The other recent development is a revival of the notion of a treaty. There were some discussions between 1979 and 1983 between the commonwealth government and the National Aboriginal Conference (a government-funded, elected, advisory body which was put out of existence in 1985). In mid-1987, the prime minister revived the idea of some sort of "compact" between Aboriginal Australia and Australia. The concept has not been defined, and has been criticized by some as a merely cosmetic operation to defuse Aboriginal

protest as the bicentennial celebrations draw near. However, the National Coalition of Aboriginal Organisations is looking seriously at the proposal.

Authoring Their Own Destiny

The mountainous north of the island of Luzon, Philippines, is the site of a long, enduring confrontation between the indigenous people and its various colonizers. This was also recently the scene of an unprecedented conference of the indigenous peoples of the Pacific. The historic meeting was covered in AMPO: Japan-Asian Quarterly Review Vol. 19, No. 3 (1987) by Douglas Lummis. His analysis, excerpted below, relates some of the diversity of these peoples drawn together for the first time in an exercise of mutuality and solidarity.

According to one view of history, "primitive," tribal society is supposed to be replaced by slave society, and slave society by feudal society. But when the slave trading and feudalistic, Spanish colonists came to the Philippines, they were never able to enforce this historical "law" in the northern mountains of Luzon, the Cordillera. For three hundred years, they sent expedition after expedition into the highlands to conquer the people and seize the right to gold mines there, but the fierce mountain warriors, fighting with spears and axes, always drove the Europeans back.

The Americans, after they replaced the Spanish as colonial rulers of the Philippines, had better success. Some say it was the greater seductiveness of their missionaries, others that it was the strength of their artillery, but in any case they managed partially to "pacify" the people, build some schools and towns, bring in foreign industry, and put the area at least partly under the power of the state. However, these proud people, collectively called Igorot, have never yet been convinced, either by persuasion or by violent conquest, that they should entirely give up their customs and adopt the ways of what they call, with some contempt, the "lowlanders."

Of course many of their traditions have faded or changed, but at least two remain vitally alive today. One is their land ownership system, which binds them collectively to their ancestral lands. The other is the *bodong*, or peace pact system, which has been used since before the Spanish era to establish peace among the many tribes.

The vitality of these two traditions is something that has been tested in practice in the last several decades. That is, they have become the bases of a new wave of Igorot resistance that began during the [former President of the Philippines Ferdinand] Marcos era and continues to this day. During the martial law period, Marcos launched two policies that threatened the existence of this ancient civilization. The first was the notorious Chico Dam project, by which 1,400 square kilometers of the Igorot world would have simply disappeared under water. The second was Presidential Decree No. 705, which announced that all land more than 18 percent in slope belonged to the government, meaning that the government could grant it in concessions to foreign miners and loggers.

To most of the Cordillera people, these policies were not seen as "economic development," but as yet another attempt by the lowlanders to steal their wealth. Under their customary law, the land to be flooded by dams or denuded by loggers was their ancestral land, which for many centuries their forefathers had labored to improve and fought to

protect, and which it is their duty to hand on to their own children. The made-in-Manila laws which suddenly announce that the land belongs to someone else have no meaning or legitimacy for them. And incidentally, scheduled to be flooded by the Chico Dam project were some of the famous Cordillera rice terraces. These mountainside terraces, which are considered as among the world's technological wonders, embody in their very structure a different notion of land ownership from that of modern capitalism. That is, to the keepers of these ancient terraces, land is not something that can be passed back and forth between members of the living generation simply by making contracts and exchanging money; rather it is something which binds the present generation to the generations of the past and to the generations to come.

When the struggle against the Chico Dam began, it caused breaches in the *bodong* system. For example, if a man from one *barrio* joined the army and then was killed in a fight with the people of another *barrio*, this would be a violation of the peace pact between the two *barrios* and could lead to a renewal of tribal war. Realizing the foolishness of falling into tribal warfare just at the time when they were threatened by a common enemy, the people began to revise their peace pacts to exclude anyone who joined the military. This developed into a general revival of the *bodong* system, which became the organizational basis and the guarantor of unity for the Chico Dam struggle.

The Chico Dam project was defeated, at least for now. But logging goes on at a devastating pace. Ancestral land rights have not been recognized, and the P. D. 705 has not been rescinded. The struggle against specific projects—dams, logging, and mining—has developed into a struggle for regional autonomy, by means of which the people hope to regain control over the land handed down to them by their ancestors. The struggle goes on: at the time of this writing the Cordillera is the scene of fierce fighting between government troops and guerillas.

It was in this context that the largest of the Cordillera people's organizations, the Cordillera People's Alliance (CPA), along with eight other allied groups, sponsored the International Solidarity Conference in the Cordillera, from 21 April to 6 May 1987. This was a conference of indigenous peoples of the Asia-Pacific region. That is, only genuine indigenous people were given delegate status, while others—Caucasians, Japanese, Philippine lowlanders, etc.—were classified as observers, or as representatives of "advocate organizations."

An extraordinary number of indigenous peoples, both from the Philippines and from abroad, were represented. There were twenty-three . . . foreign delegates representing fourteen ethnic groups from nine countries. The directory lists thirty-four Philippine delegates, . . . representing not only the Cordillera, but also peoples of Mindanao, Mindoro, Zambales, Pampanga, and other areas. In addition there were at least that many observers and advocates—in short, well over one hundred people. . . .

[T]he bulk of the conference was . . . spent . . . on situation reports from the various indigenous peoples who had come as delegates. And this is where the real significance of the gathering can be found. Probably there has never before been a meeting where so many representatives of so many indigenous peoples from the Asia-Pacific region have gathered. In recent decades, the indigenous peoples of the Americas have made good progress in forming regional solidarity organizations through which they give each other mutual support, make joint appeals to international organizations, and the like. But similar progress has not yet been made in Asia. So most of the delegates were learning about each other's situations for

the first time. It was truly a historic encounter and an extraordinary experience; it was extraordinary to listen to these first-hand accounts, one after another, and . . . to look around the hall and reflect on who was there listening with you.

A full account of the many reports cannot be given here. But some of the things one will not easily forget are: the smouldering anger of the Maori delegates from Aotearoa [New Zealand]; the fierce pride of the women who represented the Bangsa Moro from Mindanao; the look of sympathy and amazement on the faces of the indigenous people when the Ainu representative explained that the Japanese government has declared that her people do not exist; the description by the Aita (Negrito) delegate of life in the town of Target, so called because it is right next to the target area of the U.S. artillery practice range; the extraordinary description by the delegate from West Papua of his people's long bow-and-arrow war against the Japanese incursion; the earnestness of the Buraku delegation from Japan in explaining the oppressiveness of the pure discrimination they receive in Japan; the haunted look in the eyes of the two Isneg farmers who had escaped the battle zone in Kalinga-Apayao to make a public appeal for relief, and who now found themselves in the strange position of being conference delegates, with their friends and children still hiding in the forest meeting who-knows-what fate.

On the final day, many resolutions were passed. There was a resolution that ancestral land rights should be recognized, a resolution against the militarization of indigenous people's communities in the Asia-Pacific, several resolutions against logging and mining in the Cordillera, a resolution supporting the Ainu people's demand to be recognized as an indigenous people in Japan, a resolution on the removal of all foreign military bases from the Asia-Pacific area, and many others—more than twenty in all. But probably the most important was the final conference declaration, which was not framed as an appeal to governments or other organizations, but as a statement of the resolve of the people there gathered. In it, the conference delegates affirmed their intention to establish a communications and solidarity network among the peoples they represent, and to work toward the holding of a second conference in two years, aiming at the eventual formation of a permanent federation of the indigenous peoples of the Asia-Pacific. In short, these people, who according to European "progress" theory are doomed to disperse and die off, are announcing that they refuse to accept that verdict. Rather than seeing themselves as leftovers from the past, they are announcing that they are taking on the role of makers of the future, not by abandoning their traditions, but by reviving them. If an effective network of solidarity among these peoples is achieved, it will mean the emergence of a new historic force in the Asia-Pacific. And if that's not the way the books say history is supposed to move, then someone will just have to write new books.

Staggering to Their Feet

In an effort to eliminate resistance, on 24 February 1988, the Pretoria government banned seventeen domestic organizations opposed to apartheid. Soon thereafter, its parliament initiated legislation to cut off outside assistance to its citizens working for a nonracist future. In Johannesburg's Weekly Mail of 4-10 March 1988, Anton Harber reports on how the opposition is trying to regroup in the face of this latest government attack.

Opposition and human rights organizations were this week picking themselves up and dusting themselves off after the two body blows they have received in the last ten days.

As organizations were staggering from the restrictions on seventeen organizations and seventeen individuals last week, the government delivered a second blow: a bill tabled in parliament which, if enacted, could threaten the funding of many political, human rights and other resistance organizations.

It is too early to know how the restricted organizations will survive the clampdown, and the bill will take some time—probably undergo some changes—before it is passed. But it is clear the two government actions will change the face of resistance politics.

The swiftest and most decisive response came this week from individuals in the black consciousness camp. Two black consciousness organizations—the Azanian People's Organization (AZAPO) and the Azanian Youth Organization—were hit in the clampdown.

On Monday, 29 February the formation of a new body, the Azanian Coordination Committee (AZACCO), was announced in a press statement.

AZACCO, according to a representative, is an interim structure intended to ensure the continuity of existing projects.

Although it is made up mostly of former leaders of the Azanian People's Organization (AZAPO), whose previous posts were made redundant by the restrictions, and current leaders of National Forum, it denies any intention to replace other organizations.

Describing itself as "a concerned group of Azanians," the committee says it will facilitate activities to address the "needs and liberatory efforts" of the people, to ensure that "the initiative of the people is dictated by the oppressed" and to ensure the "continuity of the numerous community-based programs."

AZACCO will coordinate activities in areas such as "labor, education and community issues such as rent and detentions"; it will "consult with the oppressed and exploited of Azania" and voice issues affecting the community; and it will "assist preparations for national days," particularly the 21 March commemoration of the Sharpeville shootings.

Finally, the statement added, AZACCO will facilitate efforts towards resolution of the Pietermaritzburg conflict.

To this end, it is already planning a public meeting: a major peace rally in Pietermaritzburg.

AZACCO consists of Lusiba Ntloko (chief co-ordinator), Thabo Sehume (deputy co-ordinator), Ruweida Halim (secretary), Jackie Hlapolosa (publicity secretary) and Charles Mabitsela (national organizer).

In an interview this week, Hlapolosa said AZACCO was not a substitute or front for any organization.

He emphasized that it was an interim committee, intended to play a caretaker role. It would consult a broad range of organizations across the ideological spectrum of resistance.

Asked where AZACCO placed itself on that spectrum, Hlapolosa said "it would be suicidal to approach it in this manner.

"Given the material conditions, the committee would kill itself if, even before it began consultations with other organizations, it adopted a particular ideological line," he said.

AZACCO plans to open an office soon.

Its quick formation recalls the creation of AZAPO itself, which was formed within six months of the government's 1977 clampdown.

The response of most other organizations will hinge on court challenges to the new regulations. The Congress of South African Trade Unions (COSATU), the United Democratic Front (UDF), the Release Mandela Committee (RMC) and the Detainees' Parents Support Committee (DPSC) have announced that they will be filing papers to challenge the government's actions. The application is not being made a matter of urgency and is not expected to be heard for some weeks.

At least some of the work of the DPSC is continuing. According to leading DPSC member Max Coleman, other organizations have taken up aspects of their welfare and human rights monitoring work.

The DPSC office in central Johannesburg closed the day after the publication of the new regulations. However, this week an administrative official was answering the phone and referring queries to other organizations, such as the Black Sash or the South African Council of Churches' Dependents Conference.

Meanwhile, the effect of the clampdown on other UDF affiliates has been made clearer. According to Krish Naidoo, an attorney acting for the UDF, police headquarters had officially informed him that only those affiliates individually listed in the government proclamation would be affected.

Others could continue their activities as normal.

The severity of the clampdown on the UDF was demonstrated this week by the lack of a representative to speak for the largest umbrella body of the nonracial resistance movement.

The UDF, which was already reeling from extensive detentions, raids, and trials, now faces the future with all of its national spokesmen in prison or severely restricted.

The detention and subsequent charging of Patrick "Terror" Lekota and Popo Molefe in 1985 removed the first generation of UDF representatives. Their successors, Mohammed Valli and Murphy Morobe, were both detained last year under emergency regulations and are still being held.

Three national representatives remained: two presidents, Archie Gumede and Albertina Sisulu, and treasurer Azar Cachalia.

All three are now severely restricted. The third president, Oscar Mpetha, is serving a prison sentence.

Most of the UDF's regional spokesmen—such as Trevor Manuel in the Western Cape and Reverend Arnold Stofile in Border area—are also in prison.

Although the clampdown hit some of the UDF's biggest and most active affiliates, such as the South African and Soweto youth congresses and the South African National Students Congress, these organizations were effectively semiunderground anyway.

Previous repression had forced them to hold all their meetings in secret and their leadership to remain in hiding. This experience is likely to mean they are the organizations best equipped to adapt to the latest restrictions.

The campaign to save the "Sharpeville Six," and others sentenced to death for political or unrest-related activity, will be severely affected by the clampdown. Many of the organizations playing a leading role in the campaign—the DPSC, the RMC and the South African Youth Congress (SAYCO)—were among those restricted.

It is believed a new campaign will be launched under different auspices.

A total of seventeen restriction orders have now been served on individuals—with police apparently still looking for the eighteenth person on their list.

The seventeen are UDF presidents Albertina Sisulu and Archie Gumede; Transvaal Indian Congress vice-president R.A.M. Saloojee; the Release Mandela Committee's Jabu Ngwenya; UDF treasurer Azar Cachalia; Natal Indian Congress vice-president A.S. Chetty; Methodist Church leader Simon Gqubule; UDF Western Cape leaders Joe Marks and his son, "Joey" Marks; UDF Western Cape president Zolli Malindi; former UDF vice-president Christmas Tinto; Cape Youth Congress leader Roseberry Sonto; Federation of South African Women, Western Cape president Dorothy Zihlangu; UDF Cape leader Willie Hoffmeyr and three people involved in the Oudtshoorn community newspaper, *Saamstaan*: Derek Jackson, Reggie Oliphant and Mbulelo Grootboom.

The Pen and the Sword

Mahmoud Darwish, one of Palestine's most beloved national poets, published his latest poem in the 25 January 1988 issue of al-Yawm al-Sabi', an Arabic weekly published in Paris. This poem, 'Aabirun fi Kalam 'Aabir (Those Who Pass among Passing Words), appearing in the fourth month of the Palestinian uprising, expresses sentiments apparently shared by many Palestinians who otherwise articulate through the uprising their refusal to submit further to the violations of foreign colonizers.

*It is worthy of note, too, that these events follow in the wake of more discussion in official circles in Israel of various "transfer plans," including the yet unpublished [Ariel] Sharon Plan. * Meanwhile, the dispossession of the Palestinian Arabs of the 1967 occupied territories continues.*

Those Who Pass among Passing Words was published in two early translations in Hebrew, one of which served as the basis for an English version carried in the 25 March 1988 Jerusalem Post. In an effort to render an English translation as true as possible to the Arabic original, this now-controversial poem is reprinted below, as translated by Joseph Schechla and Tamara Kohns.

* See Roni Hadar. "Transferring the Arabs of Judea and Samaria," [translated by Dr. Israel Shahak] *Ma'ariv* (Tel Aviv), 8 July 1987; New York Times News Service. "Israeli Official Proposes Moving Arabs to Jordan," *Baltimore Sun*, 30 July 1987; Thomas Friedman. "Israeli Proposes Ouster of Arabs," *The New York Times*, 31 July 1987; Dvorah Getzler. "Proposal for 'transfer' of Arabs is blasted," *Jerusalem Post* (international edition), 8 August 1987; "Al-Wazir [Yosef] Shapira yad'u ila tarhil al-'Arab muqabil ishrin alf dular li kulin minhum" [Minister (Yosef) Shapira Calls for Expulsion of the Arabs for \$20,000 Each], *al-Itihad* (Haifa), 30 October 1987; Glenn Frankel. "Some Israelis Urge Arabs' Expulsion," *Washington Post*, 31 October 1987; Yossi Melman and Dan Raviv. "Expelling Palestinians: It Isn't a New Idea, and It Isn't Just Kahane," *The Washington Post*, 7 February 1988; Allan Shapiro, "Kahanism on increase in Israel," *Jerusalem Post*, 23 April 1988. These articles report Knesset Education Committee Chairman Kachman Raz, Minister for Industry and Commerce Ariel Sharon, former Chief of Staff Rafael Eitan, Deputy Defense Minister Michael Dekel, Major General Rehavam Ze'evi (res.), former cabinet member (Tehiya party) Yuval Neeman, and Minister without Portfolio Yosef Shapira as major advocates of mass transfer of the Palestinians from their country—Ed.

O those who pass among passing words,
 Carry your names and be gone,
 Rid our time of your hours, and be gone.
 Steal what you will from the blueness of the sea and the sands of memory,
 Take what pictures you will, so that you know:
 Indeed you never will know,
 How a stone from our land builds the ceiling of the sky.

O those who pass among passing words,
 From you, the sword—and from us, our blood,
 From you, steel and fire—and from us, our flesh,
 From you, yet another tank—and from us, a stone,
 From you, the gas bomb—and from us, rain.
 And above us, as above you—sky and air,
 So take your portion of our blood—and be gone.
 And go to a dinner-dance—and be gone.
 It is for us to watch over the martyrs' flowers;
 It is for us to live as we see fit!

O those who pass among passing words,
 As bitter dust, go where you wish, but,
 Do not pass among us like flying insects,
 For we have work to do in our land:
 And we have wheat to raise, which we water with our bodies' dew.
 And we have here that which does not satisfy you:

Stones . . . or mountain partridges.
 So take the past, if you wish, to the antique market,
 And bring back the skeleton to the hoopoe,* if you wish,
 On a clay platter.

We have that which does not satisfy you: we have the future,
 And we have things to do in our land.

O those who pass among passing words,
 Pile your illusions in a deserted pit, and be gone.
 Return the hand of time to the law of the golden calf,
 Or to the timing of the revolver's music!
 For we have that which does not satisfy you here, so be gone.
 And we have that which you do not: a homeland bleeding—our people are bleeding,
 A homeland fit for oblivion or remembrance.

A hoopoe is a brightly colored, European bird of the genus *Upupa*, with a long, curved beak and an erectile crest—Ed.

O those who pass among passing words,
 It is time for you to be gone.
 Live wherever you like, but do not live among us.
 It is time for you to be gone.
 Die wherever you like, but do not die among us,

For we have work to do in our land.
 We have the past here.
 We have the first cry of life.
 We have the present, the present and the future.
 We have this world here, and the hereafter.

So leave our land,
 Our countryside, our sea,
 Our wheat, our salt, our wounds,
 And the memories of memory,
 O those who pass among passing words!

Darwish's poem speaks directly to those who have occupied and violated Palestinian society and territory; and the Israeli litterati have made much ado about its message. Some charge that a formerly moderate, but now unreasonable Darwish has called for the withdrawal of Israel from all of Palestine. Below, Amos Kenan, a writer regarded in Israel as a dove and, by many, as a voice of peace, treats dismissively the Palestinian people's anguish and real grievances that have inspired Darwish's poetry. Kenan's indignant reply, published in Yediot Aharonot, 25 March 1988, is offered here as translated from the Hebrew by Tamara Kohns.

First of all, a passing comment between fellow writers: this poem stinks.

A curse of enslaved peoples who are fighting for their freedom and an additional punishment that they suffer for being enslaved is shoddy nationalistic poetry and lousy nationalistic literature.

He who is "we" is not "I." And he who isn't "I" isn't a poet. And he who is "we" and not "I"—the only thing that can emerge from his pen is rhetoric. And there is no rhetoric that isn't empty, and there is no rhetoric that is poetry—there simply isn't.

And now, with your permission, to the content and implication of your rhetoric.

"Carry your names and be gone":

Our names are engraved on every stone of our country and written on every piece of parchment buried in our land for the past 3,500 years.

"From you, the sword—from us, our blood,
 "From you, steel and fire—from us, our flesh":

Six thousand of my generation saturated this earth with their blood in 1948, and thousands more thereafter, while you were trying to erase our names and our memory from

the face of the earth. So, from you came the sword, and from you came the steel, and from us our blood and our flesh. You can, perhaps, forget this. Not me. And despite this, not only do I not want you to be gone from here—I'd like you to return.

"Go to a dinner-dance"—doesn't deserve even a comment.

"We have wheat to grow":

When peace comes, we will come to teach you, too, as we have taught the entire world, how to grow more wheat on less land with less water—and better wheat at that. "For we have things to do in our land."

"So take the past, if you wish, to the antique market":

Please. But then we shall also take with us to what you call the antique market the tablets of Moses on which are engraved, among other things, the words: "Thou shalt not kill!" As a matter of fact, we will not be able to take the past without taking with it the earth that is saturated with the past, as well as the blueness of the sea and the sands of memory.

"And we have that which you do not: a homeland sopping with the blood of its people":*

Not the blood of its people, Mahmoud. The blood of its peoples, Mahmoud.

"It is time for you to be gone.

"Live wherever you like, but do not live among us":

If we don't live among you, Mahmoud, then you, too, will not live among us; and then, Mahmoud, neither you nor I will live anywhere. No.

"Die wherever you like, but do not die among us":

We will not die.

"We have the past here":

If that's the case, if we don't even have a past here, what past have you left for us to take to the antique market that you promise us. Maybe, on second thought, you left us the Song of Songs and Ecclesiastes, the prophets, the Sermon on the Mount of Jesus, Son of Miriam of Nazareth, the water holes and the terraced hills that my ancestors created, the vine and the fig tree under which my ancestors sat secure, the thousands of crosses on which my heroes and revolutionaries were nailed, maybe also the blood of Beitar that reached the knees of the Roman soldiers' horses. But then, Mahmoud, really how much and what kind of past remains for you?

"We have the present, the present and the future":

Definitely. But only if you and I remain here and make peace. There is no chance, Mahmoud, that you have a future here without me, and without peace with me.

"So, leave our land, our countryside, our sea":

* Here Kenan quotes from a version in Hebrew translation, which deviates from the original Arabic meaning as indicated in the English translation above—*Ed.*

We will not leave. And if we leave, you will not remain either. Only if we remain will you, too, be able to return.

“You, who pass among passing words”:

We are not passing. The words, including yours—only they pass. We are remaining.

So much for the comments. Now, a few questions, expressions of astonishment and of sorrow.

In a telephone conversation with the *Ha'Aretz* correspondent, you said that you weren't properly understood and that your words were distorted. Now, with Siham Da'ud's translation, your words are not distorted. You told the *Ha'Aretz* correspondent that you didn't intend for us to leave all of Eretz Yisrael, only the West Bank and Gaza [Strip]. You even got smart alecky and said that Gaza, too, has a sea, as we can leave by way of the sea.

I reread your poem and did not find that your intentions were not understood properly. And when what is being talked about is life and death, even a poet is prohibited from being unclear. “Poetic license” ends where death begins. What I understood from your words is a proposal to transfer the Jews from their country. And you surely know that, of my own volition, I will not leave: you will have to come and try to get me out by force. In fact, you'll have to shoot me.

And so, Mahmoud Darwish, with a quick stroke of a pen, you mortally wounded Israelis like me; and maybe that's not so terrible. We're used to this.

What is terrible is that, for those thousands of Israelis who heretofore have been asleep and have only as a result of the uprising in the territories begun to awaken and ask if the time hadn't arrived to speak with you—maybe now they will decide that there us nothing to talk to you about, except through the barrel of a gun. Because you are not proposing to us peace and coexistence in a single homeland divided into two states, but that we all leave and not forget to take our dead with us, too.

And so, Mahmoud Darwish, with a quick stroke of a pen, quick and bitter, you've prolonged for another second the days and years of the kingdom of death and bereavement.

Until some other Mahmoud Darwish—by whatever name—comes along who will say things clearly so that one can understand them properly.

I believe this day will come because it must, damn it.

I remember personally lovely hours spent with you, damn it.

United Nations Update

In an effort to promote international law and the work of the United Nations to eliminate racism and racial discrimination, Without Prejudice regularly summarizes major activities undertaken in the United Nations and its environment toward that end. Special attention is given to the efforts of UNESCO, the Commission on Human Rights, the Committee on the Elimination of Racial Discrimination and other agencies and divisions dealing with the specific problems of apartheid, Palestine and Namibia, as well as other relevant developments in the General Assembly and Security Council during the forty-second session.

Racism and Racial Discrimination

The elimination of racial discrimination remained prominent in the work of a number of United Nations bodies in the forty-second session. Beginning in September 1987, the secretary-general reported to the General Assembly the results of a study on the effects of racial discrimination in the fields of education, training and employment as it effects the children of minorities, particularly those of migrant workers [A/42/492]. Noting the efforts of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families, the work of the Sub-commission on Prevention of Discrimination and Protection of Minorities and the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the secretary-general concluded that many useful international standards had been adopted to ameliorate the conditions described in the study. Nevertheless, affirmative action programs and other remedial devices were still urged upon national legislatures as a practical means of further protecting the rights of the children of migrant workers.

On 7 December 1987, the General Assembly adopted resolution 42/140: *Measures to improve the situation and ensure the human rights and dignity of all migrant workers*. Reaffirming the relevant legal instruments regarding human rights and the elimination of racial discrimination, the General Assembly (GA) endorsed the efforts of the Working Group and decided that it shall meet during the forty-third GA session. The resolution was adopted 150–1–3, with the United States casting the single negative vote.

In January 1988, the General Assembly considered the report of the secretary-general on *Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination* [A/42/493], prepared in accordance with General Assembly resolution 41/94 and ECOSOC resolution 1987/2. The report reviewed projects undertaken to achieve the objectives of the Second Decade, highlighted outstanding activities for the period 1985–89, and made proposals for further action for the second half of the Decade (1990–93). Reports and information provided by governments, regional inter-governmental organizations, NGOs and specialized agencies were presented, and the report listed recommendations for combating racial discrimination in education, employment and related areas.

At the request of the General Assembly, the Third Committee examined three aspects relating to the elimination of all forms of racial discrimination: the Report of the Committee on the Elimination of Racial Discrimination (CERD), the Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and the financing of the activities of CERD [A/42/720 of 6 November 1987]. Further details are provided below.

In its resolution A/Res/42/47 of 26 January 1988, the GA expressed the conviction that the 1983 Second World Conference to Combat Racism and Racial Discrimination, at Geneva, constituted a positive contribution toward attaining that objective. However, the GA noted with concern that millions of people continue to be the victims of racism, and it decided that the international community should give the highest priority to programs “to provide assistance and relief to the victims of racism and all forms of racial discrimination and *apartheid*, especially in South Africa and Namibia and in occupied territories and territories under alien domination” [A/Res/42/47, p. 3]. The resolution considered voluntary contributions to the Trust Fund for the Programme of the Decade for Action to Combat Racism and Racial Discrimination as indispensable for the implementation of needed programs. The GA strongly appealed to governments, organizations and individuals to contribute to the Fund.

The General Assembly approved a series of activities to be implemented during the final two biennial periods of the Second Decade, 1990–91 and 1992–93. These activities, noted in the annex to A/Res/42/47, include the holding of seminars, relevant conferences and regional workshops in order that participating countries share the experiences gained in efforts to eliminate racial discrimination. Planned also are a variety of studies and publications to enhance these efforts and to promote the International Convention on the Elimination of All Forms of Racial Discrimination. Regional workshops on legislation to combat racism and racial discrimination also form part of the work for the Second Decade. Such was the purpose of a training course in New York, 8–18 September 1987, that focused on the preparation of national legislation against racism and racial discrimination, and the General Assembly requested that the secretary-general submit a report on the subject at the first regular ECOSOC session in 1988 [A/Res/42/47, p. 4].

The GA's resolution 42/133 of 7 December 1987, *Status of the Convention on the Prevention and Punishment of the Crime of Genocide*, urged those states which have not become parties to the Convention to do so, and invited the secretary-general to report on its status at the forty-third UN session. As of 1 July 1987, the secretary-general reported that ninety-seven states had ratified, acceded or succeeded to the Convention [A/42/391].

The relevance of racism to conflict in general was recognized in GA debate on the underlying causes of terrorism. Under this topic—and while deploring “the continuation of terrorist acts, including those in which States are directly or indirectly involved”—GA resolution 42/159 reaffirmed the relevant international laws and urged states to take effective measures to end terrorism, while safeguarding the basic rights of the individual. It further urged all states “to contribute to the progressive elimination of the causes underlying international terrorism . . . including colonialism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien domination and occupation . . .” Resolution 42/159 was passed by a vote of 153–2–1, with only Israel and the United States voting against.

The Commission on Human Rights considered a wide variety of topics, both substantive and procedural, during its forty-fourth session at Geneva, 1 February to 11 March 1988. Human rights violations in southern Africa and Palestine were the subject of several resolutions and the Commission examined the status of International Conventions against Torture, *Apartheid* and Genocide. The Working Groups on Slavery and Indigenous Populations of the Sub-commission on Prevention of Discrimination and Protection of Minorities submitted reports which were considered during the session. The Commission expressed its appreciation to the Sub-commission for its work, but firmly recommended that studies already undertaken be completed before new projects are proposed and suggested that the Sub-commission give greater attention to the development of international standards in accordance with the role assigned to it by the Commission [1988/43]. Procedural concerns included the election of new members to the Commission, extension of the mandates of the special rapporteurs, and discussion of methods to promote an even work load. During 1989, the Commission will consider “the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and *apartheid*.”

The twenty-third International Day for the Elimination of Racial Discrimination followed by ten days the adjournment of the forty-fourth session of the Commission on Human Rights. This day, celebrated by the Centre against *Apartheid*, marks the date of the 1960 Sharpeville (South Africa) massacre in which unarmed African men, women and children peacefully demonstrating against the humiliating Pass Laws were mowed down by South African police. Sixty-nine people died and 180 were injured in that attack, and on 26 October 1965, the General Assembly designated 21 March as the date of annual observance of the International Day for the Elimination of Racial Discrimination [GA 2141 (XXI)]. In 1979, by resolution 34/24 of 15 November, the General Assembly also designated the week beginning 21 March as the Week of Solidarity with the People Struggling against Racism and Racial Discrimination.

Committee on the Elimination of Racial Discrimination

CERD's financial problems continued through the forty-second session. The Committee's thirty-fifth meeting, held at Geneva from 3 to 7 August 1987, had to be curtailed to one

week owing to the failure of States parties to the International Convention to pay their assessed contributions. (The International Convention entered into force in 1969 and currently has 124 States parties.) Nevertheless, the Committee was able to adopt its comprehensive report (covering 1986 and 1987 activities) [A/42/18]. The eighteen experts on the Committee dealt with questions of information on trust and non-self-governing territories, the Second Decade to Combat Racism and Racial Discrimination, and also heard in closed session communications from plaintiffs claiming that their rights had been violated under the Convention, as the Committee is so empowered under Article 14. Due to the reduction by two-thirds of the Committee's meeting time, CERD was unable to consider reports submitted by States parties as it had originally intended. The CERD report to the General Assembly noted that, of 842 reports due by the close of its thirty-fifth session, some 709 had been received. In addition, the report stated that seventy additional or supplementary reports had been submitted to the Committee for consideration.

A document produced by CERD in early November indicated that the amount of outstanding assessed contributions totaled \$233,000. The General Assembly, mindful of this, in resolution 42/57 of 30 November commended the work of the Committee and urged States parties in arrears to pay quickly their assessed contributions. Outstanding debtors include: Bolivia, Burkina Faso, Burundi, Central African Republic, Chad, Gabon, Gambia, Guinea, Libyan Arab Jamahiriya, Mali, Niger, Romania, Sierra Leone and the United Republic of Tanzania.

Concerning the obligation of States parties to report to the Committee on measures taken to implement the Convention, CERD requested the secretary-general issue reminders to those States whose reports are overdue. By the end of CERD's August 1987 session, 135 reports were overdue from seventy-one countries [SI/31/87].

States parties to the International Convention on the Elimination of All Forms of Racial Discrimination held their twelfth meeting at Geneva on 15 January 1988. In addition to discussion of the grave financial straits facing CERD, the States parties elected nine of the eighteen CERD members to a four-year term. After considering ways for CERD to streamline the States' reporting process, the meeting concluded with plans for CERD to hold only one session in 1988, though preferably one of greater duration than in the past. The Committee was scheduled to hold its thirty-sixth session at Geneva from 29 February to 18 March.

South Africa and Namibia

The economic impact of *apartheid* was a major focus of United Nations activity on southern Africa at the forty-second session. In a report of 18 August 1987, the secretary-general informed the GA on means of strengthening the international economic cooperation between the United Nations and the Southern Africa Development Coordination Conference (SADCC) [A/42/452]. On a related matter, the secretary-general submitted to the General Assembly a report documenting the specific financial contributions of States Members to the "frontline" and bordering states [A/42/422/Add.1]. As part of the United Nations Programme of Action for African Economic Recovery, the secretary-general's message to the Annual Consultative Conference of the SADCC, 28 January 1988, emphasized the need to mobilize the international community behind a program to offset South Africa's "total strategy" of regional economic destabilization [SG/SM/4076]. As an

indication of the international community's historical commitment to the UN Programme, the secretary-general reported that the United Nations Trust Fund for South Africa had made grants totaling \$27,092,560 since its inception in 1965 [A/42/659].

Beyond the macro-economic factors, the amelioration of the human suffering of thousands of refugees, returnees and displaced persons was of great concern. The High Commissioner for Refugees reported to ECOSOC on assistance to student refugees in the area [A/42/496]. The General Assembly, as an expression of its concern, adopted resolution 42/106 calling for an international conference on the plight of refugees and others displaced by the violence in southern Africa and offered assistance to the Organization of African Unity (OAU) in organizing the event. Preliminary plans call for the conference to be held at Oslo from 29 to 31 August 1988.

The status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* was reported by the Secretary-General to the General Assembly. As of 18 August 1987, eighty-nine States Members had acceded to or ratified the Convention [A/42/449]. The General Assembly reiterated its support for the Convention, noting the Commission on Human Rights resolution 1987/11 expressing its conviction that *apartheid* is a form of the crime of genocide, and called upon all States Members to ratify the Convention [A/42/720]. By a vote of 128–1–27, with the United States the sole opposition, the General Assembly condemned South Africa's continued illegal occupation of Namibia, pursuit of destabilization and state terrorism, denounced the collaboration between certain States and transnational corporations with South Africa and called upon all Member States to ratify the Convention [A/RES/42/56 of 30 November 1987].

Sanctions against South Africa and factors impeding the success of sanctions were the subject of considerable discussion. The Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa produced a report which outlined the potential impact of an effective oil embargo, but also indicated the difficulties inherent in implementing such a policy. With large transnational oil companies such as British Petroleum and Shell actively ignoring GA resolution 32/105G of 1977 (calling for an oil embargo against South Africa), the specific actions of States, the report concluded, may be of little effect. Transshipment and collusion among oil producers, oil traders, charterers and shipping companies may prevent States adhering to an oil embargo from having knowledge of oil shipments to South Africa [A/42/45]. In addition to enforcing the oil embargo, a 5 November 1987 report of the secretary-general to the GA contained the reports of forty-three governments on their comprehensive actions to comply with United Nations resolutions calling for disassociation from the Pretoria regime [A/42/710].

The Special Committee against *Apartheid* studied the relationship between Israel and South Africa and submitted a special report to the Security Council and the General Assembly for the year September 1986 to September 1987 [A/42/22/Add.1]. The passage of the Comprehensive Anti-*Apartheid* Act by the United States was credited with providing the impetus for Israel to diminish some of its most visible ties to South Africa. Despite this, in the military, nuclear and economic fields, cooperation remained strong. Noting the 16 September 1987 measures adopted by the government of Israel towards reducing ties to South Africa, the report pointed out the total omission from mention of the existing secret arms contract between Israel and South Africa. Further, the report concluded that the wording of the measures announced by Israel was so vague as to provide loopholes for circumventing those very measures.

The Special Committee against *Apartheid* also organized the Day of Solidarity with South African Political Prisoners and continued its discussions on ways to publicize the crime of *apartheid*. At its first meeting of 1988 the Committee re-elected as chairman Joseph N. Garba of Nigeria, who in his remarks noted that some forty years had passed since *apartheid's* inception and that only stricter sanctions could peacefully force the Pretoria regime to its senses. Reflecting on the diplomatic activity of the previous year, Mr. Garba recalled with regret that on two separate occasions the United Kingdom [sic], the United States and the Federal Republic of Germany had prevented the Security Council from passing such sanctions [GA/AP/1833].

The status of the International Convention against *Apartheid* in Sports was the subject of a September 1987 report of the Centre against *Apartheid*, which indicated that sixteen states needed to ratify or accede to the Convention before it could enter into force [40564-LOM]. By late October, however, the secretary-general indicated that only five more states were needed before the Convention would enter into force. Also in September, the Centre reproduced the International Defense and Aid Fund for Southern Africa (IDAF) document, *Restrictions Imposed on the Media in South Africa Since 21 July 1985* [87-23-31]. This paper outlined the specific laws hampering media coverage of South African political unrest and the degree of their enforcement by authorities. Another IDAF publication reprinted by the Centre, *Political Prisoners in South Africa*, contained a comprehensive list of the 700-plus people known to have been sentenced to imprisonment in political trials [87-32589]. This report did not include the myriad prisoners held in detention without trial, whose number is unknown. In November, the Centre against *Apartheid* published the text of hearings held at UN Headquarters at which representatives of some twenty-one United States student organizations against *apartheid* testified before the Special Political Committee against *Apartheid* [87-27556]. Another youth-related report was the *Declaration and Summary Proceedings of the International Conference on Children, Repression and the Law in Apartheid South Africa*, held at Harare, Zimbabwe from 24 to 27 September 1987 [87-26947]. In its final document of 1987, the Centre produced a comprehensive list of all the resolutions on *apartheid* adopted by the General Assembly in that year [87-34545].

In keeping with its mission to collect and disseminate information regarding Namibia, the Council for Namibia was represented at numerous conferences and meetings during the forty-second session. The April 1987 workshop organized by the Council in cooperation with non-governmental organizations in Bonn issued its report to the GA in October [A/AC.131/264]. The Programme of Action adopted at the workshop called for greater efforts to inform the public in the Federal Republic of Germany about South Africa's illegal occupation of Namibia and greater pressure upon their government to cease all contact with South Africa and its representatives in Namibia. Delegations from the Council also attended the Organization of African Unity meetings at Arusha, Tanzania and Addis Ababa in July, as well as the August meeting of Senior Officials of the Action for Resisting Invasion, Colonialism and *Apartheid* Fund Committee in New Delhi. In November, the United Nations Commissioner for Namibia briefed NGO representatives in New York on the activities of the United Nations towards achieving Namibian independence. Similar workshops were also held at London, Tokyo and Chicago.

The exhaustive report of the Council to the General Assembly was submitted on 15 October 1987 [A/42/24/Parts I,II,III]. The document provides in-depth information on all the activities of the Council in 1986-87. Plans for the 1988-89 biennium were discussed on 28 October and 2 November 1987 by the Council for Namibia and the Fifth Committee

respectively. The current operating budget for the Council is approximately \$6,500,000 *per annum* (A/AC.131/269 and A/C.5/42/26).

Concern for the protection of the natural resources of Namibia, and the role of transnational corporations in the exploitation of those resources, was the subject of two reports. A four-volume series covering the proceedings of Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia (held in September 1985) was made available by the United Nations Centre on Transnational Corporations. (The cost for the set is \$200, but volumes are also available on an individual basis.) Drawing on the work of the Centre on Transnational Corporations was another report, submitted by the Commissioner for Namibia to the Council. The 27 October 1987 document outlined measures taken to institute legal proceedings in the domestic courts of States with the aim of forcing corporations and individuals involved in the exploitation, transport, processing or purchase of Namibia's natural resources to cease from this illegal action [A/AC.131/267].

In December 1987, the Council for Namibia unanimously re-elected its officers, extending the presidency of Peter Zuze of Zambia, and heard the reports of its Standing Committees. The 12 January 1988 graduation of 157 students from the United Nations Institute for Namibia, in Lusaka, provided a bright start to the new year. To date, nine graduation exercises have conferred diplomas on some 1,074 students.

Palestine

The passing of 1987, the twentieth anniversary of Israel's illegal occupation of Palestinian territories, was heralded by both unprecedented resistance to, and ruthless enforcement of that occupation. In its forty-second session, the United Nations gave much attention to the issues raised by Israel's continuing denial of the Palestinian right to self-determination, particularly with regard to various attempts to alter the social and demographic composition of Palestinian territories by expulsion, imprisonment and use of violence. Concurrently, the advent of 1988 marked another bitter anniversary: the fortieth year since the United Nations, in Resolution 181, provided for the "partition of Palestine with economic union." Likewise, 1988 marks the fortieth year in which the international community has failed to implement this and other international laws guaranteeing self-determination and the right of return for the Arab people of Palestine.

European NGOs on the question of Palestine met at the Ecumenical Center in Geneva, 3-4 September 1987. Discussion focused on the "Responsibility and Role of Europe in Solving the Question of Palestine." In the Final Declaration, European NGOs recognized the historical links between Europe and the Middle East and the unanimity of European support for an International Peace Conference on the Middle East. They also called upon European governments which have not done so to recognize the PLO. The European NGOs welcomed the unity of the PLO restored at Algiers in April 1987 and took special note of the deteriorating situation for Palestine refugees in Lebanon and the destructive effects of Israel's continued occupation of Lebanon on that country's reconstruction and development, and they expressed admiration for the resilience of the Palestinian people "in its resistance to . . . prolonged Israeli occupation, exile and increasing oppression."

The European NGO meeting was called, on the initiative and with the resources of the organizations themselves, in the days preceding the Fourth International United Nations NGO Symposium on the Question of Palestine. In acknowledging their own role and

contribution to progress in Europe on the question of Palestine, the European NGOs urged the relevant bodies within the United Nations to provide facilities for annual European regional meetings of NGOs beginning in 1988.

Recognizing the gravity of living conditions for refugees in Lebanon as well as in Palestine, the NGOs convened an all-day information session on 5 September on the health situation and needs in Lebanon, the West Bank and Gaza. The NGOs issued a press statement and cabled their protest to Israeli Prime Minister Yitzhak Shamir and Defense Minister Yitzhak Rabin of Israel's air raids on 'Ayn al-Hilwah refugee camp in Lebanon that coincided with the NGO meeting.

The Fourth United Nations International Meeting of NGOs on the Question of Palestine convened from 7 to 9 September at Geneva. The meeting was attended by representatives of 121 non-governmental organizations as participants and 149 NGOs as observers, as well as a large number of observers from governments, inter-governmental organizations, UN bodies and liberation movements. Palestine Liberation Organization (PLO) Executive Committee Chairman Yasir 'Arafat addressed the meeting on the first day, and, after the keynote address by U.S. Congressman Nick Joe Rahall II, a series of panels of international experts filled the time remaining. Practical workshops were curtailed due to the abundance of speeches and interventions from the floor. In spite of this handicap, practical consensus was achieved on a variety of issues in workshops and *ad hoc* groups, including those dealing with negative stereotyping of Arab and Muslim people in Western popular culture and Israeli state terrorism on the seas.

The Declaration of the Fourth International NGO Meeting emphasized again the particular European responsibility to urge Israel and the United States to join international consensus on convening an international peace conference, reaffirmed the Palestinians' right of return, called upon all governments to recognize the PLO and denounced the 1986 amendment to the Israeli "Prevention of Terrorism Act" that criminalizes an Israeli citizen's contact with the representatives of the Palestinian people (PLO). Other concerns reflected in the Declaration include Israeli policies of racial discrimination against Palestinian citizens of Israel, particularly the Bedouin population; Israel's consistent extra-territorial kidnappings at sea and elsewhere, not least of which involves the case of Israeli anti-nuclear activist Mordechai Vanunu; and the larger issue of Israel's nuclear proliferation, also addressed by the NGOs.

On 14 September 1987, the Committee for the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) met with the newly-elected Rapporteur, H. E. Alexander Borg-Olivier (Malta), who also serves as Chairman of the Working Group. The Committee heard reports on the participation of its members in NGO meetings. The Committee met again on 7 October, at which time it adopted its report to the forty-second session of the GA. The report [*Division for Palestinian Rights* Vol. X, Bulletin No. 9/10] strongly supported the convening of an International Peace Conference on the Middle East and expressed its opposition to the United States Senate proposal that would, in effect, declare illegal any office within the United States directed or funded by the representative of the Palestinian people, the PLO.

On 9 September, CEIRPP Chairman Massamba Sarre' issued a letter to the secretary-general expressing deep concern over the recent and continuing Israeli air raids on Palestine refugee camps in Lebanon. Later, in a letter of 22 September, Chairman Sarre' drew the

secretary-general's attention to the steadily deteriorating human rights situation in the occupied territories of Palestine.

On 15–17 December 1987, the Eighteenth United Nations Seminar on the Question of Palestine was held at Havana, Cuba, where representatives of twenty-six governments, seventeen NGOs, and several United Nations organs, programs and specialized agencies held fruitful discussions on convening an International Peace Conference, influencing (Latin) American and Caribbean public opinion and the role of the PLO [88-01755]. CEIRPP began its thirteenth year of work on 14 January 1988 by hearing an address of the secretary-general underlining the vital work of the Committee under the continuing leadership of Amb. Sarré [GA/PAL/382].

The General Assembly, increasingly alarmed by signs that the United States planned to act upon Senate legislation (Title X of the Foreign Relations Authorization Act for Fiscal Years 1988–89) aimed at closing the PLO Mission to the UN, voiced its overwhelming opposition to that impending closure in two resolutions adopted on 2 March 1988. Resolution 42/229/A, passed by a vote of 143–1–0 with Israel voting against and the United States refusing to participate, noted that the U.S. legislation was inconsistent with the international legal obligations of a host country under the Headquarters Agreement of 26 June 1947. The resolution called for the United States to submit to the dispute settlement procedure outlined in Section 21 of the Headquarters Agreement and abide by its international legal obligations. Resolution 42/229/B passed unanimously (Israel joined the U.S. in refusing to participate) and called for the International Court of Justice, in pursuance of Article 65 of the Statute of the Court, and in accordance with Article 96 of the United Nations Charter, to provide an advisory opinion as to whether the U.S. was obliged to enter into arbitration in accordance with Section 21 of the 1947 Agreement.

The United States Senate legislation was also the subject of a communiqué of the Coordinating Bureau of the Movement of Non-Aligned Countries, meeting at New York on 16 October 1987 [see Documentation, this issue]. The meeting considered the attempts by ultra-conservative elements within the United States to destroy the PLO and distort the Palestinian people's case. Other regional and inter-governmental bodies meeting during this period also emphasized the importance of convening an International Peace Conference on the Middle East, as proposed by the United Nations. Endorsements came from the Coordinating Meeting of the Ministers of Foreign Affairs of the Organization of the Islamic Conference, meeting at New York on 1 October 1987, and the Commonwealth Heads of Government Meeting, held at Vancouver from 13 to 17 October 1987.

The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories examined Israeli human rights violations for the period September 1986 to September 1987 [A/42/650 of 15 October 1987]. Among the more important conclusions of this report were that:

1. The Israeli occupation itself constitutes a violation of human rights;
2. The Israeli policy maintaining for Israelis the "right to settle in all parts of the land of Israel" is a violation of the Fourth Protocol of the Geneva Convention;
3. Israel's "Iron Fist" policy has over the past year resulted in an intensification of violence, confrontation and repression.

The Special Political Committee, in considering the report of the Special Committee to Investigate Israeli Practices and reports of the Secretary-General, presented for adoption by the

GA a total of seven resolutions condemning Israel's ongoing occupation of Palestinian and other Arab territories, including Jerusalem, its refusal to cooperate with the Special Committee to Investigate Israeli Practices, its failure to acknowledge the applicability of the Fourth Protocol of the Geneva Convention (relating to the protection of civilians in time of war), and its torture and persistence in violating the most basic human rights of Palestinians in the occupied territories. With the exception of Israel (which voted against all resolutions), only the United States opposed the passage of 42/160 A and C, joined only by Costa Rica on 42/160 D.

General Assembly resolution 42/66 in all its four sections reiterated the endorsement by the international community of an International Peace Conference and re-emphasized the General Assembly's support for the work of the CEIRPP as well as the centrality of the Palestinian question to the achievement of peace in the Middle East. The resolution also restated the principle of self-determination for the Palestinians and noted the inability of the government of Israel as a whole to agree on the principle of an international peace conference under United Nations auspices. Israel and the United States again conspicuously stood alone in voting against 42/66, joined only by Canada in the vote on 42/66 C, dealing with public information efforts of the United Nations on Palestine.

In other human rights-related activities, the Security Council considered a resolution calling upon Israel to accept *de jure* applicability of the 1949 Geneva Convention to Palestinian and other occupied Arab territories. With fourteen votes in favor and with no abstentions, the United States, in its first day of presidency of the Security Council, vetoed the resolution [SC/4983].

The forty-fourth session of the Commission on Human Rights opened at Geneva on 1 February 1988. The first agenda item under consideration was the question of the violation of human rights in the occupied Arab territories, including Palestine. The Commission, under the new Chairmanship of Alioune Sene of Senegal, also considered the human rights situation in Afghanistan, Chile, Cyprus, El Salvador, Iran, southern Lebanon and southern Africa before it concluded its work on 11 March.

The economic condition of the Palestinian people residing in the occupied territories of Palestine continued to be of great concern. The secretary-general, in a report to ECOSOC on 27 October 1987, detailed the efforts of UNESCO and ESCWA (Economic and Social Commission for Western Asia) to ameliorate conditions, particularly through the provision of educational assistance [A/42/289/Add.2 and E/1987/86/Add.2].

The United Nations Relief and Works Agency continued its efforts to provide adequate shelter for Palestine refugees. On 28 August 1987, the secretary-general reported to the GA on the work of UNRWA in the Gaza Strip [A/42/507] and other areas where Israeli punitive destruction of housing has made critical the need for adequate shelter for refugees.

The importance of the work of UNRWA was noted by the Special Political Committee in its report of 18 November 1987 to the General Assembly [A/42/780]. Resolution A/SPC/42/L.6, sponsored by the United States, noted the urgent need for more financial assistance to support UNRWA projects and was adopted unanimously on 4 November 1987. Responding to the extended curfews imposed as part of Israel's "Iron Fist" policy and as a result of the recent resistance in the occupied territories, UNRWA expanded its food distribution programs in the West Bank and Gaza Strip of Palestine on 20 January 1988 [PAL/1676].

Deep and abiding concern for the condition of Palestine refugees in Lebanon, as well as the particular difficulty of UNRWA's mission there, was reflected in the 18 September 1987 report of the secretary-general to the GA, *Assistance for the Reconstruction and Development of*

Lebanon [A/42/553]. The urgency of the situation, particularly in the Palestine refugee camps under siege by *Amal* militia forces, was further emphasized in the 3 December 1987 appeal of the secretary-general for emergency aid for Lebanon. The mid-January lifting of the *Amal* militia siege of several Palestine refugee camps enabled UNRWA to begin the restoration of its educational, health and relief services to those areas [PAL/1675].

As momentum for the convening of an International Peace Conference on the Middle East seemed to be growing, the First Committee of the General Assembly considered the issue of Israeli nuclear armament [A/42/756]. The report of the secretary-general [A/42/581] documents that no Israeli nuclear facility, with the exception of the Nahal-Soreq experimental reactor provided by the United States, is in compliance with International Atomic Energy Agency (IAEA) safeguards. Pursuant to this, the IAEA demanded that Israel submit its facilities to inspection and abide by established regulations [GC (XXXI)/RES/470]. While the secretary-general admitted that the United Nations had no conclusive evidence that Israel possessed a nuclear device, the allegations of Israeli nuclear technician Mordechai Vanunu, in conjunction with the development of the Jericho II intermediate range ballistic missile, were viewed as serious indications of the existence of an Israeli nuclear arsenal. The General Assembly, acting upon the report of the First Committee, condemned Israel's continued refusal to renounce the possession or manufacture of nuclear weapons, noted the grave threat to international peace (and the establishment of a nuclear weapons-free zone in the Middle East) posed by continued Israeli recalcitrance, expressed deep concern over the ongoing cooperation in the nuclear field between Israel and South Africa and called upon all States Members to cease nuclear cooperation with, and assistance to Israel. Israel and the United States were alone in voting against this resolution, which passed 97-2-52 [A/RES/42/44 of 7 January 1988].

Finally, as the situation in the occupied territories of Palestine continued to deteriorate, the Security Council unanimously called on Israel to refrain from its planned expulsion of Palestinians [SC/RES/607]. In a note of 13 January 1988, the secretary-general deplored Israel's expulsion of four Palestinians in violation of Security Council resolutions and the Fourth Protocol of the Geneva Convention of 12 August 1949 [SG/SM/4073].

Indigenous Peoples

The Working Group on Indigenous Populations, established annually by the Sub-commission on Prevention of Discrimination and Protection of Minorities, continued its mission of drafting standards on the rights of indigenous populations and compiling a general review of the situation of indigenous populations (see United Nations Update section, last issue). In order to enable representatives of indigenous communities and organizations to participate in the annual deliberations of the Working Group, the United Nations Voluntary Fund for Indigenous Populations has begun the collection of funds (pursuant to General Assembly resolution 40/131) under the leadership of a Board of Trustees appointed by the secretary-general on 4 June 1987. The five Trustees will each serve a three-year term. In an ECOSOC report of 18 September 1987, the secretary-general noted that the Fund had already accumulated \$52,067 from donations by Australia, the Netherlands, Norway and Sweden [A/42/568].

The purpose of self-determination and recognition of the land rights for indigenous populations—a departure from earlier States policies aimed at the assimilation of indigenous

populations into the larger society of the nation-states in which they live—was served by the passage of two resolutions by the GA at its forty-second session. Adopted without a vote, resolution 42/114, *Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States*, emphasized the importance of recognition of the right to communal property ownership. This placed the subject of the relationship between property ownership and the full enjoyment by individuals of human rights and fundamental freedoms on the agenda for the forty-third session. GA resolution 42/115, *The impact of property on the enjoyment of human rights and fundamental freedoms*, in its second operative clause recognizes that:

There exist in Member states many forms of legal property ownership, including private, communal and State forms, each of which should contribute to ensuring the effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice. . .

Resolution 42/115 was passed by a vote of 124–24–2. The adoption of this resolution and the further discussion of the topic slated for the forty-third session of the General Assembly underscore the importance of the recognition of group or communal land rights of indigenous populations and the seriousness with which abrogation of those rights is to be viewed.

The Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples also considered important issues regarding indigenous peoples. The question of the independence of the territories of New Caledonia, East Timor, the Turks and Caicos Islands, Tokelau, American Samoa, Trust Territory of the Pacific Islands and Pitcairn, all have reference to the importance of granting indigenous peoples their inalienable right of self-determination. For in-depth discussion of the Committee's work with regard to these territories, the September 1987 report on decolonization prepared by the Department of Special Political Questions, Regional Cooperation, Decolonization and Trusteeship is instructive [87-32251]. Of particular note is the passage of a General Assembly resolution on 1 February 1988, regarding the question of Guam [A/RES/42/87]. The ninth preambulatory clause reads:

Taking note of the statement of the representative of the administering Power that provisions of the draft Commonwealth Act would recognize the distinct cultural identity of the Chamorro people, the indigenous inhabitants of Guam . . . *Reaffirms* the inalienable right of the people of Guam to self-determination and independence . . .

In order to address the inter-governmental deliberations of the Commonwealth Heads of Government Meeting (CHOGM), indigenous nations of the Commonwealth countries convened immediately preceding the CHOGM at [Musqueam] Vancouver, British Columbia. The First Nations Indigenous Peoples [of the Commonwealth] Conference, 8–11 October 1987, was conducted in English and Cree and saw the participation of native nations of Canada and the Maoris of Aotearoa [New Zealand]. The Conference program also included reports of the cases of Australian aboriginals and the tribal people of Bangladesh, all discussed under the themes of aboriginal-Crown relations, racism and indigenous cultural survival, aboriginal land rights and First Nations government. The Commonwealth Heads of Government were served with the statement of the Musqueam conference, appealing to

them with practical recommendations for the amelioration of indigenous people's conditions based upon principles of international law and standards set forth by the Working Group (see Documentation, this issue).

The mandate of the United Nations Working Group on Indigenous Populations combines two elements: the review of developments pertaining to the situation of indigenous populations worldwide, and the drafting of international standards on indigenous rights. Notwithstanding human rights instruments already in force, there remain very significant issues relating particularly to indigenous affairs. These are considered by the Working Group and the indigenous peoples as standards for their survival, fourteen of which have been drafted in a preliminary version as follows:

1. The right to full and effective enjoyment of the fundamental rights and freedoms universally recognized in existing international instruments, particularly in the Charter of the United Nations and the International Bill of Rights;
2. The right to be free and equal to all other human beings in dignity and rights, and to be free from discrimination of any kind;
3. The collective right to exist and to be protected against genocide, as well as the individual right to life, physical integrity, liberty and security of person;
4. The collective right to maintain and develop their ethnic characteristics and identity;
5. The collective right to protection against any act which has the aim or effect of depriving them of their ethnic characteristics or identity. This protection shall include prevention of any form of forced assimilation, any propaganda directed against them, etc.;
6. The collective right to participate fully in the economic, political and social life and to have their specific character reflected in the legal system and in the political institutions of their country;
7. The duty of the territorial State to grant—within the resources available—the necessary assistance for the maintenance of their identity and their development;
8. The right to special State measures for the immediate, effective and continuing improvement of their social and economic conditions, with their consent, that reflect their own priorities;
9. The right to be secure in the enjoyment of their own traditional means of subsistence, and to engage freely in their traditional and other economic activities, without adverse discrimination;
10. The right to determine, plan and implement all health, housing, and other social and economic programs affecting them;
11. The right to manifest, teach, practice and observe their own religious traditions and ceremonies, and to maintain, protect and have access to sites for these purposes;
12. The right to all forms of education, including the right to have access to education in their own languages, and to establish their own educational institutions;
13. The right to preserve their cultural identity and traditions, and to pursue their own cultural development;
14. The right to promote intercultural information and education, recognizing the dignity and diversity of their cultures.

Documentation

With a view to providing a continuous record of major developments in the field of racism and its elimination, Without Prejudice reprints in this section relevant statements and documents issued by individuals, groups, organizations or governments during the recent period. Items in this section may relate to ideologies or developments which combat racism or further institutionalize its practice.

I. General Documents on Racism and Racial Discrimination

A. Statement of General Secretary, Communist Party of the Soviet Union (CPSU) Central Committee Mikhail Gorbachev, Moscow, 18 February 1988.

B. "The Kerner Commission Report Twenty Years Later," 1988 Commission on the Cities, Racine, WI, 1 March 1988.

II. Documents on South Africa and Namibia

A. Declaration of International Conference on Children, Repression and the Law in *Apartheid* South Africa, Harare, 27 September 1987.

B. Final Act of the International Anti-*Apartheid* Forum, Bambata Committee, Ouagadougou, 11 October 1987.

C. Declaration of the Parallel Commonwealth Conference on Southern Africa, Vancouver, 13 October 1987.

D. Orders No. 334 and 335 of the South African Ministry of Law and Order, Pretoria, 24 February 1988.

III. Documents on Palestine

A. Final Declaration of the Fourth United Nations International Meeting of NGOs on the Question of Palestine, Geneva, 9 September 1987.

B. Final Communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries, New York, 7 October 1987.

C. Statement of Foreign Ministers of the European Economic Community, Bonn, 8 February 1988.

D. "Palestinians Killed by Israeli Occupation Forces, Settlers and Civilians during Uprising (Confirmed)." DataBase Project on Palestinian Human Rights, Chicago, 2 March 1988.

E. Proclamation No. 10 of the United National Command of the Uprising and the Palestine Liberation Organization, Occupied Territories of Palestine, 10 March 1988.

IV. Documents on Indigenous Peoples

A. Statement of Traditional Hopi Elders, Hotevilla, North America to Thirty-Ninth Session of United Nations Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Geneva, 18 August 1987.

B. Indigenous Declaration of YATAMA (Yapti Tasba Masraka Nani Asla Takanka), Yapti Tasba, Nicaragua, 7 September 1987.

C. Declaration of First Nations Indigenous Peoples [of the Commonwealth] Conference, Musqueam Indian Reserve, Musqueam [Vancouver], 11 October 1987.

D. Statement of Ad-Mapu to the United Nations Special Rapporteur on Human Rights, Temuco, Chile, 16 December 1987.

E. Statement of Traditional Hopi Village of Hotevilla, North America to Thirty-ninth Session of United Nations Commission on Human Rights, Sub-commission on Prevention of Discrimination and Protection of Minorities, Geneva, 14 March 1988.

I. *General Documents on Racism and Racial Discrimination*

I:A

Statement of General Secretary of CPSU Central Committee Mikhail Gorbachev, Moscow, 18 February 1988. (Excerpt)*

[. . .]

The unique feature of our culture is that it is multi-ethnic. We often and habitually speak about it, but it seems we have not as yet fully learnt to appreciate it. The peoples in the USSR are tied by a community of historic destiny. It forms the basis of our brotherhood and kinship which have stood the most arduous trials. The source of our strength lies in the free development of national cultures enriched by the intellectual experience of fraternal peoples and all of mankind.

True internationalism and true friendship of the peoples are only possible if there is a profound respect for the dignity, honor, culture, language and history of each people with extensive relations among them. We ought to facilitate in every way the further broadening of contacts between national cultures, their mutual enrichment, their development and flourishing.

Soviet patriotism is our greatest asset. Any manifestation of nationalism or chauvinism is incompatible with it. Nationalism in any form is blind. Attempts at self-isolation lead down a spiritual blind alley. The knowledge and understanding of the scope, grandeur and human aspect of the socialist revolution, the struggle of the Party and the people for socialism, full of truth and heroic spirit, and the defense of the socialist homeland feed the roots of Soviet patriotism. Here we approach a very important issue—unification through revolution and Soviet power of the national dignity and national heritage of every people with the internationalism of socialist society.

In short, we should set about thoroughly tackling the nationalities policy at the present stage—in all areas, including theory and practice. This is the most fundamental, vital issue of our society. I think that a plenary meeting of the Central Committee should examine questions of the nationalities policy.

I:B

“The Kerner Commission Report Twenty Years Later,” 1988 Commission on the Cities, Racine, WI, 1 March 1988. (Excerpts)

A Growing American “Underclass”

Blacks and other minorities have made important progress, legally and politically. The black middle class has grown. There were only 200 black elected officials in 1965; by 1986, that figure had mushroomed to 6,500. Blacks and other minorities have made significant inroads into the media, law enforcement, business, and the professions. But progress has slowed, and the Reagan administration has tried to turn the clock back.

* Mikhail Gorbachev. *The Ideology of Renewal for Revolutionary Restructuring*. Moscow: Novosti Press Agency Publishing House 1988, 26–28.

Lack of Vigorous Affirmative Action

Though the Supreme Court has several times recently upheld affirmative action in hiring and promotions, the Reagan administration has been hostile to affirmative action efforts and to the vigorous enforcement of civil rights laws.

Ralph G. Neas, executive director of the Leadership Conference on Civil Rights, has declared: [the] "[Equal Employment Opportunity Commission] EEOC has become less vigorous in enforcing the law and has abandoned many of the civil rights remedies employed by previous Republican and Democratic administrations."

Cutbacks in affirmative action enforcement have been unfortunate, especially because earlier such efforts had been successful in increasing jobs and influence for blacks and in recruiting more blacks into higher education. Affirmative action worked.

Incentives for integrated housing have been ended by the Reagan administration, incentives for subsidized housing have all but been eliminated, and civil rights enforcement in the Community Development Block Grant program has stopped.

The Kerner Commission recommended an open housing law. But the Fair Housing Law actually adopted in 1968 has proved to be too weak and without adequate enforcement machinery. All the secretaries of [the Department of Housing and Urban Development] HUD have recommended its strengthening, but Congress has, so far, refused to toughen it.

More "Separate Societies"

The Kerner Report warning is coming true: America is again becoming two separate societies, one black (and, today, we can add Hispanic), one white—separate and unequal.

While there are few all-white neighborhoods, and there is some integration even in black neighborhoods, segregation by race still sharply divides America's cities—in both housing and schools for blacks, and especially in schools for Hispanics. This despite increases in suburbanization and the numbers of blacks and other minorities who have entered the middle class.

For the big cities studied by the Kerner Commission, housing segregation has changed little, if any, and is worse in terms of housing costs for blacks, who are more likely than whites to be renters. Segregation is not just a matter of income: it still cuts across income and education levels. Studies show continued discrimination in housing sales and rentals and in mortgage financing for blacks and Hispanics.

Segregation breeds further inequality for blacks and other minorities—including lessened opportunities for work and the greater likelihood of inferior education.

Segregated housing produces segregated schools, and these are most often worse schools than those available to the children of whites.

From 1968 to 1984, the number of white students in the public schools dropped by 19 percent, while the number of black students increased by 2 percent. Hispanic student numbers skyrocketed, up 80 percent.

Public schools are becoming more segregated. There has been no national school desegregation progress since the last favorable Supreme Court decision in this field in 1972. After declining from 1968 to 1976, the number of black students enrolled in predominantly minority schools increased from 62.9 percent in 1980 to 63.5 percent in 1984. The percentage for Hispanic students enrolled in minority schools has climbed steadily from 54.8 percent to 70.6 percent during the same period.

University of Chicago political scientist Gary Orfield has found that “a great many black students, and very rapidly growing numbers of Hispanic students, are trapped in schools where more than half of the students drop out, where the average achievement level of those who remain is so low that there is little serious precollegiate instruction, where precollegiate courses and counselors are much less available, and which only prepare students for the least competitive colleges.” There have been severe cuts in federal student assistance funds.

The American Council on Education has said that, today, the gap between black and white college-going rates is the largest it has been in more than a quarter of a century.

The high school graduation rate for black students rose to 75.6 percent in 1985, but the percentage of these students going on to college has been declining since 1976, dropping to 26.1 percent in 1985. Similarly, the high school graduation rate for Hispanic students was 62.5 percent in 1985, but the percentage of them who enrolled in college had been on a four-year decline by that year and fell to only 26.9 percent in 1985. The college-going rate for American Indian students is also on the decline.

Greater Racial Contrast

Non-white unemployment in 1968 was 6.7 percent, compared to 3.2 percent for whites. Today, overall unemployment has doubled, and black unemployment is more than double white unemployment.

Median black family income, as a percentage of median white family income, dropped from 60 percent in 1968 to 57.1 percent in 1986. Those who would be classified as “working poor,” if they were white—those with annual incomes between \$9,941 and \$18,700—are the middle class for black families; that is the present range of median black family income.

From these facts of black and Hispanic segregation and inequality, Professor Orfield has concluded that the ghettos and barrios of America’s cities are “separate and deteriorating societies, with separate economies, increasingly divergent family structures and basic institutions, and even growing linguistic separation. The physical separation by race, class, and economic situation is much greater than it was in the 1960s, the level of impoverishment, joblessness, educational inequality, and housing even more severe. . . .”

This destruction of our human capital is a serious threat to America’s national security. The Kerner Report said: “It is time to make good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname[d], American Indian, and every minority group.”

Such a recommitment now to that kind of human investment could begin to move us once again toward becoming a more stable and secure society of self-esteem.

As former assistant attorney general, now Clarence Robinson professor of history at George Mason University, Roger W. Wilkins has said, “The problem is not a problem of defective people; the problem is a problem of a defective system.”

The resistance of the system to change, its inflexibility, is nowhere better illustrated than in the failure of the federal government to fully implement Indian tribal self-determination and self-government; there have been little visible effects from two initiatives toward that end—a presidential one in 1968 and a congressional one in 1975.

II. Documents on South Africa and Namibia

II:A

Declaration of International Conference on Children, Repression and the Law in *Apartheid* South Africa, Harare, 27 September 1987.

The International Conference on Children, Repression and the Law in *Apartheid* South Africa, convened by the Rt. Rev. Archbishop Trevor Huddleston, C.R. under the auspices of the Bishop Ambrose Reeves Trust, took place in Harare, Zimbabwe from 24-27 September 1987. The opening session of the conference was addressed by the Hon. Robert Mugabe, the prime minister of Zimbabwe, the president of the African National Congress, Oliver Tambo, and Mrs. Lisbet Palme of Sweden.

Almost three hundred South Africans, the majority of whom had come from inside the country, met with over two hundred representatives of more than one hundred and fifty organizations from all over the world. There were lawyers, medical practitioners, religious and social workers, community and political activists and representatives of youth, student, and women's organizations as well as trade unions and professional bodies. The delegation from inside the country included children, along with those whose work and experience bring them most directly into contact with the effects of the *apartheid* regime's brutal repression of children.

By bringing us together in Harare, the conference provided the international community with a unique opportunity to hear from those directly affected the truth about the violent repression inflicted by *apartheid*, including the beating, shooting, torture, detention and imprisonment of children. It enabled us and the whole international community to break through the veil of censorship and secrecy imposed by the *apartheid* regime's two-year-old state of emergency.

We heard moving testimony from children about their harrowing experiences of torture and injury at the hands of the regime's agents. Doctors and other professional workers concerned with the welfare of children informed us about the reality of how children are treated under *apartheid*. Lawyers explained the absence of any effective legal provisions for the protection of children and their vulnerability in the face of the *apartheid* regime's determination to maintain the oppression of the majority of South Africans.

Since the occupation of the townships in September 1984, neither the home, the school nor the street has been spared. Overwhelming force has been used in town and country. Whole schools have been detained, even children under the age of ten. The declaration of a state of emergency in June 1986 has been followed by the detention of over thirty thousand people, of whom at least a third were children. The scale of such detentions and the violence accompanying them is without parallel even in a state of war.

The cruelty and brutality which were exposed induced a profound sense of shock, outrage and anger. The deliberate and systematic targeting of children by the armed agents of the regime puts *apartheid* South Africa beyond the pale of civilized society. It exposes the political and moral bankruptcy of a system bent on destroying any form of opposition. Such a form of government is totally illegitimate.

We strongly condemn all those who collaborate with the regime in executing its policies, in particular the lawyers and judges who lend legitimacy to an inhuman and illegitimate system and the medical practitioners who conspire in keeping secret the brutality against children. We call upon the international community to sever all relations with professional bodies which fail to condemn these practices.

We commit ourselves to act in a concerted way to keep the world aware of the plight of South Africa's children. We will continue and extend the task of monitoring and exposing the repression and abuse of children.

We urge lawyers, medical practitioners, social and religious workers, and all others whose work involves special responsibilities for children to play a part in the struggle to protect the children of South Africa and help free them from *apartheid*.

We appeal to the international community to work for the imposition of sanctions against the regime, and urge all governments to declare their support for all those who, even at risk to themselves, are prepared to act in defense of the children of South Africa.

We recognize that the children of South Africa cannot lead a normal life as long as the *apartheid* system remains. The children themselves, having recognized this fact, have displayed heroic courage in their readiness to engage their ruthless oppressors in daily struggle. Their commitment and determination is an inspiration to us all. We pledge ourselves, collectively and as individuals, to use all our resources to work towards the realisation of a united non-racial and democratic South Africa and thereby ensure a speedy end of the racial tyranny whose violence spares neither old nor young—in South Africa, Namibia and throughout southern Africa.

II:B

Final Act of the International Anti-*Apartheid* Forum, Bambata Committee, Ouagadougou, 11 October 1987. (Excerpt)

From 8–11 October 1987, the International Anti-*Apartheid* Forum took place in Ouagadougou, the capital of Burkina Faso. Sponsored by the Bambata Committee, the forum brought together more than six hundred participants representing forty-six anti-*apartheid* political organizations and associations from twenty-nine countries, as well as hundreds of personally committed activists.

The formal opening and closing sessions were placed under the effective chairmanship of the comrade president of the National Council of the Revolution and president of the Faso, Captain Thomas Sankara.

Comrade anti-*apartheid* activists,

By centering its field of action in Africa and by cutting across organizational divisions to directly address every AFRICAN YOUTH and WOMAN, the Ouagadougou Forum has gone down in the annals of the struggle against *apartheid* as a denunciation of and demarcation from the beaten path of pious and fruitless resolutions, condemnations, and recommendations. A path that was also a frenzied exercise involving many people in Africa and other parts of the world for several decades, who draw or have drawn political and financial benefits under the cover of the struggle against *apartheid*.

Recalling that the international community, despite the inadequacies of its support to the South African fighters, has acknowledged *apartheid* as a CRIME AGAINST HUMAN-

ITY, the Ouagadougou Forum calls on everyone, individually and collectively, to impose comprehensive and vigorous sanctions against the Pretoria regime and its allies, including its natural counterpart, Zionism.

That is why the axis of the forum's deliberations placed at the center of the new strategy of struggle all actions that can be implemented by individuals and are within everyone's reach.

Scrutinizing the three sub-themes of the forum allowed the fruitful discussions held there to lead to proposals for concrete, realistic, and immediate actions against *apartheid*.

Analyzing the situation in South Africa, the various contributions and presentations showed the intensification of the struggle of the anti-*apartheid* forces in South Africa itself and the heroism with which the South African fighters are charging into battle with bare hands for their people's liberation and political and social emancipation. At the same time, the racist regime in Pretoria, along with its Western allies, headed by the U.S. administration, is expanding its search for a "definitive solution" that will keep blacks in a permanent state of domination.

Drawing a *balance sheet of the struggle against apartheid in Africa and internationally*, the Ouagadougou Forum established that this has been generally negative. The forum thus denounced the complicit silence of the African and Western medias, as well as the international financial circles that orchestrate campaigns of disinformation surrounding developments in South Africa and that support the regime in Pretoria.

Since *apartheid* is a crime against humanity, those who aid, support, or encourage the Pretoria regime are equally criminal, to be fought with the same determination.

Taking these considerations into account and noting the frontline states' isolation and lack of support, confronted as they are with acts of aggression, provocation, and destabilization by South African troops, the forum appealed above all to African countries to take on greater responsibility vis-à-vis the common enemy, which needs to be defeated for the well-being of Africa and humanity.

Comrade anti-*apartheid* activists,

Having objectively taken into account this state of failure, the participants in the forum affirm forthrightly that the success of the concrete actions coming out of Ouagadougou implies that each and every one understand that the struggle against *apartheid*, racism, and all forms of discrimination is a *matter of daily conduct, of personal conviction and commitment*, leaving aside any self-serving considerations.

On the big question of the Ouagadougou Forum—"What to Do Together and Now against *Apartheid*"—the fruitful exchanges generated by the numerous frank, divergent, and public discussions allowed important concrete and realistic proposals to come forth, of which this final act can only convey the essence.

II:C

Declaration of the Parallel Commonwealth Conference on Southern Africa, Vancouver, 13 October 1987.

A Parallel Commonwealth Conference on Southern Africa met in Vancouver prior to the Commonwealth Heads of Government Meeting (CHOGM). More than one hundred organizations were represented by delegates drawn from the churches, the labor movement,

the aboriginal people, black Canadians, women's groups, students, teachers, NGOs and the main anti-*apartheid* organizations. The conference was co-sponsored by the Canadian Council for International Cooperation and the Anti-Apartheid Network of British Columbia.

The Parallel Conference addressed a strong message to the Canadian government and to leaders of other Commonwealth countries. It noted that since the last CHOGM meeting in Nassau, and indeed since the Commonwealth mini-summit in London last year, the South African government has become more intransigent, it has increased domestic repression and escalated its destabilization of neighboring states. Nothing expresses the horror of *apartheid* more graphically than the torture and detention of South Africa's children. The failure of the South African government to consider any meaningful steps to dismantle *apartheid* means that the spiral of violence throughout the whole of southern Africa can only intensify.

In this context comprehensive, mandatory sanctions remain the only means by which the international community can help bring about the dismantling [of] *apartheid*. The Commonwealth countries should both implement a comprehensive sanctions program and devise effective monitoring procedures. Increased assistance to the front line states is urgently needed. But this can in no sense be seen as a substitute for sanctions. The two go hand in hand. Any attempt to separate these two elements will only weaken the front line states and encourage Pretoria.

As Canada is the host of the Commonwealth Summit, it is imperative that the Canadian government take the lead on this important issue of principle. Two years ago Prime Minister Mulroney promised the United Nations that Canada would sever all ties with South Africa if Pretoria did not move to dismantle *apartheid*. We expect this promise to be fulfilled. Canada cannot fall in with the British effort to derail international action against South Africa. Canadian credibility is now on the line!

Moving to specific issues, the Parallel Conference called for the release of Nelson Mandela and all political prisoners in South Africa and Namibia. In particular, the conference demanded the release of detained children and called for greater material support for detainees and their families.

The Parallel Conference accorded special recognition to the African National Congress (ANC) and South West Africa People's Organization (SWAPO) as the legitimate representatives of the South African and the Namibian people, and called for increased material assistance to these two movements. Delegates called on the Canadian government to grant diplomatic status to the ANC and SWAPO. The Canadian Embassy in Pretoria should be closed.

The conference recognized the right of the peoples of South and southern Africa to defend themselves against the violence directed against them by the Botha government. Given the history of Canadian military assistance in southern Africa, the conference therefore also strongly supports existing proposals for Commonwealth military assistance necessary for the defense of the front line states. If the front line states are to defend themselves against South African aggression, Canada and its Commonwealth partners should give these countries the wherewithal to do so.

The conference believes that Canada and the Commonwealth should commit major new economic assistance to the beleaguered front line states. As these countries have repeatedly insisted, such economic assistance only makes sense if tied to action on the more fundamental issue of eradicating *apartheid*.

Mozambique and Angola have been the principal victims of South African aggression. Delegates called on Canada to open a Canadian Embassy in Maputo. The new international effort to assist Mozambique should also be extended to Angola, and both countries should now become eligible for direct bilateral assistance from Canada.

Namibia remains the forgotten issue of southern Africa. Canada's silence on the Namibian issue compromises its standing in southern Africa and is unacceptable. Further progress towards Namibian independence under UN Security Council Resolution 435 (1978) will only occur when countries such as Canada actively oppose attempts to link Namibian independence with the right of Angola to defend itself against aggression. Canada and all Commonwealth countries should extend all sanctions to cover Namibian products and, in particular, should recognise Decree Number 1 of the UN Council for Namibia which prohibits the export of Namibian resources. Judicial proceedings should be instituted against those companies which violate these provisions.

The conference re-affirmed its solidarity with the continuing struggles of the indigenous peoples around the world. If Canadians are to fight for self-determination and full human rights in southern Africa, surely we must also do so at home. The conference called on the Canadian federal and provincial governments to re-open constitutional negotiations with the representatives of Canada's aboriginal people.

Delegates called on the federal government to increase financial support for public education programs designed to counter the South African propaganda offensive in Canada.

This Parallel Commonwealth Conference has called on the Canadian Prime Minister [to] meet with our representatives to discuss these crucial issues.

II:D

Orders No. 334 and 335 of the South African Ministry of Law and Order, Pretoria, 24 February 1988. (Excerpts)

No. 334

24 February 1988

Under the powers vested in me by regulation 6A of the Regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, as amended by Proclamation R. 106 of 26 June 1987 and Proclamation R. 23 of 24 February 1988, I, Adriaan Johannes Vlok, minister of law and order, hereby prohibit the organizations mentioned in the schedule hereto, as from the date of publication of this order and subject to regulation 6A (4) of the said regulations, from carrying on or performing any activities or acts whatsoever.

A. J. Vlok
Minister of Law and Order

Schedule

Azanian People's Organization
Azanian Youth Organization
Cape Youth Congress
Cradock Residents Association
Detainees Parents Support Committee
Detainees Support Committee

National Education Crisis Committee
 National Education Union of South Africa
 Port Elizabeth Black Civic Organization
 Release Mandela Campaign
 Soweto Civic Association
 Soweto Youth Congress
 South African National Students Congress
 South African Youth Congress
 United Democratic Front
 Vaal Civic Association
 Western Cape Civic Association

No. 335

24 February 1988

[. . .]

Definitions

1. In this order, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Security Regulations shall have a corresponding meaning, and—“alternative structure” means:

- (a) a structure referred to in paragraph (a) (viii) or (ix) of the definition of “subversive statement” in regulation 1 of the Media Regulations; and
- (b) insofar as it is not already included under paragraph (a), also an organization known as an “area committee,” a “block committee” or a “street committee” and operating in residential areas for members of the Black or Colored population groups *inter alia* as a structure subverting the authority of institutions or officials of the state or of a local authority or its officials or attempting to usurp such authority;

“local authority” means:

- (a) a local authority as defined in section 1 of the Black Local Authorities Act, 1982 (Act 102 of 1982);
- (b) a local government body established or deemed to be established under section 30 of the Black Administration Act, 1927 (Act 38 of 1927); or
- (c) a local authority or management body as defined in section 1 of the Local Government Bodies Franchise Act, 1984 (Act 117 of 1984);

“media regulations” means the regulations published by Proclamation R. 123 of 1987 and R. 7 of 1988; “prisoner” means a person detained in prison:

- (a) under a provision of the Internal Security Act, 1982 (Act 74 of 1982) or of regulation 3 of the Security Regulations;
- (b) to serve a period of imprisonment imposed on him for the commission of an offense; or
- (c) to await trial for an alleged offense;

“publicity campaign” means an act by which information is conveyed to members of the public or to members of any particular section of the public, including:

- (a) the making of statements at a public place (as defined in regulation 1 of the Media Regulations) or otherwise in public or from door to door;

- (b) the conduct of press interviews, the issue of press statements or the publishing of advertisements in the press;
- (c) the issue or distribution of pamphlets, brochures or handbills, the posting-up or distribution of posters or stickers; or
- (d) the issue or distribution of television, film or sound recordings (as defined in regulation 1 of the Media Regulations);

“Security Regulations” means the regulations published by Proclamation R. 96 of 1987, as amended by Proclamation R. 106 of 1987 and R. 23 of 1988; “unlawful organization” means an organization which is an unlawful organization in terms of the Internal Security Act, 1982.

Prohibition

2. The organization known as the Congress of South African Trade Unions is hereby, as from the date of publication of this order and subject to regulation 6A (4) of the Security Regulations, prohibited from carrying on or performing activities or acts of the following nature, class or kind, namely:

- (a) the soliciting of support among members of the public or members of a section of the public (including acts whereby appeals or demands are made to the government) . . .
 - (iii) the suspension, remission, reduction or non-carrying out of a sentence imposed on a person for the commission of an offense; or
 - (iv) the abolition of a local authority or local authorities belonging to a category of local authorities;
- (b) the stirring-up, by way of publicity campaigns, of opposition among members of the public or members of a section of the public to:
 - (i) the detention of a person, or of persons belonging to a category of persons, under the provisions of section 28 or 29 of the Internal Security Act, 1982, or of regulation 3 of the Security Regulations, or towards the system of detention provided for in those provisions;
 - (ii) the system of local government as applied in the Republic; or
 - (iii) any negotiations or proposed negotiations regarding a new constitutional dispensation for the Republic to which the government is or is likely to be a party;
- (c) the making of calls on, or encouraging or inciting, members of the public or members of a section of the public by way of publicity campaigns:
 - (i) to boycott or not to take part in an election of a local authority or to commit any other act preventing, frustrating or impeding such an election;
 - (ii) to observe any particular day:
 - (aa) to commemorate or celebrate the founding of an organization which is an unlawful organization or an organization declared to be an affected organization under the Affected Organizations Act, 1974 (Act 31 of 1974);
 - (bb) to commemorate or celebrate an event in the history of an organization referred to in item (aa) which is of some importance or other to such organization;

- (cc) to commemorate or celebrate an incident of riot, public violence or unrest, or a protest gathering or protest march which has taken place at some time or other in the Republic, or an event which has occurred in the course of such incident, gathering or march;
- (dd) to commemorate the death of a person or of persons belonging to a category of persons; or
- (ee) in honor of a prisoner or of prisoners belonging to a category of prisoners;
- (d) the founding, establishment, propagating, financing, organizing, management or operation of alternative structures;
- (e) any interference in or meddling with, or the making of calls, by way of publicity campaigns, to members of the public or members of a section of the public to interfere in or to meddle with, the affairs or functions of a local authority;
- (f) the making of calls on or encouraging or inciting:
 - (i) a person doing business in the Republic or with persons in the Republic to disinvest from the Republic or to otherwise cease doing business in the Republic or with persons in the Republic;
 - (ii) the government of another country, to institute or apply trade, economic or other punitive measures against the Republic or to sever or restrict diplomatic or other relations with the Republic; or
 - (iii) a person, organization or body outside the Republic to terminate, suspend or sever affiliations or ties with a person, organizations or body inside the Republic;
- (g) the making of arrangements for, or the organizing, propagating or holding of, public gatherings at which any of the matters mentioned in this order, is advised, encouraged, propagated, discussed, advocated or promoted.

III. Documents on Palestine

III:A

Final Declaration of the Fourth United Nations International Meeting of NGOs on the Question of Palestine, Geneva, 9 September 1987. (Excerpt)*

We, the non-governmental organizations participating in the Fourth United Nations International Meeting of Non-Governmental Organizations on the Question of Palestine, in this year of the Palestinian people, thank the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People for convening this meeting and we appreciate the presence of the members and observers of that United Nations body.

We thank the chief of the Division for Palestinian Rights, the non-governmental organization liaison officers and the staff of the Division and the Department of Conference Services, including the interpreters, for their assistance in this Meeting. We look forward to increasing the level of mutual co-operation and understanding.

* Document No. 87-33207: *Division for Palestinian Rights* Vol. X, Bulletin No. 9/10, 6-9.

We were honored by the presence of Chairman Yasser Arafat at the opening session of this meeting and sincerely thank him for his statement and his continuing support of our efforts.

We express our appreciation to the distinguished experts, resource persons and moderators who spoke here.

We recognize the need for and the urgency of convening the International Peace Conference on the Middle East in accordance with United Nations General Assembly resolutions 38/58 C and 41/43 D. We are concerned at the delay in convening the conference and gravely concerned that any further delay will worsen conflict in the Middle East, intensify the suffering and oppression to which the Palestinian people are daily subjected and increase the danger of global conflagration. For that reason, the international non-governmental organizations urge that practical preparations for the convening of the International Conference be started by the permanent members of the Security Council without delay.

Accordingly, we call upon all governments to work for the convening of the International Peace Conference under the auspices of the United Nations, as a matter of the utmost urgency, the participants to include the five permanent members of the Security Council, [the] Palestine Liberation Organization (PLO), Israel, the Arab states parties to the conflict, and other concerned states, on an equal footing and with equal rights.

We express our conviction that one hope for peace lies with a concerted European initiative to bring Israel and the United States to accept the International Peace Conference as called for in resolution 38/58 C. To this end, we urge the non-governmental organizations in the countries members of the European Economic Community to persuade their governments to update the Venice Declaration of 1980 to be in conformity with the guidelines enunciated in resolution 38/58 C. We note that the European parliament has given the opportunity to a number of leaders involved in the Middle East conflict to present their views. We urge the European Parliament to invite Chairman Arafat to present the views of the Palestinian people.

We reaffirm that the right of return and the recognition and exercise of the right to self-determination of the Palestinian people, with all that it implies, is a central requirement for peace and security, as well as being fully in accord with one of the fundamental principles of the Charter of the United Nations. Therefore, we call on all governments to recognize and respect that right.

We reaffirm the international consensus that [the] PLO is the legitimate representative of the Palestinian people in its just struggle for its inalienable rights. Accordingly, we call on all governments to recognize [the] PLO.

We are appalled at the 1986 amendment to the 1948 Israeli Prevention of Terrorism Act, which criminalizes Israeli citizens who engage in peace talks with members of [the] PLO. We call for the repeal of this law forthwith, and the dropping of all charges laid under this law or its amendments, particularly those relating to the Alternative Information Centre in Jerusalem. We note past acts of harassment by the Israeli authorities against individuals living under its judicial and military authority who attend meetings with members of [the] PLO. We insist upon the basic right of all individuals to attend meetings, including this Fourth United Nations International Meeting of Non-Governmental Organizations on the Question of Palestine held at Geneva. We call upon the Israeli government to permit such individuals, without discrimination, to return home safely and unharassed after their

participation in this conference. We further condemn attempts by any government to curtail or obstruct the freedom of its citizens to associate with [the] PLO or any of its members. We strongly support continuing dialogue between Israelis and members of [the] PLO as an extremely important means of promoting a just and durable peace.

We are greatly concerned about the policies of racial discrimination practiced by the Israeli government against Palestinian Arab citizens of Israel. Special attention should be paid to the plight of the oft-neglected Palestinian Bedouins and the Arabs in the area of Beersheva and the Negev. We condemn the continuing repressive measures of the Israeli occupying power against the Palestinian people in the occupied territories (including arrests, shootings, torture, expulsions, demolition of houses, closure of educational, cultural, and social institutions, collective punishment, land and water seizures, and censorship in all its forms), and we call upon all governments and peoples to press the Israeli government to end the occupation. Inhumane practices against Palestinian political prisoners and the denial of all their rights must be deplored.

We note with great concern the deteriorating situation in the camps of Palestinian refugees in Beirut and southern Lebanon which have been under constant attack for three years. In the absence of actual legal measures that would guarantee the security of the Palestinian civilians in Lebanon after the abrogation of the Cairo Agreement, we demand that the refugees receive the international legal protection provided under the relevant international conventions, specifically the Geneva Conventions and Protocols. We call for an end to the blockade, the start of reconstruction, and the normalization of the situation of the Palestinians in Lebanon; we call for the establishment of an international delegation of eminent persons to study the situation in the field and to report its findings to the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People.

We urge our governments to contact the appropriate parties to lift the blockade, to permit the immediate entry of the International Committee of the Red Cross and other health and relief organizations into the camps and the dispatch of medical and food supplies. We also demand the reconstruction of dwellings, hospitals and schools and the re-establishment of social and educational services.

We call for the ending of the continued Israeli occupation of southern Lebanon, the inhumane air raids, which take Palestinian and Lebanese lives, and the intervention in Lebanese internal affairs through political coercion and oppressive action. We demand the immediate Israeli withdrawal from southern Lebanon, in conformity with United Nations Security Council resolutions 508 (1982) and 509 (1982), and respect for its unity, sovereignty and democratic development and for the release of all those held in prison.

We deplore the Israeli policy of kidnapping Palestinians and others traveling in international waters and call upon all non-governmental organizations to launch a campaign against these actions, including informing maritime organizations and seamen's unions in their respective states about these acts of piracy, and to work with them to oppose these deplorable acts.

We, non-governmental organizations, condemn the introduction of nuclear weapons by Israel into the Middle East. We urge the United States and Western European states to terminate all co-operation with Israel in the fields of nuclear weaponry and research. We further call upon Israel to dismantle its nuclear weapons, to open its nuclear facilities to expert inspection and to sign the non-proliferation treaty. The world has a right to know, the Israeli people have a right to know about Israel's nuclear capacity and the threat to

regional and world peace which that capacity represents. The United Nations resolution on the creation of a nuclear-weapon-free zone in the Middle East must be implemented.

We are deeply concerned about the harsh and illegitimate conditions under which Mordechai Vanunu is being held and tried. Mordechai Vanunu drew the attention of the world to the Israeli nuclear arms capability. We condemn his kidnapping from European soil. We demand a fair, just and public trial for Mordechai Vanunu and submit that the need for regional and world-wide security from nuclear warfare morally justifies his actions.

We note Chairman Arafat's statement on the serious threat to peace and security posed by the perpetuation of the Gulf war and concur that "we must exert every possible effort to decrease the dangerous tension in this important region of the world before fire extends to other areas and the hurricane expands and thus destruction follows." We appeal to all parties to uphold the recent United Nations Security Council Resolution 598 (1987) which aimed to end the war.

The objective of this meeting was to plan and co-ordinate non-governmental organization activities. Our primary work was conducted in workshops and in special working groups, and we affirm their conclusions as appended herewith.

We, non-governmental organizations, urgently request the establishment of a special committee on Palestinian culture to confront the systematic war being waged against Palestinian identity. The committee should consist of three Palestinian cultural experts who would advise and assist the International Co-ordinating Committee for Non-Governmental Organizations on the Question of Palestine (ICCP) in planning future non-governmental organization activities.

Increased non-governmental organization effectiveness demands enhanced co-ordination and organization. In the light of the growing importance of the ICCP liaison office at Geneva, we propose the establishment of a non-governmental organization liaison office in North America, and national and regional committees in Europe and elsewhere.

It is important that special efforts be made to extend our network to Latin America, Australia, New Zealand and other under-represented areas, and to encourage the participation of their non-governmental organizations in the international meeting to be held in 1988. We urge the Committee on the Exercise of the Inalienable Rights of the Palestinian People to exert special efforts to convene a Latin American regional non-governmental organization symposium in 1988 and on a regular basis.

III:B

Final Communiqué of the Meeting of Ministers of Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the Forty-Second Session of the United Nations General Assembly, New York, 7 October 1988. (Excerpts)*

The ministers and heads of delegation reaffirmed that the question of Palestine is at the heart of the Middle East crisis and the root cause of the Arab-Israeli conflict, that partial solutions confined to some aspects of the conflict and excluding others can only lead to further complications and a deterioration of the situation in the Middle East, and that a just and

* Document No. 87-33207: *Division for Palestinian Rights* Vol. X, Bulletin No. 9/10, 10-12.

comprehensive peace in the region can only be based on Israel's total and unconditional withdrawal from all the occupied Arab and Palestinian territories, including Jerusalem, and the restoration of all the inalienable rights of the Palestinian people, including the right to return to their homeland, the right to self-determination without foreign intervention and the right to establish their own independent and sovereign state on their national territory on the basis of United Nations General Assembly Resolution 3236 (XXIX) of 22 November 1974, and other relevant resolutions.

The ministers and heads of delegation strongly condemned the establishment of Israeli settlements in the occupied Arab and Palestinian territories, the judaization of Jerusalem and its proclamation as the capital of the Zionist State, and reaffirmed that all measures carried out by Israel with a view to altering the political, cultural, religious, demographic and other features of the occupied Arab and Palestinian territories are illegal, null and void. They therefore requested the United Nations to take effective steps, including imposition of the sanctions provided for in Chapter VII of the Charter, against Israel with a view to enforcing immediate and total withdrawal and ending the Israeli occupation of all the Palestinian territory as well as other Arab territories, including the city of al-Quds (Jerusalem) occupied since 1967 by Israel.¹

The ministers and heads of delegation reaffirmed that the Movement of Non-aligned Countries as a whole had undertaken to give its support to the Palestinian people in their just struggle for the liberation of their homeland and the recovery of their inalienable national rights.

The ministers and heads of delegation stressed that a comprehensive, just and durable solution to the situation in the Middle East cannot be achieved without the total and unconditional withdrawal of Israel from all Palestinian and other Arab territories it has occupied since 1967, including Jerusalem, and the regaining and exercise in Palestine of the legitimate and inalienable rights of the Palestinian people, including the right to return to their homes, the right to self-determination without external interference and the right to national independence as well as the right to establish a sovereign independent state in Palestine, in conformity with the principles of the Charter of the United Nations and relevant resolutions.

The ministers and heads of delegation reaffirmed their strong support for the Palestine Liberation Organization (PLO), the sole and legitimate representative of the Palestinian people, and emphasized that only [the] PLO has the full right to represent the Palestinian people. They reaffirmed the right of [the] PLO to participate on an independent and equal footing, in accordance with international law, in all endeavors, international conferences and activities the objectives of which are to ensure respect for and attainment of the exercise of the inalienable rights of the Palestinian people.

The ministers and heads of delegation welcomed and fully supported the communiqués issued by the Committee of Nine Non-Aligned Countries on Palestine at their meetings held at Harare, Zimbabwe, from 14–15 April 1987 and at Pyongyang, the Democratic People's Republic of Korea, on 10 June 1987. They reaffirmed their total support for the endeavors of the Committee of Nine, which are aimed at hastening the preparatory process leading to the convening of the International Peace Conference on the Middle East.

1. A/42/681, paras. 68 and 69.

The ministers and heads of delegation took note of the report of the secretary-general submitted in pursuance of General Assembly Resolution 41/43 D of 2 December 1986 (A/42/277). They welcomed the observation by the secretary-general that none of the Security Council members opposed in principle the idea of an international peace conference under United Nations auspices, and that there had, in recent months, been indications of greater flexibility in attitudes towards the negotiating process. They exhorted the secretary-general to continue his consultations with the objective of setting in motion the preparatory process for the International Peace Conference on the Middle East as soon as possible.

The ministers and heads of delegation warmly welcomed the outcome of the Palestine National Council (PNC) meeting, held at Algiers from 20–25 April 1987, as a major victory for the Palestinian people. In this connection, they expressed their deep appreciation for the great efforts exerted by President Chadli Benjedid and the Algerian people towards the success of the PNC meeting.

The ministers and heads of delegation reiterated their call for a speedy implementation of United Nations General Assembly Resolution 38/58 C of 13 December 1983, and stressed anew the necessity for the early convening of the International Peace Conference on the Middle East, emphasizing the major responsibility shouldered by the Security Council in facilitating the convening of the conference and providing the appropriate institutional arrangements to guarantee the implementation of the expected agreements of the peace conference. They pledged full support for the United Nations secretary-general in his consultations for the holding of the International Peace Conference and urged all parties to co-operate fully with him. In this context, they commended the activities of the Non-Aligned Committee of Nine on Palestine in assisting the secretary-general in his efforts to achieve that objective.

The ministers and heads of delegation expressed grave concern at the situation in the Palestinian refugee camps in the areas of armed conflict resulting from the Israeli invasion and occupation of Lebanese territories. They strongly condemned the raids carried out by the Israeli Air Force on the Ein el-Hilweh refugee camps near Sidon in Lebanon on 5 September 1987, which resulted in the loss of lives of many innocent Palestinian and Lebanese men, women and children. They reiterated the need to ensure the safety of all civilians in Lebanon, including the Palestinian refugees. They reaffirmed the responsibility of the United Nations towards the Palestinian people.

The ministers and heads of delegation condemned Israeli policies aimed at bringing the influx of new Jewish immigrants to settle in occupied Palestine at the expense of the indigenous Arab population, and urged all states to stop offering Israel or world Zionism facilities or encouragement under any form whatsoever, as may enable it to persist in pursuing its colonization and expansionist policies.

The ministers and heads of delegation reiterated their support for the Arab Peace Plan adopted by the Twelfth Arab Summit Conference held at Fez from 6–12 September 1982, as reaffirmed by the Extraordinary Arab Summit Conference held at Casablanca from 7–9 August 1985. They further affirmed their support for the resolutions adopted in support of the peace plan by Arab and other international conferences.

The ministers and heads of delegation welcomed the important efforts of the Committee of Nine Non-Aligned members on Palestine, comprising Algeria, Bangladesh, Cuba, India, the Palestine Liberation Organization, Senegal, Yugoslavia, Zambia and

Zimbabwe to resolve the Palestinian issue, which is the core of the Middle East crisis, and urged it to continue its work with a view to contributing to the early convening of the International Peace Conference on the Middle East under the auspices of the United Nations, actively approaching the members of the United Nations Security Council and, in other appropriate ways, initiating and directing the efforts of non-aligned countries to resolve the question of Palestine in a manner conducive to a comprehensive, lasting and just solution to the Middle East crisis.²

III:C

Statement on the Middle East of Sixty-Ninth Meeting of Foreign Ministers of the European Economic Community, Bonn, 8 February 1988.

1. The foreign ministers of the twelve had a thorough discussion on the situation in the occupied territories and the Arab-Israeli conflict. They expressed their profound concern at the deteriorating conditions in the occupied territories.

2. The status quo in the occupied territories is not sustainable. The foreign ministers again stressed their conviction that the only solution is by means of a comprehensive, just and lasting political settlement of the Arab-Israeli conflict, as proposed by the twelve in their 1980 Venice Declaration and their subsequent declarations.

3. The twelve reaffirm their strong support for an international peace conference, under the auspices of the United Nations, in accordance with their 23 February and 13 July 1987 declarations, as the suitable framework for the necessary negotiations between the parties directly concerned. They took note of the wide support given to such a conference and urge all parties to work for agreement on the convening of it as early as possible. The twelve will continue to play their full part in these efforts.

In that perspective they welcome all recent efforts to inject new impetus in the search towards a negotiated settlement to the conflict.

4. Without prejudging future political solutions, the twelve remain determined to work towards improving the living conditions of the inhabitants of the occupied territories. The [European Economic] Community is pursuing its own development program for these territories, has granted additional humanitarian aid to their Palestinian population and is determined to promote direct exports of agricultural and industrial products from the territories to the community market.

5. The twelve deplore the Israeli settlement policy in the occupied territories, and the diversion of resources to these illegal settlements. They acknowledge the valuable work by [the United Nations Relief Works Agency for Palestine Refugees in the Near East] and [the International Committee of the Red Cross] in favor of the Palestinian population in the Territories and expect Israel to facilitate the task of those bodies.

6. The twelve urge Israel fully to comply with UN Security Council resolutions 605 (1987), 607 (1988) and 608 (1988) and with the Geneva Convention relative to the protection of civilian persons in time of war of 12 August 1949. They deeply deplore the repressive measures taken by Israel, which are in violation of international law and human

2. *Ibid.*, paras. 79–89.

rights. These measures must stop. They strongly appeal to all parties to exercise maximum restraint in order to reduce the dangerous level of tension in the occupied territories.

III:D

Palestinians Killed by Israeli Occupation Forces, Settlers and Civilians during *Uprising* (Confirmed), DataBase Project on Palestinian Human Rights, Chicago, 2 March 1988.*

9 December 1987, through 2 March 1988

Total Deaths to Date: 108

Deaths from Gunfire to Date: 75

Deaths from Other Causes to Date: 33

Deaths from Gunfire

#	Date	Name, age	Residence	by	Context
75	2/29	Yasser Daoud Abdul Jabaar, 17	Burein, Nablus	?	Shot in neck
74	2/29	Ahmad Moh'd Diab Bitawi, 30	Jenin Ref. Camp, Jenin	?	Shot in head 2/25
73	2/27	Raed Mahmud Awad Barghouthi, 17	Aboud, Ramallah	S	Found dead next a.m.
72	2/27	Ahmad Ibr'm Mstfa Barghouthi, 21	Aboud, Ramallah	S	Shot in porch of home
71	2/27	Nihad Abdul Ghaffar, 21	Arroub Ref. Camp, Hebron	M	Demonstration
70	2/27	Majid Moh'd al-Atrash, 17	Halhoul, Hebron	M	Shot in stomach
69	2/27	Baker Abdallah al-Bau, 17	Halhoul, Hebron	M	Demonstration
68	2/26	Eyad al-Ashqar, 12	Jabalya Ref. Camp, Gaza	M	Shot in head
67	2/26	Hassam Moh'd Abu Kheiran, 22	Arroub, Hebron	M	Shot in face
66	2/26	Rashiqa Musleh Daraghme, 60	Tubas, Jenin	M	Shot in leg
65	2/26	Fouad Ayub Sharawi, 47	Hebron	M	Shot in head
64	2/25	Sami Ghaleb al-Daye, 17	Nablus	M	Shot in chest
63	2/25	Issam Saed Abu Khalife, 18	Jenin Ref. Camp, Jenin	M	Shot in chest
62	2/24	Moh'd Qassim Zaed Kameel, 4	Kabatya, Jenin		Shot by collaborator
61	2/23	Mahmoud Nauman Hoshei, 14	al-Jamoun, Jenin	M	Army entered village a.m.

*Issued by DataBase Project on Palestinian Human Rights, One Quincy Court, Suite 1308, Chicago, IL 60604 (USA). Tel.: 312-987-1985, Facsimile: 312-987-9848.

Column at left indicates sequence of victim's death.

#	Date	Name, age	Residence	by	Context
60	2/22	Rawda Abdulatif Najib, 13	Baka Sharqiyeh, Tulkarm	S	Shot at gate to home
59	2/21	Ramez Suleiman Abu Amara, 20	Nablus	M	Demonstration
58	2/21	Kamal Moh'd Sul'man Darwish, 22	Deir Ammar, Ramallah	S	Sniper bullet in heart
57	2/20	Abdallah Atta Ataya, 20	Kufr Ni'meh, Ramallah	M	Shot in head
56	2/17	Isma'il Hasan Mashne Halaika, 22	Shuyukh, Hebron	M	Demonstration
55	2/12	Basel Taysir al-Jitan, 14	Nablus	M	Shot in march from mosque
54	2/12	Bashar Ahmad al-Masri, 17	Nablus	M	Shot in march from mosque
53	2/11	Ahmad Abu Sabil, 37	Tlkrn. Ref. Camp, Tulkarm	M	Shot on street
52	2/10	Emad Hamalawi, 20	Maghazi Ref. Camp, Gaza	M	Shot in neck 1/5
51	2/9	Nabil Abu Khalil, 16	Atil, Tulkarm	?	Shot 2/8; body found 2/9
50	2/8	Abdelbasit Juma', 25	Kaddum, Nablus	S	At entrance to village
49	2/7	Tysir Jarrad Awad, 18	Beit Ummar, Hebron	M	Demonstration
48	2/7	Moh'd Ibrahim Shweiha, 25	Beit Ummar, Hebron	M	Demonstration
47	2/7	Imad Khader as-Sabarneh, 22	Beit Ummar, Hebron	M	Demonstration
46	2/6	Asmaa Abdul Ati Sharif, 17	Arroub Ref. Camp, Hebron	?	Shot in her home
45	2/6	Tamer Dasuki, 10	Burka, Nablus	M	Shot in house 2/4
44	2/3	Ibrahim Mansour, 26	Balaa, Tulkarm	M	Demonstration
43	2/3	Asmaa Ibrahim Sabuba, 25	Anabta, Tulkarm	M	Demonstration (?) 2/1
42	2/1	Murad Hamdallah, 17	Anabta, Tulkarm	M	Demonstration
41	2/1	Muiyyad Sha'ar, 21	Anabta, Tulkarm	M	Demonstration
40	1/15	Moh'd Ramadan Tubaza, 18	Nuseirat Ref. Camp, Gaza	M	Demonstration
39	1/15	Ibrahim Abu Nahal, 31	Sheikh Radwan, Gaza	M	On Roof of Home
38	1/14	Ahmed Ali Obeiyat, 40	Qissan, Bethlehem (from Beit Lahiya)	M	Shot protecting sheep
37	1/13	Ramadan Sobeih, 14	Beit Hanoun, Gaza	M	Food convoy
36	1/13	Hussein Mustafa Ma'ali, 19	Kufr Na'ama, Ramallah	M	Demonstration
35	1/13	Kameil Naji	Qabatiya, Nablus	M	Beaten/shot (left home 12/31)
34	1/12	Mohammad Yusef Yazuri, 30	Rafah, Gaza	M	Stabbed soldier
33	1/11	Rabah Hussein Ghanaam, 17	Beitin, Ramallah	S	Shot by mayor of Jewish settlement

#	Date	Name, age	Residence	by	Context
32	1/11	Ata Mustafa Khader, 25	Khan Yunis, Gaza	M	Demonstration
31	1/11	Bassel Yazuri, 23	Rafah Ref. Camp, Gaza	M	Demonstration (shot 1/10)
30	1/11	Mohammed Fayad, 20	Khan Yunis, Gaza	M	Demonstration (shot 12/16)
29	1/10	Ismael Khalil Abu Lulah, 54	Rafah, Gaza	M	Demonstration (shot 12/14)
28	1/10	Touqan Musabah, 32	al-Sheja'ia Quarter, Gaza	S	Standing by his shop
27	1/09	Basaam Khadr Musalem, 27	Bani Suheila, Gaza	M	Demonstration
26	1/08	Khaled al-Awawdi, 22	Breij Refugee Camp, Gaza	M	Demonstration
25	1/07	Mazen Ismail Musalam, 17	Maghazi Ref. Camp, Gaza	M	Demonstration ag. obstructed relief
24	1/05	Ali Moh'd Dahlan, 18	Khan Yunis Ref. Camp, Gaza	M	Demonstration against expulsions
23	1/03	Hanieh Ghasawne, 25	al-Ram, Jerusalem	M	Shot in home by soldier
22	12/29	Mustafa al-Beik, 19	Jabalya Ref. Camp, Gaza	M	Demonstration (shot 12/22)
21	12/22	Khaled Hmeid, 17	Jabalya Ref. Camp, Gaza	M	Demonstration
20	12/22	Mahmud al-Qaissi, 19	Jenin Ref. Camp, Jenin	M	Demonstration (shot 12/21)
19	12/21	Yusef Ararawi, 24	Jenin Ref. Camp, Jenin	M	Demonstration
18	12/21	Bassem Suwafta, 18	Tubas, Jenin	M	Demonstration
17	12/21	Nazek Suwafta, 17	Tubas, Jenin	M	Demonstration
16	12/21	Raed Shihade, 16	Gaza City	M	Demonstration (shot 12/9 in head)
15	12/18	Maisara Batniji, 26	al-Sheja'ia Quarter, Gaza	M	Demonstration
14	12/18	Abdul Salaam Iftakha, 29	Breij Ref. Camp, Gaza	M	Demonstration
13	12/16	Atwa Abu Samhadaneh, 20	Rafah, Gaza	M	Alleged attack on soldier
12	12/15	Nafez Iktafan, 15	Deir Balah, Gaza	M	Demonstration
11	12/15	Talal Hwehi, 17	Beit Hanoun, Gaza	S	Demonstration
10	12/15	Ibrahim Mahmud Sakhle, 25	Jabalya Ref. Camp, Gaza	M	Demonstration
9	12/15	Khaled Abu Taqiyeh, 22	Jabalya Ref. Camp, Gaza	M	Demonstration (shot 12/14)
8	12/15	Abdul Malek AbuHussein, 23	Khan Yunis, Gaza	M	Demonstration (shot 12/12)
7	12/14	Hassan Jarghun, 22	Khan Yunis, Gaza	M	Demonstration
6	12/11	Suhaila Ka'bi, 53	Balata Ref. Camp, Nablus	M	Demonstration (shot in head)
5	12/11	Ali Musa'ed Abdallah, 14	Balata Ref. Camp, Nablus	M	Demonstration (shot in head)

#	Date	Name, age	Residence	by	Context
4	12/11	Sahar Jirmi, 19	Balata Ref. Camp, Nablus	M	Demonstration (shot in chest)
3	12/10	Ibrahim Ekeik, 18	Nablus	M	Demonstration (shot in head)
2	12/10	Wahid Abu Salem, 13	Khan Yunis, Gaza	M	Demonstration (shot in head)
1	12/09	Hatem al-Sissi, 15	Jabalya Ref. Camp, Gaza	M	Demonstration (shot in chest)

Deaths from Other Causes

33	3/2	Suleiman Abdul Ghanni Taher	Baka Sharqiyeh, Tulkarm	M	Tear gas (cannister?)
32	2/25	Yusef Tawfiq Zaid al-Kilani, 21	Yaabad, Jenin	M	Beaten
31	2/21	Ahmad Sadek Abu Salheia, 55	Nablus	M	Tear gas
30	2/17	Rana Mahmud Adwan, 3 mos.	Rafah Ref. Camp, Gaza	M	Tear gas
29	2/14	Mohammad Mahmud al-Ra'i, 62	Gaza City, Gaza	M	Tear gas 2/13
28	2/9	Khader Elias Tarazi, 19	Gaza City, Gaza	M	Beaten
27	2/8	Iyad Mohammad Akel, 15	Breij Ref. Camp, Gaza	M	Beaten (taken from home)
26	2/7	Rami Aklouk, 15	Deir Balah Ref. Camp, Gaza	M	Head wound, beaten 2/6
25	2/4	Mohammad Mahmud Badran, 34	Jabalya Ref. Camp, Gaza	M	Head wound, beaten 12/9*
24	2/1	Abd Yusef Salaah, 70	Suwani, Jerusalem	M	Tear gas 1/23
23	1/24	Fatmeh Suleiman, 55	Beit Safafa, Bethlehem	M	Tear gas 1/23
22	1/18	Subhiya Darwish Hashash, 52	Balata Ref. Camp, Nablus	M	Injured 12/20
21	1/16	Amna Darwish, 72	Gaza City, Gaza	M	Tear gas
20	1/16	Haytham Shakiru, 7 mos.	Qalqilya	M	Tear gas
19	1/16	Abdul Fatah Masqawi, 2 mos.	Qalqilya	M	Tear gas
18	1/14	Khaled Moh'd Shahin, 75 days	Gaza City, Gaza	M	Tear gas
17	1/14	Imad Hamdi Abu Asi, 15 days	Gaza City, Gaza	M	Tear gas
16	1/13	Fayruz Ahmed Shobaki, 11	Deir Amr Ref. Camp, Ramallah	M	Tear gas 1/12
15	1/12	Samer Ali Jumaa, <1 year	Deir Amr Ref. Camp, Ramallah	M	Tear gas
14	1/11	Amira A'skar, 35, 40 days pregnant	Jabalya Ref. Camp, Gaza	M	Tear gas
13	1/10	Wijdan Faris, 36, 9 mos. pregnant	Khan Yunis, Gaza	M	Beaten and tear gassed

#	Date	Name, age	Residence	by	Context
12	1/2	Miriam Abdu Awdllh Abu Zaher, 82	Jabalya Ref. Camp, Gaza	M	Tear gas 1/1
11	1/2	Khalid al-Qidri, 24 days	Khan Yunis, Gaza	M	Tear gas (twin brother to Fatme)
10	1/1	Ra'ed Obeid, 3 mos.	Jabalya Ref. Camp, Gaza	M	Tear gas 12/15
9	12/25	Abdallah Abdul Nabi, 70	Askar Ref. Camp, Nablus	?	Argued with soldiers on his roof, military alleges he fell to his death.
8	12/23	Amal Abdul Wahad Qaeisa, 2 days	Jabalya Ref. Camp, Gaza	M	Tear gas, turned blue
7	12/18	Khalil Mahsiri, 70	al-Bireh, Ramallah	M	Tear gas during al-Aqsa prayers
6	12/15	Majwa Masri, 18	Beit Hanoun, Gaza	M	Hit with tear gas cannister
5	12/12	Fatmeh al-Qidri, 4 days	Khan Yunis, Gaza	M	Tear gas (twin sister to Khalid)
4	12/08	Shaaban Nabhan, 26†	Jabalya Ref. Camp, Gaza	S	Crushed by army transport
3	12/08	Kamaal Hamoudi, 23†	Jabalya Ref. Camp, Gaza	S	Crushed by army transport
2	12/08	Taleb Abu Zeid, 46†	Maghazi Ref. Camp, Gaza	S	Crushed by army transport
1	12/08	Issam Hamoudi, 29†	Jabalya Ref. Camp, Gaza	S	Crushed by army transport

M = Military (border guards or army); S = Israeli settlers or civilians; ? = Unknown

*Apparently Badrun was beaten again 4 February. Needs confirmation from field work.

†These deaths, which were considered intentional retaliatory killings of Palestinians in Gaza, sparked the demonstration in Jabalya Refugee Camp on 12/09 which resulted in another Palestinian fatality and twenty-five injuries when soldiers confronted demonstrators with live ammunition. Many of those shot were schoolchildren below the age of 16. These events mark the beginning of the current uprising.

Serious Injuries

Estimates of the number of *reported* serious injuries ranged at about two thousand as of the end of January, but these estimates represent only a small portion of the number of people actually injured. A group of American physicians visiting the territories in February estimated the total number of injuries as perhaps 33 thousand on the West Bank and five thousand in Gaza. In general, Palestinians do not want knowledge of their injuries known, if at all possible, to prevent subsequent arrest. Medical treatment is also decentralized and record keeping incomplete. Checking on numbers of injuries has been hampered further by the imposition of curfews, preventing entry and exit to many sites.

Some examples: Seventy Palestinians were shot, resulting in serious injuries, on 10 January in Gaza alone. Half tracks and tanks roll through towns and refugee camps firing live ammunition. On 4 and 5 February in the village of Dura, in the West Bank, young people were fired on from helicopters, injuring three. A human rights worker visiting a refugee camp was mistaken for a doctor and asked to see a young man whose bullet wounds had been untreated for three days. One group of medical workers estimates that it has tended to some five thousand people informally.

Beatings

On 19 January Israeli Defense Minister Rabin formalized a policy which appeared to have been in effect for several days, that of severely beating randomly chosen people. "The first priority," he said, "is

to use force, might, beatings." Within two days of the announcement of the policy, hospitals in Gaza reported almost two hundred cases of broken bones being brought in for treatment. As of 27 January, more than one thousand serious injuries had been reported in Gaza alone. The beatings occur in a variety of conditions: Soldiers break into homes and beat whole families, including young children (the youngest reported beating is of an 18-month-old girl who received four stitches for a head wound); they round up the men from a given area and beat all of them; they choose people at random on the streets and beat them in public or in alleys. Initial publicity regarding the beatings evoked strong protest from the world community, including American Jewish leaders. Although the publicity and protest have subsided, the beatings themselves continue.

Tear Gas-related Deaths

The exact cause of tear gas-related deaths is uncertain. It could be that the deprivation of oxygen or the effect of the gas on blood circulation places a strain on sectors of the population at risk: infants, pregnant women and their unborn babies, old people, persons with respiratory or heart conditions. It may also be the result of toxins released (e.g., cyanide) when the chemicals break down. Type CS tear gas, which is in use, is lethal in high concentrations, especially in enclosed spaces. Its powder enters the respiratory system and lodges in blood cells, fatty tissues, and mucus membranes. Also the powder can stick to the skin and cause burning and welts on the body. Warnings against the use in enclosed spaces are on the tear gas canisters; nonetheless the gas continues to be used in high concentrations in enclosed areas.

This table does not include information in intra-uterine fetal deaths, which are becoming a serious concern. Physicians estimate that in Gaza alone there have been at least eighty fetal deaths in the last trimester of pregnancy among pregnant women exposed to tear gas. While hard epidemiological evidence is lacking, some significant connection between the tear gas and the stillbirths seems clear. UNRWA is beginning systematic study of the problem.

III:E

Proclamation No. 10 of the United National Command of the Uprising and the Palestine Liberation Organization, Occupied Territories of Palestine, 10 March 1988.

No voice above the voice of *al-intifadah* [the uprising]! Issued by the United National Leadership of the Uprising—[the Palestine Liberation Organization] PLO.

O masses of our heroic people, your glorious uprising is entering its fourth month and is destroying the myth of the invincible army, defeating daily the occupation politically and economically. Your stones are drawing the picture of the homeland with a free Palestinian will, which has defeated the conspiracy of [U.S. Secretary of State George] Shultz and his bloody plans against our people, our revolution and our rights, so that he had to return in disappointment from the glowing heat of the uprising. You succeeded in increasing the isolation of the occupation—the flux [sic] of Palestine has washed away all those who tried to avoid the PLO, the sole representative of our people. Through your glorious uprising, those near and far realize that America is our worst enemy and not a mediator; and you, our people, have proven to the entire world that we will not allow anyone to speak in our name and we will not permit betrayal of some of the Arab capitals, politically or militarily, to deprecate our continuing uprising. We insist on the right of the PLO to attend the international conference with the full rights and authority, represented by a separate delegation. And anyone who is dreaming of a seat at the table of Shultz will be spat out by the masses of the Arab population with its revolution and true Arab conscience. In this respect, we value and salute in the name of the Palestinian uprising the position of Algeria, the country of the martyrs, and its attack on the weak Arab [states'] positions and their

silence. We support [Algeria's] call for an urgent Arab summit, a summit of the uprising and its martyrs for the support of our people and its support with all physical and material means. We also value the position of all the free individuals of the world and all the Israeli progressive forces [which] have stood in different ways on our side in our long struggle for our rights, the right of return and self-determination and the building of an independent Palestinian state under the leadership of the PLO, our sole legitimate representative.

○ struggling masses of our people, from your trenches and arising out of the unity of our people and based on your call of direction, the Unified National Command of the Uprising places the following decisions in your trustworthy hands:

1. The unity of the masses of our people is the assurance for preserving the accomplishments of the uprising and its development. For this reason, we call on all our struggling people to continue in this way of struggle and unity of our people and all its power and in all its segments. We call you to strike the hand of any[one] who tries to take away this unity, whether by [circulating] false rumors or by deception. We call on you to organize additional popular committees and striking forces based on unified struggle.

2. We call on all our masses in the different areas to monitor the unified opening of all stores, gas stations, and sidewalk shops [. . .] for three hours daily, based on the conditions of every area.

3. When we called for workers in the department of the civil administration to resign, we intended [this] only [for] the department of police. We, therefore, repeat our call for all those who work in the police department to submit their resignations immediately.

4. We call [on] our heroic masses again not to pay their taxes, and accountants will be held responsible for not cooperating with taxation procedures. Our merchants are being called upon not to submit or prepare their tax forms and popular committees and committees of merchants will carry out this provision.

5. We call [on] our brave merchants not to deal with Israeli products or foreign products for which a local alternative can be found. [We call on them] to realize the importance of cooperation [among] the merchants and the local factory and the need for such factories to serve our people reasonably and not to attempt to exploit them. On the contrary, they are requested to reduce their prices, [so as] not to jeopardize the salaries of the workers or the hours of work, and not to fire them. With respect to the workers, the unions will ensure carrying out these provisions. We also call on the vegetable merchants at all levels to boycott Israeli agricultural produce and to buy local agricultural produce in order to support the steadfastness of our merchants. We also call upon all segments—the merchants, the factories, the doctors, the pharmacies, the medicine factories, and the lawyers—to reduce their prices to the masses. This is the time for full solidarity [among] all the different sectors of our population.

6. We call on the masses to reduce the Zionist pressure on the areas under siege, through struggle and moral and material support to those areas.

7. Strengthen the hold of our masses against the army of occupation, its settlers, collaborators and the lackeys of the Jordanian regime. We are proud of the record of our people in punishing them and forcing them to recant by announc[ing their recantations] in mosques and churches and before popular committees. We also call upon the delegates to the Jordanian parliament who were appointed by the king to represent our people to announce their immediate resignations and to return to our people, otherwise they have no place in our land.

8. Each area shall determine the moment for resuming attendance at its schools, colleges and universities according to its special conditions, provided that school attendance shall be limited to three days in the morning, until 11:00 a. m. , the same as the other sectors of our struggling people.

9. Apart from this, we wish to reiterate the decisions we issued in Proclamation No. 9:

To the heroic masses of the uprising, on the basis of the uprising, we wish to announce the following:

1. The days of uprising have [approached levels] of heroism for our people in its struggle against occupation, its settlers, and its collaborators.

2. The day of 14 March 1988 shall be a day of solidarity with Palestinian prisoners and wounded of the *intifadah*, whereby we will hold sit-ins and visits with the families of those who were wounded and in prison and support them materially and morally.

3. Tuesday and Wednesday, 15th and 16th of March shall be a full strike under the slogan: "No Alternative to an Independent State Led by the PLO, Our Sole Representative."

4. 21 March 1988 [will be] the day of the memory of [the battle of] Karamah, a day of Palestinian dignity, the day of the most severe confrontations with the occupation.

Long live the PLO, our sole legitimate representative of our people.

Glory and immortality to our martyrs and the martyrs of the operation [by the Mossad assassins in Cyprus, February 1988].

Let us continue on the road of the *intifadah* until victory.

Revolution until victory and liberation.

IV. Documents on Indigenous Peoples

IV:A

Statement of Traditional Hopi Elders, Hotevilla, North America to Thirty-Ninth Session of United Nations Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Geneva, 18 August 1987. (Excerpt)*

Hopi have an ancient spiritual mission to fulfill, namely to deliver our prophecy to the House of Mica, our name for the United Nations. The Hopi prophecy instructed us to find a pathway into the House of Mica, a place on the eastern shore, where leaders of the world gather to resolve the problems of the world. Our prophecy is both a plea to the world to save our culture from extinction and a warning to the rest of the world. According to our prophecy, Great Spirit placed certain people on each of the continents and instructed them to maintain a primitive life style with nothing more than a loin cloth, a jug of water, some seeds and a planting stick. According to Hopi prophecy, when any one of these people

* Document No. E/CN. 4/Sub. 2/1987/NGO/11.

vanish, or is otherwise prevented from maintaining his aboriginal life, it will create an imbalance in the world and will trigger the end of the world. In a nutshell, when there are no longer people living in an aboriginal manner on any one of the continents, we will have gone past a point of diminishing returns, technologically speaking, and we will begin to destroy our own natural habitat as a species in nature.

Hopi were instructed to attempt to find their pathway into the United Nations only four times and if we failed, to throw the matter behind us in the direction of the setting sun, the direction of death, and to leave the matter to nature. On our fourth attempt, we succeeded in securing an appointment at the United Nations in New York, on 30 September 1985, to deliver our prophecy to a special conference arranged by the NGO Liaison Service.

As a result of that day and a meeting with the Centre for Human Rights, we have filed a complaint with the Commission on Human Rights against the United States of America, reference No. G/SO 2L5/1 USA, under Procedure 1503 for racial discrimination against us and all other native Americans as aboriginals. In the interest of preserving our aboriginal life style and in that of our fellow indigenous peoples on other continents, we wish to propose the following:

The sub-commission should conduct an evaluation of the codes of law of each member state to determine whether the State embodies within its code of law any forms of legal discrimination against the indigenous minority populations living within its political borders. For example, according to United States' Trust Doctrine, the Supreme Court has assigned all native American tribes a "unique status," that of "ward to guardian". (See *Rights of Indians and Tribes* published by the American Civil Liberties Union.) According to the Supreme Court interpretation of the law, all native American tribes, being "wards," must obtain the approval of their "guardian," the secretary of the interior, for their choice of legal representative. This denies native Americans, as a race, equal access to the law because they cannot freely choose their own legal counsel.

Another example of how the Trust Doctrine, when implemented, is a form of legal racial discrimination is the fact that according to the trust policy, the United States government has *absolute* power, to extinguish all Indian land titles, at any time, in any manner, without the consent of the tribe and that any acts of Congress extinguishing Indian land titles are not reviewable in any court. As a race, therefore, native Americans are denied due process of law and do not have the protection of the normal checks and balances that other types of legislation offer.

To see how these two factors alone adversely affect the traditional Hopi in a current situation, recent legislation PL-93-531, calling for the relocation of 2,980 Navajo families from land formerly exclusively Hopi, is an act of Congress which extinguishes the land title in an area formerly designated a Joint Use Area. PL-93-531 was enacted to enforce a federal court decision in a suit allegedly brought by the Hopi against the Navajo. Both tribes were required to obtain the approval of their guardian, the United States, for their choice of legal counsel in this suit. Without free choice of legal counsel for both parties, the court's decision loses its validity. When you consider that the agent exercising veto power over a tribe's choice of attorney is also the agent conducting the trial, one can hardly consider this equal access to the law.

When one adds to this the fact that the agent approving attorneys for tribes and conducting trials is also the agent who "protects" the tribes' mineral revenues in special trust accounts in Washington, the impartiality generally required in a "fair" trial is completely

absent. This is both *de jure* and *de facto* discrimination on the basis of race. In the instance of Hopi-Navajo PL-93-531, revenues from the coal resources being mined are kept in trust accounts in Washington for both tribes and can only be spent with their guardian's approval. We maintain that the United States Trust Policy is just such a form of legal discrimination against us.

We object strongly to the acts of any state which exercises *absolute* power to extinguish indigenous land title, without due process of law, because this is the most powerful means of eradicating an indigenous population. For the protection of indigenous populations, we wish to propose the following:

That the voluntary fund to facilitate the travel of indigenous representatives to conferences at the United Nations be expanded to include the travel expenses of specially appointed regional teams to travel to those indigenous peoples who have requested that the Commission on Human Rights investigate their situation. These regional teams could be specially appointed volunteers from NGOs with consultative status who would conduct a preliminary inquiry and serve as *ad hoc* liaison between the indigenous populations and the offending state. We suggest this because of the special difficulty it creates to an aboriginal to travel in the modern world to a very distant place and participate in a Western academic process. To be sure that all who need help receive it, we think the sub-commission should be prepared to go to them, if possible, and to liaise and mediate for them in a crisis situation, such as the imminent forced relocation of 2,980 Navajo families.

IV:B

Indigenous Declaration of YATAMA (Yapti Tasba Masraka Nani Asla Takanka), Yapti Tasba, Nicaragua, 7 September 1987.

The organization YATAMA (Yapti Tasba Masraka Nani Asla Takanka) and its armed wing, the Atlantic front of the Miskito, Sumo, Rama and Creole peoples of Nicaragua who are deep within a process of survival and historical [vindication] against the ideological-military aggression of the Sandinista Front, given the current political situation and the regional peace effort, announce to the national and international public opinion the following:

1. From 11–16 June of this year we celebrated in Rus-Rus, Moskitia, the general congress of our communities which resulted in the successful reunification of our groups and leaders under one organization, "YATAMA."

2. Once more we made clear that the indigenous v. revolution-Frente Sandinista de Liberación Nacional (FSLN) conflict [arose] from the systematic aggression and denial of the historical rights to land and self-government that our communities suffer at the hands of the Managua regime.

3. Our communities have suffered more than any other sector and at the same time have been the most heroic against the aggressor totalitarianism of the FSLN. In effect, during more than six years through our Indian combatants who are the very sons of the communities, we have developed an unbreakable [indomitable] resistance forging in that way our survival and liberty.

4. On the basis of our disposition towards peaceful solutions, we enthusiastically support the peace plan of the presidents of the [Central American] isthmus entered into on 7 August [1987] in Esquipulas, Guatemala. At the same time, [we appeal] to the interests of involved

parties in the conflict and in its solution to work with sound good will and within the faithful accomplishment of the commitments of this plan, which expressed the yearning for liberty and for peace of the peoples of Central America.

5. With all due respect we urge the authors of the plan to consider the particular situation of the Indian peoples within the national context of each country in the area. In the specific case of Nicaragua, within the plan of pacification and democratization of the country, we urge that the FSLN v. YATAMA conflict be included, the renewal of the peace negotiations between both parties.

6. We urge the friendly governments, international organizations, notable personalities, and free peoples to actively support our efforts to restore peace with historical justice for the Indian and Creole nations. Concretely, we urge the presidents of Central America, the International Commission of Verification and Pursuance [follow-up], and the National Commission of Reconciliation, that the solution of the Indian v. FSLN conflict be an integral part of the solutions for national or regional peace.
 “National Peace with Justice for the Indian.”

IV:C

Declaration of First Nations Indigenous Peoples [of the Commonwealth] Conference, Musqueam Indian Reserve, Musqueam [Vancouver], 11 October 1987.

We, the representatives of the First Nations Indigenous Peoples, meeting at Musqueam [Vancouver], 8–11 October 1987,

Recognizing that indigenous people together constitute one of the largest and most vulnerable populations in the world;

Realizing that the experience of the First Nations of the Commonwealth, since the arrival of the colonizers on our shores until the present day, attest that we all still live under colonial conditions;

Reaffirming that the treaties concluded by our ancestors on behalf of our nations and peoples with the colonizers constitute recognition of the sovereignty of the First Nations and of our distinct juridical personality, which confers upon us inherent and inalienable civil, political, economic, social and cultural rights under national and international law;

Reiterating that we consider these international treaties to be sacred, inviolable and legally valid;

Rejecting categorically as falsehood the concept of *terra nullius* used as a legal pretext for the colonizers' claim to aboriginal lands and waters in the absence of any consent or treaty with the indigenous peoples; and,

Emphasizing the great importance of implementation by Commonwealth governments and competent authorities of the indigenous treaties, as well as of observance and implementation without any discrimination of the international human rights instruments to which the Commonwealth states are parties;

Remain determined to resist assimilation and integration into the larger society of the states in which we live, which result in the termination of a people;

Demand our full and just rights as nations and peoples;

Deplore the consistent and continuing violations by some commonwealth governments of their treaty commitments by enacting contrary legislation, regulation and policy;

Condemn every state that commits a crime of genocide, anywhere and at any time;
Denounce all forms of racism institutionalized and legislated by states, and having genocidal and ethnocidal consequences for our people, as in the following measures:

- (1) denial of the inalienable right to self-determination;
- (2) failure of states to fulfill their treaty obligations concerning the recognition of land rights to some specific First Nations;
- (3) expropriations of land and forced displacement of our populations, in some cases resulting in the reduction of native communities to landless people;
- (4) refusal to recognize group rights and indigenous forms of land rights and jurisdiction;
- (5) policies and practices which seek to establish alternative bodies to replace the legitimately chosen leadership of our nations; and,
- (6) the continuing practice of disseminating defamatory propaganda through educational, cultural, official and other media.

We, representatives of the First Nations Indigenous Peoples, however, are encouraged by the efforts of the United Nations Working Group on Indigenous Populations to elaborate basic principles which will be included in a United Nations declaration for states to implement, in order, *inter alia*, to resolve the tense relations existing between our nations and the peoples represented by the commonwealth governments.

Therefore, we call upon the commonwealth governments fully to support all activities of the United Nations Working Group on Indigenous Populations aiming at the recognition and effective protection of indigenous rights; and we further call upon the commonwealth governments to make every effort to ensure that the above-mentioned declaration be adopted by the United Nations General Assembly as soon as possible.

Further, the First Nations Indigenous Peoples living within the commonwealth countries, at their historic first meeting at Musqueam [Vancouver], propose the following practical measures with a view to achieving mutual understanding, harmony and fruitful cooperation between the First Nations indigenous peoples [and] the commonwealth governments:

That the commonwealth heads of government hold a conference on indigenous rights and freedoms prior the 1989 Commonwealth Heads of Government Meeting, involving the full participation of legitimate, indigenous peoples' representatives;

That the present Commonwealth Heads of Government Meeting establish a standing Indigenous Rights Committee, assigned, *inter alia*, the following responsibilities and competences:

- (1) to undertake studies and hold seminars on indigenous issues;
- (2) to review reports which should be regularly submitted by commonwealth States on indigenous situations, and report on all national legislation affecting indigenous peoples, their land and rights in general;
- (3) to receive and investigate indigenous complaints of violations of human rights and fundamental freedoms and propose appropriate and effective remedies;
- (4) to monitor state-indigenous relations and the negotiation of certain rights, and to make recommendations in connection with state legislation to provide for a legal and just settlement of land, natural resources and territorial disputes by an independent tribunal and for proper and fair procedures relating thereto.

IV:D

Statement of Ad-Mapu to the United Nations Special Rapporteur on Human Rights, Temuco, Chile, 16 December 1987. (Excerpts)

The National Organization of the Mapuche Ad-Mapu People of Chile held an interview in Temuco on 19 December 1987 with the UN special rapporteur on the situation of human rights in Chile, Mr. Fernando Volio, in order to report on and denounce the tragic political, economic, and social situation confronting the Mapuche people.

The systematic violation of the most basic human rights of the Mapuche people has been aggravated in the last fourteen years by the government of the military dictatorship, whose policy of ethnocide imposed under legal decrees 2568 and 2750 divides and subdivides the lands of the communities.

Historically, the Mapuche people have been the object of intense discrimination and the permanent removal of their lands. All the laws have been imposed in a damaging manner by cutting off their lands, a situation which has made it possible to reduce the people to total poverty with all its consequences. One exception was Legal Decree 17.729, promoted by the Popular Unity government of Dr. Salvador Allende, which was the accomplishment and product of the Mapuche people themselves who considered reclaiming political, social, economic, and educational aspects. Through this legislation the Mapuche people had the opportunity to recover 75,000 hectares of land.

All the infringed rights and permanent violations to the human rights of the Mapuche people are the products of current law 2568 put into force in 1979. It left the previous law obsolete (Legal Decree 17.729) and used the excuse of legislating the supposed development of the Mapuche people and their integrity, that in practice has become a consistent policy of intimidation, separation, eviction, and frequent and massive entries and searches in all the provinces.

The Chilean people recognize through social and political organizations the existence of the Mapuche people, that we make up 10 percent of the total population, we have characteristics peculiar to us, and therefore we will endeavor to achieve our autonomy and self-determination. . . .

Having pointed out these elements we feel that spokesperson Fernando Volio will consider the individuality of the Mapuche people and their position within their boundaries. These documents contain accurate and reliable facts.

Conflicts Confronting Some of the Mapuche Communities

1. Pehuenches

The Pehuenches Mapuches are threatened with dispossession and extermination due to the installation of hydroelectric dams.

The Pehuenches Mapuches are located in the high cordillera of the Andes, in the province of Bio-Bio, region VIII of the country, and occupy a territory made up of ten communities, with a total of ten thousand inhabitants. In the years they were granted homestead rights, they were expelled from the fertile, flat lands of Bio-Bio with the clear purpose of separating them from the rest of the Mapuche communities, as well as the rest of society. In spite of the fact that these lands did not even contain the minimal conditions for

survival, our people were able to overcome great adversity thanks to the deep feeling for community and traditions that has characterized our people throughout their existence. . . .

Therefore, we are once again the object of dispossession without consideration for the minimal respect for human life and the natural development of our people based on our own culture.

By seeking to impose a new eviction law, using the pretext of national progress and development, by planning the installation of hydroelectric plants within our communities, the following communities are therefore forced to abandon their sacred lands: Callaqui, Ralco Lepoy, Ralco Pocura, Pitiril, Cauniku, Malla Malla, Trapa Trapa.

The consequences of having these proposals come to fruition cannot be calculated. First: the fraternal coexistence of the community will be immediately destroyed, as well as the destruction of our language by the scattering of the community and the destruction of sacred sites for the practice of religious ceremonies, rain making ceremonies, hockey games (*chueca* games), cemeteries, etc.

Second: the immediate destruction of the environment by interrupting the nature of the normal development of the ecosystem, a necessary and indispensable condition for the survival of our people.

2. *Lautaro Lumaco Cooperative*

Located in the Lumaco commune, Malleco Province, Region IX, it is made up of seven communities: Pilin Mapu, Nancuqueo, Anadela, Liucura, Hueico, San Gerardo and Renico, with a total of 5,550 hectares and a population of over one thousand.

As is logical to assume this land has historically belonged to the Mapuche people. In 1968, these lands were recovered by their rightful owners. They were legally formed into a community cooperative in 1968, and from that moment there was flourishing development within its borders, substantially improving the standard of living of all its members.

As a result of the 1973 *coup d'etat*, the progress of this cooperative was suddenly interrupted when all its leaders were imprisoned. Then all its goods were placed under government control and sold: animals, machinery, infrastructure. As if this were not enough, a liquidating committee was forced on them which later would be responsible for the total destruction of the cooperative.

The regime supported in the legal decrees imposed on our people, including 2568 and 2750, divided said cooperative, using incredible measures, leaving on the margin the great majority of its true and legitimate owners, finding protection in an arbitrary manner and resorting to all its repressive elements. Towards the end of 1986 and the beginning of 1987, the plans of the dictatorship were carried out at all costs, by completing its division into lots. Today it is converted into individual property, excluding, as we have indicated, most of the real owners.

Recently, on 16 November [1987], the Marileo and Avendano families were visited by two *carabiniero* (national police) squads of Captain Pastene in charge of the lieutenant of said reserve corps and a civilian, the magistrate of Traiguen, who ordered our brothers to abandon the lands on Monday, 21 December 1987.

The families threatened with eviction are: Lorenzo Marileo, eighteen people, and Fernando Avendano, eight people, totaling twenty-six people.

Loncoyan Grande and Hueico Chico.

Located in the Puren commune, Malleco Province, Region IX, these people live greatly reduced in their communities after they were expelled from their community lands in 1976. They have over one thousand people.

Until 1976, these communities lived as a community in the "Pelantaro" Settlement with approximately 3,000 hectares. The entire time they held onto their lands were years of prosperity, attaining the highest levels of production and productivity in agriculture and livestock, thus bringing their social position to the highest level ever attained. All this would end because of a special liquidating committee responsible for the selling of their goods, ending with the expulsion from the lands of all the Mapuches.

In 1984, overwhelmed by their extreme poverty and tired of so many formalities to win their lands, they resolved to regain their lands directly. This sacred right to regain their lands crystallized in July 1986, upon the recovery of 500 hectares where our sacred tree (the *rehue-canelo*) and the hockey field (*chueca*) were set up. They work as a community and spring flourishes again with wheat, barley, and bread.

This legitimate right for our survival cost our brothers from Loncoyan Grande and Hueico Chico blood, imprisonment, searches, injuries, and all kinds of suffering, but the decision was made and we will not renounce it until all our usurped lands are won.

3. *Paicavi Chico*

Located in the Contulmo commune, Arauco Province, they have 114 hectares, and a total of seven families adding up to 140 people.

The Mapuches in this community have historically lived on these lands. Nevertheless, on various occasions they have been threatened with eviction. The first time was in March 1983, when these lands were sold behind their backs to usurping merchants from Chillan. The purpose of this usurpation was frustrated thanks to the timely mobilization of the commune dwellers themselves, the solidarity of all the Mapuches of the province, and the determined and courageous intervention of the national leadership of Ad-Mapu.

At this time once again this community is threatened with usurpation. Now it is the government organism INDAP (Agriculture and Livestock Development Institute) which, by relying on laws of division, seeks to award twenty-eight hectares of land to a usurper with the consent of the mayor of Contulmol. The members of the Paicavi Chico community, the Mapuches of the Arauco province and the Ad-Mapu Organization declare once more: This will not take place!

On Saturday, 12 December 1987, repressive forces arrived at 9:00 a.m. in the Huape community, Contulmo commune. These forces were made up of *carabineros*, soldiers, and civilians heavily armed to enter and search the Antiguay family home. Pablo Antiguay and his four children, Leoncio Antiguay, Bernardo Antiguay, Ricardo Antiguay and Aurora Antiguay were arrested. All are being held in the military prosecutor's office of Lebu.

\$100,000 in cash, a radio, and property deeds were taken away. Their lodging was completely destroyed under the pretext of searching for weapons.

4. *Lepileo Valdivia Community*

The Lepileo community is located in the Valdivia Province in the Panguipulli commune, Region X. It is made up of six families, with a total of thirty people, and 206 hectares.

In 1908, they were granted Homestead Rights. Don Antonio Lepileo was named chief of the community. He had eight children, only three of whom survive today.

In 1914, the first usurper arrived in the community. He depended solely on the kindness of the authorities, and thus more and more came; i.e., the place was invaded by various foreign settlers, occupying the lands that were the most fertile and which had the greatest resources. From that date, the property owners remained on the margin of their rights. The usurpers used the courts to get the Mapuches to face judgments against them.

In 1930, they were summoned to court, and did everything they could to legalize the usurpation, which they achieved and continued so as to affirm their purpose. They were exempted by a gentlemen named Monje. The courts became direct accomplices in the snatching of the land. The Mapuches have been victims for a long time, and their fate does not matter.

There have been many judgments and usurpers. The Mapuches have been greatly impoverished, although they have continued to live on their lands, which legitimately belong to them, since they are the first inhabitants of these lands which today are known as Chile.

These six families are again threatened with eviction. On 18 June 1987 they will have to abandon the area. This injustice was able to be halted by the mobilization of the community itself and others who displayed solidarity, as well as the huge presence of students from Austral de Valdivia University. Facing the impossible task of achieving their objectives, they showed that the eviction would be carried out on the 24th of the month. These intentions were completely rejected as there was a massive mobilization of all the communities in the province and students in the region.

Tayos Bajos Sector

On 13 November 1987 at 10:30, fifty *carabineros*, dozens of civilians heavily armed with combat equipment, and police dogs arrived at the Mira Herrera community of the Tayos Bajos Sector of the Panguipulli commune, Valdivia Province, Region X. They were accompanied by the criminal judge of Los Lagos, Mr. Juan Haroldo Rios, and the receiver, Yecor Soto, in order to violently evict seventeen families adding up to a total of seventy-four people. Nine people with serious bullet wounds were arrested: Brigida Herrera Delgado, aged 35, thirteen buckshot wounds; Benedicto Mira Asenjo, 28, serious condition, bullet wounds and a broken leg; Matias Calficura, 60, with buckshot wounds in both legs; Maria Rosario Mira Carcamo, 75, serious condition with blows to the head; Jose Mercedes Mira Carcamo, 73, serious condition with buckshot wounds in his body and blows to the head with loss of consciousness; Mario Riquelme Silva, 55, seriously wounded with broken ribs; Eusebio Lepileo Carreno, 54, wounded with blows and arrested.

Also arrested were Elena Hilda Herrera Delgado, Elizarso Mira Asenjo, Efrain Herrera Delgado, and Aladin Lepileo Carreno.

In addition to evicting these families, the repressive force destroyed their property and household goods and took away tools, food, and clothing which were not returned.

5. *Huilliches*

The Catrinhuala community, located in the Rio Negro commune, Osorno province, has approximately 19,000 hectares and sixty families with an average of six people per family.

These lands have been inhabited by Mapuches since time immemorial. 1945 saw the beginning of the first conflicts where private companies appeared, developing and occupying the only resource of the sector, wood. The Mapuches own land titles, which makes any operation by people outside the community fraudulent. They face many problems including isolation, a high level of illiteracy, child malnutrition, and others.

The private companies have relied on repressive forces to evict the inhabitants. In 1986 they were going to sell the property in the city of Santiago. It proved to be impossible due to the show of solidarity and the inhabitants' decision to continue to live on their lands.

The only means for these communes to subsist is the exploitation and working of wood. In accordance with this, CONAF recently required them to have a forest management plan, which was very expensive. The money could not be obtained.

In view of this tragic economic and social situation the Mapuches live and continue working. CONAF has filed an order in the courts to stop them.

IV:E

Statement of Traditional Hopi Village of Hotevilla, North America to Thirty-Ninth Session of United Nations Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Geneva, 14 March 1988.*

The sub-commission [on Prevention of Discrimination and Protection of Minorities] heeded the Hopi plea for help [and] decided to accept the invitation of these elders to appoint two observers from the sub-commission to attend and observe all congressional hearings on legislation relevant to the issue of relocation of Hopi and Navajo [people], pursuant to P[ublic] L[aw] 93-531, and to report back to the sub-commission at its next session. Although the U.S. Department of State, Bureau of Human Rights was asked for help in obtaining notice of the hearings, this office misinformed [the] Hopi that there would be no further hearings for the remainder of the legislative year. This was not correct.

A request for notification of the hearings schedule was also made to Senator Daniel Inouye, chairman of the Senate Select Committee on Indian Affairs, and to Congressman Morris Udall, chairman of the House Committee on Interior and Insular Affairs. No reply was received and Senator Inouye conducted a hearing on his own bill, S-1236, calling for completion of relocation. Neither the Traditional Hopi nor the sub-commission observers were able to attend the hearing because of not being told of the hearing, in spite of requesting notice. Because of the U.S. lack of cooperation in this matter, Traditional Hopi have refiled their complaint against the U.S. [government] with an addendum, complaining about the U.S. obstructing them from testifying and from having the sub-commission observers present. They have also made the following proposal to the Commission [on]

*Letter of Edmund E. Atkins, United States Department of State, Bureau of Human Rights (on behalf of Amb. Richard Shifter), 26 October 1987—Ed.

Human Rights, requesting that special advisory services be made available to indigenous populations. Their proposal is coupled with a formal request to UN advisory services for technical assistance in learning their human rights in this instance of imminent relocation.

Editor's Note: Supporters of the Traditional Hopis' efforts to preserve their cultural identity may write in support of their complaint to Mr. Jacob Moller, Chief of Communications Unit, United Nations, 1211 Geneva 10, Switzerland. Supporters may also write to U.S. Department of State, Bureau of Human Rights, Washington, DC 20520, requesting the State Department to facilitate the Hopis' testimony at hearings and the Traditional Hopis to appoint and have present two observers.

EAFORD Activities

In this section, Without Prejudice offers a biannual summary of educational and informational activities of the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) on the issue of racism and racial discrimination. This serves as a record of EAFORD's contributions toward the promotion of international law and the work of the United Nations which seeks to combat racism and its effects.

Cooperation with United Nations Bodies and Agencies

The International Organization for the Elimination of All Forms of Racial Discrimination has maintained contact with and cooperated in United Nations activities, including UNESCO, the Commission on Human Rights, as well as seminars and conferences organized by UN agencies in the following:

- (a) Fourth International NGO Symposium on the Question of Palestine, Geneva, 7–9 September 1987;
- (b) Division for Palestinian Rights, UN Secretariat, New York;
- (c) Centre against *Apartheid*, UN Secretariat, New York;
- (d) Centre for Human Rights, UN Secretariat, New York;
- (e) Conference of Non-governmental Organizations (CONGO), New York and Geneva;
- (f) Commission on Human Rights, Geneva.

Association with Other Non-governmental Organizations

EAFORD has been engaged in a number of activities with other non-governmental organizations (NGOs) and is a full member of:

- (a) NGO Committee on Human Rights (Geneva);
- (b) NGO Sub-commission on Racism, Racial Discrimination and *Apartheid* (Geneva);
- (c) EAFORD's president also serves as a member of the bureau of the Arab Lawyers Union and the Federation of Arab Jurists, both in Consultative Status with the UN.

EAFORD has also contributed to international anti-discrimination efforts by participating with other NGOs in the following:

- (a) The NGO process on the question of Palestine through the United Nations Division for Palestinian Rights;
- (b) Continued support for, and cooperation with, American Jewish Alternatives to Zionism (New York) and Mouvement Québécois pour combattre le racisme (Montréal);
- (c) Cooperation with and support for relief efforts of Grassroots International (Cambridge, MA) in South Africa and Palestine;
- (d) Washington Office on Africa, Second Annual Martin Luther King, Jr. Symposium on Southern Africa;
- (e) Committee for Justice [to stop McCarran-Walters Act deportations] (Los Angeles);
- (f) Alternative Information Center (Jerusalem);
- (g) Jane Hunter/*Israeli Foreign Affairs* publications project;
- (h) DataBase Project on Palestinian Human Rights;
- (i) First Nations Commonwealth Conference (Musqueam/Vancouver);
- (j) Big Mountain Legal Office, In Defense of Sacred Lands Project (Flagstaff, AZ);
- (k) *Ad Hoc* Working Group on the Image of Arab and Muslim People in Western Popular Culture (formed at Geneva);
- (l) Committee against Terrorism at Sea (Jerusalem);
- (m) Survival International (London and Washington);
- (n) Congressional Black Caucus (Washington);
- (o) Trickle Up Program (New York);
- (p) Tierra de Hombres (Quito, Ecuador);
- (q) Mobilization for Survival (New York);
- (r) ADMAPU (Mapuche people's organization) (Temuco, Chile);
- (s) *Najda*: Women Concerned about the Middle East (Berkeley, CA);
- (t) Lelio Basso Foundation for the Rights and Liberation of Peoples (Rome).

Conferences, Seminars and Symposia

EAFORD has participated at various levels in the following:

- (a) European NGO Meeting on the Question of Palestine, Geneva, 3–4 September 1987;
- (b) Meeting on Health Situation and Needs in Lebanon, Geneva, 5 September 1987;
- (c) Fourth International NGO Symposium on the Question of Palestine, Geneva, 7–9 September 1987;
- (d) Palestine Human Right Campaign Annual Conference, Washington, D.C., 18–20 September 1987;
- (e) First Nations Commonwealth Conference, Musqueam/Vancouver, 8–11 October 1987;

- (f) International Anti-Apartheid Forum—Bambata Committee, Ouagadougou, Burkina Faso, 8–11 October 1987;
- (g) Parallel Commonwealth Conference on Southern Africa, Vancouver, 10–18 October 1987;
- (h) Board Meeting of Conference of Non-governmental Organizations (CONGO), Geneva, 22–23 October 1987;
- (i) Middle East Studies Association Conference, Baltimore, MD, 11–17 November 1987;
- (j) [U.S.] National Council on the Social Sciences, Dallas, TX, 13–17 November 1987;
- (k) African Studies Association Annual Meeting, Denver, CO, 19–23 November 1987;
- (l) Commission on Human Rights, Geneva, 26 February–11 March 1988.

Research and Publications *

- (a) EAFORD Paper No. 42: *Violation de droits des Palestiniens par Israël: comparaison avec l'Afrique du Sud*, by Alfred T. Moleah;
- (b) EAFORD Paper No. 43: *White Racial Nationalism in the United States*, by Ronald Walters;
- (c) Support for translation and publication of *Waq'a'i Mu'tamar al-Awda' wa al-Khidamat al-Ijtima'iyyah lil-Jamahir al-'Arabi fi Isra'il* [Proceedings of the Conference on Conditions of and Social Services to the Arab Community in Israel], by Nazareth Academics Society;
- (d) Copublication with DataBase Project on Palestinian Human Rights (Jerusalem and Chicago) of *State Terrorism at Sea: A Preliminary Report on the Case of Israel*, by the Committee against State Terrorism at Sea.

Awards

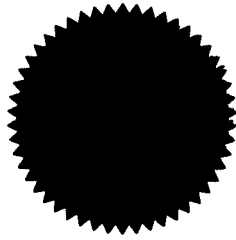
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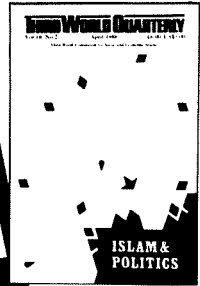
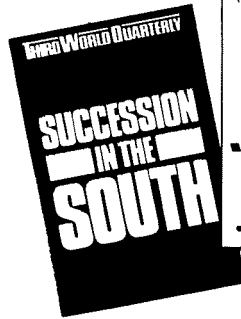
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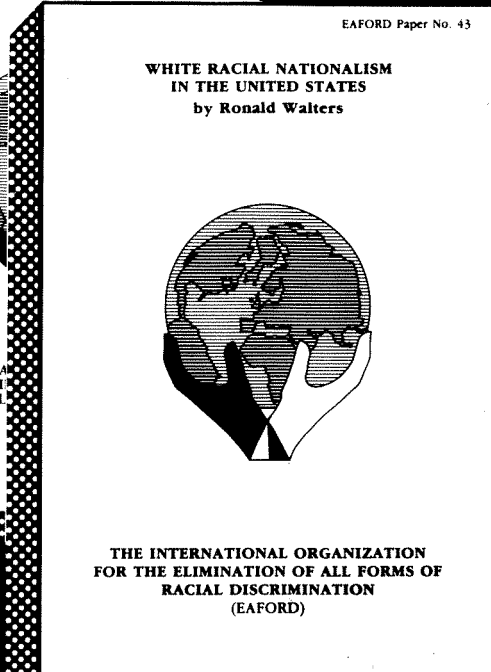
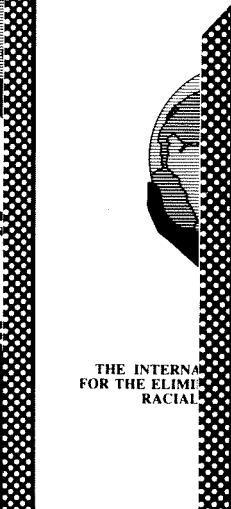
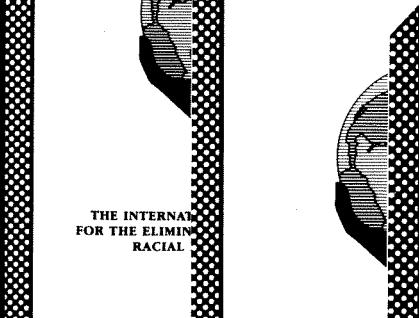
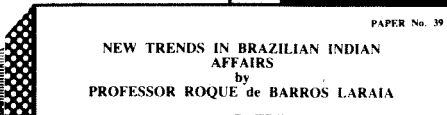
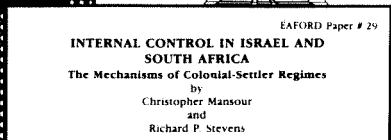
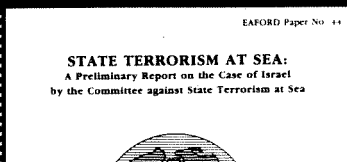
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