



**A Weapon to Destroy Israel:
Arab States' Struggle
against Solving
the Palestinian Refugee Problem**

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If the Arabs return to Israel, Israel will cease to exist.
Gamal Abdel Nasser¹

The Palestinian representatives' claims that the failure of the "peace process" as a whole was largely caused by the failure to achieve agreement on the issue of Palestinian refugees warrants an in-depth study of this highly complex issue.

The Palestinian Administration's official document on the reasons of the failure of the negotiations says, "Obviously, there can be no comprehensive solution to the Palestinian-Israeli conflict without resolving one of its key components: the plight of the Palestinian refugees."² The PLO officials' statements are enormously pathetic: "Palestinians should not be the first people in history forced to abandon their right of return."³ This article provides a brief historical review of previous attempts to resolve this problem. A review of a number of documents and subsequently published works will help understand the reasons why in over fifty years this problem has not been solved.

In late 1947 Arabs made over two-thirds of the Palestinian population under mandate and owned most of the land. Within less than a year the demographics underwent a radical change due to the mass migration of Arab population in the course of the first Arab-Israel war.

Even before Israel's Declaration of Independence was issued, five Arab states rejected the UN plan of division of Palestine and refused to acknowledge the legitimacy of the State of Israel. In only a few months after the war started the Arab population of Palestine shrank to its fraction, as most residents abandoned their homes and fled to neighboring Arab countries. The problem of Palestinian refugees — divided, residing in neighboring states, and deprived of most of their possessions — became one of the gravest consequences of this socio-demographic "catastrophe" (al-Nakba, as Arab historians term the 1948–1949 war).⁴

Palestinian Arabs are not the only group forced to resettle in the 20th century, but their problem is unique. In most other cases refugees were helped by the governments of the countries where they sought refuge, and the solution was found either in their return to historical land of birth, or in their integration in the communities where they found themselves. Palestinian Arabs made for a mere two percent of the whole number of refugees in the world following the WWII; yet for the most part they still have not received real assistance or changed their status. They are the only community to become the wards of international public, who delayed the solution of the problem for many years. In order to reduce unemployment among Palestinian refugees, the UN tried to create conditions for normal life and employment, encouraging irrigation of new land, creation of farmer households and country settlements of both industrial and agricultural types. Yet for political reasons the refugees' integration in Arab countries was artificially made more complicated, despite all sorts of constructive proposals put forward by international bodies and successive Israel governments that could form the basis for solving this grave humanitarian problem.

This paradox is all the more curious, since Palestinian Arabs had common language, religion, social level of development, and – partially – national self-consciousness with the most societies where they found refuge. Yet Jordan was the only country that agreed to allow their naturalization. The rest of Arab countries continued to keep these émigrés in refugee camps, devoid of all civil and social rights.

This problem has always been complicated by differences in approaches to its genesis, both parties' reluctance to shoulder responsibility, the absence of single statistics on refugees' numbers, and a shared definition of "refugee." While Israel was ready to make concessions to settle the issue, Arab representatives obdurately delayed the settlement, which yielded them political benefits.

The UN was unable to prevent the first Arab-Israel war and afterward encountered a broad-scale humanitarian and social

problem. The hopes for a quick settlement soon faded, the problem of Palestinian refugees kept returning to the agenda, and the quest for solution was spread for many years. The ideological debate further confounded the situation and the quest for political solution.

The most acute issue was: Who is to blame for the Palestinians' flight? The problem was in establishing the reason why they left their homes and who was the responsible party. There have been numerous studies by Israeli, Arab, and American researchers on the subject.⁵ Was it caused by deliberate action of Israeli military and political bodies, or was it provoked by Arab political leaders who saw it as a pretext to legitimize the war they waged on Israel? The answer had and has far-reaching operative and geopolitical consequences.

The refugees' "Palestinian nationality" became another bone of contention. The refugees' (or Arab leaders who claimed to represent them) demands were based on their Palestinian origin. Hence, their objective was returning to their homeland, i.e. Palestine, by which they meant their homes on the territory, which either formed basis for the State of Israel, or that the latter gained following the war imposed on it by Arab states.

Israeli representatives responded that an Arab refugee from the Israeli part of Palestine had in fact already "returned home", if he was in the part of the former British mandate that, according to the 1949 ceasefire agreements, had been ceded to Arab countries – Egypt and Jordan. According to the UN data, out of 725,000 Palestinians who had left their homes, 470,000 (almost 65%) stayed on the territory of former Palestine under mandate. Of this number, 280,000 settled on the so-called West Bank that was ceded to Jordan, while 190,000 settled in the Gaza Strip, occupied by Egypt. Hence determining just how legitimate it is to consider these people refugees seems like a very complex issue.

In fact, the total number of Palestinian Arabs who left their homes and property between November 29, 1947 (when UN General Assembly Resolution 181 on dividing Palestine was adopted) and July 20, 1949 (when the last ceasefire agreement

between Israel and Syria was signed) is also an issue of a heated debate. The United Nations Relief and Works Agency (UNRWA), Israel, and Arab states are using contradictory sets of data. Israeli representatives stated officially that 520,000 people had left the territory of the Jewish state in 1948. The UN puts the refugees' numbers at 726,000, while the Arab states insist on those of 900,000, claiming that the UN numbers omit those who in 1948 were outside Palestine due to work or study and could not return due to war.⁶ These data were questioned by independent researchers. According to the census conducted by the British in December 1944, the Arab population in the part of the Palestine where the State of Israel was created was 525,000, of whom 170,430 resided in cities, and 355,070 – in rural districts.⁷ Considering that about 150,000 stayed in Israel, and 35,000 came back in 1949–1956, the total number of refugees of all ages (not counting their children born later), is slightly above 340,000.

There was an opinion that the problem has to be limited to those who actually fled and abandoned their property (as opposed to selling it in advance), from the part of Palestine that became Israel, since the refugees included many who came from the Arab part of Palestine and émigrés who had left the region before the war, as well as those who obtained the refugee status illegally. The United Nations Relief and Works Agency lists included people who had never been Palestinian refugees, but claimed that status in order to obtain food and other assistance from international organizations. Many refugees took citizenship of the countries where they had found themselves and took an active part in these countries' politics. It was proposed that these people be considered migrants integrated in their new host countries and deleted from the refugee lists.

The approaches to solving the problem and reaching a compromise were influenced and complicated by the argument about the responsibility for the problem. Israeli leadership emphasized that the problem was a direct result of the Arabs' refusal to accept the division of Palestine, which had deprived the Palestinians of peaceful life in a state of their own. Arab

representatives took an opposite tack, claiming that it was Jewish settlers who had occupied Palestinian Arabs' lands.

Arabs were demanding an absolute right of return to the homes and towns abandoned by refugees. As David Ben-Gurion stated, with good reason, "If an Arab refugee problem still exists, this is entirely a result of the violation of the UN Charter by the Arab rulers and their callous treatment of members of their own people. ... The Arab rulers treated the Arab refugees ... as a weapon with which to strike at Israel. Some of the neighboring Arab countries are under-populated, and they have plentiful resources of fertile soil and water as well as a shortage of manpower, but for the purpose of destroying Israel – with the aid of the refugees as well – they are behaving callously to their own people and treating them as nothing more than a political and military weapon with which to undermine and destroy Israel."⁸

The refugees' right to return was the gravest of the issues brought up at debates on Palestinians at the UN. On 19 November 1948 the Third General Assembly adopted a Resolution 194 (III). The Resolution stated, in paragraph 11, the general principles that were to govern the attitude of the United Nations with regard to the question of the Arab refugees:

[The General Assembly] resolves that the refugees wishing to return to their houses 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 the principles of international law or in equity, should be made good by the Governments or authorities responsible...

The interpretation of paragraph 11 became a permanent bone of contention between the Arabs and Israel, first in the framework of the negotiations conducted by the Palestine Conciliation Commission and subsequently in the debates of the General Assembly. The Arabs claimed an absolute right of the refugees to return to their former homes or, alternatively, their right of free choice between repatriation or compensation.

Such an interpretation is obviously misleading. Paragraph 11 does not confer on the refugees any unrestricted “right to repatriation”, and does not even use the phrase. Indeed, the United Nations has no competence, under its own Charter, to confer “rights” on any persons to enter the territory of any sovereign state at their own choice. Although at first incorporated in a draft Resolution (UN Doc. A/C1/394, Rev. 2), the term “right” was generally opposed and was deleted from the text as adopted. Instead, the words used were “should be permitted” – obviously by the government of the country concerned. In considering the question of admitting any refugee, the Israel government must have regard to the situation as a whole, and especially to security considerations such as the state of relations between Israel and her Arab neighbors and the attitude of the refugees themselves towards Israel. *The Resolution referred to refugees wishing to “live at peace with their neighbors”, i.e. – the return being made contingent on the establishment of peace, a condition that the Arabs steadfastly refused to accept.* The Resolution further stated that the refugees should be “permitted” to return at the “earliest practicable date”, implying that the agreement to the practicability of return could be granted only by the sovereign State of Israel.

Moreover, it should be mentioned that the Resolution 194 consists of 14 interrelated paragraphs, all pertaining to the main objective of reaching a “final settlement of all questions outstanding” between the neighboring Arab states and Israel. Thus, no one paragraph – such as no. 11, dealing with the refugees – can be taken out of the context of the Resolution as a whole without rendering its interconnected provisions inoperative. Arab leaders’ attempts to isolate the refugee problem from the rest of the Resolution have been consistently rejected by the Conciliation Commission, which time and again has emphasized the interdependence of all its provisions: “The Conciliation Commission, while fully recognizing the importance and extreme urgency of the refugee question, both from the humanitarian and political points of view, did not consider it

possible to separate any one problem from the rest of the peace negotiations or from the final peace settlement.”⁹

Arab leaders categorically refused to accept this condition. On September 20, 1955, Syrian Prime Minister stated: “Israel is Syria’s avowed enemy. The Arabs will not rest as long as this thieving enemy still dwells on holy soil in the very heart of the Arab world.” Egypt’s then Prime Minister (later, its President) Gamal Abdel Nasser said in a interview to an American paper that “The hatred of the Arabs is very strong, and there is no sense in talking about peace with Israel.” According to him, “There is not even the smallest place for negotiation between the Arabs and Israel.” Despite these fighting words, the sides did negotiate, albeit through intermediaries. For six weeks, January 23 to March 9, 1956, President Eisenhower’s personal emissary Robert B. Anderson mediated a series of meetings with Ben-Gurion and Nasser in order to reduce the tensions between the two sides. However, the negotiations were in vain: Nasser declined all Anderson’s proposals to establish direct contacts between Israel and Egypt, unambiguously stating that, following the assassination of Abdullah, King of Jordan, he feared that such contacts might cost him his life. It was Nasser’s unwillingness to commit to direct (even if secret) contacts with Israel that led to the failure of Anderson’s mission.¹⁰ As Abba Eban, Israel’s Ambassador to the UN (later Israel’s Foreign Minister), noted in his report to the General Assembly, the Arabs’ attitude to the Jewish state made the Palestinian refugees’ return to Israel an impossibility. Israel could not accept the demand that hundreds of thousands of people, who were completely unwilling to show loyalty to the Jewish state, declared according to the UN decision, but were in fact willing to fight it with arms, be resettled in its territory. Ambassador Eban posed a rhetorical question and ten answered it: “Can the mind conceive anything more fantastic than the idea that we can add to these perils by the influx from hostile territory of any number, large or small, of people steeped in the hatred of our very statehood? I do not believe that any responsible conscience will sustain such an idea.”¹¹ By the way, in the cause of his first talk with Anderson

that took place on January 23, 1956, Nasser claimed that Arab raids from Gaza Strip that worried Israel so much did not reflect the Egyptian leadership's interest in heating the border situation, but, rather, resulted from the hostility towards Israel on the part of the Palestinian refugees residing in Gaza. Nasser may have wanted to absolve himself of responsibility for the border incidents and terror acts, yet his reference to the hostility on the part of the Palestinian refugees residing in Gaza is highly illustrative. The Egyptian leadership had done nothing to absorb these refugees (by June 1955 they were 214,600, of whom 124,100 lived in camps) or to alleviate hatred of Israel in their midst.

On December 11, 1948, the UN General Assembly adopted Resolution 194 (III), which predicated the return of Palestinian Arabs to their prewar homes on two conditions: first, the practicality of mass return; and second, the ability of Jews and Arabs to co-exist. With each year, the hopes that these conditions would be met kept shrinking.

On June 15, 1949, Israel's Foreign Minister Moshe Sharett said in Knesset, "A flood of returning Arabs is liable to blow up our State from within. Even if those who return may now be seeking peace they could not be relied upon in the event of a new outbreak; on the contrary, there can be little doubt that they would be swept into the vortex were it to recur. A mass repatriation of refugees without peace with the neighboring countries would thus be an act of suicide on the part of Israel. No State in the world placed in our position would think of doing anything of the sort."¹²

Abba Eban, who later replaced Sharett in his office, made a similar argument: "Cut off from all land contacts; intercepted illicitly in two of its three maritime channels; subjected to blockade and boycott, to siege and encroachment, to infiltrations and commando raids; the object of an officially proclaimed state of war and the target of a monstrous rearmament campaign, this is the picture of Israel's security. No other state in the entire world faces such constant threats to its security and integrity. Can the mind conceive anything more fantastic than the idea that we

can add to these perils by the influx from hostile territory of any number, large or small, of people steeped in the hatred of our very statehood? I do not believe that any responsible conscience will sustain such an idea. There could be no greater unkindness to an Arab refugee himself than to expose him to such an invidious role, perhaps reproducing the very circumstances which first made him a refugee."¹³

Discussing the obstacles to the Palestinian Arabs' return to Israel, Eban cited specific examples of integration in Jordan and Syria, and emphasized the absurdity of providing Israeli citizenship to people who were drafted for service in a country that was still in a state of war with Israel and were practically this country's citizens. "Thousands of refugees are enrolled in the Jordanian army and its National Guard. ... According to the law of July 1956, [Palestinian] refugees [living in Syria] are subject to compulsory military service in the Syrian army. ... To adduce an unconditional right, "repatriation," would signify that those who are citizens of a State foreign and hostile to Israel have a simultaneous right to be regarded as Israel citizens! ... Repatriation would mean that hundreds of thousands of people would be introduced into a State whose existence they oppose, whose flag they despise and whose destruction they are resolved to seek. ... Is there any State represented here which would acknowledge a right of entry to those who having left its shores have become the citizens of a foreign and hostile State, and have taken military service under governments which proclaim a state of war against it?"¹⁴

In his polemics with Arab leaders Eban submitted the following arguments against Palestinian refugees' repatriation. First, the term "repatriation" (from Latin *patria*, or fatherland) did not apply, since the arrival of refugees from Arab countries to a non-Arab one is not a return to their homeland. "'Patria' is not a mere geographical concept. Resettlement of a refugee in Israel would be not repatriation, but alienation from Arab society; a true repatriation of an Arab refugee would be a process which brought him into union with people who share his conditions of language and heritage, his impulses of national loyalty and

cultural identity.” From the point of view of Israeli leadership, repatriation would tear the Palestinians out of the milieu they were used to and place them on the territory of a people to whom they were hostile. “Israel, whose sovereignty and safety are already assailed by the States surrounding her, is invited to add to her perils by the influx from hostile territories of masses of people steeped in the hatred of her existence,” Eban noted with bitterness and amazement.

Speaking in Knesset, Sharett declared: “The Government of Israel stands firm in its conviction that the resettlement of the Arab refugees in the neighboring countries is not only necessary and justified, having regard to all the circumstances of the case, past and present, but that in the long run it represents the best course for the refugees themselves, for the countries in which they would be settled and for the relations of those countries with Israel.”¹⁵ Almost all Israeli leaders stressed that Palestinians belonged to the Arab nation, but did Arab states throw a welcome mat for Palestinian refugees? Rather, these states kept artificially stoking up the problem for political reasons, ignoring all the social, economic, and cultural factors that in a different situation would have resolved it long ago. Ben-Gurion was right to say, “There is only one practical and fair solution for the problem of the refugees: to settle them among their own people in countries having plenty of good land and water and which are in need of additional manpower.”¹⁶

The position was shared by the former director in Jordan of UN aid to the Palestinians, Ralph Galloway, who stated: “The Arab states do not want to solve the refugee problem. They want to keep it as an open sore, as an affront to the United Nations and as a weapon against Israel. Arab leaders don’t give a damn whether the refugees live or die.”¹⁷ A similar rather critical position was taken also by Hussein, King of Jordan, who told an Associated Press reporter in January 1960: “Since 1948 Arab leaders have approached the Palestine problem in an irresponsible manner.... They have used the Palestine people for selfish political purposes. This is ridiculous and, I could say, even

criminal.”¹⁸ King Hussein was the only Arab leader who granted Palestinian refugees citizenship, which well entitles him to make such criticism.

In the 1950s two Arab regimes considered plans to resettle the Palestinian refugees: in 1949 the Syrian leader Husni al-Za’im accepted a plan to resettle 300,000 refugees in the al-Jazira region of north east Syria (this plan was also enthusiastically supported by George McGhee, special assistant to the U.S. Secretary of State)¹⁹; in 1954 the Egyptian government considered a United States – UNRWA plan to resettle the Gaza refugees in Sinai. However, both plans have not been implemented.

Israeli diplomats emphasized that beginning in 1948 a virtual population exchange took place between Israel and Arab countries. Israel granted citizenship to 800,000 immigrants, most of who (570,000) came from Arab countries, this number being on par with that of Arabs who left Palestine. Just like Palestinians, Jews from Iraq (125,000), Egypt (38,000), Yemen (50,000), Morocco (253,000), Tunisia (46,000), Libya (34,000) and other Arab states left behind their homes and property. Israel welcomed them, granted them citizenship, and, with time, living quarters and employment – all with its own resources. According to Israel, there was objective basis for absorption of Palestinians in Arab countries. The Arab world has a territory of 2.5 million square kilometers and rich natural resources, while Israel is a tiny country with limited natural resources and a territory of a mere 20,500 sq. kilometers (within 1949–1967 borders). While immigrants from Moslem country encountered social and cultural problem adapting to life in Israel, these problems would be far less severe for Palestinians in Arab countries, due to small socio-cultural differences. Eban remarked that the report of The Research Group for European Migration reached the same conclusion: “The Palestine refugees have the closest possible affinities of national sentiment, language, religion and social organization with the Arab host countries and the standard of living of the majority of the refugee population is little different from those of the inhabitants of the countries that have given them refuge or will

do so in the future.”²⁰ The same point is made in the report (dated by 19 May 1958) of a Special Study Commission to the Near East and Africa dispatched by the Committee on Foreign Affairs of the United States House of Representatives, the source of a great proportion of UN relief funds: “Unlike refugees in other parts of the world the Palestine refugees are no different in language and social organization from the other Arabs. Resettlement therefore would be in familiar environment.”²¹

The Resolution 194 (III) was the first — and up to now the main — UN document referred to by Palestinians and other Arabs in their claims that the Arabs who left Palestine in 1947–1949 and their descendants have a right to return to their homes on Israel’s territory. It is remarkable that at the time every Arab state voted against the same resolution that they now keep referring to.

Article 3 of this resolution provided for creating The Palestine Conciliation Commission, made of representatives of France, Turkey, and the US. Paragraph 11 of the same resolution charged the Commission with responsibility “to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensations.”²² The Palestine Conciliation Commission tried to find a constructive solution to the problem. The Commission appointed an Economic Survey Mission for the Middle East, headed by Mr. Gordon R. Clapp, of the Tennessee Valley Authority.

The Clapp Mission drew up plans for several large development projects in Arab countries to provide work and ultimate resettlement for refugees, in Syria, northwest Sinai, the Yarmuk and Jordan Valleys in Jordan. Basing itself on the Mission’s recommendations, the Palestine Conciliation Commission “advised concentration on resettlement in the Arab countries” in its 1950 report to the General Assembly (A/1363, Add.). In addition, the United Nations Relief and Works Agency (UNRWA), established in 1949 [General Assembly Resolution 302 (IV)], tried to conduct its work in a similar vein.

Mr. Clapp’s group proposed a broad agenda to secure employment for Palestinian refugees. Its essence was that “peace and

stability cannot be achieved in the Middle East until the masses of its peoples are able to enjoy a higher standard of living than at present." This could only be achieved through the development of the natural resources of Middle Eastern countries. The United Nations Economic Survey Mission proposed public works program to provide temporary employment for Palestine refugees and stated: "Mobilizing a great body of manpower, now idle, will improve the productivity of the countries where the refugees now reside and can be the start of larger developments." The responsibility for the implementation of the program rested with the participating governments. "Prosecution of the program of work relief for refugees to be inaugurated by the United Nations Relief and Works Agency for Palestine Refugees (established by the resolution of the General Assembly dated 8 December 1949) in such a manner as to shift more and more responsibility for the execution of the programs on to the shoulders of the individual Governments." The Government of Lebanon has been suggested to take a responsibility for "a pilot demonstration project to achieve a complete survey, field investigation and technical report, preparatory to the ultimate development of the Litani River as a unit." The Syrian Government has been suggested to take a responsibility for "a pilot demonstration project on the Orontes River in the Ghab Swamps, to reclaim, by drainage and other devices, potentially fertile lands now useless and uninhabitable, and to provide homes and other facilities needed for the people who will be required to populate and till the land thus reclaimed." The Hashemite Kingdom of Jordan has been suggested to take a responsibility for "a pilot demonstration project on the watersheds and stream bed of the Wadi Zerqa, and a pilot demonstration project on the watershed and stream bed of the Wadi Qilt, which will achieve the full and unified development and use of the waters of these wadis flowing into the Jordan River from the east and west respectively." It was explicitly emphasized that "the development of these wadis should be used as an opportunity to employ Arab refugees and as an encouragement for them to establish themselves as

permanent and productive residents on the lands they thus bring into use.”

Arab leaders claimed they were ready to participate in these and other projects, but in practice they stalled discussion, reducing to naught UN’s interest in financing them. In reality, not one of the projects that UN was ready to finance ever became implemented. Paradoxical as it may seem, the Arab leaders refused assistance exactly because these projects would lead to solving the Palestinian refugee problem, which would eventually cease being an issue. To these leaders, that presented more of a problem than refugees themselves.

In its final report, the Clapp Mission said that, if adopted, the projects “call lead the way to a fuller development of the resources of the countries of the Middle East ... At the same time, since economic and political questions inevitably mingle in human affairs, economic development cannot of itself make peace or progress where the political will to peace is lacking.”²³ These words turned out to be prophetic: it was the absence of will to make peace with Israel that frustrated most recommendations made by his group. The Research Group for European Migration arrived at the following conclusion: “The official attitude of the [Arab] host countries is well known. It is one of seeking to prevent any sort of adaptation and integration because the refugees are seen as a political means of pressure to get Israel wiped off the map or to get the greatest possible number of concessions.”²⁴

Moreover, unlike Arab countries, which would not acknowledge Jewish émigrés as refugees and refused to discuss any compensation, Israel stated its willingness to pay Palestinian refugees compensation for the abandoned property and cooperate with international organizations on this issue. In November 1951 The Refugee Office of the Palestine Conciliation Commission evaluated the total property abandoned by Arabs, including land, at 100,383,000 Palestinian pounds (\$280 million in 1951 dollars).²⁵ Israel, while noting several reservations to this assessment, was ready to accept it as a basis for negotiations, on condition that:

1. The agreement on compensation will be contingent on establishment of peace or, at least, on cessation of Arab economic warfare against Israel;
2. Payments will be effected in accordance with Israel's financial capacity (indicating that payments would be sped up, if Israel is rendered international assistance);
3. Refugees accepting compensation will renounce their claim to return as well as any further financial claims against Israel;
4. Agreement will be reached on Israel's counter-claims for properties abandoned by Jewish refugees from Arab countries and in Arab-occupied parts of Palestine.

Although Israeli leadership preferred to solve the Arab refugee problem in the framework of full-scale peace settlement, they were also willing to consider the issue on its own. However, Arab countries (at least officially; unofficially Anderson discussed with Nasser the program of resettling refugees who were in Gaza, Syria, and Iraq) demanded Israel's unconditional agreement to the return of all Palestinian refugees as a precondition for talks on peace settlement. Naturally, Israel could not accept this position.

Beginning with December 1949, when Resolution 302 (IV) was adopted, the UN General Assembly annually appealed to the Arab states that hosted Palestinian refugees to facilitate their economical and political integration, to provide them with employment opportunities, freedom of movement, education, and economic opportunities for their successful absorption. Had these recommendations been implemented, Palestinian refugees would now be full-fledged members of respective Arab societies to which they are linked in religion, language and culture. However, leaders of these countries (save Jordan) consciously chose to keep denying the refugees their rights, doing nothing to alleviate their situation for the sake of keeping alive the political conflict with Israel. The unsolved problem could always be attributed to Israel and thus was an important political asset they were not about to give up.

Ten years later the Arab countries' unwillingness to engage in constructive cooperation for resolving this issue led to the failure of initiatives put forward by the then UN Secretary General Dag Hammarskjöld. He also emphasized the economic aspect; he viewed integrating Palestinian refugees in Middle East's economy as essential to the area's development. He viewed the prospects as encouraging, since the world community was prepared to facilitate the Arab countries' economic development, and in the future economic conditions would "progress regarding the political and psychological obstacles is sought in a constructive spirit and with a sense of justice and realism."²⁶ In his proposals Dag Hammarskjöld described Palestinian refugees as "a reservoir of manpower which in the desirable general economic development will assist in the creation of higher standards for the whole population of the area." However, Mr. Hammarskjöld's proposals were sharply criticized by Arab countries, and after his death in an air crash in 1961 sank into oblivion.

It appears obvious that oil-producing countries of the Persian Gulf are in a position to provide Palestinian refugees with wide job opportunities; in view of substantial linguistic and cultural closeness to local population they could successfully integrate both economically and socially. The growing potential of sovereign Arab states created employment opportunities that had not existed under colonialism. If Palestinians residing in Arab countries had been granted freedom of movement, the problem would have resolved itself through their spontaneous absorption in the developing Arab economies. However, most Arab countries stood in the way of this solution. Here's a paradox: according to the UN data, through 1950–1956, the number of Palestinian refugees, instead of decreasing, steadily grew, from 29.3% of all refugees (less than 268,000 people) in 1950 to 38.6% (over 358,000 people) in 1956. For many years, Arab countries continued rejecting Palestinian refugees, claiming to defend their interests in international organizations and in fact sabotaging the projects that could really improve their situation.

While describing the discussion of the Palestinian refugee problem between Israel and Arab representatives, we should mention the three international conferences where the issue was raised (Lausanne, 1949; Geneva 1950; Paris, 1951). Subsequently the subject was raised at the Geneva conference in December 1973, following the Yom Kippur War, during Egypt-Israeli negotiations in September 1978, and the Madrid Conference in October–November, 1991.²⁷ While the first three conferences, though they yielded no significant results, were convoked in the hope of making substantial progress on the issue, at the conferences and negotiations in '70s-'90s it was distinctly a ceremonial nod to convention, and neither side was seriously hoping to change the status quo. Essentially, the subject has not been tackled seriously for half a century. The breakthrough came in Camp David in July 2000 and in Taba in January 2001, when Ehud Barak's government showed its willingness to make unprecedented concessions on the Palestinian refugees' right to return. Remarkably, the Arab representatives turned down every Israeli proposal on the issue, just as they had done fifty years ago.

The most promising was the conference in Lausanne held under the aegis of the Palestine Conciliation Commission, made of representatives of France, Turkey, and the US, from April 27 through late August of 1949. The conference was attended by representatives of Israel, Egypt, Syria, Jordan, and Lebanon. Remarkably, though the Palestinian refugee issue was one of the three main items on the agenda (along with a peace agreement between Arabs and Israel and the system of administrating Jerusalem), no Palestinian Arabs were invited. When a group of five people who called themselves "representatives of refugee camps" arrived, headed by Aziz Shehadeh and Nimr al-Hawari, only Israel delegation was willing to meet with them. The delegations of both organizer and Arab countries refused to meet with Palestinian representatives, to say nothing of admitting them to the negotiating table as equal partners. After a few meetings with Eliyahu Sasson, an Israeli diplomat who then headed Middle East

section at Foreign Ministry (later he was Ambassador in Italy and Switzerland, and a member of government), Palestinian representatives had dozens of meetings with his son Moshe Sasson, who also worked in the Foreign Ministry.²⁸ These negotiations failed to solve problem as a whole, despite Israel's substantial concessions. First, Israel would "de-freeze" Palestinian Arabs' bank accounts on Israel's territory and under its jurisdiction. Second, Israel agreed to accept 100,000 refugees on humanitarian grounds of family reunion. Although according to the U.S. State Department's report, submitted on February 27, 1950, the Arab states "were coming to recognize that the return of most of the refugees to their homes was physically impossible",²⁹ the Arab representatives rejected the Israeli proposals.³⁰ Nimr al-Hawari, ostracized as a traitor and Zionist accomplice, had to become a refugee again, along with his wife and ten children, after his life was threatened by Mufti Haj Amin al-Husayni's armed followers. In 1950 he requested and was granted political asylum in Israel. Afterwards he opened a law office in Nazareth, and subsequently was elected judge. Despite the Arabs' rejections of Israel's concessions, the latter were partially implemented as a unilateral gesture of goodwill. By 1956, the number of Palestinian refugees reunited with their families in Israel reached 35,000.

The debacle in Lausanne (the sides failed to agree on every issue) predetermined failures in Geneva and Paris, whose course was no different from Lausanne. After that the Palestine Conciliation Commission folded and for many years the subject of Palestinian refugees was not taken seriously at any international diplomatic forums. The solution of the problem required understanding and cooperation between Israel and Arab states. If Arab leaders had indeed been keen on improving the Palestinian refugees' lot, it would have been possible to find mutually acceptable compromise that would relieve their situation. However, no such goodwill came forth from Arab countries.

The victims of the Arab States' policy in the United Nations are first and foremost the Palestinian refugees themselves. "Instead of assisting them in reconstructing their lives, the Arab

Governments have been feeding them, year after year, with United Nations resolutions”, — said Israel’s UN Ambassador Joseph Tekoah in 1972.³¹ Instead of giving the refugees hope of solving their problems, Arab leaders again and again kept offering them slogans of hate. In fact, ignoring the refugees’ problems, Arab leaders represented at the UN not the refugees, but the terrorist organizations that they created, supported, and controlled.

The negotiations between Israel and PLO in 1993 put the refugee problem back on the agenda. In the Declaration of Principles on Interim Self-Government Arrangements (so-called “Oslo-1” agreement), Article V, Paragraph 3 states that the issues pertaining to refugee problem, just as other complicated issues (status of Jerusalem; future of the Jewish settlements in Judea, Samaria, and Gaza; borders of the future Palestinian state, etc.) will be discussed only in the framework of the permanent status negotiations. In other words, this issue, as well as some others, was taken out of the interim agreements and never dealt with in the documents signed in the ‘90s.

While official agreements were once again postponing discussions of the refugee issue (actually, by now the subject was not so much the refugees as their descendants) for a long period of time, the agreement that had no legal standing and whose details were worked out by Yossi Beilin, former Minister of Justice in Barak’s government, and Mahmoud Abbas (Abu Mazen), a prominent Palestinian leader, attempted to reach a practical solution of the issue. Article VII of this agreement, signed on October 31, 1995, included a mutual understanding between the parties of each other’s difficulties with the subject of the so called Right of Return, with neither side giving up its principled stand on the issue. Most of the item dealt with a compensation and rehabilitation mechanism, intended to ensure that in practice the Right of Return would be less worthwhile and attractive to the refugees (and their descendants) than rehabilitation either in their present home, or in a third country. The agreement contained no numbers, amounts, or a time frame. In other words, the item had a purely symbolic value. Nevertheless, it is important to note that

the Beilin – Abu Mazen Document states, “The Palestinian side considers that the right of the Palestinian refugees to return to their homes is enshrined in international law and natural justice, it recognizes that the prerequisites of the new era of peace and coexistence, as well as the realities that have been created on the ground since 1948, have rendered the *implementation of this right impracticable*.”³²

At the 2000 Camp David talks Israel and Palestinian leaders for the first time discussed the refugee problem in detail, along with other problems placed in the area of “final status negotiations.” President Clinton, who took an active part through all the phases of the negotiations, spoke on the solution of refugee problem. Meeting with the Palestinian delegation at the White House, he said that for historical reasons it would be hard for Palestinian leaders to give up the right of return; on the other hand, he understood Israel’s reasons for refusing them this right, seeing it as threatening the Jewish state. Clinton voiced hope that “the differences are more related to formulation and less to what will happen on a practical level.” He added: “I believe that Israel is prepared to acknowledge the moral and material suffering caused to the Palestinian people as a result of the 1948 War and the need to assist the international community in addressing the problem.”³³ The American president suggested a framework for solving the refugee problem, which included establishing an international committee to implement all aspects of the agreement, such as compensation, resettlement, rehabilitation, etc. Meanwhile, the US would be prepared to lead an international effort to help the refugees. President Clinton proposed two formulations to solve any problems of interpretation: (1) Both sides recognize Palestinian refugees’ right to return to ‘historic Palestine’, or (2) Both sides recognize Palestinian refugees’ right to return to their homeland. In this context “homeland” can be regarded as not only Israel itself, but the territories under PA control as well.

For the first time in Israel’s diplomacy Barak’s delegation essentially accepted the proposals that would lead to hundreds of thousands of Palestinians, most of whom were born outside Pa-

lestine, getting a right to immigrate to Israel. And still Palestinian representatives practically turned down the offered hand. They said that Resolution 194 (III) mentions the return of refugees to their homes, wherever those are, rather than “their” country or “historic Palestine.” Palestinians also demanded enormous compensation for decades they had spent in Diaspora. The negotiations ended on July 25, 2000, without a signed agreement.

The debacle at Camp David, caused by the radicalization of Palestinian position, did not stop Barak and his cabinet. In January 2001, the Egyptian town of Taba was the scene of the last – so far – official Israel-Palestinian negotiations. Their main subject was the “right of return” declared by Palestinians. Despite Israel’s new concessions, the conferences of the working group dedicated to this subject and headed by Yossi Beilin and Nabil Sha’ath failed to bring a signed agreement. Both sides accepted a proposal to create an international committee that would be responsible for paying out the compensations and an international credit fund that would deal with assessing the size of compensations and mechanism of payments. Israel demanded that Palestinians acknowledge that compensation should be paid to Jewish refugees from Arab countries, without insisting that the Palestinians accept this responsibility. Palestinian representatives did not consider this issue a part of Israel-Palestinian talks and refused to discuss it. Unofficially Israel offered a plan that would assume the solution of the refugee problem in three directions over a period of fifteen years. One direction presumed absorbing a given number of refugees in Israel, but without strictly defining their number (the unofficial document suggested 25,000 during the first three years; 40,000 was mentioned orally).

Besides, they discussed resettling the refugees on Israeli territory that would pass under Palestinian control as a result of the discussed land swap. In addition, the parties discussed the arrival of tens of thousands of refugees on the basis of a broadly interpreted “family reunion.” Palestinians demanded the right of return to Israel of former refugees and their descendants at the rate of 150,000 a year, which within one generation would make

Jewish people a minority in the State of Israel. Israeli side had no choice but to turn this proposal down, leading to another failure in negotiations.

Both at Camp David and in Taba the Palestinian delegation was behaving strictly in the uncompromising spirit of Arab delegations at international conferences half a century ago. Until the Palestinians and Arab countries show minimal willingness to acknowledge vital needs of Israel as a Jewish and democratic state, the Palestinian refugee problem can hardly expect to be solved even in part. Most Palestinian Arabs who left their homes and fled the country in 1947–1949 died without seeing the “light at the end of the tunnel,” and the problem that already suffered from excessive politicization has now turned into a straightforward political farce.

About the author

Alek Epstein, Ph.D. is affiliated with the Department of Sociology, Political Science and Communication, Open University of Israel and Chais Center, Hebrew University of Jerusalem. He has written extensively on Israeli intellectuals’ influence on the emergence of civil society, on the development of conscientious disobedience as an indicator of the changing patterns of civil–military relations in Israel, on the development of Israel studies as a research field and on several additional topics. He has published more than 50 manuscripts in various scientific journals and collections worldwide. His book entitled *Wars and Diplomacy. Arab–Israeli Conflict in the 20th Century* was published last year simultaneously in Kiev and Moscow.

Notes

1. Quoted in *Zuercher Woche*, Zurich, 1 September 1961.
2. PLO Negotiations Affairs Department, "Camp David Peace Proposal of July 2000. Frequently Asked Questions." See <http://www.nad-plo.org/ncampdavid1.php>.
3. PLO Negotiations Support Unit, "Fact Sheets and Frequently Asked Questions. Palestinian Refugees." <http://www.nad-plo.org/faq2.php>.
4. Yet, there is no possible comparison between the situation of the Palestinians in 1948 and Jewish suffering resulting from the Holocaust since the former resulted from war their own leadership initiated.
5. See, for example: Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947–1949* (Cambridge: Cambridge University Press, 1987); Shabtai Tevet, "The Palestine Arab Refugee Problem and its Origins", *Middle Eastern Studies*, vol. 26, no. 2 (1990), pp. 214–249; Michael Palumbo, *The Palestinian Catastrophe. The 1948 Expulsion of a People from Their Homeland* (London: Faber and Faber, 1987); Nur Masalha, *Expulsion of the Palestinians: The Concept of "Transfer" in Zionist Political Thought, 1882–1948* (Washington: Institute for Palestine Studies, 1992); Yoav Gelber, *Palestine 1948: War, Escape and the Emergence of the Palestinian Refugee Problem* (Brighton: Sussex Academic Press, 2001).
6. See Nazmi Ju'beh, "The Palestinian refugee problem and the final status negotiations", *Palestine-Israel Journal of Politics, Economics and Culture*, Vol. 9, 12 (2002), pp. 5–11.
7. See *The Palestine Refugee Problem. A New Approach and a Plan for a Solution* (New York: Institute for Mediterranean Affairs, 1958), pp. 90–91.
8. Statement to the Knesset by Prime Minister David Ben-Gurion, 27 October 1961, article 10.
9. Conciliation Commission for Palestine, Progress Report to the United Nations General Assembly, 1951, UN Doc. A/1367/Rev. 1, chapter 1, paragraph 5.
10. See Moshe Sasson, "Peace Negotiations with Our Neighbors: Personal observation", in: M. Yegar, Y. Govrin and A. Oded (eds.), *Ministry for Foreign Affairs. The First Fifty Years* (Jerusalem: Keter Press, 2002), pp. 121–124 [in Hebrew].
11. Statement to the Special Political Committee of the United Nations General Assembly by Israeli Ambassador Abba Eban, 18 November 1955.
12. Statement to the Knesset by Foreign Minister Moshe Sharett, 15 June 1949.
13. Statement to the Special Political Committee of the United Nations General Assembly by Israeli Ambassador Abba Eban, 18 November 1955.
14. Statement to the Special Political Committee of the United Nations General Assembly by Israeli Ambassador Abba Eban, 17 November 1958.
15. Statement to the Knesset by Foreign Minister Moshe Sharett, 15 June 1949.
16. Statement to the Knesset by Prime Minister David Ben-Gurion, 27 October 1961, article 11.
17. Cited in: Terence Prittie, "Middle East Refugees", in: Michael Curtis, Joseph Neyer, Chaim I. Waxman and Allen Pollack (eds.), *The Palestinians: People. History, Politics* (New Brunswick: Transaction Books, 1975), p. 71.

18. *Ibid.*, citing Associated Press interview, January 1960.
19. See Avi Shlaim, "Husni Zaim and the Plan to Resettle Palestinian Refugees in Syria", *Middle East Focus*, vol. 9, no. 2 (Fall 1986), pp. 26–31; Itamar Rabinovich, *The Road Not Taken. Early Arab-Israeli Negotiations* (New York: Oxford University Press, 1991), pp. 74–75 and pp. 89–91.
20. *Bulletin of The Research Group for European Migration Problems*, 1957, pp. 25–26; Cited in: Statement to the Special Political Committee of the United Nations General Assembly by Israeli Ambassador Abba Eban, 17 November 1958.
21. *Ibid.*
22. Resolution 194 (III), article 11; adopted by the General Assembly of the United Nations on 11 December, 1948; cited in: *The Palestine Refugee Problem*, pp. 102–105.
23. United Nations Economic Survey Mission for the Middle East, *Final Report*, 28 December 1949.
24. Cited in Statement to the Special Political Committee of the United Nations General Assembly by Israeli Ambassador Abba Eban, 17 November 1958.
25. Palestine Conciliation Commission, Progress Report to the United Nations General Assembly, A/1985, November 1951, article 20.
26. Proposals of the United Nations Secretary-General on Palestine Refugees, 15 June 1959.
27. See the relevant discussion in: Shelly Fried, "The Refugee Issue at the Peace Conferences, 1949–2000", *Palestine-Israel Journal of Politics, Economics and Culture*, Vol. 9, № 2(2002), pp. 24–33.
28. See Moshe Sasson, "Peace Negotiations with Our Neighbors: Personal observation", pp. 118–121.
29. "United States Policy Toward Israel and the Arab States." Report to the National Security Council, February 27, 1950; published in: *Foreign Relations of the United States: The Near East, South Asia and Africa*, vol. 5, 1950 (Washington: U.S. Government, 1978, pp. 763–766); cited and discussed in Itamar Rabinovich, *The Road Not Taken*, pp. 163–164.
30. Nevertheless, tens of thousands Arab refugees applied for entering Israel on a basis of family reunification. For example, between June 1967 and June 1994 Israel admitted 22.179 Palestinian returnees (including those to East Jerusalem). See: Shlomo Gazit, *"The Palestinian Refugee Problem."* Research Study (Tel-Aviv University: Jaffee Center for Strategic Studies, 1995), p. 9.
31. Statement to the United Nations General Assembly by Ambassador Joseph Tekoah, 13 December 1972.
32. "Framework for the Conclusion of a Final Status Agreement between Israel and the Palestine Liberation Organization" (The Beilin – Abu Mazen Document), article VII, paragraph 1; italics added.
33. Cited in: Nazmi Ju'beh, "The Palestinian refugee problem and the final status negotiations", p. 8.

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