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70 Years of ‘Catastrophe’: Can Israel thwart ‘Right of Return’ for Palestinian Refugees?

70 años de «catástrofe»: ¿puede Israel frustrar el «derecho de retorno» para los refugiados palestinos?

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Abstract

The US is currently following a blueprint of a strategy in which it advances Israel's "victory", while imposing conditions of surrender on defeated Palestinians. (Pipes, 2016) One of the main targets of this new policy is Palestinian refugees, scattered in their millions across Palestine and the Middle East. But the 'Nakba', starting 70 years ago - and all of its dire consequences, since then - is a concept that is so deeply entrenched in the hearts and minds of most Palestinians to this day. Thus, the refugees and their insistence on their Right of Return are the main, if not the only, obstacles before the US-Israeli plot.

Keywords: Nakba; Palestinian Refugees; Israeli Apartheid; Deal of the Century; UN-RWA; Right of Return

Resumen

En la actualidad, los EE.UU. están acometiendo un proyecto estratégico por el cual se presume la «victoria» de Israel, a la vez que impone condiciones de rendición en los palestinos derrotados (Pipes, 2016). Uno de los objetivos cruciales de esta nueva política son los refugiados palestinos, dispersos por millones tanto en tierra palestina como en el Oriente Medio. El *Nakba*, iniciado hace 70 años, y todas sus funestas consecuencias desde entonces, se revela un concepto hondamente vertebrado en las mentes y almas de la gran mayoría de palestinos hasta el presente. Por ello, los refugiados y su insistencia en su Derecho de Retorno constituyen el principal (y casi único) obstáculo en el complot EE.UU-Israelí.

Palabras clave: Nakba; refugiados palestinos; apartheid israelí; acuerdo del siglo; UNRWA; derecho de retorno

1. Introduction

To be a Palestinian refugee means living perpetually in limbo - unable to reclaim what has been lost, the beloved homeland, and unable to fashion an alternative future and a life of freedom, justice and dignity.

How are Palestinian refugees to reconstruct their identity that has been shattered by decades of exile, when their powerful tormentors have linked their own existence and repatriation to their very demise? According to Israel's logic, Palestinian refugees' mere demand for the implementation of the internationally sanctioned Right of Return is equivalent to a call for "genocide" (Bauer, 2013).

According to that same faulty logic, the fact that Palestinian people live and multiply is a "demographic threat" to Israel (Alpher & Shikaki, 1999). When Israel and its friends around the world argue that Palestinian people are "invented", not only are they aiming to annihilate their collective identity, but they are also justifying in their own minds the continued killing and maiming of Palestinians, unhindered by any moral or ethical consideration. (Curtis, 2011)

2. The Not-So-Accidental 'Nakba'

Unlike what Israeli military historians often claim, the ethnic cleansing of Palestine in 1947 - 48 (and the subsequent purges of the native population that followed in 1967, coupled with what historian, Ilan Pappé, refers to as 'incremental genocide') was no accident. It has been part of a long-drawn and carefully calculated campaign that, from the very start, was the main strategy at the heart of the Zionist movement's 'vision' for the Palestinian people.

This is how Palestinian historian, Walid Khalidi describes the joint Zionist militias' attack on one of Palestine's most populous and strategically important coastal cities, Jaffa:

"By the end of April, the combined Haganah-Irgun offensive had completely encircled Jaffa, forcing most of the remaining civilians to flee by sea to Gaza or Egypt; many drowned in the process." (Khalidi, 1984, p. 310)

Khalidi elaborates:

"The Palestinian collapse (at all fronts) resulted from bad leadership, totally inadequate civil defense arrangements, and military disparity in planning, numbers and firepower. By the end of April, the Palestinian community was badly mangled. Tens of thousands of refugees were on the trek over land, with thousands more in transit at sea." (Khalidi, *ibid.*)

This tragedy has eventually grown to affect all Palestinians, everywhere within the borders of their historic homeland, from the Galilee in the north to the Naqab in the south, and from Akka to Gaza at the opposite extremes of the Palestinian coast. Tens of thousands of refugees joined up with hundreds of thousands more at various dusty trails throughout the country, growing in numbers as they walked further, to finally pitch their tents in areas that were then meant to be 'temporary' refugee encampments. Alas, these became the Palestinian refugee camps of today, starting some 70 years ago, not only in Palestine itself, but throughout the Middle East region.

None of this was accidental. The determination of the early Zionists to establish a 'national home' for Jews at the expense of the country's Palestinian Arab nation was communicated openly, clearly and repeatedly throughout the formation of early Zionist thought, and the translation of those well-articulated ideas into physical reality. (United Nations, 1990, p. 34)

"We must expel the Arabs and take their place," wrote Israel's founder, military leader and first Prime Minister, David Ben Gurion, in a letter to his son, Amos, on October 5, 1937. That was over a decade before Plan D went into effect, which saw the destruction of the Palestinian homeland at the hands of Ben Gurion's militias. (Gurion, 1937)

"Palestine contains vast colonization potential," he also wrote, "which the Arabs neither need nor are qualified to exploit." (ibid.) This clear declaration of a colonial project in Palestine, communicated with the same kind of unmistakable racist insinuations and language that accompanied all western colonial experiences throughout the centuries was not unique to Ben Gurion. He was merely paraphrasing what was, by then, understood to be the crux of the Zionist enterprise in Palestine at the time. (Gurion, ibid.)

As Palestinian professor, Nur Masalha, concluded in his book, the Expulsion of the Palestinians, the idea of the 'transfer' - the Zionist term for "ethnic cleansing" of the Palestinian people - was, and remains, fundamental in the realization of Zionist ambitions in Palestine.

"Palestinian Arab villages inside the Jewish state that resist 'should be destroyed [...] and their inhabitants expelled beyond the borders of the Jewish state.' Meanwhile, 'Palestinian residents of the urban quarters which dominate access to or egress from towns should be expelled beyond the borders of the Jewish state in the event of their resistance.'" (Masalha, 1992, p. 178, quotation from Y. Slutsky)

The lack of remorse with which Zionist leaders carried out their violent deeds in those years continue to define the Zionist Israeli view of Palestinian refugees up to today. One of those Zionist military leaders, who later became the Minister of Defense in the Israeli army, was Moshe Dayan. Dayan, known for his violent bloody conquests against Palestinian refugee population centers for many years, attempted clumsily to confront the moral accountability of his violent campaign. Yet, he failed miserably:

" 'I must ask,' he said in a speech years after the establishment of the state of Israel, "Are [we justified] in opening fire on the [Palestinian] Arabs who cross [the border] to reap the crops they planted in our territory; they, their women, and their children? Will this stand up to moral scrutiny ...? We shoot at those from among the 200,000 hungry [Palestinian] Arabs who cross the line [to graze their flocks]; will this stand up to moral review? Arabs cross to collect the grain that they left in the abandoned [the term often used by Israelis to describe the ethnically cleansed] villages and we set mines for them and they go back without an arm or a leg ... [It may be that this] cannot pass review ..." (Morris, 1999, p. 275, quotation from Moshe Dayan)

However, even after stating the reality with a surprisingly candid depiction, Dayan remained unhinged, so self-assured with the moral superiority of his action: "But I know no other method of guarding the borders, [otherwise] tomorrow the State of Israel will have no borders." (Morris, ibid.)

Ben Gurion, Dayan and others comforted themselves with a unique kind of moral philosophy that was a blend of sheer lies and a destructive sense of self-pity. They seemed

to lack time, patience or even the mere desire to truly reflect on the inhumanity of their actions or, however begrudgingly, recognize the humanity of their Palestinian victims. With that moral failure in mind, it was no surprise that, as a direct outcome of their systematic and unbridled war crimes, a massive tragedy was culminating; a tragedy that, as of this date, has crossed the 70-year threshold, without remedy or even an honest attempt at one. Of the nearly one million Palestinians who were made refugees then, a large number descended upon the Gaza Strip. The arrival of well over 200,000 people, all at once, disturbed the established demographics of the tiny Strip and opened the door wide for hostility towards the vulnerable refugees, who had no other option but to become exploitable to the highest degree imaginable. They had no other mechanisms that would ensure their survival. Some stood in endless lines to receive rations and handouts from the Quakers, the first international organization that arrived on the scene to help the refugees in Gaza. Others offered their services to the relatively wealthy families in the cities, and were used as maids and cheap laborers serving the nomadic tribes. They often received a small meal as pay for their long hours on the Gaza farms, one that a mother or father would split among their children. One meal a day was no longer frowned upon, for some families were hardly so lucky. The Gaza scenario was repeated everywhere else.

The United Nations was yet to come to the refugees' rescue. In fact, the plight of the refugees was not yet at the center stage of political discussions, as war hostilities and political maneuvering were still not concluded. There was also ample - although idealistic - hope that the refugees would be repatriated, thus there was no pressing need to establish a long-term regime of humanitarian aid. Sadly, the refugees' exile lasted much longer than anyone had expected or hoped, save the Zionists who had no intention to allow the refugees back to their homes. (Al Hussein, 2007, pp. 435-464)

The Arabic term for that tragic period is the 'Nakba', meaning the 'Catastrophe', which almost exclusively refers to the ethnic cleansing of the Palestinian people, coupled with the destruction of the Palestine homeland in 1948. On May 1, 1950 - roughly two years after the 'Nakba' - the UN General Assembly created the United Nations Relief and Works Agency (UNRWA), a 'temporary' organization to provide urgent aid for the refugees. The temporariness of UNRWA's mission was predicated on the assumption that Palestinian refugees would soon, as per international law, be allowed to return to their depopulated towns and villages. UNRWA replaced an ad hoc agency, the United Nations Relief for Palestine Refugees, a group that operated with no staff or budget, but volunteers from the Red Cross and various religious organizations. When UNRWA's first aid workers made their way to the refugee camps, harrowing images confronted them and, by extension, the world, with a reality they described as 'unbearable':

"We went to see the refugees - thousands of men and women exposing their suffering in a mood of utter despair beneath a gray winter sky. Children by the hundreds, most of them half-naked - shoeless, shivering - conveyed the depth of their misery in gestures that were more eloquent than words. The parents showed us the camp, they showed us the holes in the ground - deep, like wells - (trenches that were built by the British and later the Egyptian army) where children were living in total darkness, piled one on top of the other on the icy rock." (Butt, 1995, p. 138.)

3. The 'Irredeemably Flawed' Deal of the Century

Seventy years have passed since the 'Nakba' and, neither has Israel taken responsibility for its action, nor Palestinian refugees received any measure of justice, however small or even symbolic. The original number of refugees has grown, multiplying by several fold since then, and Palestinian refugee camps have expanded in size as well. With the passing of time, these 'temporary' camps became permanent structures of a permanently exiled nation.

Worse still, Israeli western benefactors, led by the United States government, continue to support Israel's 'right' to maintain its strange amalgamation of an ever confused identity, that of being both Jewish and democratic, simultaneously. The Jewish identity of Israel was designed, from the very start, to provide the intellectual rationalization for the expulsion of the Palestinians. Maintaining that identity simply meant the rejection of the Palestinian refugees' 'Right of Return', as enshrined in international and humanitarian law. The insistence of the racial categorization of what Israel is meant to represent has also served to protect the undeniably racist character of the state of Israel. (Davis, 2004)

Israel's own self-tailored claims aside, the UN Resolution 194 of 1948 has provided the legal and political framework to protect Palestinian refugees' rights. Since then, the UN has, as a matter of course, confirmed that right, which continues to be 'inalienable', urgent and wholly just. Res. 194 resolves,

"that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return ..."
(A/RES/194)

All US governments since 1948 have supported Israel's dismissal of the 'Right of Return' and, following the Oslo accords of 1993, the emphasis on that right have shifted dramatically, from discussing the need to 'repatriate' the refugees to the historically marginal topic of 'compensation', which was hardly the priority for most Palestinian refugees. (Brynen, 2018) No other US administration, however, has gone as far as that of Donald Trump. Through a well-organized political campaign involving US Ambassador to the UN, Nikki Haley, (2016-18) and Trump's top adviser and son-in-law, Jared Kushner, the US is hoping to redefine the entire discourse pertaining to Palestinian refugees. (Marteau & Almohamadi, 2018)

Trump's so-called "Deal of the Century", purportedly aimed at delivering the coveted peace in the Middle East, is proven to be but a mere US-Israeli-Arab stratagem to redefine the nature of the 'conflict' altogether, and relegate issues that Palestinians consider essential in their fight for rights, freedom and justice, in favor of Arab-Israeli political normalization and economic integration. (Gardner, 2018)

Other early indications regarding Trump's 'peace initiative' suggest that the 'deal' intends to remove Jerusalem entirely from any future discussions or final agreement between Israel and the Palestinian Authority. The relocation of the US Embassy from Tel Aviv to Jerusalem, in addition to Trump's own assertion that "Jerusalem is off the table", confirm this assumption. More relevant to this article, another component of Trump's deal is to 'resolve' the issue of refugees without their repatriation and without heeding to international law, especially Resolution 194.

Various news media reports have exposed an elaborate American plot to downgrade the status of refugees, to argue against UN figures indicating their actual numbers and to choke off UNRWA, the UN agency responsible for the welfare of the refugees, from badly needed funds.

This US-Israeli design has been in motion for years. The Trump administration has already drastically cut funding to UNRWA. (George, 2018) The organization, which provided tents and basic relief to Palestinian refugees as early as 1950 has morphed in term of its mission and budget, as it is now the main provider of educational, health, and social services across Gaza, the West Bank, Jordan, Syria and Lebanon, benefiting an estimated 5.4 million Palestinian refugees. The UN agency operates nearly 700 schools, where about 500,000 children receive basic education, in addition to 150 primary health clinics, where doctors see more than 9 million patients every year. (Statistics UNRWA, 2019)

With the American decision to defund UNRWA, hundreds of thousands of Palestinian refugees are reeling under a worsening humanitarian situation. Additionally, Gaza's already high unemployment has taken a massive hit when UNRWA decided, under US pressure, to fire a large number of its Palestinian workforce. (Humaid, 2018)

US State Department spokeswoman, Heather Nauert, described UNRWA's operational model as "irredeemably flawed". (Wroughton & Sawafta, 2018) She is wrong, of course. What is truly flawed is her country's misconstrued understanding of the Palestinian situation and the never-ending pipedream that a peace deal can provide a minimal amount of justice, without addressing the core issue of the so-called 'Palestinian-Israeli conflict,' that being the Palestinian refugee crisis and the 'Right of Return' for Palestinian refugees.

Trump's actions targeting the 'Right of Return', however, were not developed in a political or intellectual vacuum. They are part and parcel of a rooted campaign that goes back decades, one that carried the ultimate aim of discounting Palestinian refugees as a central factor in whatever future arrangement Tel Aviv and Washington have for the region. The seeds of that campaign were, expectedly, planted by Israel itself. However, the acquiescence of the Palestinian leadership and the hypocrisy of the international community have also helped embolden the Israeli and American efforts, leading to the current plot to finally demolish the 'Right of Return' as a real, tangible possibility.

4. 'Politics of Denial'

The truth is that 'The Right of Return' and the terrible plight of Palestinian refugees have never been taken seriously by Israel, despite the clarity of international law regarding the matter. Masalha describes Israel's attitude as "The politics of denial". (Masalha, 2003)

Indeed, Israel denies the very existence of the Palestinian people in their historic homeland, refuses to acknowledge any moral accountability for the current misery of the refugees or its direct role in creating the crisis, in the first place. Needless to say, it pays no heed to the Right of Return. That is not all that Israel denies. It also denies Palestinians' right in a sovereign and independent state, while its mouthpieces insist that there is no such a thing as a Palestinian nation. The bizarre idea that Palestinians are an 'invented' people has been circulating among pro-Israel US political elites for decades. (Curtis, 2011) All evidence to the contrary, of a Palestinian culture, history, art, literature, historic political aspirations and a unique sense of identity is of no consequence to Israel and its allies.

The fact that Israel has approached the 'peace talks' and negotiations with the Palestinian leadership while guided by that 'politics of denial', speaks volumes about the futility of that process, at the outset. What should have been perceived as a pressing issue, the Palestinian refugees' Right of Return was relegated to a 'final status negotiations', which has never actualized.

The Palestinian leadership bears much responsibility, as well, for downgrading the importance of the refugees and their legally-protected rights. The Arab defeat in the 1967 war - also known as the 'Naksa', or the 'Setback' - proved to be a turning point (Dana, 2016), not only because it altered the physical reality on the ground, but also because it scaled back Arab and Palestinian political expectations. Before the Naksa, hopes were high that all of Palestine would be recovered and the refugees would finally be allowed to return. After the war, which witnessed massive American military support to ensure the complete defeat of Egyptian, Jordanian and Syrian forces combined, the discussion began to slowly shift. The demand for the return of all of historic Palestine was replaced with the humble demand of the recovering of 'territories' occupied in the last war; the refugees became a mere humanitarian crisis needing a humanitarian solution. (S/RES/242, 1967)

The true psychological "setback" - a second Naksa even - was the sad reality that the Palestinian leadership has truly internalized that defeat as it approached the subject of negotiations with Israel, first in Madrid in 1991 and then in Oslo. The Oslo Accords of 1993 was celebrated as a groundbreaking achievement on the road to attaining the elusive Middle East peace. But since the premise, that of a defeated Palestinian nation negotiating its own surrender with the much more powerful Israel, was faulty in the first place, the 'peace process' ultimately collapsed. That final failure, highlighted starkly at Camp David in 2000, paved the road for the emergence of Benjamin Netanyahu and his most emboldened far-right coalitions, which continue to rule Israel to this day.

Since then, the 'peace process' has served the role of political mantra, with no real objectives in mind, aside from perpetuating the illusion that peace was at hand, and further empowered the US position as a 'peacemaker.' The Right of Return was not even a subject worthy of discussion to those involved in the charade. It was lost among the massive dossiers of endless details that accompanied Oslo, and all related agreements, or attempted agreements: the Paris Protocol in 1994, Hebron Protocol in 1997, Wye River in 1998, Camp David in 2000, and so on.

With international aid pouring in, the Palestinian leadership, as represented in the Palestinian Authority, was trapped in its own false sense of importance, prestige and massive financial perks. (Said, 2004) The PA, which was busy policing Palestinians under Israeli Occupation, had neither the will, interest or the mere desire to fight for the rights of millions of Palestinian refugees throughout the region.

Israel's 'politics of denial' has, thus, infected the Palestinian leadership as well as the international community, the only guarantor of international law. Thanks to Israeli and American joint efforts at the United Nations, and the failure of Palestinians and their Arab allies, the Right of Return - once designated as 'inalienable' - was transformed into a sentimental subject rarely discussed - save in the symbolic 'international day of solidarity with the Palestinian people' once a year. (Qafisheh, 2007)

Susan M. Akram, an Associate Professor at Boston University School of Law, writes:

“Although at its core a political problem, the Palestinian refugee crisis is also a problem of legal distortion: Palestinian refugees fall into a legal lacuna that sets them outside minimal international protections available for all other refugee groups in the world.” (Akram, S. M., 2002)

This was not supposed to be the case. The status of Palestinian refugees was purposely governed by a separate regime that was not placed under the 1951 Refugee Convention and the UN High Commissioner for Refugees (UNHCR) mandate. This special regime, based on unique principles enunciated in several UN resolutions, led to the creation of UNRWA and the United Conciliation Commission on Palestine (UNCCP). (Akram, *ibid.*) The logic behind this specific arrangement was motivated by international consensus and desire to keep the issue of Right of Return ‘vital’ and a top international priority so that the refugees are finally ‘repatriated and compensated’, as per UN Res. 194.

The language here is of essence. Palestinians have historically emphasized the concept of “Repatriation”, as opposed to “settlement in a third country”. The idea of “compensation” is even more controversial, for Palestinians have long fought any US or Arab proposals to accept money in exchange for their permanent exile.

Rex Brynen, Professor of Political Science at McGill University, writes:

“Initially, many Palestinians were wary about too much focus on compensation for fear that it would be put forward as an alternative to return”. (Brynen, 2018)

The political culture that has resulted from the ‘peace process’ has changed all of that, at least from the Palestinian leadership point of view. For Palestinian refugees, however, there is little evidence that suggests their willingness to squander their historical rights and their Right of Return. (Karmi, 2011)

Israel is, of course, fully aware of the historical dynamics that led to the birth of UNRWA and, taking advantage of the complete US foreign policy capitulation, it is eager to change the status of Palestinian refugees entirely. In January 2018, Netanyahu launched an Israeli campaign to gradually allow the UNHCR to replace UNRWA as the caretaker of Palestinian refugees. (Rasgon, 2018) If Israel, with US backing, succeeds in doing so, UNHCR will be mandated to ‘settle’ Palestinian refugees outside of Palestine, while UNRWA and its unique mission that kept the Right of Return a ‘vital’ priority will be eventually marginalized and entirely relegated.

5. Conclusion

With the blind support of the anti-Palestinian US administration, Israel is orchestrating a sinister campaign to make Palestinian refugees vanish through the destruction of UNRWA and the redefining of the refugee status of millions of Palestinians. By denying UNRWA urgently needed funds, Washington wants to enforce a new reality, one in which neither human rights, international law nor morality are of any consequence.

What would become of Palestinian refugees seems to be of no importance to Trump, his son-in-law, Jared Kushner, and other US officials. The Americans are now insolently watching, hoping that their callous strategy will finally bring Palestinians to their knees, so that they will ultimately submit to the Israeli government’s dictates.

The Israelis want the Palestinians to give up their Right of Return in order to get “peace”. But the joint Israeli-American “vision” for the Palestinians basically means the imposition

of apartheid. The Palestinian people, however, as quisling as their leadership may be, will never accept this. 70 years of exile and continued resistance have taught us this much.

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