[Palestinian Right to Return. Sacred, Legal and Possible](http://www.prc.org.uk/portal/index.php/publications/books/89-palestinian-right-to-return-sacred,-legal-and-possible)

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By Salman Abu Sitta

Palestinian Return Centre

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14. Summary and Conclusions:

The Palestinian Holocaust is unsurpassed in history. For a country to be occupied, emptied of its people, its physical and cultural landmarks obliterated, its destruction hailed as a miraculous act of God, all done according to a premeditated plan, meticulously executed, internationally supported, and still maintained today, is no doubt the ugliest crime of modern times.

Myths were floated to make this extraordinary event explainable, especially to the West, which supplies Israel with money, arms and political support. For decades, the West has been fed on the myths that the refugees left on Arab orders, that the Arab Goliath attacked little Israel in superior numbers to throw the Jews into the sea from where they came, and that Israel was in a state of self-defence. The corollary is that Israel’s occupation of Palestinian land is legitimate and that Israel is not responsible for the “refugee problem”; it is the Arabs who are responsible for their plight, hence for their settlement in their countries. Even if the refugees have the right to return, the former sites are lost and it will not be feasible to effect their return.

Released documents and new research strip these myths from any credibility they may have had. It is demonstrated that the Palestinians did not leave on Arab orders. They were expelled or removed from their villages and towns by force. As shown, 89% left due to direct Israeli military assaults, 10% left due to psychological war and the remaining 1% left on their own initiative.

Whether the military action was direct expulsion or an onslaught, whether the psychological campaign was conducted by “whispering” or loudspeaker vans, is immaterial. The perpetrator, and the beneficiary, of all these actions was their enemy, who wanted the land without its people.

The remarkable fact is that the Palestinians have left, or been removed, only during the fighting when forced to do so. When there was a lull in the fighting, however short, hardly anybody left. The exodus was therefore concurrent with and resultant from Israeli military operations.

About 65% of the Palestinians became refugees mostly before the assorted Arab forces came to their rescue. Barely 27 days after the entry of the Arab forces, the Israelis depopulated 59% of the villages. The fate of Palestine was already sealed.

On 14 May 1948, the state of Israel was declared on 11% of Palestine. Pointedly, no borders for the state were announced. In the words of Morris, (1987, p.3), by July, it was clear that “Israel has won its war for survival, at least in the short term, and that subsequent IDF offensives were geared to securing the political-military future of the Jewish state”. This required occupation of more Palestinian land. The pretence of “defence” has given way to naked expansion, resulting in occupying 78% of Palestine, before signing the 1949 Armistice Agreements.

Side by side with the military and psychological wars, a series of massacres, which had become a regular pattern and an effective war weapon, hastened the flight of the reluctant population, who were given a graphic display of the grim future awaiting them if they remained. The war crimes which had been committed are yet to be tried and the responsible people brought to justice.

Thus the “refugee problem” was created. Today, close to five million refugees are dispossessed of their land and identity. For 50 years, they have suffered great injustice which must be remedied. Paramount among the remedies for this injustice is the Right of Return. Unquestionably, it has irrefutable and solid legal basis. It is also an indestructible core of the Palestinian psyche. To them, it is sacred.

In practical terms, the return of the refugees has been shown to be feasible. First, it is shown that there is no difficulty in locating “former sites”. Second, the sparsely populated area of Israel, (85%), can accommodate 20% of the Jews (of which 17% live in a few towns), the present and the returning Palestinians. The resulting density would be half that of the West Bank and one-seventh of the present Gaza Strip.

Rural Israel, the traditional home of 4,942,000 Palestinian refugees, is practically empty. Only 154,000 Jews control 17,445,852 donums. Of these, only 32,000 Jews live in the southern district and control 14,320,000 d. The refugees, mostly fellahin (farmers), can recultivate their fields as they have done for centuries. This will compensate for the drop in Israel’s agricultural production to only 3.5% of GNP and for the desertion of Jewish immigrants from rural to urban areas.

As the Kibbutz became bankrupt and their ideology faded, there are voices in Israel calling for Palestinian farmers (living in Israel) to come to the rescue. Reiner wrote in Ha’aretz (September 23, 1998): “Perhaps we can get along with Arab Farmers … The return of the Jews to their ancestral land seems to be an advent of lasting duration. But the idea of Jews working the land? Apparently, that is a passing historical aberration”.

Since a typical village is a monolithic unit of 4-5 large families, the return of the villagers to their village land will not constitute a social or logistical problem. The villagers, through the proposed Palestine Land Society, may collectively hold title to the village land through shares, whose value may be determined later.

The return will not constitute a legal problem, as well. All Palestinian lands are leased to Jews; generally no Jew holds title to a Palestinian land. The term for most leases expire in 1998, a convenient date for the refugees return. All Palestinian lands are held in custody; a single transfer of custody to a new Palestine Land Society should be straightforward.

The returning refugees may be under the sovereignty of Israel. They may acquire Israeli or other citizenship, but they shall always maintain their Palestinian Identity. They must enjoy full and equal rights without discrimination or oppression.

UNRWA shall continue to function until all refugees return and settle, then turn into a UNDP organization. The whole process shall take place under the auspices of CCP, which shall be the Custodian for the refugees’ rights and welfare.

Far fetched? Far from it. Whatever we think of them, the Peace Accords which have been signed gave rise to new facts. Some of these are: the Palestinians will not just disappear as the Zionists had hoped; and traditional Zionism is obsolete. Zionism (the Labour Party brand) now projects itself as an economic force that promises prosperity for all, instead of a military machine which destroys all. (Incidentally, this is the same thesis which Weizmann had preached to the Arabs seventy years ago). Israelis now are split into 3 streams: the fanatic religious Zionism, which has fuelled the drive to transport Jews into Palestine, secular Zionism which used the former for its own ends and now suffers from it; and the military establishment which was elevated to mythical heights and is now unemployed. There are several separate ethnic streams as well, with no hope of becoming a monolithic unit. It is not clear which one will prevail but it is hoped that the fanatic adherents of “Greater Israel” will not lead. There is no future in this world for determinism, whether dictated by the monopoly on military supremacy or by the monopoly on God’s favours.

It is said that the return of the Palestinians would dilute Israel’s Jewish purity. There is only one way for Israel to end the strife which devastated the lives of millions and to gain permanently for itself the much-desired “security”. It is to be and remain democratic. This is the equilibrium state of its existence.

On 25 November 1995, the protracted Bosnian conflict resulted in a settlement which called for “the return of refugees”. This is a case of three indigenous peoples of the same country agreeing to the return of refugees. In Palestine, the indigenous Palestinians were replaced by newcomers from overseas. Here, the return of the refugees is even more compelling.

Not only is the acceptance and implementation of the Right of Return the responsibility of Israel; it is also the responsibility of the international community, particularly the West. The UN has given Israel the legal pretext, however flimsy, for the partitioning of Palestine and creation Israel, and has, through UNRWA, provided meagre means of survival for the refugees. In the 1991 Gulf War and the Bosnian conflict, the international community exercised its duty to use all means to implement the Right of Return to the expelled refugees. It should do so again.

For real and lasting peace to prevail, the Right of Return must be implemented. The illusion that the military supremacy and violation of all norms of human rights, which have prevailed during the last 50 years, can continue and gain permanence is dangerous and costly.