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## INTERVIEW

### THE “INTERNALLY DISPLACED”: SEEKING RETURN WITHIN ONE’S OWN LAND

AN INTERVIEW WITH WAKIM WAKIM

*Beidas: Who exactly are Israel’s “internally displaced”?*

*Wakim:* The internally displaced, who are also known as internal refugees, are Palestinians who were evicted from their homes and villages in 1948 but who still live in 1948 Palestine [i.e., Israel]. We share the same fate as all the other 1948 refugees—the only thing that distinguishes us is that our displacement and forced transfer took place within the borders of the homeland instead of outside it. Though we have remained in our homeland, we share the same fate with our brothers outside. Some of my relatives who have visited from Lebanon and the Gulf think that it might even be more difficult to be here and to have to see how everything has been transformed, to see what has happened to the old landscapes, the houses, the cemeteries of our martyrs. Those who are far can keep the image imprinted in their memories before their displacement, and this is what they have passed along to their children. I remember how upset Ghassan Kanafani’s son was when he came to visit a few years ago and discovered that Haifa was so densely built up with factories and all, whereas he had imagined it to be full of orange groves. So we took him north, near the Lebanese border, to the al-Bassa area, to Iqrit, Bir‘im and Ma‘alia, in other words, to where the landscape is still untouched. There he felt that Palestine was still alive, and he said, “Now my soul has been returned to me.”

*Beidas: Legally, what is the status of the internal refugees?*

*Wakim:* We are dealt with under an Israeli law that is certainly unique in the world—and here I speak as a lawyer. This is the “present absentee” law. Though we live here in Israel and are therefore “present,” from a legal standpoint we are considered “absent” with regard to our land. As a “present absentee,” the only “right” you have vis-à-vis your own land is the “right” to sign a sales contract and concede it, at which point the state will give you a compensation that’s been held in reserve in an Israeli bank. Needless to say, the amount has been determined unilaterally and has absolutely no relation

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WAKIM WAKIM, a practicing lawyer, is secretary and spokesman of the NGO Association for the Defense of the Rights of the Internally Displaced in Israel. He was interviewed in Shafa ‘Amr, Israel, by RIAD BEIDAS in December 2000, with follow-up questions on 12 May 2001. Beidas is a Palestinian researcher and journalist currently living in Vienna.

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to market value. Unfortunately, some of the weaker among our people in the past have given in and accepted this compensation, but not many. So when you sign away your land, you are considered present, but if you demand your land—to *which you hold title*—you are considered absent and your land is considered confiscated. This is in a nutshell the present absentee law.

*Beidas:* You mention the displacement and evictions of 1948. But what about the expulsions that followed the signing of the armistice agreements in 1949? The some 3,000 remaining Arabs in the town of Majdal, for example, were forcibly evicted in 1950.

*Wakim:* Yes, of course. Besides Majdal, tens of Palestinian communities have been destroyed and their populations evicted since Israel was created. I am thinking of places like Karradat al-Baqqara and Ghannama, which were destroyed shortly after the armistice agreements. But there are more recent examples: the bedouin of al-Sinj in the Negev were evicted in 1957, the Mahjar bedouin in 1974. In 1981—and this is after Israel and the Egyptian regime signed the Camp David Accords and made “peace”—thousands were expelled from the Tal al-Milh area. So even during periods of “peace,” Israel doesn’t hesitate to evict its Arab citizens, not only in the Negev but in the heart of the country—Lydda, Ramla, and the Triangle—for example, in order to build military airports.

Some of these expulsions are still going on as before: In 1995, for example, the entire population of the village of al-Hawashla in the Negev was expelled, as were the Jahhalin bedouin, and in the year 2000 the locality of Hayal Qubsi was bulldozed. But mostly, since the mid-1980s, the Israelis are using different techniques. There is greater awareness now, and when they carry out expulsions they try to do it in a way that will not create a big fuss and attract international attention. Since the Markowitz Commission report in 1986, the new form of evictions and expulsions is through destroying “unlicensed buildings.”

*Beidas:* What is the number of the displaced today?

*Wakim:* There are no precise statistics, but most estimates are between 220,000 and 250,000. We are planning to conduct a field survey, which we have not been able to do so far because of limited financial resources. But the range I gave is quite reliable, allowing for minor errors. It is based on a projection of UNRWA’s figures from 1950, when, out of the 156,000 Palestinians who remained within Israel after the 1948 war, about 46,000 received UNRWA aid. Most of these were “internal refugees,” but we estimate that about 5 percent were not. So if you start from this figure minus the 5 percent and allow for natural increase, the figure reaches 250,000. In the mid-1980s, the Israeli sociologist Sammy Smooha gave the number as 190,000, but that was over fifteen years ago and, when adjusted for natural increase, it jibes with ours.

I should mention that these numbers do not include the people expelled from their homes in the Negev. We debated whether or not to include in our

estimates those who were displaced after the 1949 armistice agreements, but decided not to so as to be absolutely clear.

*Beidas: Where do most of the internally displaced live? Have they been integrated into the places that absorbed them?*

*Wakim:* Most of the internally displaced found refuge in neighboring villages. It is quite rare, for example, for someone who was expelled from al-Bassa to be living in Jaffa. As for integration, of course we are all part of the same Palestinian people, but just as exile provides a sense of cohesion among the refugees in the diaspora, so there is cohesion among our displaced here in Israel.

As you know, our society remained mostly a peasant agricultural society until the 1970s, so it was quite painful for the displaced villagers to watch their brothers go to their fields, when they themselves no longer had fields to go to. Of course, since the early years, the Israelis have confiscated well over half the agricultural land belonging to the Palestinians who remained, but they did not expropriate in built-up areas. The internal refugees are equally disadvantaged there, since they also had no land to build on. The first generation simply built on top of the homes their parents had acquired, but what of the second generation? There's an entire quarter in Nazareth that's inhabited by displaced people from Saffuriyya, a destroyed village which is right next door. Many of these people are from families that owned hundreds of dunams a few kilometers away, but today they can't find 200

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*The drive for return is not based on nostalgia or yearning but on an existential problem: the pressing need for housing and available surface area.*

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square meters in Nazareth to build on. So the drive for return is not based on nostalgia or yearning but on an existential problem: the pressing need for housing and available surface area. The problem is even more acute for the third generation. This is what has given our cause great momentum and widespread support. It is important to make a linkage between the national issue—our right to return to our

homes under international law—and the day-to-day issue, which is our right, as Israeli citizens, to minimal living conditions.

*Beidas: Can you elaborate on this?*

*Wakim:* Let's go back to the example of Saffuriyya. As I just said, the displaced people of Saffuriyya who have managed to remain in Israel, and who have preserved their identity and ties to the village from which they were expelled, are for the most part concentrated in Nazareth. More particularly, they are concentrated in the al-Safafri quarter, which lies closest to the village lands, which are directly adjacent to Nazareth. (The name of the quarter, of course, means where the people from Saffuriyya live.) Saffuriyya's lands, which covered about 56,000 dunams in 1948, have been taken over by a couple of Jewish settlements established after the war, especially Zippori, which has a population in the hundreds. I hardly need to say how outra-

geous this is, when the rightful owners are suffering from unbelievably overcrowded conditions practically within shouting distance.

When our committee for the displaced held its 1995 conference, an official of the Nazareth municipality was talking about Arab Nazareth's acute shortage of land and said that Israel should turn the Saffuriyya lands over to Arab Nazareth, especially since the true owners were right there in the town. This is the kind of creative linkage between the right of return and daily needs I was talking about. By expanding Arab Nazareth's municipal jurisdiction to include the adjacent Saffuriyya land, the human problems would be alleviated even while the national issue of the right to return would be partially addressed for the displaced from Saffuriyya.

*Beidas: But with kibbutzim and moshavim built on top of destroyed Palestinian villages, how much of the land hasn't been built on?*

*Wakim:* A lot. I already mentioned the fact that Saffuriyya's 56,000 dunams are under the control of the few hundred residents of Zippori and other settlements. Another example that comes instantly to mind is Kibbutz Ber'am, which was built on 20,000 dunams belonging to the destroyed village of Kafr Bir'im. How much of that land can be built upon by the 500 to 600 people who live in the kibbutz? Yet they insist on having the whole 20,000 dunams, while the original inhabitants of Kafr Bir'im are not allowed to return despite promises by the military and a High Court decision in their favor. There are hundreds of examples like this.

*Beidas: When was the Association for the Defense of the Rights of the Internally Displaced established?*

*Wakim:* We began just after the Madrid Conference. Needless to say, we were very upset with the Palestinian delegation for not raising the issue of the internally displaced, and our fear of exclusion from the PLO's strategy led us to take action by forming a committee to prepare for the peace conference announced by Madrid.

Before our initiative, there were already a number of local committees that had been working on their own, representing the inhabitants of specific destroyed villages, such as Iqrit and Bir'im. There was also a committee for Saffuriyya (the Committee to Preserve the Heritage of Saffuriyya), the Hittin Committee, and a few others. In 1992, activists from all these committees as well as others involved in the issue of the destroyed villages held a historic meeting at the end of which we issued a communiqué announcing the establishment of a standing committee for the defense of the rights of the internally displaced. For the next few years, we organized lectures and panel discussions in various schools around Israel and set up other committees, all within the possibilities of our limited resources—we were about twelve activists at the time. Then in February 1995 we held our first convention with the participation of some 280 delegates from various groups of the internally displaced, and that's when we issued a communiqué transforming the standing committee into the National Committee and rejecting all alternatives to

the right of return. Legally, however, it was only in May 2000 that our committee was registered as an NGO under the name Association for the Defense of the Displaced People in Israel.

*Beidas: What are you doing to promote a return to the destroyed villages?*

*Wakim:* Our position is that our right to return to our villages is based not only on international legality and the natural right of every individual to own property, but also on Israel's own laws, which guarantee everyone's natural right to live wherever he or she wants. Suppose I want to live in al-Bassa. Why not? Why can I not open an office or build a house in al-Bassa, for example, where my family is from and owned land? But I am speaking here not of individual but of collective rights.

Unfortunately, even when the courts do decide in the Palestinians' favor in these cases, the ruling is not carried out. The classic cases are Kafr Bir'im and Iqrit.\* In both cases, the inhabitants were expelled by force under a military order after the establishment of the state, after the military commanders had signed a promise that the villagers would be allowed to return after the fighting ended. But even though the Israeli High Court, the highest judicial authority in the land, decided in 1952 that there was "no reason" to prevent the return of these villagers, to this day they have not been allowed back due to "security considerations." In this country, when courts rule in the Palestinians' favor, the establishment always bypasses the decisions on the grounds of security. All the destroyed villages have been declared closed military areas just to prevent any possible return.

In fact, most people don't realize that the state of emergency declared in Israel in 1948 is still in effect. Direct military rule, which had applied to the Arab citizens, was discontinued in 1966, but the British Mandate's Emergency Regulations of 1945 were retained by the Knesset in a special law and this has never been lifted. Under this law, the country is still divided into three military zones—the Northern Area, the Central Area, and the Southern Area, each of which has a governor who has extraordinary administrative powers. It's the state of emergency that gives them the authority to declare closed military areas, to confiscate land, to close down newspapers, to detain people administratively, to expel people, to close down charitable associations arbitrarily, and so on. Legally speaking, I am not allowed to enter the al-Bassa area, though in practice the state doesn't enforce the ban since it doesn't want to impede freedom of movement for Israeli Jews, who don't need permits.

There is a widespread misconception that the Israeli High Court has ruled only in favor of Iqrit and Bir'im. But in fact, it issued a third decision at about the same time in favor of the inhabitants of Ghabsiyya. This is important for us because Ghabsiyya is in the same category as almost all the other de-

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\* See Joseph L. Ryan, "Refugees within Israel: The Case of the Villages of Kafr Bir'im and Iqrit," in *JPS* 2, no. 4 (Summer 1973), pp. 55–81.—Ed.

stroyed villages: unlike in the cases of Iqrit and Bir'im, whose populations were ordered to evacuate only "temporarily" and were told they could return at the end of the war, in Ghabsiyya they were expelled outright. So the Ghabsiyya ruling could serve as a precedent for other cases.

*Beidas: Have you brought such cases before the courts?*

*Wakim:* Our legal activism in general is handled in association with 'Adalah and other local committees. But we are not pursuing the court option at this time, as we are convinced that it would be futile. Right now, any kind of return—even of Palestinian Israeli citizens returning to their villages within Israel itself, which would not have any impact on the "demographic balance"—constitutes a "red line" for Israelis. But once peace agreements with the remaining Arab states are concluded, which seems inevitable, presumably some of the psychological pressure Israelis feel will be lifted, and the Israeli position on this matter will soften. At the same time, the strength of the Arab vote in the Knesset can be expected to increase. But needless to say, we're not just waiting around for the situation to change.

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*Even Palestinian Israeli citizens returning to their villages within Israel itself, which has no impact on the "demographic balance," is a "red line" for Israelis.*

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*Beidas: Besides the legal path, are there others?*

*Wakim:* The awareness aspect is crucial. This involves putting out newsletters and preparing materials to educate people about our cause and encouraging the compilation of all the material possible about the various villages in terms of land ownership, the names of families who lived there, and so on. We also organize demonstrations for the rights of the internal refugees on national occasions such as Land Day and Nakba Day—at these demonstrations, we always display banners with the names of the more than 400 destroyed villages. We were the ones who initiated the boycott of Israeli "Independence Day" celebrations, stressing that Israel's independence is the other side of the coin of the Palestinian Nakba; almost all the political parties active in the Arab community enthusiastically adopted this position.

I already mentioned our project of carrying out a field survey of the internal refugees, which would include their economic situation. There are also issues like cleaning up cemeteries, lobbying with Israeli institutions and ministries to preserve our places of worship, and so on. We also do lobbying with NGOs and bodies representing European countries with which Israel has signed agreements, and which therefore are in positions to exert pressure on Israel. I should add that we are in close contact with other Arab bodies such as the Follow-up Committee, the Association of Forty, and others, for exchanging views and coordinating activities.

*Beidas: The issue of the displaced, as you indicate, is closely related to the right of return. Is there any coordination on these two issues?*

*Wakim:* Of course. There has been a real revival of the return movement. We're in close contact with our brothers at Badil, who are all working for the rights of the refugees in the West Bank and Gaza. We're also in contact with the 'A'idun movement in Syria and Lebanon, and we're able to discuss this issue with other activists at the many refugee conferences we attend, some under UN auspices, in Cyprus, Turkey, Jordan, and Vienna. This enables us to work together and proceed from a common understanding while keeping in mind the specificities of all the individual refugee groups.

But the main issue of coordination is with the PLO negotiating team and the Palestine Authority's Directorate of Refugee Affairs. In March 2000, five years after our first public conference, we held a big conference in Nazareth at which we declared that our organization is the only legitimate representative of all the displaced of the interior. Our goal was to shoot down any Israeli plan to force the Palestinian negotiating team into conceding our rights, which might have been possible due to the overwhelming imbalance of power between the two sides. We took this decision to ensure our own representation of our own rights and to make crystal clear that we would consider any concession by the Palestinian team touching on our rights and property as null and void. This was one of our most important political hurdles, and we had already consulted with the Palestinian team and the Palestinian Authority (PA) about it. As far as possible, we would like our efforts for return, in coordination with the refugee groups and activists in the West Bank and Gaza, to reinforce the PA's rather than be contradictory.

*Beidas:* *What would you say is the essence of your work?*

*Wakim:* One of the most important things about the issue of the internally displaced is that, along with the right of return in general, it is the only issue that goes to the very root of the Palestine problem. This is why our committee has the respect of all the Arab political parties—it's above political partisanship. So the essence of our work involves not specific issues like fighting for larger budgets, better sewerage systems, and so on, but the cause of an entire people and its right to exist or not to exist. Even the unrecognized villages can be treated primarily as a question of human rights and the improvement of living conditions. But the cause of the displaced is the prime national cause that opens up the pages of our history.

Many of our activities involve different ways of affirming our connection to and presence in the land. For example, we encourage people to visit the destroyed villages and have organized such visits. The tradition we started of visiting the destroyed villages on Nakba Day has taken hold. This strengthens people's sense of belonging and emphasizes that the sites of these villages, however ruined, are still there—that the place still exists to which a return is possible.