

REFUGEES AND THE ISRAELI-PALESTINIAN CONFLICT



STATE 194: ABOUT THE FILM

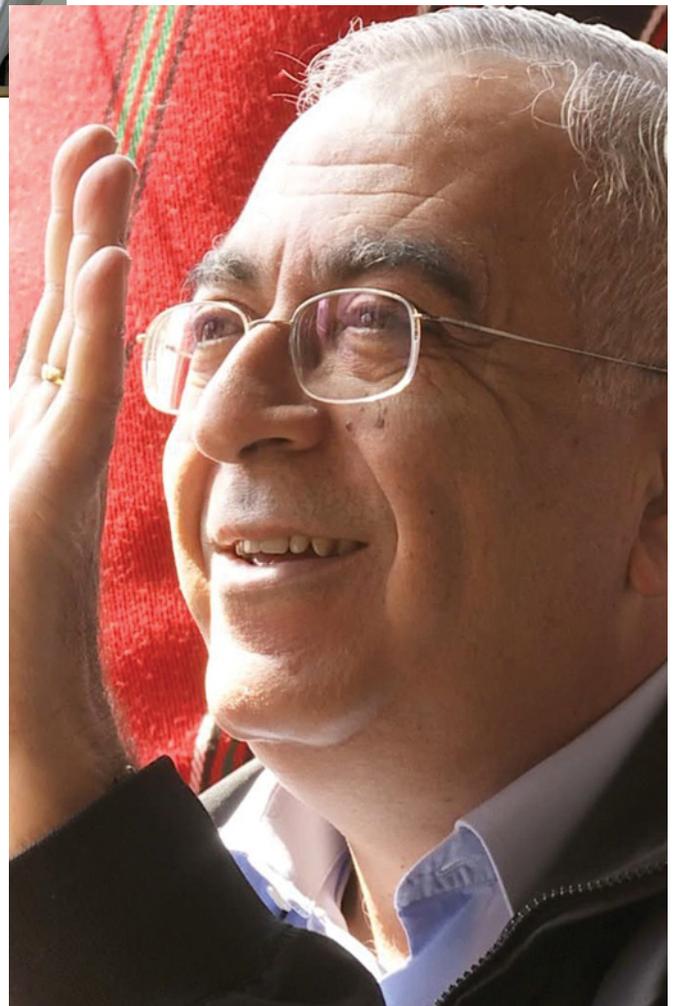
In 2009, Palestinian Prime Minister Salam Fayyad launched a plan to demonstrate that his people were deserving of statehood, inspiring them to change their destiny and seek UN membership. Since then, they've made remarkable progress, but the political quagmire--and Fayyad's recent resignation from office--may destroy the most promising opportunity for peace in years.



Parents Circle members Yitzhak Frankenthal (left) and Nabeel Sweety (right)



Israeli Minister of Justice Tzipi Livni



Former Palestinian Prime Minister Salam Fayyad

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EXECUTIVE SUMMARY

By the end of the 1948 Israel-Arab War – known among Israelis as the War of Independence, and among Palestinians as the Nakba (catastrophe) – 600,000-850,000 Palestinians had fled, left, or been expelled from what would become the State of Israel. At the end of the 1967 War, an additional 280,000 to 325,000 Palestinians fled or were expelled from territories that came under Israeli control. Today, these refugees and their descendants number in the millions. Their status remains perhaps the most challenging sticking point of the Israeli-Palestinian conflict and efforts to resolve it, going to the heart of each side’s historical narrative, identities, and aspirations.

What *precipitated* the Palestinian exodus of 1946-1948 remains a great controversy. The main point of controversy surrounds whether the exodus was deliberately designed by Jewish or Arab leaders, or was an unintended product of war.

The classic Zionist narrative claims that the refugees left at the instigation of Arab leadership, who wanted to clear the battle zone so as to annihilate the Jewish forces without Arabs getting caught in the crossfire. The classic Arab narrative claims that Palestinians were driven out systematically by order of the Jewish leadership, under actuality or threat of brutal violence, to make way for the Jewish State.

After the War, the international community stepped in to assist the refugees. At the end of hostilities, the United Nations declared that “those 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”. Israel claimed that the refugees did not fulfill the condition of “willingness to live at peace,” and would represent a hostile population within the fledging Jewish state. Israel also denied responsibility for creation of the problem.

Today, the United Nations still administers to more than 5 million Palestinian refugees and their descendants—most of whom live in refugee camps in the West Bank, Gaza Strip, Egypt, Jordan, Lebanon, or Syria.

Most Palestinians support Palestinian refugees’ claim to what they believe is a sacrosanct “right of return” to homes and property still in Israel, citing international law, UN resolutions, and a plea to justice. Israel and many of her supporters argue that this call has no basis in international law or precedent, dispute that descendants of those who fled in 1948 are “refugees” at all, and deny that Israel bears culpability for their plight. They assert that resolution of this problem can only be addressed by the international community as part of a comprehensive Arab-Israeli peace treaty.

For Palestinians, the perennial political limbo of refugees symbolizes the political disenfranchisement and tragic dispossession of the Palestinian people, whose land was stolen by European Zionists who saw them only as obstacles who would have to disappear. The promise of return has been the lifeblood of Palestinian political life ever since. In the Palestinian telling, the *Nakba* is not a historical event; it is continuing reality—with more Palestinians continually being dispossessed as Israeli settlements expand while the millions of refugees remain trapped in refugee camps without realistic hope of ever exercising choice over their future. They argue that it is a grave injustice that Israel grants a “right to return” to any Jew worldwide while denying Palestinian Muslims and Christians the internationally-sanctioned right to return to their homes. For most Palestinians, the only acceptable option is for Israel to recognize and offer recompense for the grave historical injustice it committed in ethnically cleansing almost the entire indigenous population of the land in which it established its state.

Most Israelis, however, believe the return of Palestinian refugees to Israel would effectively mean the eradication of the state of Israel as a Jewish and democratic state, since an influx of the Palestinian refugees of 1948 along with their five million descendants would eliminate Israel’s Jewish majority. Thus, according to most Israelis, granting the “right of return” would be national suicide, and return Jews to

being a people with no homeland in which to realize self-determination and no safe haven after centuries of persecution. Most Israelis believe the refusal on the part of Palestinians to relinquish the idea that refugees will return to Israel is a sign and continuation of Palestinian rejectionism toward both Israel's "right to exist" and the possibility of peaceful co-existence.

Perhaps no other issue has so thoroughly shaped Israeli and Palestinian national storylines and the collision course between them.

ORIGINS

By the start of the 20th century, the geographic area between the Mediterranean Sea and the Jordan River had been a land of shifting and amorphous boundaries for four millennia. The area had been known by many names: Palestine, Land of Israel, Holy Land, Judea and Samaria, Canaan, and Southern Syria. In the 19th century the area was a province of the Ottoman Empire, and included indigenous communities of Jews, Christians and Muslims, each of which traced their roots to the advent of their respective faiths. As part of the province of Ottoman Syria, the area included modern Israel, the West Bank, Gaza, Syria, Lebanon, and parts of Iraq and Turkey.

At the end of World War I, the victorious Allied powers divided up the former Ottoman Empire into multiple newly-formed political mandates. As part of this geographic realignment, Palestine—a name first given to the region by Rome—was put under British mandate. The violent confrontation between two emergent national movements for self-determination -- Zionism, or Jewish nationalism, and Arab-Palestinian nationalism – surfaced soon after the British established their Mandate in Palestine.

By that time British officials had already pledged the land of Palestine to both Arab leaders and Jewish leaders, setting up clashing expectations that the same territory would be given over to Arab independence and a Jewish national homeland. These opposing expectations cemented and expanded what had already become two clashing narratives of rightful ownership to the land.

JEWISH-ISRAELI NARRATIVE

Many Israeli Jews will tell you that Palestinian refugees should be a non-issue. “We won a defensive war that was imposed on us. War all over the world means flight and displacement. In this case that meant an influx into Israel of hundreds of thousands of Jewish refugees from Arab countries, alongside hundreds of thousands of Palestinians from what is now Israel. The Jewish refugees were accommodated by Israel, unlike the Palestinian refugees, many of whom continue to be persecuted rather than integrated by Arab governments for which Israel is relentlessly scapegoated.”

Approaches of the State of Israel and most Israeli-Jews to the origins of the Palestinian exodus can be divided into two primary narratives, which this primer will refer to as the “founding narrative” and the “critical narrative.”

The founding narrative argues that Arabs in Palestine were urged by Jewish leaders to stay and become citizens of Israel, but chose to leave either because they were unwilling to live in a Jewish state or because they expected to return after the Arab states destroyed Jewish forces in the war. This narrative also claims that Arab leaders released radio broadcasts instructing Palestinians to flee their homes, boasting that within a few weeks they would “throw the Jews

PALESTINIAN-ARAB NARRATIVE

Perhaps nothing has shaped Palestinian collective identity and memory more than the events of 1948 and displacement of almost the entire indigenous Palestinian population from what would become the State of Israel. Refugees lost not only their physical homes and property, but a profound sense of community and place, rooted in generations on the land. The second wave of Palestinian refugees in 1967, and the continuing expansion of Israeli settlements today, are seen as part of a larger, unending trend to remove Palestinian Muslim and Christian Arabs from their homes to make way for a Jewish state.

For Palestinians, the refugee issue is the basis of the conflict with Israel. They seek to exercise what they believe to be their fundamental human rights; territory and statehood are often seen as important means to freedom, but are ultimately secondary to the basic desire to live in freedom and equality in their ancestral land. Yet for Palestinians, Israel has always wanted one thing more than peace: As much Palestinian land as possible with as few Palestinians as possible. Without recognition of Palestinian refugee rights, most Palestinians will tell you that a formal end to the Israeli-Palestinian conflict will remain elusive. For those Palestinians who do support the two-state solution, the question then is not whether

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into the sea.” The implication is that Palestinians, in leaving voluntarily after being roundly defeated in a war that neighboring Arab countries had initiated, forfeited their claims to the land and must take responsibility for their own self-inflicted predicament.

Moreover, in the Jewish-Israeli narrative, in the decades leading up to the War of Independence Zionist leaders had been buying land from Palestinians and other landowners in order to accommodate Jewish immigrants. The intention of virtually all Zionist leaders — according to this telling — had been to procure land in ways that were both legal and peaceful, attempting to fulfill the Zionist dream through a spirit of coexistence with and rightful compensation for the people that were already there. Israel embraced the idea of sharing the land between Jews and Arabs, as presented in the UN Partition Plan, and granted complete equality of social and political rights to Arab citizens of Israel in its Declaration of Independence. According to this narrative, Palestinians and neighboring Arab countries, on the contrary, refuse to live peacefully side-by-side with the Jews, instead treating Jews as a cancerous, invasive presence that simply had to be exterminated.

The founding narrative prevailed from Israel’s establishment until the 1980’s in both state institutions (Israeli military, Ministry of Education, and Israeli Ministry of Foreign Affairs) and societal institutions, like university history departments and newspapers. The critical narrative became much more prevalent after Israel opened part of its state archives to researchers in the 1980s. The critical Jewish-Israeli narrative argues that while some Palestinians fled willingly out of desire to get away from the front until it quieted down, most fled in fear and panic due to the violence of both Jewish and Arab fighting forces, and a minority were expelled directly by Jewish forces, though not by grand or premeditated design.

Most current Israeli historians and journalists view the critical narrative as a more factual presentation of the exodus, although public perception to some extent lags behind historical scholarship. Since the late 1980s, the majority of newspaper articles and research studies have presented this more balanced narrative, and since 2000, this shift has

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these rights are recognized, which they must be, but how they will be implemented.

Many historians and most Palestinian-Arabs contend that the evacuation of the future State of Israel of most of its Palestinian inhabitants resulted from a master plan of “ethnic cleansing” on the part of the Zionist leadership, for whom the Palestinians were either invisible or a mere nuisance and obstacle to their ambitions. They point to evidence that in the decades leading up to **1948**, Zionist leadership often articulated the desirability of “transferring” as many Palestinians as possible out of Palestine in order to obtain a Jewish majority. The leadership knew that such a policy would be controversial in global opinion, and debated how it could be accomplished. Palestinian as well as some Israeli historians point to statements on the part of David Ben-Gurion and his advisors that the War offered the opportunity to “cleanse” the land of its Arab inhabitants.

Moreover, according to Palestinian-Arab narrative, in the decades leading up to the Nakba, the Zionist leadership worked with the British authorities to obtain transfer of Palestinian lands in deceitful and scheming ways. At the time of the British occupation, the majority of lands in the country were either unregistered or registration was imperfect and obsolete, due to disincentives to registering land under the Ottoman Empire. The Zionists worked with the British to evict tenants who had weak legal status but had worked the land for generations. The lack of recognition for Palestinian land rights lay at the heart of Palestinian hostilities to Zionism, as tenants were forced from lands they considered their own. Still, in 1947 Jews only owned 6-7% of the land, and constituted only 35% of the population, when the UN recommended that 56% of Palestine become part of the future Jewish State. In this telling, 1948 was the culmination of decades of slow, but intentional Zionist uprooting of the Palestinian people from their home cities, villages, and lands, as from the beginning, most Zionists believed coexistence with Palestinians would not be possible, and establishing a Jewish state would require displacing Palestinians from the land.

In the first phase of the 1948 war, Palestinian historians describe terrorist actions Jewish forces inflicted on Palestinians -- throwing grenades

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also been reflected in the state's civics and history textbooks. Some state institutions, however, continue to promulgate the founding narrative of voluntary flight.

Many Israelis regard Israeli historian Benny Morris — although he has been criticized from both sides of the political divide — as the country's most “objective” scholar on the **1948** War and origins of the Palestinian refugee problem. Morris argues that most Palestinians left in response to Jewish violence or fear of impending attacks, while only a small portion left by direct “expulsion orders.” Expulsions, according to Morris, did not express a centralized policy, but rather were primarily an ad hoc consequence of military exigencies. Morris and most other contemporary Israeli historians concur that Arab leaders played little role in the refugees' flight, though some Arab leaders did irresponsibly boast that the Jews would be defeated within a few weeks, which may have played a reinforcing role.

Morris does suggest that the idea that Palestinians who remained in the newly-established State of Israel would be a security and demographic time bomb was “in the air” among political leadership of the time. In Morris's account, over the course of the war there was growing escalation toward deliberate encouragement of Palestinian flight. Morris, along with other historians, brings evidence that by the end of the War, some Palestinians were evicted by directive of David Ben-Gurion (first Israeli Prime Minister) and his government.

In any case, after the War was over, most Israeli leaders believed the refugees should not be allowed to return until after hostilities ceased, fearing that they would constitute a fifth column — a hostile population living within the state with the potential and will to destabilize it from within. In the words of Moshe Shertok, second Prime Minister of Israel, in 1948: “Had anyone arisen among us and said that one day we should expel all of them — that would have been madness. But if this happened in the course of the turbulence of war, a war that the Arab people declared against us, and because of Arab flight—then that is one of those revolutionary changes after which history cannot be turned back...The aggressive enemy brought this about and the blood is on his head...and all the lands and the houses...are the spoils of war...All this

PALESTINIAN-ARAB NARRATIVE (CONTINUED FROM PREVIOUS PAGE)

into private homes full of women and children, mortaring Arab neighborhoods and villages, and distributing threatening leaflets warning residents of what would happen to them if they stayed. The Zionist forces succeeded in compelling over 250,000 Palestinians from their homes during this first phase. In the second phase (Plan Dalet), Jewish forces more directly carried out Ben-Gurion's covert plan, evicting hundreds of thousands of Palestinians and confiscating their property and land through wide-scale attacks and expulsions.

The Jewish military razed entire villages to the ground. In April 1948, the Jewish army ordered: “most of the villages' houses must be destroyed, while some should be intact for accommodation and defense.” All in all, 400-500 Palestinian villages were depopulated and eradicated. Deir Yassin was one of the most notorious, although there were many lesser-known others. In Deir Yassin, more than 100 people were killed. Entire families were gunned down in their homes, and survivors were paraded through the streets of Jerusalem. The villagers of Deir Yassin had not only lived in peace with their Jewish neighbors, but made a peace pact a few months earlier, agreeing to warn their Jewish neighbors by hanging white laundry if Palestinian militiamen appeared in the village.

Palestinian historians tell the story of Zionist forces using Deir Yassin to spread panic among Palestinians. As they attacked other villages, they would charge screaming, ‘Kadima, kadima [move ahead], Deir Yassin, Deir Yassin!’ Palestinians fled in utter terror for their children and lives. Many left tea in the kettles and food on their tables, believing they would return to their homes within weeks if not days.

In July 1948, the Zionist forces expelled 60,000 people from Lydda/Lod and Ramle, after David Ben-Gurion ordered the destruction of remaining Arab pockets in Jewish areas. Yitzhak Rabin, then commander of the Brigade charged with these evictions, wrote about these events with horror and shame, but the Israeli censorship board excised these words from his memoir: “‘Driving out’ is a term with a harsh ring. Psychologically, this was one of the most difficult actions we undertook. The population of Lod did not leave

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is just compensation for the Jewish blood spilled, and for the destruction of [Jewish] property.”

Some Israelis believe that if the Arab leaders had emerged victorious and/or Palestinians had remained in Israel, a Jewish genocide in Israel would have ensued. Benny Morris has stated controversially that even if the evacuation of Palestinians had been a blanket policy, it would have been justified: “A society that aims to kill you forces you to destroy it. When the choice is between destroying or being destroyed, it’s better to destroy.”

Many Israelis furthermore believe the flight or expulsion of Jewish refugees from Arab and Muslim countries following the establishment of Israel – sometimes referred to as the “Jewish *Nakba*” -- parallels and in a sense morally neutralizes the exodus of Palestinians from Israel. Between 1948 through the early 1970s, 700,000 – 1,000,000 Jews fled, left, or were expelled from Arab countries, many at the hands of governments who persecuted Jews as retaliation for the Palestinian mass exodus. Some Israelis claim that the deportation, slaughter, and property confiscations befalling the Jews from these countries were far worse than the Palestinian *Nakba*. In the words of Israeli journalist Ben-Dror Yemini, “The only difference is that the Jews did not turn [their] *Nakba* into their founding ethos. To the contrary, like tens of millions of other refugees around the world, they preferred to heal the wound. Not to scratch it and not to open it and not to make it bleed even more. The Palestinians, in contrast, preferred bleeding to rehabilitation. And now they are also paying the price.”

Many Israelis reject this parallel, arguing that for many if not most Jews from Arab countries, immigration to Israel was a positive choice and even the fulfillment of a national dream for which they were recruited by the Israeli government. For Palestinians, on the other hand, exile was a devastating collective calamity that resulted in total fragmentation and loss of their national homeland.

Most Israelis nonetheless believe that the Arab states and Palestinians themselves bear primary responsibility for the Palestinian refugee problem, as they initiated the war and should have absorbed

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willingly. Great suffering was inflicted upon the men taking part in the eviction action. Soldiers of the Yiftach Brigade included youth-movement graduates, who had been inculcated with values such as international brotherhood and humaneness. The eviction action went beyond the concepts they were used to. There were some fellows who refused to take part in the expulsion action. Prolonged propaganda activities were required after the action, to remove the bitterness of these youth-movement groups, and explain why we were obliged to undertake such a harsh and cruel action.”

After the War, UN General Assembly Resolution 194 – passed in Dec. 1948, and reaffirmed every year since -- stipulated that 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.” Count Bernadotte – UN Security Council mediator following the war -- said: “It is ... undeniable that no settlement can be just and complete if recognition is not accorded to the right of the Arab refugee to return to the home from which he has been dislodged by the hazards and strategy of the armed conflict between Arabs and Jews in Palestine. The majority of these refugees have come from territory which ... was to be included in the Jewish State. The exodus of Palestinian Arabs resulted from panic created by fighting in their communities, by rumours concerning real or alleged acts of terrorism, or expulsion. 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, and, indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries.”

According to Palestinian narrative, Israel, however, disregarded these recommendations, instead passing a series of laws to disenfranchise the refugees, render their exile permanent, and seize their property to give it over to new Jewish immigrants to the state.

Most Palestinians see the analogy between Palestinian refugees and Jewish refugees from Arab countries as nonsensical and unjust, arguing

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Palestinian refugees into their countries long ago. The official position of the Israeli government toward Palestinian refugees, beginning in June 1948, was that the problem should be resolved through resettlement of the Palestinian Arab refugee population in other states, rather than return to Israel. There are, according to this narrative, over 20 other Arab nations throughout the world – some very large and very wealthy – where Palestinians could be resettled. But there is only one Jewish state that would cease to exist if Palestinians were granted the right of return.

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minimally that two wrongs don't make a right. As Palestinian legislator and activist Hanan Ashrawi put it: "If Israel is their homeland, then they are not 'refugees;' they are emigrants who returned either voluntarily or due to a political decision."

Having violently driven out most of the inhabitants of Palestine from their native land, the State of Israel – according to most Palestinians – must take responsibility for profound historical injustice, and must recognize and remedy that injustice as part of any sincere effort for peace.

CURRENT STATUS AND PEACE NEGOTIATIONS

The status of refugees has been one of the most significant stumbling blocks in negotiations, as Israelis and Palestinians have respectively claimed that the “right of return” must be taken off or put on the table as a starting point for negotiations. Israeli and Palestinian respective demands have been deemed non-starters by the other side, and touch on the most sensitive issues of each side’s aspirations and identity. For Palestinians the “right of return” is seen as absolute in its sacredness; for Israelis, it is seen as existential in its threat.

Most Palestinian refugees have retained their refugee status and continue to reside in refugee camps – many of them but not all impoverished and overcrowded. Most refugees live in the West Bank, Gaza, Jordan, Lebanon or Syria, though the Palestinian Diaspora extends to 132 countries. There are now four million Palestinians registered as refugees by the United Nations Relief and Works Agency (UNRWA— the agency established in 1949 to provide social services specifically to Palestinian refugees).

UNRWA – along with most Palestinians – define refugees as both first-generation refugees and their descendents. There are currently five million Palestinians who are registered as refugees according to the UNRWA definition. Israel, however, restricts the definition of refugees to those who originally left the State of Israel during the 1948 War, excluding their descendents; according to this definition there are only 50,000 refugees.

Palestinians have endured new hardships in most Arab countries. In Jordan, Palestinian refugees are denied access to public services and healthcare. Though refugees in Jordan were granted citizenship during Jordanian rule over the West Bank (1949-1967), in 1988 thousands had their Jordanian citizenship revoked in order to decrease the Palestinian majority of the country. In Lebanon, refugees are barred from 73 job categories, including medicine, law, and engineering. They are not allowed to own property, denied access to the health care system, barred work permits, and required to obtain special permits to leave refugee camps. In 1991, Kuwait expelled 450,000 Palestinian Arabs—a response to Palestinian leadership aligning with Saddam Hussein during the war. Prior to the expulsion, Palestinians constituted 30% of Kuwait’s population, and after, only 3%. Many Palestinians support the refusal of Arab countries to integrate Palestinian refugees – claiming it supports their collective and individual rights to their own homeland. Regardless, most Palestinians put chief blame for their adversities on Israel. Most Israelis condemn the political limbo of Palestinians in Arab countries, viewing it as one of the fuels of the unresolved conflict.

In the Oslo Accords of 1993, the right of return was one of the primary issues considered sensitive enough to warrant deferral until the “final status” agreement. At the Camp David Summit of 2000 and negotiations since, it has remained one of the most obstinate hurdles to a peace agreement.

JEWISH-ISRAELI NARRATIVE

For most Israelis, the right of return continues to be among the most emotionally charged topics, since they see it as a deliberate or de facto threat to Israel’s Jewish character. Former Prime Minister Ariel Sharon called the demand for the right of return “a recipe for Israel’s destruction,” and almost all Israelis oppose it, including the far-left.

Israelis at both official and popular levels generally emphasize that the Arab countries should assume responsibility for the refugees’ plight, for their rejection of Partition and aggression initiated the

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Most Palestinians continue to view refugees as victims of ethnic cleansing and a gross travesty of justice. In 1974, the Palestinian National Council defined their right of return as “the foremost of Palestinian rights.” All Palestinian political parties continue to present the right of return as a non-negotiable right, though in recent years some Palestinian negotiators have shown willingness to give ground. Many Palestinians furthermore note that in polls, most refugees claim they would not exercise the right, were it honored. Virtually all Palestinians, however, insist that the *right* of return

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War of Independence (a.k.a. 1948 War). Israel officially denies moral responsibility for the refugee problem, arguing that it should not be obligated to compensate the refugees, let alone to allow them to return. Most Israelis claim that Arab states' refusal to integrate Palestinians represents one of the biggest barriers to peace. The Arab states, Israelis say, seek to deflect attention from their own corruption and scapegoat Israel for their own rampant problems.

Israelis often argue that the Palestinian "right of return" is not supported by international precedent. They draw attention to the at least 700,000 Jews who fled or were expelled by Arab countries after the war, whose property losses are estimated at \$1 billion. Israel's second Prime Minister, Moshe Sharett, argued that the respective migrations between Israel and the Arab world constituted a "population exchange." He claimed that other global conflicts offer similar precedents, including the exchange of 13 million Hindus and Muslims transferred across the India-Pakistan border, and 2.5 million people exchanged between Poland and the Soviet Union. Even in unidirectional migrations - like Czechoslovakia's expulsion of 900,000 Germans after World War II - there was no international attempt to reverse the migration. Some Israelis claim that Israel is singled out for a double standard by those who argue that Palestinian migration alone should be eligible for a right of return.

According to the Israeli Ministry of Foreign Affairs, there are no binding UN resolutions, international legislation, or agreements between Israel and Palestinians that require the repatriation of refugees. UN General Assembly Resolution 194, for example, is non-binding and also conditions Palestinian return on willingness to "live at peace with their neighbors," a condition that, according to this argument, remains unfulfilled. The clause Palestinians often cite from Article 13 of the Declaration of Human Rights - "everyone has the right to leave any country, including his own, and to return to his country" -- meanwhile, was meant to guarantee a *right to leave*, not a right to *return*, targeting governments trying to imprison subgroups who desired to leave.

Israel claims that at the **2000** Camp David Summit, it offered to establish an international fund to

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must be recognized by Israel, even if the actual return is not realized.

Palestinians argue this right is based on several pieces of international and humanitarian law. They say they do not want special treatment—even though the international community set up a special regime to deal with Palestinian refugees, since the international community felt in part responsible after supporting the establishment of Israel. Instead, they say they want rights accorded other refugee populations, which are typically given the option to return to their homes and properties after acute hostilities subside. They note these rights have been reaffirmed time and again generally, and with specific application to Palestinian refugees, by most countries around the world, consistently over decades. Denying Palestinian refugees their right to return, then, is treating Palestinian refugees differently from all other refugee populations based on their ethno-religious identity.

For example, Palestinians often cite Article 13 of the Universal Declaration of Human Rights, to which Israel is a party, which states that "[e]veryone has the right to leave any country including his own, and to return to his country." UN General Assembly Resolution 194 also states that the refugees wishing to return to their homes 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." Moreover, some Palestinian and international proponents of the right of return argue that according to international laws of state succession, Palestinians who had been living in what is now Israel should not have lost all individual rights to property simply because of a change of government, and should have been granted Israeli citizenship and not rendered stateless.

Most Palestinians regard it as a profound injustice that Israel offers citizenship to Jews anywhere in the world through a Jewish Law of Return, effectively giving American and European Jews who have no recent ancestry or history in the land greater rights than those who were born there and whose families were rooted there for generations.

Many Palestinians endorse the Arab states' refusal to absorb Palestinian refugees. The Arab League

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compensate 1948 Palestinian refugees for lost property, and to allow 100,000 refugees to return on the basis of family reunification, while all other Palestinian refugees would be resettled to the Palestinian state, their present places of residence, or third party countries. Israel offered to contribute \$30 billion toward their resettlement. Israel demanded in return that the Palestinian leadership abandon the right of return, and the Palestinian leadership refused. Israelis cite this refusal on the part of the Palestinian leadership as one of the leading causes of the failure of the summit, and subsequently, of the peace process itself.

The Israeli left is generally open to financial compensation, family reunification initiatives, and admittance of a limited number of refugees, but most are opposed to a full right of return. The overwhelming majority of Israelis believe that all or almost all Palestinian refugees should be resettled in a Palestinian state or other countries. In 2003, Israeli Foreign Minister Silvan Shalom said the establishment of a Palestinian state was conditional upon waiving the right of return.

Israeli leaders recently initiated a campaign to convince leaders in the West that the UNRWA expansive definition of a Palestinian refugee – which reinforces the demand for a right of return – is as much of an obstacle to peace and a two-state solution as settlements. Of the 5 million registered UNRWA refugees, only 50,000 or 1% are original refugees of the 1948 war. Israel's ambassador to the UN Ron Prosor argues that the UNRWA definition “reinforces the Palestinian leadership's so-called ‘claim of return’ for millions of Palestinians... Enacting this claim would cause Israel's destruction.... It perpetuates a situation that takes us back to a one-state solution. Without talking about this problem, there won't be peace... Many UNRWA camps are decorated with keys [symbolizing the homes from which many refugee families fled]. Young Palestinians are taught that these keys will one day open doors for them. But in reality these keys lock them in, in perceptions of the past and frustrations that they will never be able to realize.”

These Israeli leaders argue that Palestinian refugees and Israel have been singled out for exceptional treatment by an international double standard. All but Palestinians are under the

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has instructed its members to deny citizenship to original Palestinian Arab refugees and their descendants “to avoid dissolution of their identity and protect their right to return to their homeland.” Some Palestinians criticize human rights violations of Palestinians in Arab host countries, arguing that the Arab world has only reinforced their oppression by turning the children and grandchildren of refugees into second-class citizens.

At the Camp David Summit of **2000**, Palestinians sought Israeli acknowledgement of responsibility for the refugee problem and maintained a demand for the right of return. However, they sought to address Israel's demographic concerns by steering the majority of refugees toward permanent settlement in their host countries or repatriation to a Palestinian state. Some negotiators were willing to discuss a limit on the number of refugees who would return to Israel, and allow the return to be gradual. According to the Palestinian team and some observers, Israel rejected these compromises and refused to take responsibility for the refugee problem.

Though all Palestinian political parties support a right of return, in recent years some of the Palestinian leadership has shown readiness to give ground, though not always publicly. The leaked “Palestine Papers” — released in 2011 by al-Jazeera — reveal the extent of Palestinian negotiators' willingness to make concessions on the right of return, to an extent far greater than Palestinian popular opinion would allow. In 2009 Saeb Erakat, the PLO's Chief Negotiator, privately proposed allowing only 10,000 refugees and their families to return to Israel as part of a peace settlement. Palestinian Authority President Mahmoud Abbas is recorded as saying: “On numbers of refugees, it is illogical to ask Israel to take 5 million, or indeed 1 million. That would mean the end of Israel.” These positions contradicted the desires of the vast majority of the Palestinian public, as well as the public positions of the negotiators themselves.

In Nov. 2012, Palestinian Authority (PA) President Mahmoud Abbas suggested that his claim to return was to a Palestinian state established according to the 1967 borders, and not to his hometown within Israel. Hamas (the Islamic political party currently governing Gaza) and many Palestinians condemned this claim, and Abbas went on to

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jurisdiction of the UN High Commissioner for Refugees, according to whose rules refugee status can be revoked. Palestinians alone retain their refugee status in perpetuity, still designated as refugees when they become permanent residents or citizens of other countries. The total number of refugees displaced during WWII has dropped from 100 million to 30 million remaining, whereas in the same time the number of Palestinian refugees skyrocketed from 700,000 to 5 million.

Many Israelis believe Palestinian refugees' demand to sustain this "special status" is a message from Palestinians that they do not recognize Israel's claim to the land or legitimacy as a Jewish state, and therefore are unready for peace.

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clarify that he was representing only his own personal opinion, and not a PA policy of giving up on the right of return.

The overwhelming Palestinian view remains that there can be no peace agreement without justice to the refugees - five million reasons why the Israeli-Palestinian conflict has not been resolved. But Israel has shown no willingness to accept responsibility for the problem, an expression of its general lack of readiness for a just settlement and a just peace.

CONCLUSION

With the possible exception of Jerusalem, there is no issue more contentious in the Israeli-Palestinian conflict than that of refugees.

Most negotiations in support of the two-state solution have embraced the principle that a creative accommodation to the Palestinian refugee issue is possible, although it would not include the blanket right of return to the State of Israel that refugees almost universally demand. Options that have been considered in the negotiations arena include some combination of the following: limited return of some refugees to Israel; symbolic 'right of return' to a future Palestinian state; resettlement in 'host' countries, where refugees currently reside but often do not have full political and civil rights; resettlement in their countries, including Western countries, and compensation.

Many political leaders - including former President Clinton -- have argued that the remaining gap between Israeli and Palestinian negotiators on refugees has more to do with differences in formulation than differences over what would actually happen on a practical level. According to many sources, negotiations on refugees have disintegrated as much on the pivot of recognition as on practical arrangements. The Palestinian leadership has sought recognition that Israel committed a historical wrong in 1948 in displacing hundreds of thousands of Palestinians. Israel has refused this responsibility, arguing that had Palestinians accepted the State of Israel as a Jewish state in 1948 there would have been no refugee problem - a historical nerve given the widespread Israeli belief that Palestinians still don't recognize their legitimacy. Behind the issue of refugees, like so many others, is a two-sided struggle over recognition for historical suffering and national aspirations that goes to the heart of each side's sensitivities and fears.

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