

Palestinian Refugees Right to Return and Repatriation

"It would be an offence against the principles of elemental justice if these innocent victims of the conflict were denied the right to return to their homes, while Jewish immigrants flow into Palestine."

- Count Folke Bernadotte, Special UN Mediator to Mideast
During World War II, Bernadotte held the Vice Chairmanship of the Swedish Red Cross, and was responsible for saving thousands of Jews from Nazi concentration camps. He was assassinated by leaders of the Jewish terrorist group, the Stern Gang, for the remark above. His assassin was sentenced to five years imprisonment but was quickly pardoned and in 1950 was elected to the Israeli Parliament.

Mazin Qumsiyeh, an Associate Professor at Yale University School of Medicine, is widely acknowledged as one of the top experts on Palestinian refugee rights. This article is an excerpt from his book *Sharing the Land of Canaan: a vision based on human rights for Israelis and Palestinians*, which explores the history and current efforts towards creating a pluralistic democracy in Israel/Palestine (Pluto).

Qumsiyeh is active in a number of human rights groups, including Amnesty International, Peace Action, Human Rights Watch, the ACLU, and others. He resides in Connecticut, where he is Vice President of the Middle East Crisis Committee (<http://TheStruggle.org>). In addition, Qumsiyeh volunteers and participates with several other local groups, including We Refuse to be Enemies (Jews, Christians, Muslims, and others in dialogue and constructive work).

IF AMERICANS KNEW

Palestinian Refugees Right to Return and Repatriation



"Everyone has the right to leave any country, including his own and return to his country."

- Universal Declaration of Human Rights

*In this article, **Mazin Qumsiyeh, PhD** details the plight of Palestinian refugees and their right to return to their homes or choose to receive compensation.*



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In a democracy, the ultimate responsibility for a nation's actions rests with its citizens. The top rung of government - the entity with the ultimate power of governance - is the asserted will of the people. Therefore, in any democracy, it is essential that its citizens be fully and accurately informed.

In the United States, currently the most powerful nation on earth, it is even more essential that its citizens receive complete and undistorted information on topics of importance, so that they may wield their extraordinary power with wisdom and intelligence.

Unfortunately, such information is not always forthcoming.

The mission of If Americans Knew is to inform and educate the American public on issues of major significance that are unreported, underreported, or misrepresented in the American media.

It is our belief that when Americans know the facts on a subject, they will, in the final analysis, act in accordance with morality, justice, and the best interests of their nation, and of the world. With insufficient information, or distorted information, they may do the precise opposite.

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 AL-NAKBA www.alnakba.org
 BADIL (Resource Center for Palestinian Residency and Refugee rights)
www.badil.org
 CENTRE ON HOUSING RIGHTS AND EVICTIONS www.cohre.org
 COUNCIL OF AMERICAN ISLAMIC RELATIONS www.cair-net.org
 THE COUNCIL FOR PALESTINIAN RESTITUTION AND REPARATION (CPRR). Petition
 for refugee rights of return <http://rightofreturn.org/active/petition>
 GROUP 194 (Lebanon Based) www.group194.org/english
 INTERCHURCH COMMITTEE ON REFUGEES www.web.net/~iccr
 LE MONDE refugee information (in French) www.monde-diplomatique.fr/index/sujet/conflitisraeloarabe
 PALESTINIAN DIASPORA AND REFUGEE CENTER (Shaml) www.shaml.org
 PLO DEPARTMENT OF REFUGEE AFFAIRS www.plord.org/index1.htm Rana Bahu
rbahu@plord.org
 PALESTINIAN REFUGEE RESEARCH NET www.prrn.org (excellent resources out of Canada)
 PALESTINIAN REFUGEES IN LEBANON (film)
 PALESTINE REMEMBERED www.palestineremembered.com
 PALESTINIAN RETURN CENTRE, London www.prc.org.uk or
www.Palestinianrefugees.com
 REFUGEE LAWS www.refugeecaselaw.org/Refugee/index.htm
 SAVE THE CHILDREN EYE TO EYE PROJECT (Palestinian Children)
www.savethechildren.org.uk/eyetoeye
 UN DEPARTMENT FOR PALESTINIAN RIGHTS, NGO network
www.un.org/Depts/dpa/ngo (includes action alerts, newsletter)
 UN INFORMATION SYSTEM ON THE QUESTION OF PALESTINE
<http://domino.un.org/UNISPAL.NSF>
 UN'S OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS www.unhchr.ch
 (good reports on violations of the 4th Geneva Conventions and various committee reports)
 US COMMITTEE ON REFUGEES (can place your testimonial here)
www.refugees.org

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Photo on the front cover: In 1948, 804,767 Palestinian men, women, and children were forced to flee their homes. This photograph shows a train of Palestinians who were soon to become lifelong refugees.

PALESTINIAN REFUGEES RIGHT TO RETURN AND REPATRIATION

“There is no such thing as a Palestinian people... It is not as if we came and threw them out and took their country. They didn’t exist.”

- Golda Meir statement to the *Sunday Times*, 15 June, 1969.

The Israeli newspaper Yediot Aharonot interviewing Israeli foreign Minister Shimon Peres (Oct. 5, 2001): Y.A.: *“I was wondering, would [the Palestinian] dreams about Jaffa and Haifa suddenly disappear?”* Peres: *“On this issue I recommend to kill and annihilate.”*

“Everyone has the right to leave any country, including his own and return, to his country.”

- Universal Declaration on Human Rights, Article 13

Israel’s military occupation of Gaza and the West Bank (including East Jerusalem) is the most persistent military occupation on earth. But this 35-year-old occupation is only the second stage in the colonization of the land of Canaan. The first stage, between 1947-1949, generated the largest population of refugees still unsettled since World War Two, with the longest displacement in modern history. Until recently, two competing accounts of this catastrophic event existed. The first version, advocated by Israeli leaders, holds that the native Palestinians left present day Israel of their own free will or through the encouragement of their leaders. This version even indicates that Israeli leaders desired the Palestinian people to stay within Israel’s borders. The second version, reported by the Palestinian refugees themselves, is that they were ethnically cleansed before, during and after the 1948 war. In their lexicon, the expulsion became known as Al-Naqba (the Catastrophe) and is the most traumatic event in Palestinian recorded history. More recently, Israeli historians, such as Ilan Pappé, Benny Morris, Zeev Sternhall, Avi

Kalandia	Arroub	Askar
Ein el-Sultan	Fawwar	Camp No.1
Shu’fat		
Balata (www.worldtrek.org/odyssey/mideast/010500/010500kavibal.html)		
Aqabat Jabr		

Refugee Camps in Syrian Arab Republic

www.un.org/unrwa/refugees/syria.html

Neirab 16,951	Sbeineh 15,857	Hama 7,223
Qabr Essit 13,066	Homs 13,349	Khan Eshieh 15,352
Jaramana 8,950	Khan Dunoun 7,973	
Dera’a (Emergency) 5,380		Dera’a 5,805
Yarmouk (“unofficial” camp)		
(www.un.org/unrwa/refugees/syria/yarmouk.html)		
Latakia (“unofficial” camp)		
(www.un.org/unrwa/refugees/syria/latakia.html)		

Refugee Camps in Jordan

www.un.org/unrwa/refugees/jordan.html

Amman New Camp	Jerash	Baq’a
Marka	Husn	Souf
Irbid	Talbieh (www.un.org/unrwa/refugees/jordan/talbieh.html)	
Jabal el-Hussein	Zarqa	

Refugee Camps in Lebanon

www.un.org/unrwa/refugees/lebanon.html

Nahr el-Bared (www.nahrelbared.org)
 Shatila (www.un.org/unrwa/refugees/lebanon/shatila.html)
 Mieh Mieh (www.un.org/unrwa/refugees/lebanon/miehmieh.html)
 Beddawi (www.un.org/unrwa/refugees/lebanon/beddawi.html)
 Mar Elias (www.un.org/unrwa/refugees/lebanon/marelias.html)
 El-Buss (www.un.org/unrwa/refugees/lebanon/elbuss.html)
 Wavel (www.un.org/unrwa/refugees/lebanon/wavell.html)
 Burj el-Barajneh (www.un.org/unrwa/refugees/lebanon/burjelbarajneh.html)
 Burj el-Shemali (www.un.org/unrwa/refugees/lebanon/burjelshamali.html or www.bourjalshamali.com)
 Dbayeh (www.un.org/unrwa/refugees/lebanon/dbayeh.html)
 Ein el-Hilweh
 (www.un.org/unrwa/refugees/lebanon/einelhilweh.html)
 Rashidieh (www.un.org/unrwa/refugees/lebanon/dbayeh.html)

APPENDIX 3

RESOURCES ON REFUGEE AND RESIDENCY RIGHTS

ACROSS BORDERS (BirZeit University & Shaml joint project) www.across-borders.org
 Al-Awda (Right to Return Coalition) www.al-awda.org London www.al-awda.org.uk

committed to finding a just and sustainable reconciliation between Israel and Palestine.”

The main theme that the Commission of Enquiry discovered, however, was the remarkable cohesion and consistency among refugees. “Certain positions that could be seen to divide the refugees, since they involved a possible enhancement of their personal interests over other groups of refugees,” notes the report, “were confronted outright by the refugees themselves.” Refugees in all areas emphasized that the right of return must apply to all refugees, regardless of their physical, financial position or location.

“The main principle is that all Palestinians want this resolution to be implemented,” stated Khalid al-Azza, “that is the resolution of the right of refugees to return and to compensation for the 52 years passed since they left their land, houses, and factories.” Central findings of the report were presented by Neil Gerrard MP, member of the British Commission of Enquiry at the House of Commons on July 2, 2001.

APPENDIX 2 PALESTINIAN REFUGEE CAMPS

Palestinian Refugee Camps are scattered throughout the Middle East. Here is a listing taken from sources indicated. For general listings see: <http://www.enlighten-palestine.org/camps.html> and <http://www.geomatics.org.uk/gazasurvey.htm>

Palestinian Refugee Camps in Gaza

www.arts.mcgill.ca/MEPP/PRRN/info/gaza.html

Jabalia	Maghazi	Beach
Deir el-Balah	Nuseirat	Khan Younis
Bureij		

(http://www.savethechildren.org.uk/eyetoeye/photo/balata_bureij.html)

Rafah (<http://rafah.vze.com> or <http://rafah.virtualactivism.org>)

Refugee Camps in the West Bank

www.un.org/unrwa/refugees/wb.html

Jenin (www.jenin.info or www.amnestyusa.org/news/2002/israel04222002.html or www.hrw.org/press/2002/05/jenin0503.htm)

Jalazone	Aida	Tulkarm
Deir Ammar	Beit Jibrin	Nur Shams
Am'ari	Dheisheh	Far'a

Shlaim, Simha Flapan, and Tom Segev, have debunked the established Israeli myths of Israel's creation. Using Israeli archives and declassified material, they were able to discover much of the hidden history of Zionism and they reveal a factual account of the establishment of Israel.

For example, after opening the Israeli Defense Force (IDF) archives, a cable was discovered dated October 31, 1948, signed by Major General Carmel and addressed to all the division and district commanders under his command. In that cable he stated, “Do all you can to immediately and quickly purge the conquered territories of all hostile elements in accordance with the orders issued. **The residents should be helped to leave the areas that have been conquered.**” A detailed analysis of such declassified material is provided by Nur Masalha in his book *Expulsion of the Palestinians: The Concept of ‘Transfer’ in Zionist Political Thought, 1882-1948*.¹

Yitzhak Rabin, the future Prime Minister and Noble Prize winner, wrote in his diary soon after Lydda's and Ramla's occupation:

After attacking Lydda and then Ramla...What would they do with the 50,000 civilians living in the two cities...Not even Ben-Gurion could offer a solution...and during the discussion at operation headquarters, he [Ben-Gurion] remained silent, as was his habit in such situations. Clearly, we could not leave hostile and armed populace in our rear, where it could endanger the supply route [to the troops who were] advancing eastward...Ben-Gurion would repeat the question: “What is to be done with the population?,” waving his hand in a gesture which said: “Drive them out!” ‘Driving out’ is a term with a harsh ring... Psychologically, this was one of the most difficult actions we undertook.²

More recently, even Israelis acknowledge this history, though many still refuse to address its consequences or the need to redress the injustice. Benny Morris, for example, recognizes the forced removal of Palestinians but opposes giving those refugees and their descendants the right of return.

Palestinian officials did not demand right of return during the Oslo peace negotiations, even though all segments of the Palestinian people continue to demand the implementation of this right. Understanding this call for the right of return, the origin of the problem and potential viable solutions is

thus essential to any lasting peace.

The estimated population of Palestine in 1893, under the Ottoman Empire, was 469,000 (98%) Arabs, composed of a mixture of Muslims and Christians, and 10,000 (2%) Jews. In 1897, the population of Arabs was 563,000 and of Jews was 21,500, slightly shifting the population proportions to 96% and 4% respectively. In 1912, the estimated population of Palestine was 525,000 (93%) Arabs and 40,000 (6%) Jews. By 1920, the population of Arabs was 542,000 (90%) and of Jews was 61,000 (10%).³ Thus, in 23 years, only a small number of European Jews had chosen to come live in Palestine.

Things changed dramatically in the 1920s. Following World War I, the victorious British took Palestine over from the Ottomans and at the urging of British Zionists, proceeded to fulfill their 100-year-old program to bring Jews to create a colony for British interests. In the 16 years after 1920, Jewish immigrants flooded into Palestine, and by 1936, 385,400 Jews (27.8% of the population) were living among 983,200 Arabs.⁴ Thus, in approximately one generation (40 years), the population of Jews in Palestine increased from 2% to 28% due to the synergy of the Zionist program and anti-Jewish actions in Europe.

At the same time that this Jewish/Zionist population of Palestine was increasing, the indigenous Arab farming class (Fellahin) was being increasingly dispossessed by a system of land registration that had begun under the Ottomans and was now continuing under the British. These two factors led to a widespread Arab revolt in 1936, which was brutally put down by the British. While this revolt did cause a temporary decline in Zionist immigration, its long term consequence was to devastate the nascent political organization that had begun among the Palestinian population, eliminating much of its leadership and weakening the Palestinian resistance.

As violence between Zionist immigrants and the indigenous Palestinian population, and by both groups against the occupying British, continued to escalate during and following World War II, the United Nations, under pressure from the United States (under pressure from its own domestic Zionist lobby), proposed a partition plan in which Palestine would be divided between the two groups. Under this plan 55 percent of hereditary Palestine

and it eventually will, with or without the refugees returning. It is only logical to expect that the 1.2 million current Palestinian citizens of Israel and many of their Jewish compatriots do not support the national anthem, which talks about Jewish yearning for a homeland. They are not keen about a state that has no constitution to protect non-Jews but rather has specific laws to discriminate against them. The laws ensure that "Jewish only" towns and villages continue to flourish while remaining Arab towns are besieged, get fewer or no services, and dwindle. They are not content in a state that has a law of return giving automatic citizenship to any Jew in the world who desires it, while denying citizenship to non-Jewish people who were born and raised there. Many in this latter category are relatives of those Palestinians who remained, and many of these people have not seen each other in as long as 50 years. Thus, racist concern over "diluting Jewish majority" should not be an acceptable basis for rejecting international law and basic human rights.

In March 2001, the British Joint Parliamentary Commission of Enquiry on Palestinian Refugees that traveled to the region in September 2000 issued a report. This report includes a preface by Princeton Professor Richard Falk, historical background, main findings of the refugees' testimony, general remarks and analysis, recommendations by the Commission of Enquiry, and information on the establishment of the Commission of Enquiry as well as annexes containing evidence in detail and other supporting documents. In the preface, Professor Falk writes, "The clarity of international law and morality, as pertaining to Palestinian refugees, is beyond any serious question. It needs to be appreciated that the obstacles to implementation are exclusively political - the resistance of Israel, and the unwillingness of the international community, especially the Western liberal democracies, to exert significant pressure in support of these Palestinian refugee rights."

Given the intensity and the unity of refugees' insistence on implementation of the right of return, the preface warns that it would be "a severe mistake of history, with potentially serious repercussions...[to] negotiate a solution that ignores the underlying claims of the wide community of Palestinian refugees." "How to overcome [the depth of Israeli resistance]," notes Falk, "is a challenge that should haunt the political imagination of all those genuinely

Israelis. Return of refugees is considered a danger to the “Jewish character of the state.”

Many Israeli Jews, as well as Zionist supporters abroad, are in fear of an influx of Palestinians that could alter the character of the state. Many Palestinians recognize this fear.

Jewish fears are legitimized by centuries of persecution elsewhere (though not in Palestine, where we lived in harmony for centuries before Zionism) and have been used against Palestinian livelihoods, survival, and human rights. Fears are powerful emotions that paralyze people from seeing the incredible possibilities for coexistence, humanity, and decency. It is estimated that the value of property left behind by or confiscated from fleeing Palestinians now reaches in the 200-400 billion dollars. Israel has received about the same amount in compensations from Europe for the Holocaust. [Qumsiyeh, *Jewish Current*, September 2001]

Offering the Palestinians a choice of return or compensation is only right. The return should be a choice between a return to their areas of origin or to the Palestinian “homeland” (the West Bank and Gaza). In fact, if settlements can be vacated, they could provide an ideal compensation by Israel to those refugees for their properties. How many will choose to go back is difficult to predict and will depend on the incentives provided elsewhere and the nature of the Palestinian state “in the making” in the West Bank and Gaza. The range could be anywhere from 150,000 (Barak floated this number at Camp David, spread over 10 years) to one million. Perhaps another million will settle in the West Bank and Gaza. But the reality of the situation is that for all of this to happen in a most amicable and practical way, the right of return and Israel’s responsibility must be recognized. Just like in Europe, in South Africa, and in all other areas of the world where such conflicts raged, truth and reconciliation makes people much more amenable to discussing practicalities and to forgiving (although not forgetting).

It is also important to analyze and honestly examine what the “character” of the state is and what it means for its citizens. Many Jews recognize that Israel needs to evolve from a “Jewish state” to a state of all its citizens,

was to be given to a Jewish state, despite the fact that this largely immigrant group still consisted of only 30 percent of the population and owned under seven percent of the land. The war that resulted in 1948 is called “the War of Independence” by Israel, and “Al-Naqba” – The Catastrophe – by Palestinians, and resulted in a massive refugee crisis. What is less widely known is that the dispossession of the Palestinian population actually started in the months before the war began. And while, as we have stated, some Palestinian dispossession had begun under the Ottoman occupation, the bulk of the dispossession, which continues to the present, started in 1947. Preparations for this cleansing began immediately after WWII, intensified in late 1947 following the UN partition plan and launched into full onslaught months before May 1948, and well before Arab Armies were involved.^{4,5} According to Morris, the waves of refugees originated in these periods.⁵

- 1) From immediately after the partition resolution of November 29, 1947 until March 1948.
- 2) From the onset of Plan Dalet in April 1948 until June 11, 1948 (the first truce). The declaration of statehood on May 15, 1948, and subsequent entry of so-called Arab armies was inconsequential in the drive as will be discussed below.
- 3) From July 9, 1948 (the start of Israeli operations labeled Dani and Dekel that broke the truce) until the end of the second truce (October 15, 1948).
- 4) From October 15, 1948 (breaking of the truce by Israel’s Operation Hiram) to late November 1948.
- 5) From November 1948 until 1949 (Israel emptying of villages such as Al-Faluja and Iraq Al-Manshiya, for example, occurred after the armistice was signed).

Benny Morris lists 369 Palestinian villages and towns (localities) ethnically cleansed during these periods. Walid Khalidi and a team of Palestinian researchers list 418 villages and towns. According to research by Dr. Salman Abu Sitta⁶ 531 localities (villages and towns) where Palestinians lived were ethnically cleansed between 1947 and 1950. The disparity in numbers is due to researchers differing as to what constitutes a village or a locality. While sometimes researchers count two villages in one area separately, some researchers combine the two villages into one entity. But a more significant

source of the discrepancy in numbers is the exclusion by Morris of tribal localities with no definitive village boundaries. Bedouin tribes are well known to reside and graze their herds in a certain area even though they may have had movable dwellings. Abu Sitta included tribal lands because these tribes constituted a large segment of the refugees (about 100,000) and these tribes did have fixed territorial areas well known to any traveler. For the purposes of this discussion we will use Abu Sitta's numbers since he lists these localities in detail and with meticulous analysis with each locality properly charted on a map.

The total inhabitants removed from these localities were estimated previously at 750,000 and they represented 80% of the Palestinian people living in the land that became Israel. Numbers are easily calculated from village statistics conducted by the British in 1944-1945 and upgrading it to 1948-1949 by considering the known population growth rates per year (British Mandate measured: 3.8% for Muslims, 2% for Christians). By including the Bedouins of Beer Sheba, Abu Sitta calculated the actual number of refugees created (excluding internal refugees) to be 804,767 among a population of about one million that inhabited the area that became Israel by 1949. The land cultivated and used by these depopulated Palestinian villagers was the land that was to make today's Israel. After the war, remaining lands owned by the Palestinians was 7% (1,474,169 dunums, a dunum is about a quarter of an acre), while Jewish owned or controlled lands went from 8% (1,682,000 dunums) to 85%. This land, which was allocated for use by Jews only, made the bulk of the "land of Israel."

Benny Morris published three books detailing the reasons for the Israeli/Palestinian conflict and the core issue the displacement of the Palestinians played in creating the present state of Israel⁸:

- *Israel's Border Wars, 1949-1956: Arab Infiltration, Israeli Retaliation and the Countdown to the Suez War* (1993)
- *The Birth of the Palestinian Refugee Problem, 1947-1948* (1987)
- *Jews and Arabs in Palestine/Israel, 1936-1956* (2000)

Based on declassified and newly opened archives from Israeli govern-

that expulsion and dispossession are wrong, whether the victims are Jews or Palestinians. The governments of Morocco, Egypt, Iraq and Yemen (unlike Israel) always stated that those who left are welcome to return.

On December 11, 1975, the Iraqi government even took full-page advertisements in newspapers around the world (*New York Times*, *the Toronto Star*, *Le Monde*) asking the 140,000 Iraq-born Jews who were in Israel and around the world to return. Egyptian President Sadat extended an invitation for Egyptian Jews to return to Egypt in September 1977, just weeks before his peace trip to Israel (See *Chicago Daily News*, September 10-11; also see the *Oregonian*, Portland, July 18, 1977). Israel has never extended an invitation to Palestinians to return to their homeland. In either case, Israeli Jews with claims in Arab countries should take them up with those countries, and Jews should be treated with respect, dignity and equality wherever they live. Israel, however, was not interested in discussing this issue when a peace agreement with Egypt was signed (Egypt had a sizable Jewish presence).

In summary, there is no validity to the attempt to negate Palestinian human rights based on the migration of Jews brought into Palestine, whether from Arab countries or the Soviet Union, under the Zionist program to colonize Palestine. One has to also remember that Jews from Arab countries as well as Eastern Europe also settled in the US and Canada. Their issues and their questions are legitimate areas of exploration (e.g. Jews have a right to be treated equally in their own countries, like any other religious group, and this must be defended and fought for). Their rights also follow international law and the Universal Declaration of Human Rights (including their right to chose to return to their countries) but certainly nullify no other similar rights for other people, whether Russians or Palestinians. Palestinians who were ethnically cleansed have inalienable right to repatriation. This must be their choice and is enshrined in common logic as well as international law and is not subject to dictates of apartheid and separation envisioned by a colonial settler movement.

c) It is not practical to return refugees, and Palestinians need to seek a "reasonable and fair solution" to the refugee problem, i.e., one acceptable to

applies to Palestinian refugees, states in Paragraph 11, “the refugees wishing to return to their homes and live at peace with their neighbors 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 and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.” Israel was admitted to the U.N. (Resolution 273) as a member-state only on condition that it abide by Resolution 194. Israel has consistently refused to do so. It is the will of the Palestinian people that they be repatriated to their homeland. Criticizing neighboring countries because they could not absorb more refugees than they have already is an Israeli attempt to sidestep the real issue of the Palestinian right of return.

In his book *The Gun & the Olive Branch*, David Hirst describes in detail covert Israeli operations to scare Iraqi and Egyptian Jews into fleeing their homes for the “sanctuary” of Israel. Wilbur Crane Eveland, a former CIA operative, wrote about the Zionist crimes against Arab Jews in Iraq (Feuerlicht, *The Fate of the Jews*, 231). Zionists of European origin, like David Ben-Gurion, Golda Meir, and Abba Eban, often made derogatory statements regarding Arab Jews, whom they considered to be inferior. The program to bring them in was more motivated more by ideology than by real interest in their welfare. Israeli historian Tom Segev devoted almost a fourth of his book to documenting the miserable treatment these immigrants received (Tom Segev, *1949: the First Israelis*, translated by Arlen Neal Weinstein, Free Press, New York, 1986).

In any case, the Palestinian refugees did not expel Jews from their homes in Arab countries. In fact, some actions by Mossad and Zionist agents were needed to increase Jewish flight, according to documents analyzed by Tom Segev. Palestinian human rights should not be contingent on the actions of states (Israel or the Arab States) over which they had no control. There are Israeli Jews of Arab origin who do demand restitution for their property and Palestinians fully support their claims and internationally recognized right of return. The Israeli government, however, has never been willing to fight for their rights, because it knows that by doing so it would implicitly recognize

ment and military sources, these books detail the removal of many Palestinians villages to create room for the Jewish State and its intent to import millions of Jews.

According to Morris and other Israeli historians, the reasons Palestinians left these localities were:

- 1) Expulsion by Zionist/Jewish forces - 122 localities
- 2) Military assault by Zionist/Jewish forces - 270 localities
- 3) Fear of Zionist/Jewish attack, or of being caught in the fighting, influence of the fall of neighboring town, and psychological warfare - 12 localities
- 4) Abandonment on Arab orders - 6 localities
- 5) Unknown - 34 localities

213 Palestinian villages and towns (population 413,794, 52% of the refugees) were “cleansed” while under the “protection” of the British mandate; that is before the start of the Arab-Israeli war on May 15, 1948. 264 localities with 339,272 inhabitants (42%) were vacated during 1948 War. After signing the Armistice Agreements, 54 localities were ethnically cleansed (52,001 people or 6% of refugees).

Usually, the cleansing (“Nikayon,” a word used frequently in Israeli military communications at the time) was initiated by massacres. Plan Dalet was started to conquer the area between Tel Aviv and Jerusalem and it commenced in earnest following the massacre of Deir Yassin on April 9, 1948. This was followed by several other massacres, which terrorized the Palestinians into leaving. Palestinians were terrorized by 33 massacres in total: Al Abbasiyya (4 May ‘48), Abu Shusha (14 May ‘48), Ayn az Zaytun (2 May ‘48), Balad ash Sheikh (25 April ‘48), Bayt Daras (11 May ‘48), Beer Sheba (21 Oct ‘48), Burayr (12 May ‘48), Al Dawayima (29 Oct ‘48), Deir Yassin (9 April ‘48), Eilaboun (29 Oct ‘48), Haifa (21 April ‘48), Hawsha (15 April ‘48), Husayniyya (21 April ‘48), Ijzim (24 July ‘48), Isdud (28 Oct ‘48), Jish (29 Oct ‘48), Al Kabri (21 May ‘48), Al Khisas (18 Dec ‘48), Khubbayza (12 May ‘48), Lydda (10 July ‘48), Majd al Kurum (29 October ‘48), Mannsurat al Khayt (18 Jan ‘48), Khirbet, Nasir ad Din (12 April ‘48), Qazaza (9 July ‘48), Qisarya (15 Feb ‘48), Sa’sa (30 Oct ‘48), Safsaf (29 Oct ‘48), Saliha (30 Oct ‘48), Arab al

Samniyya (30 Oct '48), Al Tantoura (21 May '48), Al Tira (16 July '48), Al Wa'ra al-Sawda (18 April '48), Wadi 'Ara (27 Feb '48).

Over half of these crimes were committed while the area was still under British mandate and presumed protection. Deir Yassin became the most famous massacre simply because of its ferocity and the fact that over 20 villagers were taken to a nearby Jewish settlement, paraded as game, and then killed to incite panic among the Palestinian natives. Menahem Begin, who later became a Prime Minister of Israel, gloated about the massacre in his book about this period: "The legend in Deir Yassin helped us in particular in the saving of Tiberia and the conquest of Haifa...All the Jewish forces proceeded to advance through Haifa like a knife through butter. The Arabs began fleeing in panic, shouting Deir Yassin...Arabs throughout the country were seized by limitless panic and started to flee for their lives."

These were not acts of horror that occurred during combat (and there were many) but were instead a premeditated plan to cleanse and terrorize the indigenous Palestinian population. In December 20, 1940 Joseph Weitz, responsible for Jewish colonization, a senior Zionist official, and respected member of Ben Gurion's inner circle wrote in his diary:

...It must be clear that there is no room in the country for both peoples...If the Arabs leave it, the country will become wide and spacious for us...The only solution is a Land of Israel, at least a western land of Israel [i.e. Palestine since Transjordan is the eastern portion], without Arabs. There is no room here for compromises...There is no way but to transfer the Arabs from here to the neighboring countries, to transfer all of them, save perhaps for Bethlehem, Nazareth, and the old Jerusalem. Not one village must be left, not one tribe. The transfer must be directed at Iraq, Syria, and even Transjordan. For this goal funds will be found...And only after this transfer will the country be able to absorb millions of our brothers and the Jewish problem will cease to exist. There is no other solution.¹⁰

Joseph Weitz became chair of the Land and Forest department of the Jewish National Fund. In 1950 he wrote, "The struggle for the redemption of the land means...the liberation of the land from the hand of the stranger, from the chains of wilderness; the struggle for its conquest by settlement, and...the

these Arabs, as their friends, to escape while there is still time." (Yigal Alon, *The Book of the Palmach*, vol. 2, p.286; quoted in John W. Mulhall, *America and the founding of Israel: an Investigation of the morality of America's role*).

Where these attacks or the fear of such attacks did not have the desired "cleansing" effect, the Israeli army was forced to take more direct measures. This was the case in the Ramle and Lydda area, where residents were asked to leave (at the point of the gun) after the hostilities ended. Residents on foot, in buses, in cars, and in trucks were herded east under the watchful eyes of officers and soldiers like Yitzhak Rabin (who became Israel's Prime Minister later). Further detail from Israeli historians on the cause of the exodus is provided in the main text.

b) There was an exchange of refugees ("Arab" refugees left Israel while Jewish "refugees" left the Arab countries) and Arab countries should have resettled those refugees as Israel has resettled Jewish "refugees."

While some Jews were expelled from Arab countries, the majority left voluntarily, invited, enticed and even intimidated into going to Israel to swell the Jewish population as part and parcel of the Zionist program. Most of this happened not between 1947-1948 (the years of active violence that resulted in the Palestinian refugees being ethnically cleansed; see <http://palestineremembered.com>) but in the 20 years after. This was always part of the Zionist plan to gather the Jews regardless of where they lived (not only from Arab countries but all countries) and settle them on land that belongs to native Palestinians (Christians and Muslims). Israel has never fought for Jews to stay where they are or to return to their homelands.

Zionists always claim that Palestinian refugees were intentionally not absorbed or integrated into Arab lands to which they fled. The Universal Declaration of Human Rights, Article 13, states that everyone "has the right to leave any country, including his own, and to return to his country." The Geneva Conventions stipulate the right of refugees to return to their homes. U.N. General Assembly Resolution 194 (adopted in 1948), which specifically

Arab authorities be said to have 'ordered' flight by organizing evacuation. But in most of the country there was not even this slight degree of organization." (Sayigh, p.64)

Many Palestinians became acutely aware of the massacres at Deir Yassin and 33 other localities (some like Tantura actually larger than Deir Yassin). That fear precipitated much of the exodus and was later highly praised by Israeli leaders as making their lives much easier.

Israeli historian Arie Yitzhaqi, for many years a researcher in the history section of the IDF, lists several Arab villages where the Israeli military appeared to follow a policy similar to that carried out by Irgun and Stern forces at Deir Yassin. He cites the attack by the Carmel Brigade on the village of Balad el-Sheikh and the attack by the Third Palmach Battalion on the village of Sa'sa', both resulting in dozens of civilians killed in their homes (*The Journal of Palestine Studies*, Vol. 1, no. 4, summer 1972, p.144, citing *Yediot Aharonot*, April 4, 1972).

One Palmach commander admitted firing into rooms containing women and children (*Journal of Palestine Studies*, Vol. 1, n.4, p. 145, citing *Yediot Aharonot*, April 4, 1972). In October 1948 some fifty to seventy men were herded into the mosque in the border town of Hula and machine-gunned. The mosque was then blown up to entomb them. (See Hadawi's *Bitter Harvest: A Modern History of Palestine*, 4th ed., 1991 p. 89).

Zionist forces capitalized on fear resulting from reports of these atrocities. General Yigal Allon wrote:

"We saw a need to clean the inner Galilee and to create a Jewish territorial succession in the entire area of the Upper Galilee ...We therefore looked for means which did not force us into employing force, in order to cause the tens of thousands of sulky Arabs who remained in Galilee to flee ...We tried to use a tactic which took advantage of the impression created by the fall of Safed and the [Arab] defeat in the area which was cleaned by Operation Metateh - a tactic which worked miraculously well! I gathered all the Jewish mukhtars, who have contacts with Arabs in different villages, and asked them to whisper in the ears of some Arabs, that a great Jewish reinforcement has arrived in Galilee and that it is going to burn all the villages of Huleh. They should suggest to

redemption of the settler, both as a human being and as a Jew, through his deep attachment to the soil he tills."¹¹

Joseph Weitz's mentor and leader was Ben Gurion, who became Israel's first prime minister. Historians have written extensively about Ben Gurion's philosophy and statements regarding the non-Jewish residents in the "Promised Land." Ben Gurion encouraged his followers to be circumspect about openly advocating transfer, because this could then be used as an argument to limit Jewish immigration due to limited space. We find him stating things like this in 1938:

With compulsory transfer we [would] have vast areas...I support compulsory transfer. I do not see anything immoral in it. But compulsory transfer could only be carried out by England...Had its implementation been dependent merely on our proposal, I would have proposed; but this would be dangerous to propose when the British government has disassociated itself from compulsory transfer...But this question should not be removed from the agenda because it is a central question. There are two issues here: 1) sovereignty and 2) the removal of a certain number of Arabs, and we must insist on both of them.¹²

Here is a testimony of an Israeli soldier who participated in the massacre at al Duwayima Village, on October 29, 1948:

[They] killed between 80 to 100 Arabs, women and children. To kill the children they fractured their heads with sticks. There was not one house without corpses. The men and women of the villages were pushed into houses without food or water. Then the saboteurs came to dynamite the houses. One commander ordered a soldier to bring two women into a house he was about to blow up... Another soldier prided himself upon having raped an Arab woman before shooting her to death. Another Arab woman with her newborn baby was made to clean the place for a couple of days, and then they shot her and the baby. Educated and well-mannered commanders who were considered 'good guys'...became base murderers, and this not in the storm of battle, but as a method of expulsion and extermination. The fewer the Arabs who remained, the better.¹³

Morris cites similar testimonies.¹⁴ A village elder (Mukhtar) is cited as handing a list of 580 killed to the Jordanian governor of Hebron at the time. Morris details the life of Yosef Nachmani, a high-ranking member of the underground Haganah forces, the precursor to Israeli Army. Nachmani was also director of the offices of the Jewish National Fund in Tiberias. Nachmani was responsible for settling land throughout the Galilee and Jezreel Valley regions. At first, he supported the Palestinian transfer, but later in his life he underwent a profound change. One entry in Nachmani's journal Morris translates, "The acts of cruelty committed by our soldiers. After they went into Safsaf, the village and its people raised a white flag. They separated the men from the women, tied the hands of some 50 to 60 peasants and shot and killed them, burying them in a single hole. They also raped a number of the women from the village...In Salha, which raised a white flag, they carried out a real massacre, killing men and women, about 60 to 70 people. Where did they find such a degree of cruelty like that of the Nazis? They learned from them."

Recently released Red Crescent documents also strongly suggest that the first time biological warfare was used was in Palestine in 1948, when diseases were spread in Haifa and 'Akka (Acre).¹⁵

Morris, while providing ample evidence for how the ethnic cleansing happened, still contended that it was not part of a grand scheme of expulsion. His critics argued that this conclusion is in direct contradiction to the incredible wealth of data that he presents. Morris defended his thesis thus:

Certainly Ben-Gurion wanted as few Arabs as possible to remain in Israel. Certainly the majority of the country's political and military leaders were happy to see the Arabs go. Certainly, many officers and officials did what they could to facilitate departure, including occasional expulsions (though, as I pointed out in *Birth*, in most towns and villages the Haganah/IDF had no need to issue expulsion orders as the inhabitants fled before the Jewish troops reached the site; the inhabitants usually fled with the approach of the advancing Jewish column or when the first mortar bombs began to hit their homes). But between what most people want and policy, there is, and was then, a line of demarcation.¹⁶

APPENDIX 1

ZIONIST ARGUMENTS AGAINST THE RIGHT TO RETURN

Israeli arguments for rejecting refugee return are now well known. They are articulated repeatedly by Israeli leaders (e.g. Shimon Peres's book, *The New Middle East*). Below are the three basic arguments.

a) The Palestinians fled their villages and towns in 1948 under orders from their leaders.

This allegation first surfaced in Zionist discourse in propaganda that was disseminated to the new Jewish immigrants who were handed much of the property (lands, homes, belongings) of the Palestinian refugees. According to Rosemary Sayigh (*Palestinians: From Peasants to Revolutionaries*, p. 75), a pamphlet distributed by Israel's Information Office in New York City after the war also contained this allegation. From there it appears to have entered into Zionist thinking and writing in the West.

This myth has been thoroughly refuted.

The British Broadcasting Corporation (BBC) monitored Middle East broadcasts and its records indicate no such broadcasts.

Many researchers, including Walid Khalidi, Erskine Childers, Benny Morris, Tom Segev, Simha Flapan and Ilan Pappé, have investigated this myth and shown it to be without merit. British author Erskine Childers wrote, "The charge, Israel claimed, was documented but where were the documents?, no dates, names of stations, or texts of messages were ever cited." (Erskine B. Childers, "The Other Exodus", *The Spectator*, London, 5-12-61, p.672).

According to Israeli historians like Benny Morris, a very tiny minority of localities did have military notice (not necessarily orders) for residents regarding evacuations. When Arab soldiers were about to retreat from an area they might warn villagers that they were about to leave, in case the villagers wanted to flee while they still had military protection. According to Sayigh: "Only in the case of one or two cities, for instance, Haifa, could local

TABLE 3

Growth of Jewish Population of Palestine (in thousands)

Year	Jewish Population	Percent of Population*
1893	10	2%
1897	21	3.6%
1912	40	6%
1920	61	10%
1936	385	27%
1947	530	31%
1967	2383	64%
1999	5619	68%

* After 1947, the percentage is against remaining population of non-Jews and thus excludes Palestinian (native) refugees. For sources before 1948, see references cited and appendices from Israel Central Bureau of Statistics. For total Palestinian population, see Table 4 below.

TABLE 4

Christian and Muslim Palestinian Population by year (in 1000s)

Year	Palestine	Israel	West Bank	Gaza	Outside Palestine	TOTAL
1860	411					411
1890	553					533
1914	738					738
1918	689					689
1931	860					860
1940	1,086					1,086
1946	1,308					1,308
1950	1,170	165	765	240	304	1,474
1960	1,340	239	799	302	647	1,987
1970	1,412	367	677	368	1,289	2,701
1980	1,992	531	964	497	2,100	4,092
1990	2,731	687	1,373	671	3,302	6,033
2000	3,787	919	1,836	1,032	4,667	8,454

From Justin McCarthy's compilation of data on "Population" in Philip Mattar, *Encyclopedia Of The Palestinians* (Facts on File, Inc., 2000) pp. 323-334

In a more recent writing, Morris stated: "Above all, let me reiterate, the refugee problem was caused by attacks by Jewish forces on Arab villages and towns and by the inhabitants' fear of such attacks, compounded by expulsions, atrocities, and rumors of atrocities — and by the crucial Israeli Cabinet decision in June 1948 to bar a refugee return."¹⁷

Thus, the distinction as to whether a master plan of expulsion existed or not was as lost to the Palestinian victims as the distinction as to whether Hitler had a master plan for extermination of European Jewry had on its victims. Irrespective as to whether there was a distinct high-level strategy that was disseminated down, the actions on the ground both before and after the establishment of the state of Israel made it clear as to desired goal and the net outcome. Statements by Zionist leaders are logical though chilling in their correspondence to events on the ground. Yosef Weitz, Director of the Jewish National Fund Lands Department was very active as of March 1948, in planning for and implementing plans to expel the Palestinians, destroy their villages, and build new homes for the influx of new Jewish immigrants. These activities were given in detail by Morris and other authors. For example, Weitz narrates a conversation with Moshe Shertok (later renamed Sharret, Israeli foreign minister, and future Prime Minister of Israel):

Transfer-post factum; should we do something so as to transform the exodus of the Arabs from the country into a fact, so that they return no more?...His [Shertok's] answer: he blesses any initiative in this matter. His opinion is also that we must act in such a way as to transform the exodus of the Arabs into an established fact.¹⁸

Morris does not deny that massacres took place intentionally to scare the natives into leaving or that outright expulsions occurred in other places as part of Plan Dalet. However, his main observation is that the exodus was also facilitated by general panic and other issues beyond the deliberate acts of the Zionist forces and thus did not amount to a master plan of expulsion. Other historians, such as Nur Masalha and Avi Shlaim, disagree, arguing that the evidence is overwhelming in favor of premeditated and coordinated acts of expulsion. Still, even Morris points out that his research once and for all shat-

tered the myths perpetuated in such popular Zionist books as of Joan Peters' *From Time Immemorial*.

Israeli journalist Gideon Levy reviewed Morris's book (*Jews and Arabs in Palestine/Israel, 1936-1956*, 2000) stating:

And now, the IDF archives have been opened and there we find a cable dated October 31, 1948, signed by Major General Carmel and addressed to all the division and district commanders under his command. Apparently, Carmel's troops carried out massacres in no less than 10 villages in the north of the country. They would gather the men of these villages in the square, choose a few of them, sometimes dozens, stand them up against a wall and shoot them.

Terrible things were done after the War of Independence, too; for example, in the town of Majdal in 1950...Some 10,000 Palestinians lived in Majdal before the war and, in October 1948, thousands more refugees from nearby villages joined them. Majdal fell in November and most of its residents and refugees fled wherever they could, leaving some 3,000 inhabitants, mostly women and the elderly. Majdal was too close to Gaza for Israel's liking. In December 1948, IDF soldiers "swept through" the town and deported some 500 of its remaining inhabitants. In 1949, Yigal Allon demanded, "to transfer all the Arab inhabitants." Ben-Gurion objected. An inter-ministerial committee for the "transfer of Arabs from place to place" — yes, we had one of those as well — decided to thin out the population somewhat; another ministerial committee — "on abandoned property" — decided to settle Majdal with Jews. From committee to committee, Majdal was "Judaized," until, with 2,500 Jewish residents, it became known as Migdal-Ad. In December 1949, more Arabs were deported so as to vacate a few more houses — "abandoned property" — for a few more discharged soldiers. The IDF made the life of those Arabs who remained a misery, hoping they'd get the message. The new commanding officer of the Southern Command, Moshe Dayan, rekindled the ideas of his predecessor, Yigal Allon.

'I hope that perhaps in the coming years, there will be another opportunity to transfer these Arabs [170,000 Israeli Arabs - G.L.] out of the Land of Israel,' he said at a meeting of the Mapai faction, outlining its ideas while in uniform. Dayan backed up his words with actions: He submitted a detailed proposal for "the evacuation of the Arab inhabitants of the town of Majdal." The chief of staff

TABLE 1

The dispossessed Palestinians by district (from research by Dr. Salman Abu Sitta, *Palestinian Right to Return: Sacred, legal and possible*, Palestine Return Center, London, 2000)

District	Depopulated Towns & Villages	Dispossessed Population	
		1948	1998
Acre	30	47,038	288,863
Ramleh	64	97,405	598,171
Baysan	31	19,602	120,375
Beersheba	88	90,507	555,811
Gaza	46	79,947	490,960
Haifa	59	121,196	744,269
Hebron	16	22,991	141,190
Jaffa	25	123,227	756,743
Jerusalem	39	97,950	601,519
Jenin	6	4,005	24,598
Nazareth	5	8,746	53,712
Safad	78	52,248	320,855
Tiberias	26	28,872	177,307
Tulkarm	18	11,333	67,746

TABLE 2

Comparison of the no. of Palestinian refugees to the total Palestinian population, by locality, 1998 (Abu Sitta, *Palestinian Right to Return: Sacred, legal and possible*, Palestine Return Center, London, 2000).

Place of Refuge	All Population	Refugees
Israel (within Green line)	953,497	(200,000 internal)
Gaza Strip	1,004,498	766,124
West Bank	1,596,554	652,855
Jordan	2,328,308	1,741,796
Lebanon	430,183	408,008
Syria	465,662	444,921
Egypt	48,784	40,468
Saudi Arabia	274,762	274,762
Kuwait	37,696	34,370
Other Gulf States	105,578	105,578
Iraq, Libya	74,284	74,284
Other Arab Countries	5,544	5,544
The Americas	203,588	173,050
Other Countries	259,248	220,361
TOTAL	7,788,186	4,942,121

22. Don Peretz, 'The Arab Refugee Dilemma', *Foreign Affairs*, Oct. 1954, pp. 137—138; also cited in Fawaz Turki, *The Disinherited: Journal of a Palestinian Exile*, 2nd ed (New York: Monthly Review Press, 1974), pp. 22—23.
 23. Tom Segev, *1949: the First Israelis*, translated by Arlen Neal Weinstein (New York: The Free Press, 1986).
 24. Sami Hadawi, *Palestinian Rights and Losses in 1948* (London: Saqi Books, 1988).
 25. Meron Benvenisti, *Sacred Landscape: the Buried History of the Holy Land Since 1948* (Berkeley: University of California Press, 2000), p. 156.
 26. Yoseph Elgazi in *Zo Hadareh*, July 30, 1975.
 27. Israel Land Authority Report, Jerusalem 1962, quoted by Lehn p. 114.
 28. *Kol Ha'ir* Weekly Magazine, July 26, 2001, in Hebrew, translation at published <http://oznik.com/kolhair02.html>.
 29. UN Doc A1 648, 1948
 30. *Jewish Newsletter*, New York, 9 February 1959, cited in Erskine Childers, 'The Other Exodus' in *Spectator*, London, 12 May 1961.
 31. Turki, *The Disinherited*
 32. United Nations Economic and Social Council "Report of the Human Rights Inquiry Commission established pursuant to commission resolution S-5/1 of 19 October 2000" E/CN.4/2001/12 published March 2001. Available at <http://www.badil.org/Press/2001/press167-01.htm>
- But note that Palestinian rights are actually much more than what could be accommodated with paragraph 1D as Palestinians have political rights including self-determination, which are covered under other statutes of international law.
33. Question of the Violation of Human Rights in the Occupied Arab Territories, Including Palestine: Report on the situation of human rights in the Palestinian territories occupied since 1967, submitted by Mr. Giorgio Giacomelli, Special Rapporteur, pursuant to Commission on Human Rights resolution 1993/2 A. See full report at <http://www.hri.ca/fortherecord2000/documentation/commission/e-cn4-2000-25.htm>
 34. Salman Abu Sitta, *From Refugees to Citizens at Home*, (London: Palestine Land Society and the Palestinian Return Centre, 2001).

agreed and Ben-Gurion authorized the plan. The government was circumvented, the Histadrut labor federation objected, and Rabin informed the residents.

The transfer began at the beginning of 1950, although the "official operation" took off in June. There were still those who spoke of dispersing the Arabs around the country; in the end, they were deported to Gaza. They were loaded onto trucks and dropped off at the border – "deliveries," as they were termed. Just to remind you again, the state already existed. The last delivery of 229 people left for Gaza on October 21.

Back in Israel, the officials pondered over how to distribute the "abandoned" houses, most of which went to individuals who had some political clout. In 1956, Migdal-Ad changed its name to Ashkelon. To this very day, the former residents of Majdal live in the shacks and shanties of the refugee camps in Gaza.

How many Israelis know this story? How many have heard it before? How many have ever thought of the refugees on whose destroyed homes the city of Ashkelon was founded?

...Morris concludes: 'Zionism has always had two faces: a constructive, moral, compromising and considerate aspect; and a destructive, selfish, militant, chauvinistic-racist one... The simultaneous existence of these two facets was one of the most significant keys to the success of Zionism.'

But, there were also incidents in which they shot — oh, how they shot — and didn't weep at all. And lied. This is the picture that emerges from the chapter about the Israeli press at the time of the Kibiya affair, which expresses the dark side of the then already five-year-old state: no longer a community struggling to establish a country, but an orderly, victorious state, thought of as a democracy, with David Ben-Gurion, who lies, poker-faced, and its press, which brazenly conceals scandalous information from its readers and even lies knowingly - all for the glory of the State of Israel.

...in the wake of the way in which the new Intifada has been covered by sections of the Israeli media, I was faced with the following question: Have we really changed, or perhaps, in testing times, does the Israeli press return to its bad old place of being the state's trumpet, just as it was in Kibiya, just as Morris describes? Then, the press inflamed passions by giving prominence to the Israeli

victims (relatively few) and playing down the Arab ones (tenfold more), greatly enhancing the Israelis' sense of being the victim, the exclusive sufferers. So, is there anything new under the sun?¹⁹

Aside from the myths surrounding the dispossession of the Palestinians, there were other myths promulgated during the 1947 to 1949 time period. It is now documented that this was not a defensive war on the part of the nascent Jewish State. As previously explained, over half the Palestinian villages were depopulated by planned operations carried out before the "Arab armies" intervened. The additional myth of the numerical inferiority of Israeli forces is also easily verified and dispelled. An Israeli historian of that war performed fighting force calculations and concluded that: "indeed, there was never a moment in the 1948 Palestine war that the Jewish forces suffered a numerical inferiority against the Arab forces which they fought."²⁰

But Zionists were not completely satisfied in the removal of 85% of the native people in the areas they occupied. David Ben Gurion, the first Israeli Prime Minister, wrote: "If we were an army and not many armies, and if we acted according to [one] strategic plan, we would have been able to 'empty' the [Palestinian] population of the upper Galilee, Jerusalem and the road to it, Ramallah, Ludda, South of Palestine in general and the Negev [An-Naqab] in particular."²¹ The nascent state immediately embarked on a program of plunder and destruction of the Palestinian homes, property, and possessions left behind. Dr. Don Peretz (of the State University of New York) wrote in 1954,

...[N]early half of the new Jewish immigrants live in homes abandoned by the Arabs. They occupy nearly 400 Arab towns and villages...The Arabs left over 10,000 shops and stores in Jewish hands. The Israel Custodian of Absentee Property took over more than 4,000,000 dunams of former Arab land, or nearly 60% of the country's cultivable area. This was nearly two and a half times the total Jewish-owned property at the time the state of Israel was established, and include most of its olive orchards, a large part of its fruit and vegetable cropland and almost half the citrus groves.²²

In Lydda and Ramle, where 60,000 inhabitants were forcibly expelled at

Clifford A. Wright, *Facts and Fables: the Arab-Israeli Conflict* (London and New York: Kegan Paul International, 1989); Rashid Khalidi, 'xxxx' in Edward Said and Christopher Hitchens (ed.) *Blaming The Victims*, (London and New York: Verso Books, 2001)

4. Cohen, Michael J., *The Origin and Evolution of the Arab-Zionist Conflict*, (Berkeley: The University of California Press, 1989) p. 90.
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11. Weitz, Joseph, *The Struggle for the land*, p.6.
12. Masalha, *Expulsion Of The Palestinians*, p. 117.
13. *Davar*, 9 June 1979.
14. Morris, *The Birth of the Palestinian Refugee Problem*, p. 222
15. Abu Sitta, Salman, *Al-Haya*, 1 February 2003, Israel was the first to develop and use biological warfare in the Middle East [in Arabic]
16. Morris, Benny, 'Response to Finkelstein and Masalha', *Journal of Palestine Studies*, Vol. 21, No. 1 (1991), pp. 98—114.
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18. Weitz, Joseph, *My Diary*, Vol. III, p. 293.
19. *Ha'aretz*, 3 November 2000.
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21. Ben Gurion, David, IDF Archives, 121/50/172 as translated and cited in Marwan Bishara, *Palestine/Israel: Peace or Apartheid*, (London: Zed Books, 2001).

right brings in Russian Jews and what kind of peace deprives Palestinian refugees the right to return home? Obviously, neither legal nor logistical objections are the reason for withholding the implementation of the right to return. This leaves only one objection, and it has to do with racist and apartheid Israeli laws.

CONCLUSIONS

An overwhelming body of data clearly demonstrates how and why the catastrophic situation of Palestinian refugees was created and perpetuated by Zionist colonization and expansion. This history is now even accepted by most leading Zionist intellectuals. The refusal to remedy the situation remains anchored in racist and supremacist insistence on the desire for a homogenous “Jewish state.” Research shows that the right of refugees to return to their homes and lands is not only legal and moral but also feasible. A lasting peace cannot be achieved without giving the refugees the choice as sanctioned by basic human rights and international laws and treaties. Of course, choice does not mean every refugee and his or her descendents will return. Depending on the compensation offered, this could vary from a minority to a majority of refugees. Implementing the right of return will advance peace because it will remove the major injustice done in the past 55 years. It may accelerate a positive trend of integration and evolution of Israeli society into a pluralistic and democratic state.

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gunpoint, the Israeli army loaded 1,800 trucks worth of looted property from Lydda alone.²³ Hadawi estimates Palestinian losses in land and property to be valued at 562 billion US 1998 dollars.²⁴ These are only the direct material losses and do not include loss of life, suffering, injuries, and loss of income.

Meron Benvenisti wrote in his book *Sacred Landscape: the Buried History of the Holy Land Since 1948*:

The signing of the armistice agreement did not put an end to the expulsions [by Israel]. In late February 1949, the remaining inhabitants of the township of Faluja and the village of Iraq al-Manshiyya ... were expelled. Approximately 3,000 people were ejected from their communities, despite Israel’s having guaranteed that they could remain there with full security to themselves, their homes, and all their property.²⁵

Following the initial and the largest expulsion of the Palestinians between 1947-1949, the state of Israel started a program to further “cleanse” what remains of the Palestinian areas. Thus, an Israeli writer wrote about Nazareth area (the largest remaining Palestinian and mostly Christian Arab) town:

Upper Nazareth, which was created some fifteen years ago, ‘in order to create a counterweight to the Arab Nazareth,’ constitutes a cornerstone of the ‘Judaization of the Galilee’ policy. Upper Nazareth was erected upon the hills surrounding Nazareth as a security belt surrounding it almost on all sides. It was built upon thousands of acres of lands which were expropriated high-handedly, purely and simply by force, from the Arab settlements, particularly Nazareth and Rana.²⁶

The land acquired by the Jewish National Fund (JNF) from the state of Israel in 1961 was 3,507,000 dunums while the state and development authority controlled 15,205,000 dunums of a total of 20,323,000 dunums in Israel.²⁷ The Israel Land Authority was given control of all lands (whether JNF or State land) and thus controlled most of the land in Israel. This Palestinian land was procured through a variety of mechanisms and then leased only to Jews. This is the land that the Kibbutzim were later built on. Still later, with

the bankruptcy of the Kibbutz movement, Ariel Sharon and other ardent Zionists pushed for selling this land to Jews and giving the kibbutz leaders the money.

Israel claimed that it was unifying the city of Jerusalem after its occupation in 1967, and proceeded to settle Jews in the eastern part of the city, including the old Jewish quarter. In this previously Palestinian area many Palestinians had already been evicted from their homes that in 1948 became Jewish West Jerusalem. The reciprocal and fair solution of allowing Palestinian to go back to the houses they left behind in 1948 in West Jerusalem was not contemplated in the process of “unification” between 1967 and 1969. Israel instead embarked on a program of deliberate further thinning of the Palestinians remaining in the expanded boundaries of Jerusalem.

Expulsions were also carried out during and following the 1967 war. An estimated 300,000 Palestinians left the West Bank during the Israeli invasion, with many becoming refugees a second time. An example of this is the complete removal of people in the Auja refugee camp near Jericho. But this was not the only destructive act perpetrated. All Palestinians who were outside the conquered areas in June 1967, whether for studies, business or visits were prevented from returning, and if they had property, it again fell to ownership for the Jewish people (via the JNF under absentee property laws).

The Hebrew weekly magazine *Kol Ha'ir* published a letter by the former Israeli Army General Shlomo Lahat, who was Commander of Eastern Jerusalem immediately after the occupation in 1967. In the letter to a Jerusalem council member, he wrote: “In the power of my authority as Military of Jerusalem, immediately after the city was liberated in 1967, I gave orders that Arab inhabitants be evacuated from the Western Wall area and from the Jewish quarter in the Old City. They were given, in agreement, alternative housing in Jerusalem and its environs.”²⁸

Like all refugees, Palestinian refugees have an internationally recognized right to repatriation and compensation for their suffering. Article 13 of The Universal Declaration of Human Rights reaffirms the right of every individual to leave and return to his country. The Fourth Geneva Convention is also very explicit in considering any forced migration or refusal to repatriate peo-

Israel bears the primary responsibility for the implementation of the right of return, but has not demonstrated willingness to implement it. However, it should be noted that the plight of the Palestinian refugees has become the subject of discourse in certain Israeli political and civil society quarters. For instance, although he did not acknowledge responsibility, in an October 1999 speech to the Knesset Prime Minister Barak expressed regret for the suffering of the Palestinian people, including refugees.

It is observed, in particular, that the violation of this right grew greater during this review period - as with every passing year - and as the number of right holders grows, the values of their potential compensation and restitution claims increase, and the political and logistical aspects of the task become more complex and difficult.³³

Indeed it is getting more complicated but not impossible. After all, Palestinians have basic political and human rights that cannot be easily dismissed.

Further, research not only shows that the right of the refugees is legal but also possible. It is a myth that Israelis would have to be displaced to allow for the return of the refugees. A study on the demography of Israel³⁴ shows that 78% of Israelis are living in 14 percent of Israel and that the remaining 86% of the land in Israel is mostly land that belongs to the refugees on which 22% of the Israelis live. However, 20% live in city centers, which are mostly Palestinian such as, Beer Al Saba', Ashdod, Majdal, Asqalan, Nazareth, Haifa, Acre, Tiberias and Safad. Only 2% live in Kibbutzim. Thus, only 154,000 rural Jews control 17,325 square kilometers, which is the home and heritage of five million Palestinian refugees.

Is there any logic to having 5,000 individuals on one square kilometer in the Gaza Strip while any one of them could look over the barbed wire and see his land practically empty? If all the Gaza refugees returned to their homes in southern Palestine, no more than a tiny fraction of Israeli Jews would be affected. If the refugees of Lebanon returned to their homes in the Galilee, no more than one percent of Israeli Jews would be affected. The total number of refugees from Gaza and Lebanon equals the number of Russian immigrants who came to Israel in the 1990s to live in the homes of these refugees. What

reasonable dispute on this matter: 'When such protection or assistance has ceased for any reason, without the persons being definitively settled in accordance with relevant resolutions adopted by the general Assembly of the United Nations, these persons shall ipso facto be entitled to the benefit of this Convention'. There is no discernible reason to refrain from implementing this inclusionary provision, which should have been done decades ago.³²

Similarly, the UN Commission on Human Rights appointed Special Rapporteur reported finding Israel in violation of the principles and bases of international law in the occupied Palestinian territories. With respect to the plight of the refugees, the report reads:

The plight of Palestinian refugees in these territories has remained a concern throughout the period of occupation. Most of these refugees were made homeless as a consequence of the war of 1948, as well as the simultaneous and subsequent confiscation of their land, properties and homes, and large-scale demolition of their villages by Israel. Currently, at least 1,353,547 Palestinian registered refugees and other holders of the right of return (as well as to compensation and/or restitution) reside in the territories subject to this mandate [areas occupied by Israel in 1967]. The Special Rapporteur notes that the duty holder, in the case of this right, is also the Occupying Power and bears the main responsibility for the return of persons residing in the occupied Palestinian territories, displaced as a result of the 1948 war, those from the West Bank, the Gaza Strip and Jerusalem displaced in the war of 1967, and refugees from Gaza and elsewhere during and after the hostilities of October 1973. The majority of these refugees still live in 30 camps created after the 1948 war (8 in Gaza and 22 in the West Bank, including Jerusalem).

The continuing violation of the right of return emerged as a special concern during the Special Rapporteur's visit. It is his observation that it is increasingly a subject of both popular and political discourse, including in the form of opinion polls, editorials and petitions, reinforcing the claim to this right. Refugees feel that they are the subjects of continuing violation while kept in limbo for political reasons. Although the international community continues to provide services for Palestinian refugees, they note that there is a lack of adequate protection because they do not fall under the Convention relating to the Status of Refugees of 1951.

ple displaced from their homes and lands as violations of basic rights.

The refugees themselves have traditionally demanded repatriation and refused resettlement. In the early 1950s the Palestinian refugees themselves steadfastly held to the "right of return." UN General Assembly Resolution 194 passed on December 11, 1948, was very clear on the right of Palestinian refugees. This was reaffirmed almost yearly by the General Assembly. The resolution states that "the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date." The UN partition resolution 181 of November 29, 1947 that recommended formation of a Jewish state also forbade population transfer. In fact, Israel's later admission to the UN was conditional on acceptance of relevant UN resolutions including 181 and 194.

Count Folke Bernadotte, former vice chairman of the Swedish Red Cross successfully challenged Himmler's plan to deport 20,000 Swedish Jews to concentration camps during World War II. After WWII he was appointed Special U.N. Mediator to the Middle East. Bernadotte stated, "It would be an offence against the principles of elemental justice if these innocent victims of the conflict were denied the right to return to their homes, while Jewish immigrants flow into Palestine."²⁹

For this outspoken support of basic human rights, Zionists assassinated Bernadotte in Jerusalem September 17, 1948. The head of the Stern terrorist gang, Nathan Friedman-Yellin, was sentenced to five years imprisonment for the murder but was quickly pardoned and in 1950 was elected to the Israeli Knesset. In the same year, the Knesset introduced laws to ensure refugees are not allowed to return. A massive media campaign was then launched to ensure that the world did not get the real story about those unfortunate victims of war and repression. The words of Nathan Chofshi, 40 years ago, remain true today:

We came and turned the native Arabs into tragic refugees. And still we have to slander and malign them, to besmirch their name. Instead of being deeply ashamed of what we did and trying to undo some of the evil we committed...we justify our terrible acts and even attempt to glorify them.³⁰

The refugees themselves believed that eventually they would return to their homes and villages in what became Israel and would live at peace with their neighbors. Here is how one refugee described his feelings:

Our struggle, as we have proved, has not been merely to live in comfort, to pursue happiness, to acquire purpose, to create, to sing, to make love; it has not been merely to enrich our culture, to contribute to civilization, to leave our imprint in history. But it has been a struggle for the right to do it in Palestine. In the past we were repeatedly offered, were we not, the choice of resettlement elsewhere. More than Palestine, Syria has an abundance of cultivable land to till; Lebanon has more beautiful hills to build on; Australia a more developed economy to benefit from; other parts of the world a more splendid red carpet to welcome us on. But we opted to wait for a return to our homeland, where we had lived, where we danced the dabke, played the oud, where the men wore their checkered hattas and the women their embroidered shirts, where the sun shone in the winter and the smell of oranges permeated the air and the soul.³¹

In one survey in the West Bank, 74.9% of refugees stated that the just solution must include return, 15.6% stated compensation and 6% stated compensation and return. As for an acceptable solution, 46.2% said return, 26.8% said compensation, and 18.2% stated improvement in status of the camps. This is in the West Bank; in Lebanon and Jordan, a higher percentage of people polled wanted to return to their homeland (surveys cited in Dr. Adel Samareh *'Al-Lajoun Al-Falastinyoun: Haq al-awda wa istidkhal al-hazima*²⁹). Another survey showed that 98.7% of the refugees (93% of among all Palestinians) said they would not accept compensation as an alternative to return (the Israel/Palestine Center for Research and Information, August 2001, <http://www.ipcri.org>). Again, a vast majority (96% to 2%) chose return to their homes and lands and not into the new Palestinian state. Almost 80% of the refugees lack faith in the ability of negotiations to produce positive results for them. Over 85% of the general refugee population would agree to return even if it meant living under Israeli sovereignty. Pessimism is higher among the older generation, with 60% believing that they will not return to

their native lands, while in the general population among Palestinians only 23.7% believe they will not return.

Many of the refugees are camped either along, or within a short distance of, Israel's borders in southern Lebanon, in the West Bank and the Gaza Strip, creating a major "infiltration" problem for Israel. For instance, in the Gaza Strip, the population trebled from 80,000 in 1947 to nearly 240,000 at the end of the 1948 war. This created a massive humanitarian problem for tens of thousands of destitute refugees crowded into this small amount of land. In 1956, of the then 300,000 inhabitants of the Gaza Strip, 215,000 were listed as refugees, occupying eight vast camps. The Gaza Strip had nearly one-fourth of the total of about 900,000 refugees from historic Palestine, and has become the most densely populated area on earth

One of the main obstacles to providing protection to Palestinian refugees is that the situation for them was not only unique in the sense that new people established a new nation in their homeland, but that they were then placed in a legal limbo. When the UN High Commission on Refugees was established, one of its provisions called for exclusion of refugees who receive protection under another UN agency. The great powers (primarily Britain and the US), protecting Israel's interests, interpreted this as excluding Palestinian refugees since they were receiving aid from UNRWA (United Nations Relief and Works agency for Palestinian Refugees). However, UNRWA, as its name and mandate clearly designated, is a humanitarian organization and its mandate specifically excluded providing protection. Thus, Palestinian refugees were put in the awkward position of receiving humanitarian aid, but being excluded from UN and International programs to provide protection, resettlement, and other political guarantees that UNHCR is able to afford refugees such as those in Afghanistan, Bosnia and elsewhere. The UN Commission on Human Rights itself recognized this anomaly and stated in a report:

Such a result [lack of protection] is particularly disturbing as article 1D [of the UN 1951 Convention on Refugees] explicitly recognizes the possibility that alternate forms of protection may fail for one reason or another. The language of article 1D is clear beyond