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A PALESTINIAN VIEW

By
Fayez A. Sayegh

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About the Author

Dr. Fayez Sayegh, Senior Adviser to the Foreign Ministry of Kuwait, has served with the League of Arab States and has taught at several universities. Among his publications are *The Dynamics of Neutrality in the Arab World* and *Arab Unity*.

A child is playing in front of his home. A group of strangers approaches. They grab him and try to spirit him away. He resists, kicking and screaming. Attracted by the tumult, his brothers rush out to rescue him. One of the kidnapers picks up the child and flees, while the others stay behind to engage the brothers and obstruct the chase. A fierce fight ensues.

A crowd soon gathers around. A policeman intervenes to separate the combatants. Every now and then they clash again—and again they are separated.

Some of the bystanders weary of the protracted quarrel and leave the scene, indifferent to its outcome. Others urge the brothers to go back into the house, hoping that peace will be restored. A few offer proposals for settling the conflict. Meanwhile, the policeman dutifully keeps careful count of the blows and maintains a meticulous record of who does what to whom. But all appear to be either ignorant of the abduction that caused the fight or oblivious to the fate of the victim.

All the while, however, the brothers protest that the only reason for a quarrel at all is the kidnapping of their brother, and announce that there will be no peace until he is freed. But this announcement is misconstrued as an

expression of intransigence and pugnaciousness.

This allegory may help illuminate the fundamental nature of the so-called "Mideast Crisis." The beginning of wisdom is the realization of the essential distinction between the "*Arab-Israeli Conflict*" (symbolized by the quarrel between the brothers and the kidnapers) and the "*Palestine Problem*" (symbolized by the abduction).

"Arab-Israeli Conflict" Versus "Palestine Problem"

The Arab-Israeli Conflict—the 21-year-old interstate conflict between the Arab states and Israel—is *derivative*. It is a product of the *underlying* Palestine Problem, which denotes the half-century old struggle of the indigenous Palestinian population against Zionist colonists—who converged from abroad upon the Arab-inhabited country with the intention of transforming it into a Jewish state and eventually succeeded in so doing. The hostility of the Arab states to Israel, like the hostility of the brothers to the kidnapers in the allegory, is the *response* of the Arab world to the fatal injuries inflicted by Zionism upon Palestine and its native Arab population in the process of creating, and then expanding, Israel.

The Palestine Problem is therefore

the origin and the cause of the Arab-Israeli Conflict, as well as the key to its solution.

The crux of the Palestine Problem is the fate of a people and its homeland. It is the piecemeal conquest and continued seizure of the entire country by military force. It is the forcible disposssession and displacement of the bulk of the indigenous population, and the subjugation of the rest. It is also the massive importation of alien colonists—to replace the evicted, and to lord it over the conquered. And it is the colonization, by the foreign settlers, of both the expropriated private land and the seized national resources of the overpowered people. It is, indeed, the destruction of the native Palestinian society of Christian and Muslim Arabs, and its replacement by a society of transplanted Jews and a foreign body politic—which views itself as the vanguard of the “Jewish nation,” currently spread throughout the world but declared destined sometime to assemble in the seized land.

The refusal of the Arab world to acquiesce in this fate of Palestine and its people explains both the bitterness and the persistence of the Arab-Israeli Conflict. It also underscores the essential difference in character between this conflict and ordinary international disputes. And it explains why the Arab-Israeli Conflict cannot be resolved until the Palestine Problem is settled through restoration of the rights of the Palestinian people.

Genesis and Evolution Of the Conflicts

The Zionist movement was launched in Europe in 1897 as a reaction to re-nascent European anti-Semitism. Its aim was “to create for the Jewish people a home in Palestine”—through mass immigration and systematic colonization, and with the help of European

powers.

At that time, Palestine was preponderantly Arab. It was inhabited by the descendants of the original and successive settlers of the land, who had acquired the Arabic tongue and become known as “Arabs” since the seventh century A.D.

Even twenty years after the rise of Zionism, when it succeeded in obtaining conditional support from Britain in the Balfour Declaration of 1917, there were still no more than 56,700 Jews in a Palestinian population of some 700,000; and most of those Jews were recent immigrants, who had been granted neither citizenship nor legal residence by the Ottoman authorities ruling Palestine. The native Jews and the new Jewish immigrants, who together constituted 8 percent of the population, owned 2.5 percent of the total land area of Palestine. And, even after thirty years of British control (1918-1948), despite organized mass immigration and land acquisition, Jews still constituted only one-third of the population and owned less than 6 percent of the land. This was the demographic and land ownership situation in Palestine when Israel was established in 1948.

The opposition of Palestinians to the Zionist program was the spontaneous, instinctive opposition of a settled people to the threat of being overwhelmed, and eventually dispossessed and dispersed, by an organized, dynamic movement of alien colonists.

The resistance of Palestinians to the Zionist program was indeed *coeval* with their resistance to British rule, under the aegis of which the Zionist program was to be implemented. Long before “wars of national liberation” had become fashionable in Asia and Africa in the second half of the twentieth century, the Palestinian people was waging its own costly and persistent war of national liberation, in the form of re-

bellions directed against both British rule and the Zionist program. The most notable of these were the rebellions of 1920, 1921, 1929, 1933, 1936 and 1937-39.

A British Royal Commission, charged with investigating the causes of the rebellion of 1936, attributed it to “the desire of the Arabs for national independence” and “their hatred and fear of the establishment of the Jewish National Home.” It added that these “were the same underlying causes” which had brought about all the earlier rebellions; that “they were, and always have been, inextricably linked together”; and that “they were the only underlying causes.”

By 1939, the British Government had had enough. Deeming its obligations to Zionism under the Balfour Declaration and the Mandate fully discharged, it instituted a new policy of restricting further Jewish immigration and land transfers.

The new policy triggered violent Zionist opposition. Although it was momentarily suspended upon the outbreak of World War II, Zionist opposition erupted in an organized campaign of terror in 1942. It continued to escalate until the end of the war, when it assumed the proportions of a full-fledged rebellion against Britain.

Having sown the winds in World War I, Britain was reaping the whirlwind at the end of World War II. More in desperation than in contrition, a war-weary and debilitated Britain at last decided to wash its hands of the entire problem it had created. It passed the problem to the United Nations in April 1947.

On November 29, 1947, the UN General Assembly “recommended” the partition of Palestine and the creation in that small country of a “Jewish State,” an “Arab State” and an “international *corpus separatum*” in Jerusalem and the surrounding villages and

towns. Adoption of this recommendation was preceded by prolonged hesitation, which was overcome only after inordinate pressure was put by the United States upon several dependent countries.

The Palestinian people, whose representatives at the United Nations had opposed the recommendation throughout the debate, now rose once again to defend itself against this new encroachment upon its inalienable right to self-determination in its own homeland.

Zionist spokesmen and apologists have sought to derive rich propaganda dividends from the fact that Palestinians opposed the recommendation of the Assembly. The argument has been advanced that, having refused to be satisfied with a mere half of what was wholly theirs, Palestinians have therefore forfeited their right to any part of the whole. Proponents of this argument would make poor Solomons indeed. For the proverbial wisdom of Solomon lay not in proposing that the contested baby be cut into two, but in drawing the right conclusion from the different reactions of the two “mothers,” rightly inferring that it was precisely she who *opposed* the partition of the baby who was the true mother.

Palestinian opposition to the partition recommendation must be viewed against the background of the following facts:

(1) Adopted despite the known opposition of the indigenous majority of the population, who owned most of the land, the recommendation was a clear violation of the right of the people concerned to self-determination and, as such, lacking in moral or juridical validity.

(2) The recommendation was also a constitutional violation of the Charter of the United Nations, by which the Assembly is governed. The Charter

confers upon the Assembly neither the power to dismember a country nor the competence to create a state. Several members challenged the right of the Assembly to make the partition recommendation, and requested that the International Court of Justice be asked to give an "advisory opinion" on the matter in accordance with Article 96 of the Charter. But their apprehensions about constitutional propriety were disregarded.

(3) Granted that the Assembly, in adopting the partition recommendation, scrupulously avoided passing moral or legal judgment upon the merits of the respective claims of indigenous Palestinians and Zionist colonists to Palestine; granted, also, that the Assembly consciously confined itself to proposing a purely pragmatic, political settlement for a practical problem: the fact remains that even from the *nonjuridical* and *amoral* standpoint, the proposed settlement was starkly inequitable. Jews, who owned less than 6 percent of the total land area of Palestine, were "awarded" a state in over 56 percent of the country. Furthermore, the proposed "Jewish State" was to have more Arabs than Jews under its jurisdiction: 509,780 Arabs and 499,020 Jews. By contrast, the proposed "Arab State" was to contain only 10,000 Jews in its population of 735,000.

(4) The partition recommendation was suspended by the General Assembly less than six months after it was adopted. When Zionism invoked that recommendation in its unilateral proclamation of Israel's statehood, therefore, it invoked a defunct proposal retracted by its very proponent.

Realizing that a "recommendation" is neither binding upon members of the United Nations nor enforceable against the will of the parties, the pro-partition forces sought to avert the juridical dif-

ficulty by adopting an indirect approach. They inserted in the draft resolution embodying the partition plan a paragraph requesting the Security Council (which is empowered, under certain circumstances, to adopt binding decisions and to order enforcement measures) to "take the necessary measures . . . for its implementation." But the Council, after due deliberation, formally rejected this request on March 5, 1948.

Confronted by this juridical impasse, and by the rising strife and bloodshed in Palestine, the leading champion of partition (the United States) began to have second thoughts. On March 19, 1948, it formally submitted to the Council an alternative proposal: temporary trusteeship over an undivided Palestine. This proposal was accepted by the Palestinians but firmly rejected by the Zionists. Whereupon the Council decided (on April 1, 1948) to convoke a special session of the Assembly in order to reconsider the earlier partition recommendation and to "consider further the question of the future government of Palestine." The special session opened on April 16 and adjourned on May 14, 1948.

During that period of United Nations reexamination of the question, Zionists took matters into their own hands. "While the United Nations was debating trusteeship, the Jewish State was coming into being," reminisced Chaim Weizmann, Israel's first President, a few months later. "It was plain to me," he elaborated, "that retreat would be fatal. Our only chance now, as in the past, was to create facts, to confront the world with these facts, and to build on their foundation."

In accordance with this strategy, whenever British troops withdrew from a Palestinian area in preparation for their imminent evacuation of the country, Zionist forces (armed and trained

by Britain for a decade) attacked—occupying town after town, evicting the defenseless Arab inhabitants (who had been systematically disarmed by Britain since the great rebellion of 1936) and taking possession of their lands and homes in the process. All this happened between early April and mid-May 1948—while the General Assembly was still reconsidering the partition recommendation and discussing the American trusteeship proposal; and while Britain, still juridically in control of Palestine, prevented the Arab states from coming to the rescue of the Palestinian Arabs.

During this eventful period, Zionist forces occupied not only the area earmarked for the "Jewish State", in the partition recommendation, but also parts of the area reserved for the "Arab State" as well, such as Jaffa and Acre and its hinterland. Subsequently published official documents reveal that the Zionist aim was to conquer *all* of Palestine and drive its Arab population into a mass exodus. As it happened, some

300,000 Palestinians had been displaced by mid-May 1948 from the Zionist-conquered area, which had already exceeded the area allotted to the "Jewish State." This is what David Ben Gurion, Israel's first Premier, meant when he wrote that, by May 14, 1948, Zionism had reached its goal "*in a State made larger and Jewish by the Haganah*"—testifying in those few words to the territorial expansion, the displacement of Arabs and the military process by which these objectives were accomplished before a single soldier had entered Palestine from any of the neighboring Arab states.

On May 14-15, 1948, four events occurred within a period of 24 hours:

(1) The British Mandate officially expired.

(2) The Assembly concluded its reconsideration of the question by adopt-

ing a new resolution which, in effect, suspended the partition recommendation and ordered a halt to its implementation, and appointed a Mediator (later slain by Israelis) to "use his good offices" to "promote a peaceful adjustment of the future situation in Palestine." The Mediator soon wrote to the Secretary-General of the Arab League: "I was not bound by the United Nations resolution of 29th November 1947—I had a free hand as far as putting forward new proposals as far as the future of Palestine was concerned." He also wrote to the Foreign Minister of the Provisional Government of Israel: "I have not considered myself bound by the provisions of the 29th November resolution, since had I done so there would have been no meaning to my mediation."

(3) The Zionist community unilaterally proclaimed itself a state—not only in the area "awarded" to it in the defunct partition recommendation, but in the larger area it had just conquered and de-Arabized.

(4) The Arab states, responding to the urgent plea of the official representatives of the Arab majority of Palestinians, intervened in an attempt to prevent further Zionist conquest of Palestinian territory and more evictions of Palestinians.

It was precisely at that point that the Arab-Israeli Conflict as such was born. The former confrontation, *within Palestine*, of the indigenous population and the Zionist colonists, gave way to the *interstate* confrontation of the Arab states and Israel.

During the 21 years since that turning point, the two conflicts have undergone significant evolution.

(1) The conflict between the Arab states and Israel has passed several milestones:

a. The war, cease-fires and truces of

1948.

b. The Armistice Agreements of 1949, and the repeated military breaches thereof—for which the United Nations has *invariably* put the blame on Israel. (Since the signing of those agreements, Israel has been “censured,” “condemned” or otherwise rebuked for waging preplanned military attacks on neighboring Arab states in *eleven formal resolutions* adopted by the Security Council [on May 18, 1951; November 24, 1953; March 29, 1955; January 19, 1956; April 9, 1962; November 25, 1966; March 24, 1968; August 16, 1968; December 31, 1968; April 1, 1969; and August 26, 1969] in addition to *six other resolutions* adopted by the General Assembly in connection with the invasion of Egypt in 1956. Throughout this period, no Arab state was judged guilty of waging an attack on Israel.)

c. The occupation by Israel of the “demilitarized zones.”

d. The invasion of Egypt in 1956.

e. The *blitzkrieg* of June 1967, and the continued occupation by Israel of territories of neighboring Arab states.

f. The virtual annexation of occupied Jerusalem and its hinterland, for which Israel has been censured by the Security Council on May 21, 1968, July 3, 1969 and September 15, 1969 and by the General Assembly on July 4, 1967 and July 14, 1967.

Meanwhile, the establishment of Israel has given rise also to the following Arab countermeasures:

a. Nonrecognition of Israel.

b. Maintenance of a “state of belligerency” within the limits allowed by the Armistice Agreements.

c. Diplomatic and economic boycott.

d. Denial of Arab waterways to Israeli shipping.

(2) The original, underlying conflict

between the indigenous Palestinians and the Zionist colonists has undergone radical metamorphosis in the meantime:

a. The whole of Palestine has now been conquered by Zionism.

b. Every Palestinian Arab without exception now falls into one of three categories, none of which leads a normal life: (i) *The refugees*: Dispossessed and displaced, and barred from return to their homes, they now number more than 1,500,000 Palestinians, some of whom have been displaced twice in a lifetime; (ii) *The Population of the West Bank and the Gaza Strip*: Civilians who have been living under alien, hostile, repressive military occupation since 1967; and (iii) *The “Israeli Arabs”*: The small fraction (about one-tenth) of the Palestinian people which, permitted to stay in the area that came under Israeli rule in 1948, was forcibly transformed overnight into an indigenous majority-turned-minority, and has been living since then under a transplanted minority-turned-majority and suffering the agonies of alienation and discrimination in its own homeland.

c. Finally, the former struggle of Palestinians to *defend* their country against the dangers inherent in the massive influx of imported colonists has been transformed, under the altered demographic and political circumstances, into a struggle to *resist* actual Israeli occupation. The struggle to *protect* existing but imperiled rights has become a struggle to *regain* lost rights.

Additional Causes of Palestinian Bitterness

The process of replacing Palestine by Israel, and displaced indigenous Palestinians by transplanted Israelis, has been marked by several anomalies.

(1) There is, to begin with, the moral anomaly of forcibly dislodging

a people from its rightful realm in order to make room for outsiders. This injustice, which passage of time cannot erase, is compounded by two factors. First, in order to provide a home for European Jews displaced in World War II, who in 1947 numbered 200,000 to 250,000, a process was set in motion which has resulted in the displacement of more than 1,500,000 Palestinians. And second, the displaced Palestinians were entirely innocent of oppressing and displacing Jews in Europe.

(2) The process of destroying the indigenous Palestinian community and replacing it by an alien community of Zionist colonists has had all the essential earmarks of a classical colonial venture. Yet it has been consummated in a historical era marked by universal rejection of colonialism in principle and near-total liquidation of colonial empires in practice. The same period that has witnessed the colonization of Palestine has witnessed also the most extensive decolonization program ever implemented in the history of mankind: some seventy peoples, with a combined population of more than one billion, have cast off foreign control and gained self-determination since the end of World War II.

(3) The dislodgment and subjugation of Palestinians has necessarily meant disregard for their fundamental human rights *as individuals*, as well as their inalienable right *as a people* to self-determination. Yet this affront to the principles of human rights has been facilitated partly by the action and largely by the timidity and inaction of the United Nations—an organization which, according to its Charter, was established in order *inter alia* to “re-affirm faith in fundamental human rights” and in the “equal rights . . . of nations large and small,” and whose vision of a peaceful and orderly world is predicated on “the principle of equal

rights and self-determination of peoples.”

Displacement: An Original Zionist Imperative

The ouster of the bulk of the indigenous Arabs of Palestine was neither an accident nor an originally unintended byproduct of warfare. The authoritative literature of the Zionist movement shows that the removal of the indigenous population was, from the beginning, both a doctrinal and a programmatic requirement of Zionism.

Doctrinally, the drastic reduction, if not total removal, of non-Jews is a corollary of the principle of religious exclusionism, which is the essence of Zionism. For, when Zionism arose as a call for Jewish self-segregation in a territory in which a “Jewish State” would be founded, its adherents knew that the “Jewishness” of the proposed state would be incompatible with the continued existence of a non-Jewish majority, or even substantial minority, under its control.

Programmatically, the removal of Arab Palestinians was required by the confrontation of this Zionist doctrine with the demographic realities at hand when Zionism was born. For the hard empirical fact was that the Arabs were then the preponderant majority in the land the Zionists coveted. Their dislodgment was therefore a demographic imperative of the Zionist program.

Since the aim of Zionism, as Weizmann put it in 1919, was that “Palestine should become as Jewish as England is English,” and since Arabs constituted nine-tenths of the Palestinian population at that time, it followed that they (or most of them) had to be removed by one means or another if the aim of Zionism was to be attained.

That is the reason why, as the American King-Crane Commission reported

to President Wilson in 1919, "the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine." And that is why Theodor Herzl, the father of the Zionist idea and the founder of the Zionist Organization, had written in his *Diary* on June 12, 1895, that "when we occupy the land . . . we must expropriate gently the private property on the estates assigned to us" and "try to spirit the penniless population across the border."

To be sure, Zionist leaders knew that the dispossession and removal of the Palestinians could not take place overnight. So long as a powerful Zionist community had not assembled in Palestine in adequate numbers, and so long as Palestine remained under the control of a third power, the ultimate goal of Zionism had to be deferred. But when, in 1948, the inhibiting factors had disappeared and that goal could be attained, no time was wasted in attaining it. Little wonder that Weizmann then described the panicky exodus of Palestinians as a "miraculous simplification of *Israel's* tasks," or that Ben Gurion spoke of the lands emptied of their Palestinian owners with equal elation: "For decades we collected pennies to buy a scrap of earth. Now we have millions of dunams to dispose of."

Since the actual displacement of Palestinians, Israeli apologists have argued as follows: Palestinians became refugees only because they resisted; and having resisted and failed, they have lost their right to return to their homes and country. This reasoning is as morally self-condemnatory as it is historically false. The premise of the argument, that if there had been no Palestinian resistance there would have been no dislodgment, is clearly belied by the doctrinal and programmatic factors of which we have just cited but a few illustrations. The truth is that the only

choice offered Palestinians by the logic of Zionism, ever since its inception, was the choice between becoming refugees by *consent* and becoming refugees by *force*. As for the conclusion of the Zionist argument, it rests on the absurd principle that the attempt to defend one's birthright provides justification for one's deprivation of that very birthright. Should such a principle receive undeserved respectability, it would bring delight to the heart of every burglar—enabling him to point to the resistance put forth by unarmed home owners in the course of a burglary as sufficient justification for their eviction, over and above depriving them of their cherished possessions.

The same logic that had originally decreed the inevitability of Palestinian dislodgment has also produced the corollary Zionist imperative: that the displaced Palestinians must not be permitted to return to their homes. The rationale of this inflexible Israeli policy was candidly expressed by General Moshe Dayan when, admitting that "economically we can" absorb the refugees, he nevertheless imperiously ruled out the return of the displaced Palestinians as being "not in accord with our aims." He explained: "It would turn Israel into either a binational or poly-Arab-Jewish state instead of the Jewish state, and we want to have a Jewish state."

International Guarantees Betrayed

The dispossession and dispersion of the bulk of Palestinians was not only a transgression against their human rights. It was also an affront to the safeguards and guarantees that the family of nations had solemnly written into every international instrument in which it endorsed portions of the Zionist political program—and which the Zionist hierarchy in every instance formally

pretended to accept and promised to respect.

In proclaiming the creation of Israel, the Zionist community invoked the authority of three international instruments: the British (Balfour) Declaration of 1917, the League of Nations Mandate of 1922 and the General Assembly partition recommendation of 1947. Whatever their intrinsic juridical worth may be, these three instruments remain the *only* foundation for the claimed legality of Israel's existence. None of these documents granted Zionism a license to inflict upon the Palestinian Arabs what it has actually inflicted. On the contrary, each contained built-in safeguards and guarantees of Arab rights—which were as much an integral part of the instrument concerned as was the limited and conditional support of Zionist political goals.

(1) Britain's announcement, in the *Balfour Declaration*, that it "view[s] with favour the establishment in Palestine of a National Home for the Jewish People," and its statement that it "will use [its] best endeavours to facilitate the achievement of this object," were predicated upon the condition stipulated in the clause that immediately followed: "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine."

The meaning of this "safeguard clause" was authoritatively explained in the Churchill White Paper of 1922—consent to which was demanded of, and was given by, the Zionist Organization before the Mandate was confirmed. The White Paper stated:

Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used

such as that Palestine is to become "as Jewish as England is English." His Majesty's Government . . . have no such aim in view. Nor have they at any time contemplated . . . the disappearance or the subordination of the Arabic population, language or culture in Palestine.

(2) The *League of Nations Mandate for Palestine* reproduced the "safeguard clause" of the Balfour Declaration and added more explicit and more far-reaching guarantees. Article 2 stipulated that the Mandatory "shall be responsible" *inter alia* for "the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine." Article 6 went further. It linked the Administration's responsibility for facilitating Jewish immigration and settlement with its responsibility for "ensuring that the rights and position of other sections of the population are not prejudiced." Let it be remembered that the "position" of the Arabs at that time was that of the preponderant majority.

(3) The *United Nations partition recommendation* stipulated (Part I, Section C) that, before independence, the provisional government of the proposed "Jewish State" should make a declaration to the United Nations containing precise guarantees of Arab rights, which were spelled out in detail in Chapter II, and a general provision stating: "The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them." It further declared that the provisions of Chapter II "shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly."

The dislodgment of the Palestinian people was neither countenanced nor sanctioned by the international community before it took place. Nor did the family of nations acquiesce in the Zionist transgression after the fact. International concern has persistently expressed itself—with particular reference to two manifestations of this tragedy: the fate of the displaced Palestinians, and the treatment of civilians in the territories occupied by Israel.

(1) Shortly after the first large-scale displacement of Palestinians (the "old refugees" of 1948), the General Assembly acknowledged their right to return to their homes, and the alternative right to compensation of those who might choose not to return. This recognition, contained in the resolution of December 11, 1948, has been upheld in 66 pronouncements contained in 20 resolutions adopted by the Assembly since then.

Subsequent expulsions of smaller groups of Palestinians from the "demilitarized zones" in the 1950's (the "intermediate refugees") was followed, each time, by a Security Council resolution calling for their prompt return.

And, since the dispersion of still more Palestinians in 1967 (the "new refugees"), six organs of the United Nations have called for immediate repatriation in ten resolutions.

(2) The treatment of civilians in the territories occupied by Israel since 1967 has also been the subject of formal expressions of international disapproval by the Commission on Human Rights, the Economic and Social Council and the International Conference on Human Rights. Five international bodies have demanded international investigation of Israeli practices in the occupied

territories.

Nevertheless, Israel has denied the right of the displaced Palestinians to return to their homes. It has not put an end to its practices in the occupied territories. And it has refused to facilitate the international investigation repeatedly demanded by the United Nations.

While it is true that the United Nations has not ceased to proclaim its disapproval of Israel's persistent disregard of the international assurances repeatedly given to the Palestinians, it is equally true that such disapproval remains of little practical value as long as it is not accompanied by corrective action. And the will to take measures of corrective action has not been in evidence.

Israel's "Peace" Conditions

Having reached the principal Zionist political goal of statehood; having achieved most, though not all, of its proclaimed territorial objectives; and having accomplished as much as possible, under present circumstances, of its demographic task, by reducing the number of indigenous Palestinians under its jurisdiction to manageable proportions and by assembling about one-sixth of world Jewry in the land it has conquered—Israel is now ready for "peace."

But it is a "peace" designed to guarantee for Israel continued enjoyment of these gains, and in addition to confer legitimacy upon the *fait accomplis* attained by armed force.

As such, it is a "peace" for which Israel sets only two conditions: recognition by the Arab states and direct negotiations.

On the surface, these seem simple, natural, and not unreasonable conditions. They look otherwise, however,

when viewed against the background of the genesis of Israel and the far-from-resolved fate of the Palestinian people.

The demanded recognition means acceptance by the Arab states of Israel, and respect for its "right" to exist as a state.

But Israel has come into being by making another country cease to be. Israeli society has been artificially assembled and forcibly installed in Palestine, as a replacement of the indigenous Palestinian society and at its expense, Israel is, because Palestine is not; and Palestine is not, only because Israel is. The being of Israel is therefore an act of elimination: it is the *nonbeing* of Palestine.

To recognize Israel is tantamount to legitimizing, and therefore perpetuating, the forcible dispossession and uprooting of the Palestinian people.

Some have argued that Arab refusal to recognize Israel is the cause of the Mideast crisis and the main obstacle to its settlement. This argument simply confuses cause with effect. There would be no conflict today were it not for the initial, and continuing, refusal of Zionism to recognize the Palestinian people and its right to live in peace in its country, free from conquest and dislodgment. Arab refusal to accept, and confer legitimacy upon, the being of Israel is a *retort* to Israel's *prior* refusal to recognize and respect the being of the Palestinian people.

Some have contended that refusal to recognize Israel is incompatible with the obligations of the Arab states under the UN Charter.

Arabs do indeed recognize the right of every state to existence, sovereignty, political independence and territorial integrity—as long as it exists on land rightfully belonging to its people. But they concede none of these rights to

any state in a captured land belonging to others, particularly a land conquered and resettled within the lifetime of the present generation of its rightful owners. This is the spirit of the Charter; it is also the practice of the United Nations. What else is the meaning of the worldwide process of decolonization? And on what basis other than this do civilized nations congratulate themselves on their refusal to recognize the unilaterally proclaimed settler-state in Rhodesia?

While declaring that direct negotiations are the only acceptable avenue to "peace," Israel insists that most of the principal issues are "non-negotiable." It thus vitiates the very principle in which it professes to have boundless faith.

Thus, the right of the refugees to return to their homes cannot be negotiated, according to Israel's *Diktat*. On the other hand, Israel declares its own claimed "right" to free shipping to be absolute and not subject to negotiation. The reactivation of the Armistice Agreements, which Israel unilaterally abrogated, is also non-negotiable. Similarly, much of the territory conquered in 1967 (the acquisition of which was unanimously pronounced "inadmissible" by the Security Council, on November 22, 1967, on May 21, 1968, on July 3, 1969, and on September 15, 1969) is declared nonnegotiable: the Syrian Golan Plateau, the Egyptian Sharm Al-Shaikh, the Palestinian Gaza Strip, undisclosed portions of the West Bank, and the eastern portions of Jerusalem, including Bethlehem and environs—the fate of all these vital areas, having been imperiously "determined" by Israel, shall not come into the proposed negotiations.

This unilateral exclusion of most of the questions at issue from the agenda of the negotiations Israel demands makes a mockery of Israel's professed

desire for a settlement directly negotiated by the parties. What Israel really demands is *capitulation*.

Furthermore, the negotiations on which Israel insists are to be conducted with the Arab states, but not with Palestinians. But it is the Palestinian people that is the principal party immediately concerned in most of the issues at stake. And the Arab states have not been empowered by the Palestinian people, and therefore they lack the competence and the right, to decide in its absence or on its behalf matters affecting its country and its fate.

There is a deeper significance, however, to Israel's refusal to countenance negotiations with Palestinians. Having banished them *physically* from their land, Israel now endeavors to banish them *politico-juridically* as well from the councils of decision making concerning themselves and their country. To Israel, the Palestinian people as such does not exist, and Palestinians have neither national existence nor national rights. These are fundamental postulates of Israel's very being. By inviting the Arab states to negotiate with it about the future of the area, Israel aspires to exact from them an implicit endorsement of these Israeli theses. Refusing to be accomplices in the politico-juridical assassination of the Palestinian people, the Arab states decline.

A Just Peace—For All

Wishful thinking aside, between the rights of the Palestinian people and the claims of Israel there can be no compromise. They are mutually exclusive. The search for a compromise has proved to be a futile pastime. For any compromise formula is bound to be, in essence, a prescription for surrender by one party or the other; and, as the history of the past half-century demonstrates, the expectation of voluntary surrender by either party is unrealistic.

The belief that a mere *procedural* formula (such as "direct negotiations") can accomplish the miracle and produce the elusive *substantive* solution is infantile and deceptive.

The melancholy conclusion is that only continued belligerent confrontation lies ahead. It is a confrontation in which the stakes are as high as national life itself; a confrontation which will therefore go on and on—until either Israel destroys the whole Arab world, or the Arabs destroy Israel, or both destroy one another and perhaps plunge the entire world in the process into a global conflagration.

Only the most blindly fanatic of partisans can view the prospects with equanimity.

What is needed is a principled and courageous vision.

The required vision must do precisely what a "compromise" cannot. A compromise takes its departure from the actual positions of the contending parties, and seeks to find a solution somewhere *between* them. The needed vision transcends those starting points, and looks for the solution *above* them both.

Men who cannot or will not surrender to one another may be inspired to surrender together to a higher vision—and in that surrender find freedom and fulfillment, as well as reconciliation.

To accomplish this end, the vision must have the excellence to inspire and the power to command devotion.

As the longing for peace cannot overpower or replace the craving for justice, the vision of peace must offer justice as well, or else forfeit its very credentials.

A vision of a just peace cannot be meek, overawed by current reality, proclaiming: "Whatever is, is here to stay." It must have the boldness to question and the fortitude to challenge every being, if founded on injustice. Nor can it be purely restorative, proclaiming:

"Whatever was shall be fully restored: the past shall be resurrected in identical form." It must dare to deviate from the past and create a modified future.

A bold vision of a just peace must also be morally uplifting. It must inspire men to brotherhood, when exclusionism sets them apart; to compassion, when vengefulness rages; and to giving and sharing, whether of their acquisitions or of their birthright, when rapaciousness or cupidity prevail.

And it must be spiritually uplifting also. It must proclaim *the primacy of the human person over the politico-juridical abstraction of statehood*.

Neither an *exclusionist "Jewish State,"* existing in all or part of Palestine at the expense of deprived Palestinians, nor a *restored Arab Palestine,* in which the nonindigenous Jewish immigrants cannot aspire to have a place, fulfills the requirements of such a vision. Neither an Arab Palestine from which alien Jews are transported wholesale or "thrown into the sea," nor an Israel from which the displaced indigenous Palestinians remain barred and still more are "tossed into the wilderness," can fit the description of that vision.

Nor can a *"binational" state,* in which the barriers between the component "nationalities" are institutionalized and therefore perpetuated, promote progress toward that vision. For a "binational" state is nothing but a coalition of once-warring communities which have come to agree to coexist as distinct communities in an ever-precarious truce and in delicately balanced structures, which preclude the possibility of the emergence of a true community co-extensive with the state.

Only in a *new Palestine* can the presently incompatible positions of both parties be creatively transcended and a just peace established. The vision is of a pluralistic Palestine on whose once-

hallowed but now-bloodied fields and hills indigenous Palestinians, Christian and Muslim, and nonindigenous Jews will live together: neither claiming the country as his alone, whether by right or by conquest, but each looking upon the land as the common domain of all. Muslim, Christian and Jew will freely intermingle to form an authentic human community, and will cooperate to set up a *pluralistic, humanistic, secular and democratic* state, of which all will be equal citizens and all devoted builders. Distinguished by faith, culture or ethnic origin, they will nonetheless be joined together by the bonds of their common humanity, their common citizenship and their common dedication to the general good of their state.

Palestinian organizations, including Al-Fatah, and leading Palestinian intellectuals have proclaimed their espousal of such a cause. (Al-Fatah has officially defined its objective as follows: "While Al-Fatah is fighting the constitutional existence of the Zionist State of Israel, it is also fighting to create the new Palestine of tomorrow—a democratic, non-sectarian Palestine where Jews, Moslems and Christians will work, worship and live peacefully together while enjoying equal rights and obligations.")

If the men and women of Israel also come to see their destinies in terms of such a vision—opting for peace and justice for all, in new Palestine—the ingenuity of statecraft and diplomacy (local, regional and international) will not be incapable of devising the procedural and programmatic formulas necessary for bringing about its realization, perhaps in our day.

Whenever it comes about, however, a new and glorious day will dawn. The Holy Land will become also a land of creative brotherhood, a land of triumph over the seemingly impossible and a land of righteous peace.

GENERAL UNION OF PALESTINE STUDENTS