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Palestinian Dead End Highlights the Right of Return

By: Randa Farah · May, 2014

Like a broken record perpetually playing a deeply disturbing refrain, the peace process has scratched on despite missed deadlines, threats, and promises, with intermittent halts. None of the parties involved – mainly the Palestine Liberation Organization/Palestinian Authority (PLO/PA), Israel, and the United States – has seemed to be able to survive without them. But the consequences to the occupied, dispossessed, and exiled Palestinian people have been disastrous, and their termination has been long overdue. It is worth drawing some of these lessons to map a different road moving forward.

Twenty-one years after Oslo, also known euphemistically as the "peace process," vast tracts of Palestinian land have been swallowed by Jewish settlements, the Palestinian economy is in tatters, and the revolutionary ideals of the Palestinian national liberation movement have shrunken to so far ineffective diplomacy. Most importantly, the national front has been shattered and the refugees and exiles abandoned. And these are but the most glaring effects of Oslo.

The historical record shows, as Zeev Sternhell put it, that for Israeli leaders, whether on the right, center, or left: "The word 'agreement' means unconditional Palestinian surrender. For the Jews' exclusive right to the land to be complete and recognized, the Palestinians must accept their inferiority."

Despite all the celebrations that greeted the 23 April 2014 Fatah-Hamas

reconciliation agreement, one cannot help but ask: Was it necessary for PLO Chairman Mahmoud Abbas to wait to threaten to dissolve the PA and to reconcile with Hamas until he had no other card to play? And why were the voices of those critical of the Oslo Accords and the negotiations that have followed since 1993 never taken seriously?

The commitment to the new reconciliation agreement appears more serious than its two predecessors, with plans to overhaul the Palestinian political system not only within the Occupied Palestinian Territory (OPT) but also within the PLO as the representative of the entire Palestinian people. If implemented, it would be a good start, but one must keep in mind the uses (read abuses) of negotiations to date and their impact on the Palestinian people so as to avoid future pitfalls.

Negotiations have enabled Israel to proceed with its flagrantly illegal colonization project largely unchallenged while the PA polices the West Bank population through its US-trained security forces. Negotiations have provided a cover for Israeli bulldozers' ethnic cleansing in Jerusalem, the Negev (Naqab), and the so-called Area C in the West Bank, the remorseless siege of Gaza, and the passing of racist laws against the Palestinian citizens of Israel.

For the US, negotiations have kept the lid on a volatile part of a region in turmoil as it struggles to deal with other global priorities, including a resurgent Russia, while ensuring that Israel's priorities and its existence as an imperial outpost are protected.

As for the PLO/PA, the negotiations have been useful to mask their powerlessness and lack of alternative strategies. Take, for instance, the widely disseminated images of Mahmoud Abbas defiantly signing letters requesting Palestine's membership in 15 international conventions and treaties. Given the animated atmosphere beamed by satellite TV stations, one would have been excused for thinking that Abbas might have just liberated Jerusalem and Jaffa and was about

to embark on the final march to victory.

In fact, the 15 international conventions that the PLO signed pose no real threat to Israel in the current regional and global political context – although they could be used to good effect if the political will is there. However, Abbas appeared to undercut that possibility by announcing that he and his team would be willing to extend negotiations for another nine months if Israel halted settlements and the first three months were devoted to a serious discussion of borders, a topic that Israeli negotiators have so far refused to address since the start of negotiations in the summer of 2013.

Have we grown so accustomed to the PLO/PA's failures that this small act of defiance could be presented as a victory? Had Israel gone ahead with releasing the fourth group of prisoners, would the PLO/PA have abstained from submitting the same requests and for how long? Should we not be fighting for both the release of Palestinian political prisoners and for the recognition of Palestine in all international bodies – to say nothing of the fulfillment of the rights of the Palestinians, including the right of return as affirmed under international law?

The Costs of Futile Negotiations

Had the request to join these international bodies been accompanied by other forms of resistance, the matter would have been different. After all, Palestinians have, over the last few decades, accumulated hundreds of international declarations, conventions, and resolutions condemning Israel's occupation of Palestine and reaffirming Palestinian rights. Such resolutions, however, only work when the weaker party begins to win in the battlefield and/or accumulates enough national and international political capital that can truly shift the balance of power on the ground in its favor.

The PLO/PA involvement in peace negotiations, however, has so far run against

such an approach, with the PLO/PA not only replacing resistance to the occupation with unlimited negotiations but also finding itself under pressure to actively work to halt other acts of resistance simply for these negotiations to continue. For example, note Abbas' baffling statements against the Boycott, Divestment, and Sanctions (BDS) movement made at a time when the movement was growing into a potentially genuine game-changing force. PLO/PA officials later clarified that they respected Palestinian civil society's right to lead local and global BDS campaigns.

More recently, the PA arrested four BDS activists for protesting the PA's decision to host a performance by an Indian dance troupe in Ramallah just after it had performed in Tel Aviv, a clear violation of the BDS guidelines. Although the activists were released on bail, they are to be tried by PA courts on May 28th.

The cost to the Palestinian people of endlessly futile negotiations has been very great, particularly as the PLO/PA has prioritized the creation of a Palestinian state over addressing the Palestinian right of return – and achieved neither. In fact, the right of return should be treated as intrinsic to the right to self-determination and entwined with the aim of establishing an independent state and not as a stand-alone cause. After all, it is the nation that decides its political future.

Yet, despite promising over decades that it would never relinquish the right of return, the PLO/PA has continually engaged in negotiations on the basis that it would have to do just that, while failing to engage in any meaningful consultation with the refugees themselves on the subject.

Filippo Grandi alluded to this in his outgoing remarks at Birzeit University as UNRWA commissioner-general: "I fear that failure to consult the refugees, to hear their choices, and to take these choices into account, will consecrate their exclusion, with negative, and predictable consequences."

The PLO/PA's willingness to negotiate with Israel has also facilitated the process

of normalizing relations between Israel and Arab states without any gains to Palestinians. Previously, officials in reactionary Arab regimes who met with their Israeli counterparts did so secretly for fear of a public backlash against them for crossing the red line of normalizing relations with Israel. Today, that red line has faded, with Israeli officials and businesspeople traveling freely and openly back and forth to many Arab capitals.

Increasingly, meetings between Israeli and Arab officials are broadcast on Arab TV channels with limited public outrage, especially as other conflicts in the region monopolize attention and absorb resources. This points to the shifting political calculations of many Arab regimes on the role of Israel in wider regional issues, with Israel increasingly seen as a potential ally with whom to achieve regional political goals, as opposed to a predatory state that colonizes Arab land and poses a threat to the Arab world as a whole.

At the same time, Arab governments no longer fear that Palestinians might spread revolutionary ideas amongst the societies over which they rule. In fact, one can no longer distinguish PLO/PA bureaucrats from other Arab presidents or ministers as they move around Arab League halls wearing suits and seeking money from rich Gulf states. The difference is that today they lack the clout that the PLO once held, which empowered them to mobilize Palestinians and Arabs around their cause.

The futile quest to win a diminutive state, however minimally sovereign, has sidelined the Palestinian nation at large and led to disunity among Palestinians and their inability to form a national umbrella that unites them around a shared vision and an inclusive national project. Palestinians outside their homeland represent at least half of the nation, but they have been relegated to the status of observers with no avenue to participate in decision-making on their future.

So long as the Palestinian struggle for self-determination and independence

remains one directed towards securing a "statelet," the refugees' right of return will continue to be represented as an ambiguous, marginal, and/or unrealistic demand.

But the rights of refugees remain at the core of the Palestinian national liberation movement; the Israelis know that very well, and it haunts them.

The Costs of Continuing Colonization

The persistence of the Palestinian people in striving for their rights, including the right of return, is met by Israel's determination not to recognize any Palestinian rights in and to the land of Palestine.

Note Israeli Prime Minister Benjamin Netanyahu's statement on March 11, 2014 in an address to the ruling rightwing Likud-Beitenu faction that he will never sign an agreement with the Palestinians that does not cancel out the refugees' right of return and does not include Palestinian recognition of Israel as a Jewish state. Additionally, of course, Israel wants an agreement that enables it to keep much of the West Bank's land and water resources and control access and movement.

But what Israel is asking for is impossible to achieve. The Palestinians will not self-declare that they have no rights: No people have willingly abandoned their rights and nor will the Palestinians. Furthermore, the world cannot recognize the legitimacy of Israel's occupation of the 1967 territory without violating a core principle of international law that would destabilize the rest of the globe. Even Israel's closest allies have not recognized its annexation of East Jerusalem. Nor can the international community accept the second-class status of its Palestinian citizens of Israel, now conveniently masked by negotiations.

In short, Israel, in the long run, cannot gain legitimate title for its illegitimate deeds, no matter how militarily and economically powerful it is at home and abroad. Israel can only continue to colonize and attack using its military and its *hasbara*

(propaganda) machine, until the time that the costs of colonization are too heavy to bear. This will happen when the Palestinians repossess their revolution and Arab countries are truly independent of Western control.

In the meantime, Israeli *hasbara* continues to misrepresent the Palestinian struggle for justice and rights, and labels these as acts of "terror" and obstacles to peace. Take, for example, the recent resurgence of attacks against UNRWA, the UN Refugee and Works Agency.[1] One article claims that the British parliament has launched an inquiry into UNRWA in response to heavy lobbying by pro-Israel organizations with the encouragement of former Israeli Labor Party Member of the Knesset Einat Wilf. (Al-Shabaka was unable to find any online reference to such a committee beyond an inquiry on the United Kingdom's development aid in the Middle East, an inquiry that is made every few years. Its terms of reference do not mention UNRWA.)

Another article claims that UNRWA is responsible for encouraging terrorism, for creating a culture of "permanent dependency" and for discouraging Palestinians from seeking a peaceful resolution to the conflict – this, despite the PLO/PA's decades-long engagement in fruitless negotiations. Reading the article, one would think that UNRWA was created before Palestinians became refugees and is the root of all evil in the Middle East.

The problem for Israel is that *hasbara* and military might are not enough. The more it colonizes, dispossesses, and discriminates, the more it is revealed as an oppressor and serial violator of human rights – not just since the occupation of 1967 but also since the creation of the state in 1948. Indeed, it inexorably draws attention to and puts in question the legitimacy of the whole Zionist project.

Israel's unwillingness to relinquish its military conquests is providing the time for effective organization against its violations of international law. Several European bodies are divesting from Israeli companies, both those that are located in the

OPT as well as within Israel itself. These moves are partly in response to the International Court of Justice Advisory Opinion of 2004 and partly due to popular actions undertaken by the BDS movement and other actors. Not for nothing have US Secretary of State John Kerry and President Barack Obama warned Israel that it is approaching "near-total isolation."

As for the Palestinians, it is past time to heed one of their greatest poets, Rashed Hussein, who once wrote: "Revolutions desire moments of anger."[2] This is such a moment: It is time for the peace-process charade to end. Most importantly, it is time for Palestinian activists to push the PLO to reconfigure national priorities, with refugees and the right of return at the center of the cause and not its margins. The pathway of negotiations in the absence of popular resistance and without the reinvigoration of the PLO as a national umbrella that allows for democratic and popular participation for all Palestinians wherever they are can only end in disaster.

1. *I have addressed Israel's attempts to shut down UNRWA as a substitute for dealing with refugee rights in an earlier [analysis](https://al-shabaka.org/policy-brief/refugee-issues/keeping-eye-unrwa) for Al-Shabaka, "Keeping an Eye on UNRWA."*
2. *This is a rough Arabic version of a verse from a poem titled Thawra ala Safar "A Revolution on the Road" by Rashed Hussein (1935-1977), a well-known Palestinian poet. See: http://bit.ly/1iamUyE.*

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