

Israel's Bedouin denied right to elections

Law allows Jewish officials to rule local council indefinitely

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Some 35,000 Bedouin residents of Israel's southern Negev have been denied the right to hold their first local council election after the Israeli parliament passed a law at the last minute to cancel this month's ballot.

The new law gives the government the power to postpone elections to the regional council, known as Abu Basma, until the interior ministry deems the local Bedouin ready to run their own affairs.

Legal and human rights groups say the move is an unprecedented violation of Israel's constitutional principles. Taleb a-Sana, a Bedouin member of Israel's parliament, has written to its speaker warning that "it is not possible to have democracy without elections".

The vote in Abu Basma was scheduled to take place six years after the council was established under the transitional authority of a panel of mostly Jewish officials appointed by the interior ministry.

Critics say the government changed the law specifically to avoid bolstering the position of the Bedouin residents, who are engaged in a legal battle with the state for the return of ancestral lands confiscated decades ago.

"The Bedouin have a claim on a large area of the Negev and the government wants someone ruling the council who is on its side until the case is settled to the state's advantage," said Thabet Abu Ras, who was head of an empowerment scheme for Abu Basma's residents until 2007.

The residents of Abu Basma are among 90,000 Bedouin in the Negev desert who have been denied any local representation since Israel's founding in 1948. For most of that time the state has refused to recognise any of their villages.

According to officials, the Bedouin are living illegally on state land and must move to a handful of locations in the Negev approved by the government.

Bedouin leaders counter that their villages predate Israel's creation and that the approved locales are so tightly confined that they cannot maintain their traditional pastoral way of life.

Israel has faced mounting criticism for its treatment of the 45 so-called "unrecognised villages", which are denied all public services, including electricity and water. The inhabitants are invariably forced to live in tents or tin shacks because concrete homes are subject to demolition.

Instead, since the 1970s Israel has established a half dozen “townships”, to which the Bedouin in the unrecognised villages were expected to relocate. But the townships, whose rates of unemployment and poverty are the highest in the country, have attracted only half of the Negev’s 180,000 Bedouin, mostly those without any claim to land.

In what many Bedouin hoped was a change of tack, however, the government of Ariel Sharon launched a plan in 2003 to begin a process of recognising nine of the larger villages, home to 35,000 Bedouin.

They were grouped into a new regional council called Abu Basma, with the goal of encouraging the inhabitants of the other unrecognised villages to move into its jurisdiction.

Under the regional councils law, the interior ministry was allowed to appoint a panel of officials to oversee local services for four years while the residents prepared to run the authority themselves, said Gil Gan-Mor, a lawyer with the Association of Civil Rights in Israel (ACRI).

He added that the interior ministry then sought, under extraordinary powers, two year-long extensions. But shortly before the deadline for staging elections was reached this month, the government pushed through an amendment to postpone elections indefinitely.

“The interior ministry says the law could be applied to any regional council, but in practice it is clear that this law was drafted with only Abu Basma in mind,” he said. “The aim is to continue controlling the lives of the Bedouin, treating them as though they cannot look after themselves.”

ACRI and another group, Adalah, a legal centre for Israel’s Arab minority, will challenge the law in the Supreme Court next month.

Alaa Mahajneh, a lawyer with Adalah, said the regional council’s current panel was dominated by Jewish officials and headed by Amram Kalaji, a former director general of the interior ministry identified with the right-wing Orthodox religious party Shas.

Mr Abu Ras, a geography professor at Ben Gurion University in Beersheva, said it was impossible to separate the postponement of the elections from the wider issue of Bedouin land claims.

Abu Basma is the only one of 47 regional councils in Israel that does not have territorial continuity, he said. “The council’s jurisdiction is restricted to the built-up area of each village and does not include the lands between the villages or the surrounding land. Despite the Bedouin way of life, Abu Basma has not been allocated any agricultural areas.”

He added that the chief concern of Israeli officials, although unspoken, was that the Abu Basma region was the only territorial buffer between the West Bank and Gaza. “If there is a Palestinian state, Israel does not want the Bedouin controlling lands that connect those two Palestinian territories. It would rather the Bedouin were concentrated in as small a space as possible.”

According to Nili Baruch, an Israeli planner, Abu Basma has been starved of land compared to its Jewish counterparts. Its jurisdiction extends to only 3,400 hectares, making it the most densely populated regional council in the country.

By contrast, the 10 other regional councils in Israel's south – home to a total of 45,000 Jews – have jurisdiction over a vast swath of rural land, nearly 1.2 million hectares.

Yeela Ranaan, a lecturer at Sapir College in Sderot and spokeswoman for the Regional Council for the Unrecognised Villages, an unofficial Bedouin advocacy group, said the creation of Abu Basma had been a “partial victory”.

Recognition meant those homes of Bedouin living in the centre of the villages were no longer under threat of destruction, roads could be paved, and schools opened, she said. But the planning process in all the villages was stalled and land claims were not being addressed.

In an apparent vote of no-confidence in Abu Basma, only 7,000 of the 35,000 Bedouin residents have registered with the regional council so far, said Mr Gan-Mor. Shortages of schools and a failure to improve living conditions meant most had chosen to remain enrolled for services with the nearby townships.

The Bedouin's land dispute with the government is over 80,000 hectares. Mr Abu Ras said he believed the government hoped to force an evacuation of all the unrecognised villages over the next three years, forcing the inhabitants into the already confined areas available to Abu Basma.

“Only once there is a settlement in its favour will the government think about elections for the regional council.”

Tal Rabina, a spokesman for Abu Basma council, said the criticism that Bedouin rights had been violated by the law change reflected a “political agenda”.

“At this stage, when there are still many disputes between villages and families, most of the residents prefer that someone outside the community makes decisions. The current leadership brings a great deal of experience and professionalism to the task.”

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