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# OBSERVATIONS ON THE RIGHT OF RETURN

RASHID I. KHALIDI

Few issues in the Arab-Israeli conflict are as contentious as that of the Palestinian right of return (*haq al-'awda*). For over forty years, the idea of "return" has been central to the Palestinian national narrative of struggle against overwhelming odds, of expulsion from the ancestral homeland, of dispersion, and of national reconstitution. Yet the very idea of the return of significant numbers of Palestinians to their villages and towns, or indeed to any part of Palestine, touches on deep-seated fears among Israelis regarding the legitimacy and permanence of the entire Zionist enterprise, as well as the Arab-Jewish demographic balance within Palestine.

There is no authoritative Palestinian definition of what constitutes the right of return. Since the expulsions of 1948, the right of return has been taken to mean many things, ranging from the right of all Palestinians or their descendants to return to their former homes and places of origin in Palestine, to a return of some of the Palestinians currently in exile to some limited part of Palestine. But despite the absence of a definition, it is possible to assess the implications of this issue for Palestinians and others, and to explain briefly the development over more than four decades of the concept of return in

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both Palestinian political thinking and in international forums. In light of current Palestinian thinking on this subject, it is finally possible to explore the concept of the return of the Palestinians in terms of who might return, to where, when, and under what circumstances.

### *The Resonance of Return*

Since 1948, the Palestinians have viewed themselves as victims of what Abba Eban once termed “politicide.” (Eban was describing Arab aims vis-à-vis Israel; the Palestinians argue that they had already suffered this fate.) It makes little difference to those holding such a view that a Palestinian national entity never saw independent political existence. Palestinians are acutely aware that they were prevented by Britain from obtaining the same independence eventually attained by the peoples of all the neighboring Arab countries during the first half of the century. Most of these countries were of equally recent provenance as modern “nation-states”; many were also mandated territories described by Article 22 of the Covenant of the League of Nations as ready to be “provisionally recognized” as “independent nations.” Some were smaller, poorer, and less ready for self-government than was Palestine.

As far as Palestinians are concerned, the process through which they were denied national self-determination was started by Britain, which acted in concert with the Zionist movement during the first part of the Mandate. This process was further advanced by the events of 1947–49, which resulted in the destruction of much of Palestinian society through the expulsion and flight of about half of the Palestinian Arab population of 1.3 million and the subsequent expropriation of their property. By 1949, two of the country’s three major cities, most of its prime agricultural land, and 77 percent of its territory had been wrested from the Palestinians. What was left of the land was under Jordanian or Egyptian control.

Only by understanding the centrality of the catastrophe of politicide and expulsion that befell the Palestinian people—*al-nakba* in Arabic—is it possible to understand the Palestinians’ sense of the right of return. For in an abstract sense, if this expulsion were an injustice to the Palestinian people in national as well as in humanitarian terms, and marked the beginning of a period of disasters for them, then it follows that as far as the Palestinians are concerned, the wrong done to them can only be righted, and the disasters ended, through a return to the homeland.

The idea of a return to Palestine is linked to concepts that are crucial for any understanding of Palestinian political rhetoric since 1948. One of them is the symbolic opposition between the idea of “return,” and the description of the Palestinians as merely “refugees.” This can be seen in a resolution taken during the first Palestine National Council (PNC), held in Jerusalem in 1964, which states that the term “refugees” to describe Palestinians would be replaced by the word “returners” (“*al-’a’idin*”).<sup>1</sup> Other evidence is provided

by the resistance to UNRWA's earliest efforts to provide relief to and rehabilitation of Palestinian refugees, and the fierce opposition of Palestinian camp populations in the early 1950s to resettlement efforts linked to the Johnston plan. As far as Palestinians were concerned, an injustice had taken place and a return to Palestine was necessary to expunge it. For them, the problem was not simply one of refugees or of their resettlement elsewhere in the Arab world.

Far from being instigated by the Arab governments (as one version of history would have it), this resistance to resettlement took place against the wishes of the governments of Jordan, Syria, and Lebanon, which at this stage timidly favored settling Palestinian refugees outside Palestine, partly in deference to the preferences of the powerful new great power in the Middle East, the United States. The Arab governments' position was to change rapidly in the face of continued Palestinian opposition to resettlement and the subsequent development of the issue into one with major domestic political ramifications in these three countries.

The first point of the landmark ten-point program adopted by the 12th session of the PNC, held in Cairo in 1974, explained the opposition of the Palestine Liberation Organization (PLO) to United Nations Security Council Resolution 242 of 22 November 1967. Whereas the PLO had previously opposed resolution 242 on grounds that it provided for a peaceful solution to the conflict embodying recognition of Israel, by 1974 the PLO affirmed its objections solely because the resolution "effaces the national rights of our people, and deals with their cause as a refugee problem; *for this reason*, dealing with this resolution on this basis is rejected at any level . . ." <sup>2</sup> [italics added]. Since 1974, the PNC confined its criticism of 242 and other elements of the peace process to the fact that they did not deal with the Palestinians as a people with a national cause, but rather as a random agglomeration of atomized individuals of no fixed identity whose future was to be determined in accordance with whatever arrangements were most convenient to the powers that be. Beginning with its 1974 resolution, there was no further mention by the PNC of the various elements of 242—such as land for peace, or secure and recognized boundaries for Israel—which had been the grounds for its earlier opposition to that resolution (and to all other initiatives for a peaceful resolution of the conflict). Rather, it was the insulting implication of the language of 242, that the Palestinians were not a people with a right to an equal voice in the settlement process, and that theirs was only a "refugee problem" and not a national one, which the PLO came to focus on in its opposition to this resolution.

It may be difficult to grasp the extent to which the question of "return" is perceived by Palestinians as a moral issue, one of rights in the abstract, rather than one of a specific set of rights in the contractual sense. Acknowledgment of the right of return is seen as an acceptance in principle of the fact that the Palestinians are a people with national rights, among them the natural right to live in their ancestral homeland, and that a wrong was done to them as a

people in preventing them from doing so. On the other hand, rejection of the right of return is seen as a denial of the Palestinians' peoplehood and rootedness in their homeland, and thus of the injustice they have suffered.

In the simplest terms, Palestinians argue that if it is accepted in principle that they have a legitimate claim to Palestine, how can the right to return to it logically be denied to them? And if their right to return is denied for any reason, does that not cast doubt, is it not indeed *meant* to cast doubt, on their very claim? Such questions can perhaps be understood by analogy: the Zionist claim to the same land has similarly been historically seen by Israelis and their supporters as linked to the right of *aliya* (literally, "ascent" to the land of Israel), while any attempt to prevent exercise of the right mandated for all Jews under the Israeli Law of Return is seen as casting doubt on that claim. The polemics condemning what are described as Arab attempts to obstruct Soviet Jewish immigration to Israel provide ample evidence of this linkage.

Yet another analogy may be found in the insistence of Israel and the world Jewish community on reparations from Germany as an acknowledgment—real and material, but primarily symbolic—of the crimes of the Nazis against the Jews, for which nothing could in fact constitute sufficient expiation. Similarly, East Germany's refusal (until recently) to pay even symbolic compensation for these crimes has been described as an attempt to deny both responsibility for the wrong and, much more importantly, the very fact that it took place.

These analogies with issues that are supremely sensitive for Jews are meant to underscore just how profound is the resonance of the right of return throughout the Palestinian polity. It will be particularly important to determine whether a symbolic acknowledgment that an injustice has been done to the Palestinian people, via acceptance of a clearly-defined Palestinian right of return in principle, combined with an attempt to right it, via implementation of this right in some specific and carefully controlled fashion, will satisfy a sufficient number of Palestinians, while remaining acceptable to a sufficient number of Israelis. As a preface to exploring potentially viable solutions of this issue along these lines, it is necessary to trace briefly the development of the concept of return in Palestinian political discourse since 1948.

### *Evolution of the Concept*

The right of return was consistently demanded by the Palestinians themselves from the outset. Almost immediately after they were made refugees, self-appointed representatives of the Palestinians came before the UN-mandated Palestine Conciliation Commission (PCC) at Lausanne in 1949 to demand the right to return to their homes and property. While the return of the Palestinians also became a demand of the Arab states, there were significant nuances in their approaches, with some of these states willing to make concessions concerning the return of refugees provided Israel were willing to make territorial compromises.<sup>3</sup> The distinction that emerged at Lausanne

between the Palestinian position on the right of return, and the policies of different Arab governments, was an important and ultimately an enduring one. In time, indeed, the same Arab governments that had ostensibly championed the Palestinian right to return at Lausanne downplayed it in deference to the unshakable Israeli rejection of the principle. Some Arab states made a distinction between the return of Palestinians to areas that had been allotted to the Jewish state under the 1947 Partition Plan, which they did not press, and a return to areas that were to have been part of the Arab state. It would appear that no such distinctions were made by such self-appointed representatives of the Palestinians who made their way to Lausanne, a few working as representatives of Arab governments, at least one for Israel (he was later rewarded with a post as a judge in the Israeli judicial system), and most of them independently.

United Nations General Assembly Resolution 194 (III) of 11 December 1948, which established the PCC, called for placing all of Jerusalem under a permanent international regime, and mandated a solution to the problem of Palestinians made refugees during the 1948 war. In paragraph eleven of this resolution, the General Assembly resolved that

refugees wishing to return to their homes and to live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity should be made good by the governments or authorities responsible . . .

This resolution has represented the consensus of the international community on the subject since 1948. Its call for the repatriation or compensation of Palestinian refugees from 1948 has been reiterated every year in a new General Assembly resolution, with the support of the United States and virtually every member nation of the UN except Israel.

Over the past fifteen years, the PLO has come to attach importance to this international consensus, and increasingly to base its position on it. Yet this was not always the case. In the immediate aftermath of the catastrophe of 1948, the Palestinians saw this consensus as consecrating the will of the great powers that had played a part in denying them self-determination by partitioning their country and allowing for the creation of Israel and the control of the rest of Palestine by Jordan and Egypt.

Palestinian rejection of relevant UN resolutions began with General Assembly resolution 181 of 1947 for the partition of Palestine, and continued through Security Council Resolution 242 of 1967. Some of the first independent Palestinian organizations that formed during the decade and a half following the defeat of 1948 appealed to general principles of international law such as self-determination, while basing themselves on alternate sources of legitimacy, part Palestinian nationalist, part Arab nationalist, and part revolutionary radical. Until 1968, the idea of return, important though it was, was generally subsumed under the idea of the total liberation of Palestine. In

this era, there was little thought among Palestinians of compromise or diplomatic solutions; they simply envisaged a return to the status quo antebellum, via a dissolution of Israel and a recreation of Arab Palestine. In such a simple context, the specificities of the return presumably did not seem particularly important or pressing; the right of return was not emphasized in the Palestinian National Charter (*al-Mithaq al-qawmi al-filastini*, often mistranslated as the National Covenant<sup>4</sup>) and in other measures adopted by the first PNC in 1964. The assumption appeared to be that when Palestine was liberated, by whatever means, the Palestinians would simply return to it.

In 1968, after the PLO had been taken over by the new commando groups that had grown to prominence in the wake of the 1967 war, the National Charter was revised and was renamed *al-Mithaq al-watani al-filastini*. The change was meant to make the focus more Palestinian nationalist and less pan-Arab, in keeping with the shift away from the Nasirist ideas of Shuqayri and other drafters of the original document. Additionally, the right of return was prominently featured for the first time. The Charter's Article 9, which enshrined "armed struggle" as "the sole path to liberate Palestine," defined as the objectives of this struggle the liberation of the homeland, "the return to it," and self-determination and sovereignty in Palestine.<sup>5</sup> The idea of a return to Palestine was thus given a central place in the newly amended version of the Charter.

Despite the importance attached to the idea of return, the fact that Palestinian political discourse in the late sixties still looked towards the complete liberation of Palestine—including the territories occupied both in 1967 and in 1948—meant by implication that the return was simply a natural consequence of the achievement of the main objective of total liberation. By 1974, however, PLO thinking underwent a major shift, and the question of the return was reevaluated.

The introduction to the ten-point "Provisional Political Program" adopted by the 12th session of the PNC declared that *haq al-'awda*, "the right of return" (in what appears to be the first such use of this specific formulation by the PNC) was "at the forefront" of the Palestinian people's rights.<sup>6</sup> The 1974 program was notable for its mention of the idea of establishing "an independent fighting national authority of the people on any piece of Palestinian land which is liberated." Divested of the militant language used to make the program palatable to members of the Rejection Front (who constituted an important minority of the PNC), this meant that the PLO was for the first time advocating a Palestinian state in only part of Palestine. The 1974 resolution represents the first step by an authoritative Palestinian body to abandon an exclusive claim to the entirety of Palestine, thereby laying the basis for a compromise settlement. It took several further sessions of the PNC, and the departure in 1974 of the skeptics from the Executive Committee and their return in 1977, before the PNC was able to come out and say this explicitly. But why did the right of return make its appearance in Palestinian political discourse at just this point? It can be surmised that by moving, albeit hesi-



tantly and ambiguously, towards the idea of a Palestinian state alongside Israel, the PLO was implicitly giving up its claim to the areas seized in 1948, and that stress on the right of return was an attempt to obtain a quid pro quo.

As the trend favoring a negotiated settlement resulting in a two-state solution gained strength within the PLO, the PNC gradually dropped some of the ambiguity, and with it much of the militant language, which had characterized its earlier resolutions. More significantly, and more visibly, it began to adopt internationally recognized principles for a regional peace settlement as the basis of its own position. The resolutions of the 19th session of the PNC in Algiers in November 1988 mark the most explicit authoritative statement of PLO goals to date. Insofar as the right of return is concerned, the 19th PNC made one important advance. In both of the two key documents it issued, the Declaration of Independence of the State of Palestine and the Political Statement, the right of return was qualified in a crucially important way. The Declaration explicitly grounds the Palestinian right to an independent state in resolution 181 (which it had previously rejected), and describes the right of return as one sanctioned by UN resolutions. The Political Statement similarly declares that the right of return must be achieved within the context of UN resolutions. While neither document explicitly or implicitly refers to General Assembly Resolution 194 of 1948, both represent an important change over the resolutions of the 18th PNC, which simply mention the right of return without making any reference to UN resolutions.<sup>7</sup>

Other authoritative statements by PLO leaders contain explicit linkages between the right of return and specific UN resolutions. For example, in an address to the socialist members of the European Parliament in Strasbourg in September 1988, PLO Chairman Yasir Arafat described General Assembly Resolution 194 as calling for "repatriation of the Palestinian refugees or the payment of compensation for the property of those choosing not to return."<sup>8</sup> Arafat used nearly identical language in his speech before the UN General Assembly in Geneva in December 1988; he added that the 19th PNC called for "the settlement of the issue of the Palestinian refugees in accordance with the pertinent United Nations resolutions."<sup>9</sup>

Grounding the Palestinian right of return in what Arafat called "international legitimacy," the PLO has thus come full circle, to acceptance of the UN resolution that remains the basis of the consensus of the international community, including the United States, as to the framework for a settlement of the Palestinian problem.

### *Aspects of the Right of Return*

Because there is no unified Palestinian conception of what the right of return means in practical terms in the context of a negotiated settlement, the following remarks are of necessity both speculative and subjective.

The first point to note is that in explicitly accepting the terms of resolution 194 of 1948, the PLO has accepted certain crucial limitations on a putative



absolute right of return. The first is that Palestinians who were made refugees in 1948 are offered an option, whereby those “choosing not to return” become eligible for compensation for their property. The key point here is that acceptance of this option (which in the past was seen as selling out, and as acquiescence in an unjust *fait accompli*) is now for the first time endorsed and validated by the PLO itself. Acceptance of the *fait accompli* of Israel’s creation in 1948 at the expense of the Palestinians has now in effect been legitimized by the PLO. This is clearly meant to be an escape hatch: the politically impossible demand that all Palestinians made refugees in 1948 be allowed to return is dropped, without dropping the principle that such people have certain rights in the context of a negotiated settlement, and without abandoning the reading of history which is the basis of this principle. This also makes the demand for implementation of the right of return a slightly more realistic one, without the PLO appearing to make a concession.

The second limitation introduced by this PLO position on an absolute right of return is that all those who may return, wherever they return to, have to accept as a precondition “to live at peace with their neighbors.” This means that should it be possible to negotiate an agreement whereby some Palestinians would be allowed to return to those areas of Palestine which became part of Israel in 1948, they would have to agree to live as law-abiding citizens of that state, fully accepting its jurisdiction and sovereignty. This is a far cry from the Palestinian call for a return in the period 1948–74, which was clearly premised on the liberation of Palestine; i.e., the dissolution of Israel.

A third limitation on the right of return is implicit rather than explicit. In recent authoritative Palestinian formulations, there is no specific mention of the destination of those exercising their right to return. Such ambiguity, whether intentional or not, leaves room for a great deal of maneuver in the negotiating process. Indeed, some PLO spokesmen, including Nabil Sha’th, interpreted this to mean that Palestinians may return to live in the Palestinian state to be established, rather than to Israel proper.<sup>10</sup> Faisal Husseini, a leading figure in the occupied territories identified with the PLO, has described the right of return in similar terms.<sup>11</sup> Although the PLO has not taken an official position on this limitation, such authoritative statements indicate that this is the trend of thinking inside the leadership. This is potentially the most significant modification of the traditional Palestinian understanding of the right of return.

Before further discussing the sensitive issue of who might return and to where, it is important to examine the PLO’s definition of the nature of the relationship with Jordan in the context of a settlement. This issue has been handled consistently since the 16th session of the PNC, held in Algiers in February 1983. At that meeting, and at all three subsequent ones—the 17th in Amman in 1984, and the 18th and 19th in Algiers in 1987 and 1988, respectively—the PNC has called for a confederal relationship between an independent Palestinian state and Jordan. Although this concept has not

been fully worked out by either the Palestinians or the Jordanians, and while it is still subject to Jordanian input, it has crucial implications for the implementation of the right of return, ones which rarely appear to be considered by those examining the modalities of a possible settlement of the conflict.

If a Jordan and a West Bank/Gaza Strip Palestinian state were voluntarily linked in a confederation that included open borders, an agreement on nationality and jurisdiction, and a form of economic union, many, perhaps most, of the more than 1.25 million Palestinians in Jordan might be expected to remain there. Within the context of such a confederation, they could take advantage of their new Palestinian nationality while benefitting from the compensation they would receive for their property left behind in Palestine to reinforce their already prominent position in the economy of Jordan. This takes on enormous significance in view of the fact that Jordan has the single largest Palestinian community in the diaspora. A satisfactory response to these people's Palestinian national aspirations, which has been a problem for Jordan since Amir 'Abdullah's annexation of the West Bank after the 1948 war, would constitute a significant contribution not only to the stability of a negotiated settlement, but also to that of Jordan and the new Palestinian state.

How can the right of return be implemented for those Palestinians who lost their homes and property in 1948 and who live in the diaspora? Broadly speaking, the 1948 Palestinians fall into three categories above and beyond those who settled in Jordan: those in Lebanon; those in the Gulf; and those in Syria and other countries. In Lebanon, some 350,000 Palestinians have been living in conditions of the most extreme hardship since the outbreak seventeen years ago of the civil strife which cost the lives of well over 20,000 of their compatriots. For these Palestinians relief with regard to their current situation is at least as important as the implementation of an abstract right to return; compensation alone would be of little use, given that their permanent settlement in Lebanon in any case would profoundly upset that country's delicate political and sectarian balance.

Perhaps a half million Palestinians were living in the Gulf States prior to Iraq's invasion of Kuwait. Until that time, this had been the most stable and prosperous of all Palestinian communities, with established economic positions in their countries of residence notwithstanding the absence for the vast majority of citizenship or permanent resident status. The Palestinians of the Gulf were among the main losers of the war, with over 300,000 people forced to leave Kuwait, the majority as a result of a systematic, organized, and unjustified persecution. Less overt pressures are being exerted on Palestinians in other Gulf states. As a result, what was once the most stable Palestinian community of the diaspora has overnight become the most precarious. Some 300,000 refugees have crowded into an already overburdened Jordan. The less than 50,000 Palestinians remaining in Kuwait are in a pitiful condition, while the 150,000–200,000 in the other Gulf states can never know when a midnight knock at the door might come for them.

The third group, composed of over 250,000 Palestinians in Syria, and others in Egypt, Iraq, and other countries of the Middle East and North and South America, are at present in less difficult conditions than those in Lebanon and the Gulf. Those in Syria are subject to stringent political restrictions, but are otherwise fully integrated into the country's economy and enjoy a relatively high degree of security. Many of the others have Jordanian passports, or in the case of those in the Americas, citizenship or permanent resident status.

Although decisions on the implementation of the right of return (wherever this return will be to) will be primarily subject to internal Palestinian social and political considerations, rather than subject to negotiation, it is clear that priority would necessarily have to be given to Palestinians in Lebanon and to those expelled from the Gulf or continuing a precarious existence there. This is justifiable not only on humanitarian grounds, in that the Palestinians in Lebanon and now those expelled from Kuwait have suffered the most, but also on political grounds, in that the Palestinian community in Lebanon constituted the primary base of the PLO during its Lebanese era from 1970 until 1982, while that in Kuwait provided the primary Palestinian financial support for the PLO and most of its constituent groups since their formation. Given the likely Israeli resistance to the return of significant numbers of Palestinians to Israel proper, the implementation of the right of return of Palestinians from Lebanon will present particular difficulties, because most of them are from the Galilee, Jaffa, and Haifa. This community is highly organized and politicized, and has survived the most intense tribulations over the past two decades. It remains to be seen how its members will respond to the prospect of a "return" which relieves immediate pressures and the condition of statelessness, but which for most of them will probably be to the West Bank and Gaza Strip, and not to the areas they originally came from. This may not be as much of a problem with other Palestinians of the diaspora; for example, most Palestinians in the Gulf have connections with the West Bank and Gaza Strip and/or Jordan, even if their families only arrived there as refugees in 1948.

Once the principle of compensation for the property of those choosing not to return to their original homes is accepted, the payment of such compensation, if it is fair (and therefore substantial) would facilitate three processes. The first is resettlement and integration in the Palestinian state of those 1948 refugees now living there or choosing to return to live there; the second is the integration of those Palestinians who choose to remain or come to live in a Jordan federated with a Palestinian state; and the third is providing for those Palestinians who choose to use their new Palestinian passports to remain in the countries where they are currently earning their livelihood but where their stateless condition sometimes makes them objects of suspicion because of fears that they intend to settle permanently.

Assuming that the principle of compensation along the lines of General Assembly resolution 194 is accepted, it will be necessary to negotiate levels of

compensation, notably (1) for those “choosing not to return” to Israel, and (2) for “loss or damage of property” of those who desire to return there. Other levels of compensation may prove appropriate. A variety of differentials might be possible here to encourage or discourage certain outcomes. Some types of compensation or some proportion of total compensation, moreover, might be paid collectively rather than individually, on a state-to-state basis, to enable the Palestinian state to create the infrastructure necessary for successful integration of those returning to it in the context of a settlement.

Nowhere in this article has the blanket term “resettlement” been used, in the sense of permanently settling the Palestinians as citizens of neighboring Arab states. This favorite “solution” to the Palestine problem of American policymakers and others since the 1950s has in fact never had any chance of implementation for at least two reasons. The first is the pervasiveness of Palestinian nationalism among the Palestinian people over the past four decades despite the shattering of Palestinian society and political structures in 1936–39 and 1947–49. Palestinian identity must be taken as a given, both for those who choose to return, and for those who stay where they are, whether in the Jordanian part of a Palestinian-Jordanian confederation, or carrying their new Palestinian passports as permanent residents in Arab countries or elsewhere. The second involves the substantial difficulties, particularly in terms of the sensitive issue of the definition of nation-state identity, which permanent absorption of large numbers of Palestinians could create for the Arab countries most affected by such a “solution” to the problem: Lebanon and Jordan (Kuwait having “solved” this problem in the wake of the Gulf war). Needless to say, these difficulties would be compounded by forcing such a status on unwilling and recalcitrant Palestinians.

At least two crucial questions have not been addressed in this paper. The first is the number of Palestinians who might return, and to where, and the amount of compensation that might be paid to them. Any suggestions as to numbers would be mere speculation without a detailed survey, which could only be carried out by the Palestinians themselves, perhaps with international assistance. In any case, some aspects of the question of numbers and timing would necessarily be subject to negotiation. They would also be subject to controls by the new Palestinian state and/or the Palestinian-Jordanian confederation, while all questions of money will have to be left to the lawyers, the economists, and finally the negotiators and arbitrators.<sup>12</sup>

The second question left unaddressed is that of whether it is conceivable in terms of domestic Israeli politics for Israel to accept the return of any Palestinians to Israel proper. It may turn out that in practice this is not as serious a question as it initially appears, as most Palestinians were born after 1948, and may well prefer not to exercise their right of return to their original homes (the majority of which in any case no longer exist), since this would mean that they would have to live as law-abiding minority Arab citizens of the Jewish state of Israel. Nevertheless, it is an issue of importance in princi-

ple, and may also be in practice, since some Palestinians may well desire to return to their original villages in Israel, whatever the conditions.

Unpopular though such an idea may be in Israeli domestic terms, there is an enormous advantage to Israel (and to all other parties to the conflict) of accepting some measure of controlled return of Palestinians to Israel proper. A statesmanlike approach by Israeli leaders to this matter would serve to finally, fully, and satisfactorily settle the most pressing issue in the entire conflict in the context of a comprehensive, final settlement of all other issues, and would remove the primary grievance which has always impeded Israeli relations with the Palestinians, and therefore with the peoples of the rest of the Arab world. It would moreover ensure a final resolution of an issue which will always haunt Israel if it is not finally laid to rest in a mutually satisfactory manner.

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#### NOTES

1. Rashed Hamid, ed., *Muqarrarat al-majlis al-watani al-filastini, 1964-1974* [Resolutions of the Palestine National Council] (Beirut: Palestine Research Center, 1975), p. 46.

2. *Ibid.*, p. 247.

3. For an in-depth discussion of this fascinating episode, see Avi Shlaim, *Collusion Across the Jordan: King Abdullah, the Zionist Movement and the Partition of Palestine* (NY: Columbia University Press, 1988), pp. 461–512.

4. *Mithaq* is the standard term used in Arabic for the United Nations Charter, while “charter” is used in the official Egyptian translation of the *Mithaq al-Amal al-Qawmi* which was promulgated by ‘Abd al-Nasir’s regime in 1964. The word “covenant,” with its implications of the sacred and the unchanging, is singularly inappropriate as a translation in such a context, although its utility in the context of the Israeli-inspired propaganda barrage over the Palestinian National Charter is obvious.

5. R. Hamid, *Muqarrarat*, pp. 122–23.

6. *Ibid.*, p. 274.

7. For the texts of the resolutions of the 18th PNC, see *Journal of Palestine Studies* 16, no. 4 (Summer 1987), pp. 196–201; those of the 19th PNC appear in *JPS* 18, no. 2 (Winter 1989), pp. 213–23.

8. The text of the speech can be found in *JPS* 18, no. 2 (Winter 1988), pp. 206–13.

9. The text of the speech can be found in *JPS* 18, no. 3 (Spring 1989), pp. 161–71.

10. Sha’th made this statement in his speech at the “Road to Peace” Conference jointly organized by *Al-Fajr* newspaper and *New Outlook*, New York, 11–13 March 1989.

11. See *JPS* 18, no. 4 (Summer 1989), p. 11–12.

12. Some estimates of Palestinian claims have already been made, notably in Sami Hadawi, *Palestinian Rights and Losses in 1948: A Comprehensive Study* (London: al-Saqi Books, 1988). He concludes (p. xvii) that “the assessed value of the losses of every description suffered by the Palestinians, as a result of the partition of their homeland and the creation of the state of Israel in 1948, amounted to \$169,000 million.” He notes that compensation for material losses would amount to \$92 billion at 1984 prices, and that inclusion of human capital losses raises the total to \$147 billion, while compensation for psychological damage and pain (along the lines of West German compensation schemes for Jewish victims after World War II) would raise the total to nearly \$170 billion.