

# **BIG LIES:**

Demolishing The Myths  
of the Propaganda War Against Israel

b y D A V I D M E I R - L E V I

Introduction by David Horowitz

A Publication of the David Horowitz Freedom Center

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David Horowitz Freedom Center  
P.O. Box 361269  
Los Angeles, CA 90036-9828  
800-752-6562

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## THE IMPORTANCE OF THIS TEXT

by David Horowitz

The War in the Middle East is nearly sixty years old. Most people alive today are unfamiliar with its history and origins and lack knowledge of its facts. This state of ignorance provides a fertile ground for the unscrupulous to create myths that will justify their destructive agendas. The political propaganda machine has created many such myths to fuel their war against the Jewish state.

Israel is the only democracy in the Middle East that elects its leaders in free elections and guarantees rights to its citizens, and honors those rights. Yet Israel is the target of those who claim to be fighting for “human rights.” There are about a million and a half Arabs living as citizens in Israel who elect representatives to Israel’s parliament and who have more rights than the Arab citizens of any Arab state. Yet Israel is the target of those who claim to be fighting for “social justice.” Israel’s very creation is referred to by its Arab enemies as “the Nakba”, or the “catastrophe,” the clear implication of which is that Israel should not exist. Yet Israel is the target of those who claim to support self-determination and oppose genocide. Israel was the victim – at its very birth -- of an unprovoked aggression by five Arab monarchies and dictatorships. It has been the target of an Arab war that has continued uninterrupted for nearly sixty years because the Arab states have refused to make peace. Yet Israel is the target of those who say they want “peace.” Israel is the victim of terrorist attacks – suicide bombings – which along with the Jews they mark for extinction, kill Palestinian women and children as well. Yet Israel is the target of those who claim to speak for humanity and a future that is “free.”

How is this possible? How can evil be dressed in the garments of justice? How can a genocidal war to destroy a democratic people be justified as a struggle for “national liberation?”

They can through the creation of political myths that rationalize aggression and justify war against civilian populations.

In George Orwell’s futuristic novel, *1984*, the Ministry of Truth for the totalitarian state proclaims: *Knowledge Is Ignorance; Freedom*

*Is Slavery*. The nature of political doublespeak never changes and its agenda is always the same: Obliteration of historical memory in the service of power. “The struggle of man against power,” wrote the Czech writer, Milan Kundera, “is the struggle of memory against forgetting.” Only a restored memory can demolish totalitarian myths and make men free.

David Meir-Levi has written a text that restores the memory of the facts that lie at the heart of the conflict in the Middle East. These facts are crucial not only to the restoration of the history that politics has obscured, but to the survival of a people who live in the shadow of their own destruction. Everyone interested in justice will want to read this little book.

## PREFACE: THE VEIL IS OFF

*Big Lies* was first published in 2005 as Israel was withdrawing from the Gaza Strip. It focused on two issues central to the Arabs’ claims against Israel, which also formed the basis of the support for the Islamic *jihad* against Israel by the international left. These two issues were the Arab refugee problem and the alleged Israeli “occupation” of Arab lands in the West Bank and Gaza Strip. *Big Lies* demonstrated how the history of the Middle Eastern conflict had been manipulated by Arabs and the international left to make the aggressors look like victims, and the victims like aggressors. In particular how the PLO and Hamas terrorists were recast by Arab and leftwing propaganda as “freedom fighters” struggling for national self-determination for the “Palestinian People” against the Israeli “occupier.”

In the past year, since *Big Lies* appeared, events in the Middle East have demonstrated in the most dramatic way possible how empty and deceptive the entire 58-year Arab claims against Israel actually are; and how those claims’ sole rationale is to justify the endless Arab/Muslim war whose intent is the destruction of Israel and the genocide of its Jews.

The first such event to demonstrate these realities occurred in the Gaza Strip, an area which Israel had controlled since 1967. Israel came to occupy the Gaza Strip at the end of the Six-Day War because hostile Egyptian forces were poised to launch attacks from Gaza into Israel. It retained sovereignty over the area because Arab leadership unanimously rejected Israel’s offers to return conquered territories in exchange for peace, and because every Arab state had rejected UN resolutions 242 and 338, calling for peace negotiations and the establishment of recognized borders for **ALL** states in the region. Israel retained control of the Gaza Strip after ceding all of the Sinai peninsula in its peace treaty with Egypt in 1979, because Anwar es-Sadat did not want sovereignty over more than one million Palestinians in the Strip.

With Yassir Arafat’s rise to power after the Oslo Accords (1994), the Gaza Strip became a source of relentless terror attacks against Israeli civilians. In 1996, to prevent these terrorist attacks Israel built a fence around the entire Strip, with carefully guarded crossing

points. This fence successfully prevented terror attacks into pre-67 Israel. With Arafat's death in 2004, and the meteoric rise of Hamas to leadership in the Strip, rocket attacks on Israel proliferated, with sometimes as many as 80 per day, targeting civilian sites in Israeli communities in and near the Strip.

When it became clear to Prime Minister Ariel Sharon that the new Palestinian Authority was either unwilling or unable to enforce the peace to which Arafat had committed the Palestinians at Oslo, Sharon decided to implement a plan to jump-start the peace process and demonstrate to the world that Israel was willing and able to make painful unilateral concessions in order to achieve peace with its neighbors.

Israel withdrew, unilaterally and unconditionally, from the Gaza Strip in August of 2005, withdrew from several small communities in the northern part of West Bank, and promised additional withdrawals as part of then Acting Prime Minister Ehud Olmert's plan for a massive disengagement from the West Bank. The Gaza Strip disengagement was painful and costly, uprooting 9000 Israelis from communities that had been their homes for 35 years. The only reason this uprooting was necessary was because the Arab hatred of Jews is so great that the safety of these settlers could not be guaranteed without the presence of an Israeli military force. Needless to say, more than one million Arabs are settled peacefully in Israel with no need for such protections. The majority of Israelis supported this drastic undertaking, in the belief that a Gaza Strip under complete and unfettered Palestinian control would be the starting point for peace.

The planned West Bank disengagement would be an even larger, more costly and more disruptive endeavor: the abandonment of scores of Israeli communities and forcible relocation of almost 200,000 Israelis, at astronomic cost and human suffering. Nonetheless, a significant majority of Israelis polled in late 2005 were in favor of unilateral disengagement from the West Bank. Olmert's subsequent political victory at the polls, his election to the office of Prime Minister, and the plurality gained by his Qadima party, were all a function of his candid campaign promises that more and more costly and painful concessions would be made to the Palestinian Authority until most of the West Bank was emptied of its Jews. Thus, he promised, Israel would achieve peace with the Palestinians via the same formula

which had worked with Egypt and Jordan: land for peace.

Israeli and American pundits asserted that now, with the Palestinian Authority finally in charge of its own destiny, the Arab leadership of the West Bank and Gaza Strip would set itself to the task of building its state and achieving its long-awaited opportunity for its people's national identity and political self-determination. Peace was surely imminent. They could not have been more wrong.

Rather than engaging in the negotiations that would lead to peace with Israel, Hamas leaders promptly declared the withdrawal a military victory, emphasizing the success of terrorism in defeating Israel, and promised more terror attacks from the newly ceded Gaza Strip and from the West Bank -- in order to liberate the remainder of "occupied Palestine," namely Israel itself.

In January of 2006, a substantial plurality of Palestinians in Gaza voted into office the Hamas terrorist group, whose charter identifies the destruction of Israel and the establishment of an Islamic state "from the river to the sea" as its goal. The election was a great upset for the PLO and Fatah, and for President Mahmoud Abbas. Suddenly, the reins of power were in the hands of the terrorist group whose founding document called for the obliteration of Israel and the genocide of the world's Jews. The Palestinian people had knowingly, in open democratic elections, voted into power a terrorist force whose sole defining paradigm was terrorism, and whose only goal was to wipe Israel and its Jews from the map of the Middle East.

Israel had voted for peace. The Palestinians voted for terrorism.

Rather than build a nation on the land that had been given to them, Hamas, and other of the dozen or so terrorist gangs operating in the Gaza Strip, began an almost daily barrage of Qassam rockets, katyushas and mortars, into Israeli cities and farming communities (sometimes as many as 80 per day)—accompanied by an endless rhetoric of annihilation. With the help of Syria and Iran, Hamas began the wholesale smuggling into Gaza of tons of weaponry, ammunition, explosives, ground-to ground and ground-to-air missiles, anti-aircraft shoulder-held missiles, and anti-tank weapons.

Recall that all these attacks took place when there were no longer any Jews in Gaza. The Palestinian terrorists were waging war against

Israel itself, despite Israel's unilateral and unconditional withdrawal, and despite the fact that Prime Minister Olmert, his Kadima party, and an overwhelming majority of Israelis, were promising more land for the future state of Palestine on the West Bank, in the context of peace negotiations.

Israel's response to Hamas' aggression was restrained, re-active and ineffectual; largely because Israel did not want to harm Palestinian civilians and, true to form, Hamas rocket emplacements were set in the middle of densely populated civilian sites.

On June 25, 2006, mistaking Israel's reticence for weakness, Hamas finally overplayed its hand via a tunnel its agents had dug beneath the Gaza fence. On this date, Hamas terrorists launched an attack on Israeli soldiers inside of Israel. Two were killed and one kidnapped. Israel waited several days, to give diplomacy a chance. But neither the UN nor the US could offer any leverage against Hamas. By the end of June, Israel re-invaded the Gaza Strip, with the dual intent of retrieving the kidnapped soldier and destroying Hamas' ability to continuously threaten Israeli security.

The bottom line is clear. "Occupation" is not the issue that provokes the attacks from Hamas. There was no Israeli occupation of Gaza when these attacks – the rockets into Israel and then the terrorist invasion via the tunnel – were launched. For Hamas, the issue that requires war is the very existence of Israel and it cannot be resolved until Israel is destroyed.

Six years earlier, a similar series of events had transpired in Lebanon. On May 24, 2000, Israel withdrew unilaterally and unconditionally from southern Lebanon. Like all the other Israeli "occupations," the one in southern Lebanon had been driven by military necessity, because Lebanon had allowed itself to become a staging area for PLO and Hezbollah terrorist attacks against Israel's civilian populations in the north. Israel's occupation stopped the attacks. Israel then decided to withdraw under international pressure and as a gesture of its willingness to make unilateral concessions to encourage a peace.

In the wake of the Israel withdrawal in 2000, the UN which had proven over thirty years to be an agency hostile to Israel and sym-

pathetic to the Arabs now validated Israel's contention that its withdrawal completely complied with the requirements of UN Resolution 425. In other words, even by the UN's biased standards Israel had ended its occupation of Lebanon. Nonetheless, within 4 months of the Israeli withdrawal, in October 2000, Hezbollah forces kidnapped, tortured and killed several Israeli soldiers – an ominous portent of events to come.

Four years later, another UN Resolution -- 1559 – was passed on September 3, 2004, which called upon Hezbollah, the *Jihadist* army and cat's paw of Iran, to disarm: a rational demand, in light of the fact that Hezbollah's self-proclaimed *raison-d'etre* was to drive Israel out of Lebanon. By the time of the resolution, Israel had been gone from Lebanon for more than 4 years, and there was no need for Hezbollah to bear arms.

But Hezbollah defied the UN resolution and continued to arm itself, build bunkers and import rockets from Iran, vastly increasing its arsenal of medium and long range Iranian and Russian missiles, recruiting more terrorists into its ranks, and preparing for war. Hezbollah used the Sheba'a farms – a sliver of land that had once belonged to Syria but which passed to Israeli sovereignty in the 6-day war -- as a pretext for its continued aggression against Israel. It began sporadic rocket attacks on Israeli soldiers in the Sheba'a farms area. The UN had already declared that the Sheba'a farms area was not part of Lebanon, and that Lebanon (and hence Hezbollah) had no claim to that territory. In fact, international agreements dating back to the 1920's acknowledged that Sheba'a farms was part of the Golan Heights, under Syrian sovereignty until the Six-Day war. In other words, Hezbollah's pretext was quite shameless and transparent. Hezbollah could advance no legal claim to the area. Its attacks were not an attempt to liberate occupied land. Its attacks were terrorist aggression against Israel, preparations for Hezbollah's declared aim – enshrined in its charter – to destroy Israel and end its existence.

Hezbollah is the creation of Iran, a fundamentalist, terrorist state. In 1983, the Ayatollah Khomeini himself oversaw the development of Hezbollah as a Shi'ite terrorist force in Lebanon, beholden to Iran. Its task was to replace Arafat's PLO, which had been defeated and dispersed by Israel's forces when Israel entered Lebanon to prevent the

shelling of its northern cities in 1982. Almost all of Hezbollah's budget, approximately \$100 million a year, is supplied by Iran. Pasdaran (Iranian secret service) operatives train and equip Hezbollah terrorists, and Iranian hi-tech EW (electronic warfare) specialists train and assist Hezbollah in the deployment and operation of hi-tech EW apparatus. Iran provides Hezbollah with its weapons.

Iran succeeded in creating an alliance with Syria such that Syria became the pipe line through which Iran could fund, arm, train and control Hezbollah and use Hezbollah to continue the PLO's subversion of Lebanon's Christian democracy which, as a result, no longer exists.

On July 12, 2006, the UN Security Council was scheduled to address the issue of sanctions against Iran for refusal to comply with UN demands regarding the dismantling of Iran's nuclear programs. It is no coincidence that on that same day, Hezbollah forces crossed the internationally recognized border between Israel and Lebanon, killed 6 Israeli soldiers, and kidnapped two. The intent was obvious; create a diversion such that a new and unexpected emergency item (Lebanon) would displace the Iranian item from the Security Council's agenda. It was also a show of solidarity with Hamas's terrorist war on Israel's southern border.

The diversion worked, but to a greater extent than either Iran or Hezbollah intended. Rather than mount a brief retaliatory raid and then settle into prisoner exchange negotiations, as it had done back in 2000, Israel launched a full-scale air attack, followed by a ground invasion to destroy the root cause of the terrorist aggression. As in Gaza, Israel's goal was two-fold: retrieve its kidnapped soldiers, and destroy Hezbollah's ability to terrorize Israel. Thus the Second Lebanon-Israel war was begun.

The most important lesson for our purposes is that Hezbollah's claim to be fighting Israel in order to end Israel's occupation of Lebanon was proven false by Hezbollah's own actions. Despite Israel's end to its Lebanese occupation, Hezbollah defied the UN and international law, and maintained its terror attacks on Israeli military and civilians. The Israeli occupation ended, but Hezbollah's aggression did not.

Following the cease fire of August 11, 2006 ending the Second Israel-Lebanon War, Israel has again removed its troops from southern Lebanon, in compliance with UN Resolution 1701. But contrary to the terms of the cease-fire and the UN Resolution, Hezbollah is actively re-arming and re-deploying in preparation for what it promises will be the next round. It is thus obvious that Israeli 'occupation,' real or imagined, just or unjust, is not the issue. Hezbollah exists for the sole purpose of destroying Israel.

Hezbollah's actions offer stark corroboration of the words of its former leader, Abbas Massawi, who stated in 1993: "Israel, we are not fighting you because we want something from you. We are fighting you because we want to destroy you."<sup>1</sup> More recently, Hassan Nasrallah, the Secretary-General of Hezbollah, has said: "It is good that more Jews are gathered together in Israel. That way we do not need to go all over the world to destroy them." These Hitlerite statements make Hezbollah's goal inescapably clear.

The lesson taught many times over by Arab aggression, yet still unlearned by so many in the West, is very clear:

If the Arabs put down their weapons, there would be no more violence.

If Israel put down her weapons, there would be no more Israel.

And if anyone thinks that Hezbollah is merely a regional problem for Israel, let's recall Nasrallah's oft-repeated but oft-ignored promise to the USA: "Death to America was, is, and will stay our slogan!"

David Meir-Levi

Menlo Park, CA, USA, September 1, 2006

<sup>1</sup> Quoted in Fouad Ajami, *Dream Palaces of the Arabs*, 2002

## 1. THE REFUGEE QUESTION

The Arab version of the tragic fate of Arab refugees who fled from the Palestine Mandate before and during the 1948 war and from Israel immediately after the war, has so thoroughly dominated the thinking of even well-educated historians, commentators, journalists and politicians, that it is almost a given that the creation of the State of Israel caused the flight of almost a million hapless, helpless and hopeless Arab refugees. Israel caused the problem and thus Israel must solve the problem.

This assertion, although viscerally engaging and all but canonized by the anti-Israel propaganda which makes it the core of its narratives of the Middle East conflict, is unequivocally and totally false.

### **Origins of the Problem**

The State of Israel was created in a peaceful and legal process by the United Nations. It was not created out of Palestinian lands. It was created out of the Ottoman Empire, ruled for four hundred years by the Turks who lost it when they were defeated in World War I. There were no “Palestinian” lands at the time because there were no people claiming to be Palestinians. There were Arabs who lived in the region of Palestine who considered themselves Syrians. It was only after World War I that the present states of Jordan, Syria, Lebanon and Iraq were also created – and also created artificially out of the Turkish Empire by the British and French victors. Jordan was created on about 80 percent of the Palestine Mandate, which was originally designated by the League of Nations as part of the Jewish homeland. Since then, Jews have been prohibited from owning property there. Two-thirds of its citizens are Palestinian Arabs, but it is ruled by a Hashemite monarchy.

In 1947, the UN partition plan mandated the creation of two states on the remaining 20 percent of the Palestine Mandate: the State of Israel for the Jews, and another state for the Arabs. The Arabs rejected their state, and launched a war against Israel. This is the primal cause of the Arab refugee problem.

The Arab refugees were roughly 725,000 people who fled because of the war that the Arab states – not the Palestinian Arabs -- started. The Arab states - dictatorships all - did not want a non-Arab state in the Middle East. The rulers of eight Arab countries whose populations vastly outnumbered the Jewish settlers in the Turkish Empire, initiated the war with simultaneous invasions of the newly created state of Israel on three fronts. Nascent Israel begged for peace and offered friendship and cooperation to its neighbors. The Arab dictators rejected this offer and answered it with a war of annihilation against the Jews. The war failed. But the state of war has continued uninterruptedly because of the failure of the Arab states –Saudi Arabia and Iraq in particular – to sign a peace treaty with Israel. To this day, the Arab states and the Palestinians refer to the failure of their aggression and the survival of Israel as *an-Nakba* – the catastrophe.

Had there been no Arab aggression, no war, and no invasion by Arab armies whose intent was overtly genocidal, not only would there have been no Arab refugees, but there would have been a state of Palestine in the West Bank and Gaza since 1948.

In the war, Israel acquired additional land. In the absence of a peace treaty between belligerents, the law of nations allows the annexation of an aggressor's land after a conflict – although the land in question belonged to the Turks and then the World War I victors. Israel actually offered to return land it had acquired while defending itself against the Arab aggression in exchange for a formal peace. It made this offer during the Rhodes Armistice talks and Lausanne conference in 1949. The Arab rulers refused the land because they wanted to maintain a state of war in order to destroy the Jewish state. Had Israel's offer been accepted, there could have been prompt and just resolution to all the problems that have afflicted the region since. The only problem that wouldn't have been resolved to the satisfaction of the Arabs was their desire to obliterate the state of Israel.

After their victory, Israel passed a law that allowed Arab refugees to re-settle in Israel provided they would sign a form in which they renounced violence, swore allegiance to the state of Israel, and became peaceful productive citizens. During the decades of this law's tenure, more than 150,000 Arab refugees have taken advantage of it to

resume productive lives in Israel. Jews do not have a similar option to become citizens of Arab states from which they are banned.

It should be completely obvious to any reasonable and fair-minded observer of this history, therefore, that it was not Israel that caused the Arab refugee problem, nor Israel that obstructed its solution.

On the contrary, the Arab refugee problem was the direct result of the aggression by the Arab states, and their refusal after failing to obliterate Israel to sign a formal peace, or to take care of the Arab refugees who remained outside Israel's borders.

### **The Jewish Refugees**

There were other refugees from the Arab-Israeli conflict that everyone on the Arab side of the argument chooses conveniently to forget. Between 1949 and 1954, about 800,000 Jews were forced to flee from the Arab and Muslim lands where they had lived for hundreds and even thousands of years – from Iraq, Morocco, Tunisia, Jordan and Iran, Syria, Egypt, Lebanon, and other Muslim countries. These Jews were peaceful citizens of their Arab countries and in no way a hostile population. Nonetheless, they were forced at gun-point to flee with nothing but the clothes on their backs. The only reason for their expulsion was revenge against the Jewish citizenry of Arab countries for the shame of the Arab defeat in their war of aggression.

Most of these Jewish refugees came to Israel, where they were integrated into normalcy by the tiny fledgling Jewish state. The Arab states (and later the PLO) refused to do this for the Arab refugees because they preferred to keep them an aggrieved constituency for their war against Israel.

Some observers have suggested that the dual refugee situation should be understood as a “population exchange” – Arabs fled to Arab countries as Jews fled to the Jewish country, both as a result of the 1948 war, both under conditions which their side regards as forced evacuations. On the other hand, no one on the Arab side has suggested the obvious: if Jewish refugees were resettled on land vacated by fleeing Arabs, why not resettle Arab refugees on the lands of Jews who were forced to flee the Arab countries. One reason no one has suggested this is that no Arab state with the exception of Jordan will

even allow Arab refugees to become citizens.

Taking into account the Jewish refugees' assets that were confiscated when they fled from Arab and Muslim lands, one can conclude that the Jews have already paid massive "reparations" to the Arabs whether warranted or not. The property and belongings of the Jewish refugees, confiscated by the Arab governments, has been conservatively estimated at about \$2.5 billion in 1948 dollars. Invest that money at a modest 6.5% over 57 years and you have today a sum of \$80 billion, which the Arab and Muslim governments of the lands from which the Jews were expelled could apply to the benefit of the Arab refugees. That sum is quite sufficient for reparations to Arab refugees. There is no way of accurately assessing the value of Arab property left in Israel's control; but there are no estimates as high as a 1948 value of \$2,500,000,000. So, hypothetically, the Arab side has already gotten the better end of the deal.

During the many wars of the 20<sup>th</sup> century, tens of millions of refugees were created in Europe and Asia. In 1922, 1.8 million people were relocated to resolve the Turkey-Greece war. Following World War II, some 3,000,000 Germans were forced from countries of Eastern Europe and resettled in Germany. When the Indian sub-continent was divided, over 12 million people were transferred between India and Pakistan.

All such refugee issues have been resolved, except the roughly 725,000 Arabs who fled Israel during the 1948 war and whom the Arab states and the Palestinian Authority have kept in refugee camps.

### **The Arab Refugee Problem**

Another irony must be considered in the context of the refugee issue. Israel handled its Jewish refugee problem by devoting massive resources to the education and integration of the Jewish refugee population into its society. These refugees never became a burden on the world, never needed the assistance of the United Nations, and never had their civil and human rights denied by their new host country. Instead, despite great hardship, early discrimination, difficult adjustments and initial privations, they and their offspring have become productive citizens of the Middle East's only democracy, and substantive

contributors to one of the most technologically and socially advanced countries in the world.

The fate of the Arab refugees has been the diametric opposite of this obvious positive solution to their problem. Arab leadership has purposely kept their Palestinian brethren in refugee slums, at times approaching the status of concentration camps, with their misery perpetuated by Machiavellian rulers to be used as a propaganda weapon against Israel and against the West.

The Palestinian refugees in Gaza were forced there in 1948 not by Israel but by the Egyptians, kept there under guard, shot if they tried to leave, and never given Egyptian citizenship or Egyptian passports. (These facts are recorded by Yasir Arafat himself in his authorized biography by Alan Hart, *Arafat: Terrorist or Peace Maker?* 1982). Refugees in Lebanon were kept under similar but less draconian repression. They were barred by law from almost 70 professions, not granted citizenship, and not allowed to travel. Only in Jordan were the refugees granted citizenship.

Senior Fatah Central Committee member Sakher Habash succinctly explained the reason for the calculated refusal of the Arab rulers including the Palestinian rulers to help the Palestinian refugees to return to normal lives. During a 1998 lecture at Shechem's An-Najah University, Habash said: "To us, the refugee issue is the winning card which means the end of the Israeli state."

In other words, war, terrorism, diplomatic isolation of Israel, world-wide PR campaigns to demonize Israel all may fail (and most have, so far); but as long as this last trump card is still alive, hope for the destruction of Israel still pulses in the hearts of Arab revanchists.

Palestinians who fled Israel in 1948 and are still alive have no legal right to return to Israel, because the Arab leadership representing them (Arab nations until 1993, and since then the Palestinian Authority) are still, *de jure* and *de facto*, at war with Israel; and these refugees, therefore, are still potential hostiles. International law does not require a country at war to commit suicide by allowing the entry of hundreds of thousands of a potentially hostile population. In the context of a peace treaty, in 1949, the Arab refugees could have taken

advantage of Israel's offer; but their leadership refused.

Of course the present Palestinian claim of a "Right of Return" is accompanied by the claim that there are not 725,000 refugees (minus those who have died in the interim) but 5 *million*. This number serves many political agendas but from the point of view of international law generations born into a refugee population that has been resettled and living in exile do not have the legal status of refugees. That means that legal refugee status today applies only to those few surviving Arabs who fled in 1948, among whom most are advanced in age.

### **A Summary of The Salient Facts**

The protracted Arab refugee crisis is an artificial crisis maintained for 57 years by Arab rulers in order to exploit their own people's suffering -- to create a "poster child" for Palestinian victim-hood; a staging ground for anti-Israel propaganda; a training center for Arab terrorists; and a trump card for the anti-Israel *jihad* (per Sakher Habash) when all else (war, terrorism, international diplomacy) fails.

"Haq el-Auda," the "law of return," for Palestinian Arabs to their own homes and farms and orchards that have been part of Israel for the past 57 years is a sham.

Sixty years ago there were nearly a million Jews in the Arab states of the Middle East: honest hard-working citizenry contributing to the culture and economy of their countries of domicile. Today, there are almost no Jews in the Arab countries of the Middle East, and racist apartheid laws prohibit even Jewish tourists from entering some Arab countries.

In Israel, on the other hand, the Arabs who did not flee numbered about 170,000 in 1949; and now number more than 1,400,000. They have 12 representatives in the Israeli Parliament, judges sitting on the Israeli courts and on the Israeli Supreme Court benches, and Ph.D's and tenured professors teaching in Israeli colleges and universities. They are a population that enjoys more freedom, education, and economic opportunity than do any comparable Arab populations anywhere in the Arab world.

The Arab rulers caused the Arab refugee problem in 1948 by their

war of aggression against the infant state of Israel, a legal creation of the United Nations; the Arab rulers have since maintained the Arab refugee population and denied it any possibility of normal life in Arab countries in order to use the suffering they themselves have caused, as a weapon in their unending war against Israel.

During all these decades the refugee camps and their Arab exploiters have been funded by billions of dollars from the United Nations, the United States, the United Kingdom, the European Union and others.

## 2. THE EIGHT STAGES OF THE CREATION OF THE PROBLEM

The flight of Arabs from what would soon become Israel took place in eight stages:

**One.** As early as the Fall of 1947, months before the UN partition plan of November 29, 1947, it was clear that there would be a war no matter how the partition lines were drawn. In anticipation of this war, many of the well-to-do Arabs (the *effendi*) of Western Galilee, from Haifa to Acco and villages in between, closed down their houses and went to Beirut or Damascus. With their wealth and connections, they could wait out the war in safety. No one imagined the infant state of Israel could win a war with the Arab states. The Arabs who left thought that they would be out of the way of danger, and when the war was over they would come back to their homes. Current estimates by objective observers (Conor Cruise O'Brien, in his book *The Siege*, being perhaps the most objective) is that about 70,000 fled.

**Two.** These refugees caused a sudden absence of political and social leadership among the Arabs of Galilee, and thus as the hostilities developed in the winter of 1947, many of the Arab peasantry (*Felahin*) fled as well, following their leaders' example. They lacked the money and connections to make a comfortable trip out of the way of danger, as their *effendi* had done. So many of them simply walked with whatever they could carry to Lebanon or Syria. Their leadership had fled, which led them to assume that things must be pretty bad, so they figured they had better leave too. They too were sure, based upon documentation from Arab press at the time, that when the war was over and the Jews were all dead or driven from Israel, they would come back to their homes.

There are no solid numbers for this exodus, but estimates range around 100,000 people. There were so many exiting that the Arab states had a special conference in Beirut to decide how to handle all the Arabs that were pouring across the borders. They set up special camps, later to be known as refugee camps. These Arabs were fleeing of their own free will. No one, neither Israel nor Arab states, were

encouraging, frightening, or ordering them to do so. The war had not yet even begun.

**Three.** After November 29, 1947, warfare between the Israeli Haganah and para-military Arab volunteers numbering in the tens of thousands began in earnest.

The Arab press and public speeches made it clear that this was to be a war of annihilation like those of the great Mongol hordes killing all in their path. The Jews would be either dead or out. Israel was fighting not a war of independence, but a war of survival.

In order to defend some areas where Jews were completely surrounded by Arabs (like the Jews of Jaffa, Jewish villages or kibbutzim in parts of Galilee and the central hill country, and in Jerusalem), the Haganah adopted scare-tactics that were intended to strike terror into the Arab population of those areas, so that they would retreat to safer ground. Then, it would be possible for the Haganah to defend those Jews who would otherwise be inaccessible and thus vulnerable to genocidal Arab intentions.

Many Arabs in parts of western Galilee, Jaffa, and parts of western Jerusalem, fled because of tactics such as rumors that a huge Jewish army from the West was about to land on the coast, hand-grenades thrown on front porches of homes, jeeps driving by and firing machine guns into the walls or fences of houses, rumors circulated by Arabic-speaking Jews that the Haganah was far bigger than it really was and was on the verge of surfacing with a massive Jewish army, etc.

Here it is important to note that Jews were responsible in this part of the Arab flight. But it was not because they wanted to ethnically cleanse the country, or to wipe out the Arabs. It was because they knew that outnumbered Jews, undefended in Arab enclaves would be slaughtered (as in fact was the case of Jews in the Gush Etzion villages and in the Jewish Quarter of the Old City in Jerusalem, and as had happened in Hebron in 1929). It was the exigency of their fighting a war of survival against a bigger and better armed enemy that drove them to the tactics described above.

It is also important not to forget these facts: Had the Arab leadership accepted the UN partition plan, there would have been a state of

Palestine since November 29, 1947, for the Arabs, alongside of Israel. Had the Arab armies not invaded, there would have been no refugee problem. Keeping in mind these two facts, it is clear that the total onus of culpability for the start of the refugee problem rests squarely and solely upon the Arab states that invaded, in clear disregard for the UN resolution 181 and international law.

**Four.** Arab leadership from among the para-military forces and the forces of Syria were vociferous in their announcements that they wanted Arabs to leave so that the armies would have a clear field in which to perpetrate their genocide of the Jews. When the war was over and the Jews were driven out or killed, the Arab residents could come back and have both their own lands and those of the Jews.

We cannot know how many Arabs fled because of these announcements; but since a number of Arab spokespersons after the war admitted to having done this, and wrung their hands publicly in painful repentance of having created the refugee problem, it is clear that the Arab leadership's own message to many Arabs in the area was a major factor in the Arab flight.<sup>1</sup>

It is also important to point out at this time that there were a number of cases where Jewish leaders got out in public and pleaded with Arabs not to leave. The mayor of Haifa is the best example of this. At the risk of his own life, he drove through the Arab section of Haifa with a loudspeaker on his jeep, and in Arabic called out to the residents of his city to disregard the Arab propaganda.

Nonetheless, tens of thousands fled. The incredulous British officers who witnessed this, documented it in a variety of sources. Those Arabs who stayed were unharmed and became citizens of Israel.<sup>2</sup>

The British also documented for the world a similar phenomenon in Tiberius (a town in which the Arab population vastly outnumbered the Jewish). The Arabs quite literally chose to leave even though they were under no direct threat from the Jews and asked the British to assist them. Tens of thousands left under British guard, while the Jews, both civilian and Haganah, looked on. In a slightly different twist, the Arabs of Safed (Tzefat) fled before the Haganah attack, even though the Arab forces in Safed outnumbered the Jews about 10 to one.

<sup>1</sup> See Appendix p 24.

<sup>2</sup> See Appendix p 24.

Wherever Arabs chose to stay, they were unharmed and later became citizens of Israel.

There have been a number of essays written by later historians contesting the truth of the assertion that Arab leaders told their people to flee. But Conor Cruise O'Brien's *The Siege* and Mitchell Bard's *Myths and Facts of the Middle East Conflict* offer irrefutable proof of the existence of such pronouncements.

**Five.** Deir Yassin: The events that took place at Deir Yassin are still hotly disputed. But by their own admission, Arab leadership today acknowledges that the lies created by the Arabs about the fictitious "massacre" were concocted in order to shame the Arab armies into fighting against the Jews, frighten the Arabs, and encourage them to flee.<sup>3</sup> The village sits near Jerusalem, overlooking the road from Tel Aviv. Jewish Jerusalem was under siege, and its only lifeline was this one road to Tel Aviv. A contingent of Iraqi troops had entered Deir Yassin on March 13, 1948. Some sources suggest that they were asked to leave. Apparently they did not, since their armed bodies were numerous among the dead after the battle. It was obvious that they were going to try to cut off that road. Doing so would spell the end of Jewish Jerusalem. So on April 9, 1948, a contingent of the Irgun (a para-military splinter group) entered the village. This operation was completely legitimate in the context of rules of engagement, since the Iraqi presence made the village a legal military objective.

Their intent, to capture the village and drive out the Iraqis, was completely clear from the onset, because they entered with a jeep and loudspeaker telling the civilian population to flee the village. Unfortunately, this jeep slid into a ditch, so some of the villagers may not have heard the message; however, many did and fled before the Irgun got to the village. Rather than surround the village and prevent their escape, the Irgun left several routes open for the civilians to flee, which hundreds of villagers used. However, the Iraqis had disguised themselves as women -- it is easy to hide weapons beneath the flowing robes of the burqa -- and had hidden themselves among women and children in the village. So, when the Irgun fighters entered, they encountered fire from "women!"

<sup>3</sup> PBS: *The Fifty Year War - Israel and the Arabs* (DVD 1993)

When the Irgun fighters fired back, they killed innocent women because the Iraqis were dressed like women and hiding behind them. After suffering more than 40 percent casualties to their forces, the Irgun succeeded in killing or capturing the Iraqis. Then, while they were in a group, still dressed as women, having surrendered and agreed to be taken prisoner, some of the Iraqis opened fire again with weapons concealed beneath their women's clothing. Irgun fighters were caught off guard, more were killed, and others opened fire into the group. Iraqis who had indeed surrendered were killed along with those who had only pretended to surrender and had then opened fire.

When the Haganah arrived they found the dead women and other civilians and thus incorrectly accused the Irgun of murder and massacre. But the Red Cross, which was called in to assist the wounded and civilians, found no evidence of a massacre. In fact, even the most recent review of the evidence (July 1999), by Arab scholars at Beir-Zayyit university in Ramallah, indicates that there was no massacre, but rather a military conflict in which civilians were killed in the crossfire. The total Arab dead, including the Iraqi soldiers, according to the Beir Zayyit calculation, was 107.

So where did the idea of a massacre come from? The same Arab sources that confess to having urged the Arabs to flee have also acknowledged that Arab spokespersons at the time cynically exaggerated the casualties of the Deir Yassin battle, making up stories of gang rape, brutalizing of pregnant women, killing unborn children cut from their mothers' wombs by blood-thirsty Jews, and massive murders with bodies thrown into a nearby quarry. The same Arab sources admit that their purpose in these lies was to shame the Arab nations into entering the conflict with greater alacrity, so that the Jews would be destroyed by the overwhelming numbers of Arab invaders.<sup>4</sup>

The plan backfired. As a result of this propaganda, Arab civilians panicked and fled by the tens of thousands. This was confirmed in the 1993 PBS documentary called *The Fifty Years of War* in which Deir Yassin survivors were interviewed. They testified that they had begged Dr. Hussein Khalidi, director of Voice of Palestine (the Palestinian radio station in East Jerusalem) to edit out the lies and fabrications of atrocities that never happened. He told them: "We must

<sup>4</sup> *ibid*

capitalize on this great opportunity!”

The flight of Arabs had begun many months before Deir Yassin. So Deir Yassin cannot account for those hundreds of thousands of Arabs who sought refuge prior to April 9, 1948. Moreover, while current Arab propaganda asserts that Deir Yassin was one of many examples of Jewish massacre and slaughter, there is not one other documented example of any such behavior by the Jews. By any standard, Deir Yassin was not an example, but an exception.

In sum, it was not what happened at Deir Yassin that caused the flight of tens of thousands of Arabs; it was the lies invented by the Arab High Command and Dr. Hussein Khalidi of the “Voice of Palestine” radio news channel that caused the panic. One can hardly blame Israel for that.

Moreover, we have information from a famous source, Yassir Arafat himself (his authorized biography, by Alan Hart, *Arafat: Terrorist or Peace Maker*) that the Deir Yassin lies were spread “like a red flag in front of a bull” by the Egyptians. Then, having terrorized them with these stories, the Egyptians proceeded to disarm the Arabs of the area and herd them into detention camps in Gaza (today’s Gaza refugee camps). Why did the Egyptians do this? According to Arafat, it was to get the Arabs out of the area because the Egyptians wanted a free hand to wage their war. Egypt had every intention of conquering the Negev and southern part of the coastal plain. They wanted no interference from the local Arabs.

Deir Yassin was not a massacre; nothing even vaguely akin to what the Jews are accused of ever happened. We don’t know how many Arabs fled as a result of the Arab propaganda over Deir Yassin. Several hundred thousand is a good estimate. Most of them ended up in the Egyptian detention camps in Gaza.

**Six.** Besides Deir Yassin, there are two other incidents in which Arab refugees are said to have fled because of Israeli army actions: Lydda and Ramle.

Both villages sat astride the road from Tel Aviv to Jerusalem. As the siege on Jerusalem tightened, the Israeli forces knew that in order to save the Jews of west Jerusalem from defeat and possible annihila-

tion, they had to keep that road open. So one night they entered both villages and forcibly drove out the Arab residents. They rousted them from bed and sent them walking across the fields to the area that was under Jordanian control some kilometers away.

None were killed. There was no massacre, but they were driven out. On the other hand, they were driven out because their villages sat astride the road to Jerusalem, and the only way to guarantee the survival of 150,000 Jews in Jerusalem was to control this one road.

**Seven.** By May 15, 1948, the British had evacuated their forces from all of British Mandatory Palestine, and the Haganah, which now became the Israeli Defense Force (IDF), had a free hand. The Arab countries also had a free hand in attacking, and attack they did. Armies from eight Arab dictatorships poured into the area from Lebanon, Syria, Jordan, Iraq and Egypt (volunteers and soldiers from Saudi Arabia, Yemen and Morocco came too). They outnumbered the IDF about five to one. For the next month or so the Israelis were fighting a terribly difficult defensive war and were just barely able to keep the invaders out. There were about 63,000 IDF volunteers, but weapons for only 22,000.

In June 1948 the UN imposed a cease-fire. By July when the Arabs re-initiated hostilities, the Israelis had been able to use the cease-fire to import arms and planes from Russia and Germany via Czechoslovakia. Now better armed, the IDF numbered 65,000 and the odds were reduced to about 2 to 1. Those were good odds for the determined Jewish fighters.

When the fighting resumed in July, the IDF went on the offensive and succeeded in driving the Arab armies out of both the Jewish areas and large parts of the areas that the UN had intended to be the Palestinian state (western Galilee, and southern coastal plain north of Gaza). When this offensive began, more Arabs fled. As noted above, the Arabs who stayed were not harmed and became citizens of Israel.

Contrary to revisionist Arab propaganda, there was never any intent to massacre Arabs, although the Arabs clearly intended to massacre the Jews. Many civilians died in the cross fire, and the overwhelming majority of Arabs who fled did so needlessly, at their own

initiative, or because of the Arab leadership that lied and intimidated them. In at least two specific cases a few Arabs were driven out by the IDF as a defensive measure. It was not part of any plan to ethnically cleanse the land or massacre the Arabs. These accusations are all part of a new and mendacious revisionism aimed at exonerating the Arabs from their culpability as aggressors and from their role in creating the Arab Refugee problem. Their agenda is to transfer the guilt from themselves – where it belongs -- to Israel.

Proof that Israel never set out to ethnically cleanse the Arabs of Palestine is to be seen in the following facts: 1) the complete absence of any coverage in any world press, including the Arab press and the openly hostile western press in regard to any such actions by Israel; 2) The complete absence of these accusations from any Arab spokespersons during that time, even at the very height of the flight (post-Deir Yassin), and for many years thereafter; and 3) The fate of the Arabs who stayed: They became Israeli citizens and enjoy more freedom, democracy, political representation, high standard of living better education, and economic opportunities, than many Arabs anywhere in the Arab world today.

Finally, after the February 1949 cease-fire that signaled the end of the war, there was still a continued flight by tens of thousands of Arabs. The Jews did absolutely nothing to encourage or force this flight.

**Eight.** During the Rhodes armistice talks in February 1949, Israel offered to return to the Arabs the lands it now occupied as a result of the war and that were originally meant to be part of the Palestinian state *if* the Arabs would sign a peace treaty. This would have allowed hundreds of thousands of refugees to return to their homes. But the Arabs rejected the offer because, as they themselves admitted, they were about to mount a new offensive. They had lost round one but they were hoping for more and more rounds until the Arabs achieved victory. Their new offensive took the form of 9000 terrorist attacks by the *fedayeen* mostly from Egypt that were perpetrated against Israel from 1949 to 1956.

At the Lausanne conference which took place from August to September 1949, Israel offered to repatriate 100,000 refugees even without a peace treaty. But the Arab states rejected the offer because

to accept it would involve a tacit recognition of the state of Israel.

In other words, despite Israel's offers of repatriation, the Arabs insisted on keeping the Arab refugees in squalor and suffering. Arab spokespersons in Syria and Egypt were quoted in their newspapers as saying: We will keep the refugees in their camps until the flag of Palestine flies over all of the land. They will go back home only as victors, on the graves and corpses of the Jews.

Moreover, as some Arabs were candid enough to announce in public, the refugee problem would serve as “a festering sore on the backside of Europe,” as moral leverage to be used against Israel in order to win the emotional support of the West against Israel.

### **Conclusion**

The Arab refugee problem was created by the belligerent Arab dictators who defied the UN, invaded Israel, encouraged the Arabs to flee, and then purposely kept the Arab refugees in a state of wretched poverty for propaganda purposes. Israel's role in creating the refugee problem was a relatively minor one restricted to legitimate military contexts. It tried to reverse these after the war, but was rebuffed by the Arab states.

The refugee problem was then intentionally perpetuated by the Arab states through their refusal to abide by the UN resolutions and the Geneva convention, their refusal to integrate any refugees into under-populated Arab countries (except for Jordan), their refusal to enter into peace negotiations with Israel, and their refusal to countenance any steps toward resolution by Israel or others.

By perpetuating the refugee problem, the Arab leaders sought to gain pseudo-moral leverage against Europe and Israel, to keep a “festering human sore” in the forefront of their propaganda war against Israel, and to use the issue as a political weapon against Israel.

As late as 1979, when Egypt signed a peace treaty with Israel, the Egyptians refused to deal with the refugee issue in the Gaza strip and instead ceded all of the Gaza strip to Israel. A similar pattern was established in Jordan's 1994 peace treaty with Israel. Jordan had integrated thousands of Palestinians into its economy and did not see

any need or responsibility to deal with the disposition of those on the West Bank.

The abuses, exaggerations, lies, and distortions perpetrated by Arab governments, by the UN Refugee Agency, and the refugee spokespersons made it impossible, even back in 1949, to identify a *bona fide* refugee populace.

In 1967, the Arab states again launched an aggressive war against Israel and as a result Israel became the governing authority in the Gaza Strip, Sinai Peninsula, the Golan Heights, and in the West Bank. Under Israeli rule from 1967 to 1992, The Palestinian population of the West Bank experienced the highest standard of living of any Arab country with the exception of the oil states. The same is true of Arab Israelis. The Arab population of the West Bank and Gaza has tripled since June 1967!

By contrast, since the transfer of authority in the West Bank to the PLO in 1993, the condition of the Palestinian population under the Palestinian Authority has declined precipitously. The standard of living of the West Bank Palestinians has eroded, and GDP is one-tenth of what it was under Israeli control. This is due to the mis-appropriation of more than \$5.2 billion by the rule of the Palestinian Authority into the personal accounts of Arafat and his lieutenants for weapons stock-piling, neglect of the infrastructure, and due to the continuous terror war, against which Israel must exercise defensive controls and deterrents.

Justice for Jewish and Arab refugees could have been part of a peace settlement if the Arab states had been willing. Today, solutions are possible, but only if the Palestinian Authority will stop its new war of terror.

## APPENDIX

Sources confirming that Arab leaders told Arabs to flee and reports related to the departure of the Arab refugees:

1. “The first group of our fifth column consist of those who abandon their homes...At the first sign of trouble they take to their heels

to escape sharing the burden of struggle” -- *Ash-Sha'ab*, Jaffa, January 30, 1948

2. “(The fleeing villagers)...are bringing down disgrace on us all... by abandoning their villages” -- *As-Sarih*, Jaffa, March 30, 1948

3. “Every effort is being made by the Jews to persuade the Arab populace to stay and carry on with their normal lives, to get their shops and businesses open and to be assured that their lives and interests will be safe.” -- Haifa District HQ of the British Police, April 26, 1948, (quoted in *Battleground* by Samuel Katz).

4. “The mass evacuation, prompted partly by fear, partly by order of Arab leaders, left the Arab quarter of Haifa a ghost city.... By withdrawing Arab workers their leaders hoped to paralyze Haifa.” -- *Time Magazine*, May 3, 1948, page 25

5. “The Arab streets (of Palestine) are curiously deserted (because)...following the poor example of the moneyed class, there has been an exodus from Jerusalem, but not to the same extent as from Jaffa and Haifa”. -- *London Times*, May 5, 1948

6. “The Arab civilians panicked and fled ignominiously. Villages were frequently abandoned before they were threatened by the progress of war.” -- General John Glubb “Pasha,” *The London Daily Mail*, August 12, 1948

7. “The fact that there are these refugees is the direct consequence of the act of the Arab states in opposing partition and the Jewish state. The Arab states agreed upon this policy unanimously and they must share in the solution of the problem.” – Emile Ghoury, secretary of the Palestinian Arab Higher Committee, in an interview with the *Beirut Telegraph* September 6, 1948. (same appeared in *The London Telegraph*, August 1948)

8. “The most potent factor [in the flight of Palestinians] was the announcements made over the air by the Arab-Palestinian Higher Executive, urging all Haifa Arabs to quit... It was clearly intimated that Arabs who remained in Haifa and accepted Jewish protection would be regarded as renegades.” -- London *Economist* October 2, 1948

9. “It must not be forgotten that the Arab Higher Committee

encouraged the refugees' flight from their homes in Jaffa, Haifa, and Jerusalem". -- Near East Arabic Broadcasting Station, Cyprus, April 3, 1949.

10. "The Arabs of Haifa fled in spite of the fact that the Jewish authorities guaranteed their safety and rights as citizens of Israel."- - Monsignor George Hakim, Greek Catholic Bishop of Galilee, *New York Herald Tribune*, June 30, 1949

11. "The military and civil (Israeli) authorities expressed their profound regret at this grave decision (taken by the Arab military delegates of Haifa and the Acting Chair of the Palestine Arab Higher Committee to evacuate Haifa despite the Israeli offer of a truce). The Jewish mayor of Haifa made a passionate appeal to the delegation (of Arab military leaders) to reconsider its decision." -- Memorandum of the Arab National Committee of Haifa, 1950, to the governments of the Arab League, quoted in J. B. Schechtman, *The Refugees in the World*, NY 1963, pp. 192f.

12. Sir John Troutbeck, British Middle East Office in Cairo, noted in cables to superiors (1948-49) that the refugees (in Gaza) have no bitterness against Jews, but harbor intense hatred toward Egyptians: "They say 'we know who our enemies are (referring to the Egyptians)', declaring that their Arab brethren persuaded them unnecessarily to leave their homes...I even heard it said that many of the refugees would give a welcome to the Israelis if they were to come in and take the district over."

13. "The Arab states which had encouraged the Palestine Arabs to leave their homes temporarily in order to be out of the way of the Arab invasion armies, have failed to keep their promise to help these refugees." -- The Jordanian daily newspaper *Falastin*, February 19, 1949.

14. "The Secretary General of the Arab League, Azzam Pasha, assured the Arab peoples that the occupation of Palestine and of Tel Aviv would be as simple as a military promenade...Brotherly advice was given to the Arabs of Palestine to leave their land, homes, and property to stay temporarily in neighboring fraternal states, lest the guns of invading Arab armies mow them down." --*Al Hoda*, a New York-based Lebanese daily, June 8, 1951.

15. "Who brought the Palestinians to Lebanon as refugees, suffering now from the malign attitude of newspapers and communal leaders, who have neither honor nor conscience? Who brought them over in dire straits and penniless, after they lost their honor? The Arab states, and Lebanon amongst them, did it." -- The Beirut Muslim weekly *Kul-Shay*, August 19, 1951.

16. "We will smash the country with our guns and obliterate every place the Jews seek shelter in. The Arabs should conduct their wives and children to safe areas until the fighting has died down." -- Iraqi Prime Minister Nuri Said, quoted in *Sir An-Nakbah* ("The Secret Behind the Disaster") by Nimr el-Hawari, Nazareth, 1952

17. "The Arab Exodus ...was not caused by the actual battle, but by the exaggerated description spread by the Arab leaders to incite them to fight the Jews. ...For the flight and fall of the other villages it is our leaders who are responsible because of their dissemination of rumors exaggerating Jewish crimes and describing them as atrocities in order to inflame the Arabs ... By spreading rumors of Jewish atrocities, killings of women and children etc., they instilled fear and terror in the hearts of the Arabs in Palestine, until they fled leaving their homes and properties to the enemy." -- The Jordanian daily newspaper *Al Urdun*, April 9, 1953.

18. "The Arab governments told us: Get out so that we can get in. So we got out, but they did not get in." A refugee quoted in *Al Difaa* (Jordan) September 6, 1954.

19. "The wholesale exodus was due partly to the belief of the Arabs, encouraged by the boasting of an unrealistic press and the irresponsible utterances of some of the Arab leaders that it could be only a matter of some weeks before the Jews were defeated by the armies of the Arab states, and the Palestinian Arabs enabled to re-enter and re-take possession of their country". -- Edward Atiyah (Secretary of the Arab League, London, *The Arabs*, 1955, p. 183)

20. "As early as the first months of 1948, the Arab League issued orders exhorting the people to seek a temporary refuge in neighboring countries, later to return to their abodes ... and obtain their share of abandoned Jewish property." -- *Bulletin of The Research Group for*

*European Migration Problems*, 1957.

21. “Israelis argue that the Arab states encouraged the Palestinians to flee. And, in fact, Arabs still living in Israel recall being urged to evacuate Haifa by Arab military commanders who wanted to bomb the city.” -- *Newsweek*, January 20, 1963.

22. “The 15th May, 1948, arrived ... On that day the mufti of Jerusalem appealed to the Arabs of Palestine to leave the country, because the Arab armies were about to enter and fight in their stead.” -- The Cairo daily *Akhbar el Yom*, October 12, 1963.

23. In listing the reasons for the Arab failure in 1948, Khaled al-Azm (Syrian Prime Minister) notes that “...the fifth factor was the call by the Arab governments to the inhabitants of Palestine to evacuate it (Palestine) and leave for the bordering Arab countries. Since 1948, it is we who have demanded the return of the refugees, while it is we who made them leave. We brought disaster upon a million Arab refugees by inviting them and bringing pressure on them to leave. We have accustomed them to begging...we have participated in lowering their morale and social level...Then we exploited them in executing crimes of murder, arson and throwing stones upon men, women and children...all this in the service of political purposes...” -- Khaled al-Azm, Syrian prime minister after the 1948 War, in his 1972 memoirs, published in 1973.

24. “The Arab states succeeded in scattering the Palestinian people and in destroying their unity. They did not recognize them as a unified people until the states of the world did so, and this is regrettable.” -- Abu Mazen (Mahmoud Abbas), from the official journal of the PLO, *Falastin el-Thawra* (“What We Have Learned and What We Should Do”), Beirut, March 1976.

25. “Since 1948, the Arab leaders have approached the Palestinian problem in an irresponsible manner. They have used to Palestinian people for political purposes; this is ridiculous, I might even say criminal...” -- King Hussein, Hashemite kingdom of Jordan, 1996.

26. “Abu Mazen Charges that the Arab States Are the Cause of the Palestinian Refugee Problem” (*Wall Street Journal*; June 5, 2003):

Mahmoud Abbas (Abu Mazen) wrote an article in March 1976 in *Falastin al-Thawra*, the official journal of the PLO in Beirut: “The Arab armies entered Palestine to protect the Palestinians from the Zionist tyranny, but instead they abandoned them, forced them to emigrate and to leave their homeland, imposed upon them a political and ideological blockade and threw them into prisons similar to the ghettos in which the Jews used to live in Eastern Europe.”

As Abu Mazen alluded, it was in large part due to threats and fear-mongering from Arab leaders that some 700,000 Arabs fled Israel in 1948 when the new state was invaded by Arab armies. Ever since, the growing refugee population, now around 4 million by UN estimates, has been corralled into squalid camps scattered across the Middle East - in Lebanon, Jordan, Syria, Gaza, and the West Bank.

In 1950, the UN set up the United Nations Relief and Works Agency as a temporary relief effort for Palestinian refugees. Former UNRWA director Ralph Galloway stated eight years later that, “the Arab states do not want to solve the refugee problem. They want to keep it as an open sore, as a weapon against Israel. Arab leaders do not give a damn whether Arab refugees live or die. The only thing that has changed since [1949] is the number of Palestinians cooped up in these prison camps.”

### 3. THE QUESTION OF OCCUPATION AND THE SETTLEMENTS

Besides the refugee problem, the two most prominent issues in the Arab propaganda war against Israel are the alleged Jewish occupation of Arab lands and the existence of Israeli settlements in the West Bank and Gaza Strip. To peel away the myths enveloping these issues and proceed to the realities beneath, it is necessary to review their history within the context of the Arab war against Israel, which has been going on without interruption since the creation of Israel in 1948, and which includes the Arab hostility towards the Jews before that.

#### HISTORICAL BACKGROUND

##### Early Zionism

Zionist pioneers from the middle of the 19th century onward joined the local Jewish communities in rebuilding a Jewish homeland in what was then the Turkish Empire by purchasing land from the Turkish Crown and from Arab landowners (*effendi*). There was no invasion, no conquest, and no theft of Arab land – and certainly not of a land of Palestine, since the Arabs living in the region had been Turkish subjects for 400 years. Unarmed and possessing no military, the Jews bought so much land from Arabs that in 1892, a group of *effendi* sent a letter to the Turkish Sultan, requesting that he make it illegal for his subjects to sell land to the Jews. Their successors did the same thing, via a telegram, in 1915. Evidently, the very presence of Jews owning land in the Middle East – however legally acquired – was offensive to some.

It is indisputable that there was no theft, because no one complained of any. No Arabs were driven from their homes. In fact, as a demographic study published by Columbia University demonstrates<sup>5</sup>, the Arab population of the area grew tremendously during this period in part because of the economic development that the Jews helped to generate. Between 1514 AD and circa 1850, the Arab population of this region of the Turkish Empire was more or less static at about 340,000. It suddenly began to increase around 1855, and by 1947

<sup>5</sup> Justin McCarthy, *The Population of Palestine, 1990*

the Arab population stood at about 1,300,000 -- almost quadrupling in less than 100 years. The exact causes of this population rise are beyond the scope of this essay, but the causal correlation between this independently documented phenomenon and the Zionist enterprise is beyond rational argument.

Far from driving out any Arabs, stealing their land or ruining their economy, the work of the Jewish pioneers in the 19th and early 20th centuries actually enabled the Arab population to quadruple, the economy to enter the modern era, and the society to slough off the shackles of serfdom that typified the *effendi-fellah* (land-owner/serf) relationship of the Ottoman era. An Arab working in a Jewish factory or farming community could earn in a month what his father earned in a year eking out a living as a subsistence-level farmer using medieval technology. Arab infant mortality plummeted and longevity increased as the Jews shared their modern medical technology with their Arab neighbors.

Much of the land that the Zionists purchased was desert and swamp, uninhabited and deemed uninhabitable by the Arabs. Modern agrarian techniques instituted by the Jews and the blood and sweat of thousands of idealistic Zionists reclaimed that land and turned it into prime real estate with flourishing farms and rapidly growing communities sporting modern technology and a healthy market economy. As a result, Arab migrants poured into the region from surrounding states, with hundreds of thousands seeking a better life and greater economic opportunity. Based on the above, it is fair to suggest that a significant plurality, if not a majority, of Arabs living in Israel today owe their very existence to the Zionist endeavor.

Validation of this history, which is quite at variance with the standard Arab propaganda, comes from a surprising source. Sheikh Yousuf al-Qaradhwai, international Arab terrorist and lieutenant to Osama bin Laden, in a televised speech in May, 2005,<sup>6</sup> chided his followers with the following words: “Unfortunately, we [Arabs] do not excel in either military or civil industries. We import everything from needles to missiles...How come the Zionist gang has managed to be superior to us, despite being so few? It has become superior through

6 MEMRI, <http://www.memritv.org/search.asp?ACT=S9&P1=645>

knowledge, through technology, and through strength. It has become superior to us through work. *We had the desert before our eyes but we didn't do anything with it. When they took over, they turned it into a green oasis.* How can a nation that does not work progress? How can it grow?”<sup>7</sup> (emphasis added)

It was precisely this success of the Zionist endeavor that aroused the fear and ire of Arab leaders. Zionist progress, technology, economy, and the Jews' willingness to share this technology with their Arab neighbors radically threatened the medieval stranglehold of the *effendi* over the *fellahin* (peasantry). Turkish methods of insuring tranquility under the Sultan were rather draconian. Consequently, as part of the Turkish Empire, the Arabs in the region did not wish to risk civil disturbance, and therefore maintained a stoic sufferance of the Jewish presence that some have interpreted as tolerance. But the British rule that followed the First World War was not so severe. When Britain took over the governance of British Mandatory Palestine (today the states of Israel and Jordan), Arab leaders discovered they had a much freer hand. Stoking religious hatred and fanning the flames of fellah resentment with lies about the Jews' intent to destroy Islam, representatives of the leading effendi families led by the Hajj Amin el-Husseini began an Islamic jihad involving a series of pogroms against the Jews.

### Peel Partition Plan

From 1919 to 1936, Arab violence against Jews expanded in scope and grew in brutality. The British did almost nothing to curtail it and sometimes abetted it. Lord Earl Peel led a commission of inquiry in 1936 with the goal of finding a solution to the seemingly endless violence. His suggestion was partition. Let the Jews have their state on the 15% of lands that they have purchased and redeemed. Let the Arabs have theirs on the remaining 85%. In other words, the very idea of partition became an agenda because the Arabs could not live peacefully beside Jews.

7 More academic validation can be found in Palestinian-born Professor Rashid Khalidi's "Palestinian Identity", in Kimmerling, B., and Migdal, J. *The Palestinian People*, and in the as yet unpublished doctoral thesis of Dr. Sandi Sufian, a Palestinian now doing post-doctoral work at the University of Chicago.

In 1922, Britain ceded all of the Palestine Mandate east of the Jordan River to the emir Abdullah. This became the Hashemite Kingdom of Jordan, with a majority Palestinian population that by law permitted no Jew to enter. When offered their own state in 1937 on roughly 85% of British Mandatory Palestine west of the Jordan River, the Arab leaders chose war and terrorism. This was the “Great Arab Revolt” of 1937-1939. With World War II in the offing, Britain lost no time in brutally crushing the uprising.

Meanwhile, the pioneering Zionist endeavor continued with the purchase of more crown land from the British. It is important to note that according to international law, what had been crown land under the Turkish Empire was now legally crown land under the British Mandate. The disposition of that land through legal purchases was well within the rights of the British. It also conformed to the parameters of international law. When the West emerged victorious from World War II, Zionist organizations owned about 28% of what is today Israel, and private Arab land ownership or British crown land accounted for the rest.

With the end of the war, Arab leadership again promoted violence and terrorism against Jewish settlements and against the British. The majority of Jewish leaders preached restraint and practiced the exploration of political solutions via the newly formed United Nations. A minority practiced terrorism against the British and violent reprisals against the Arabs.

### **UN Partition Plan**

Sick of the violence and facing political crises growing out of economic problems following World War II, the British abandoned most of its empire and decided to place “the Palestine Question” into the hands of the United Nations. In 1947 several UN exploratory missions reached Lord Peel’s conclusion of a decade earlier. On November 29, 1947 the UN declared the existence of two states: a state for the Arabs on about 45% of the land, and the state of Israel for the Jews on about 55%. But more than half of the Jewish portion (60%) was the Negev desert, crown land largely unpopulated and believed to be worthless. The UN Partition Plan (UN Resolution # 181) created unwieldy boundaries between the two nascent states based upon the

land ownership and population densities of the two groups.

The Arab states were members of the UN. Their membership presumably entailed a willingness to abide by majority decisions of the newly formed world body. But they did not.

In high-handed defiance of the UN partition plan, they launched a war of aggression which, by their own public rhetoric, was to be a war of annihilation. Their intent was not to correct some border dispute or to reclaim turf lost in an earlier battle. Their intention was to destroy the newly created State of Israel, and to dispatch by whatever means necessary its 605,000 Jews.

To their everlasting chagrin, the Arab states lost their war of aggression. In losing, moreover, they lost much of the territory that the UN had designated for the state of Palestine. However, even this remainder of what would have been Palestine (the West Bank and the Gaza Strip) was obliterated – by its two neighboring Arab states. Egypt maintained illegal occupation of the Gaza Strip, and Jordan illegally annexed the West Bank. Both actions were in high-handed defiance of international law and UN resolutions 181 and 194. There was no Arab or Palestinian protest over this. Why? The only conclusion that can be drawn is that in 1949, the Palestinians didn’t consider themselves “Palestinians” but Arabs, and in fact the term “Palestine” was universally used to refer to the Jewish state.

To add to the Arabs’ embarrassment, Israel offered them in 1949 a formal peace treaty in exchange for which Israel would return much of the land conquered in the war and allow the repatriation of some substantive portion of the Arab refugees created by the war (Rhodes Armistice talks, February – July, 1949). Had the Arab nations been willing to accept the UN partition plan, or had they been willing to accept the Israeli peace offer, not only would a State of Palestine have existed since 1949, but there would never have been an Arab refugee problem.

However, the Arab response was: no peace. The refugees would return to their homes only when they could fly the flag of Palestine over the corpses of the Jews. Better Palestinians should rot in squalid refugee camps than that the Arabs should acknowledge a non-Moslem state in their midst. As in 1937, Arab leaders rejected the possibility

of a Palestinian state in favor of continued aggression against Israel. It was not the creation of the State of Israel that caused the refugee and other subsequent problems; it was the war of annihilation waged by the Arab states that created the refugees and rejected the second opportunity for the creation of a Palestinian state.

### **Pre-1967 Terrorism Against Israel**

From 1949 to 1956, Egypt waged a terror war against Israel, launching about 9,000 attacks from terrorist cells set up in the refugee camps of the Gaza Strip. The 1956 “Sinai campaign”, in which Israel defeated the Egyptian army, ended Egypt’s terror war, even though the United States forced Israel to return the Sinai to Egypt without a peace treaty. But the terror continued on other fronts.

In 1964, the Palestinian Liberation Organization was created – not to liberate Palestinians from Jordanian and Egyptian rule – but to begin a 40-year campaign of terror against Israel with the openly avowed goal of “pushing the Jews into the sea.” Sponsored first by Kuwait, and later by Saudi Arabia, Egypt, Iraq, Iran and others, the PLO leaders declared unending war against Israel until all of “Palestine” was liberated, redeemed in “fire and blood”.

From 1949 to 1967 there were no Jewish settlements in the West Bank or the Gaza Strip. The “Palestine” that Arafat sought to “redeem” was not the West Bank or Gaza, where Palestinians were the abject subjects of Jordanian and Egyptian rule, but the entire State of Israel within its 1949 “green line” borders. It is instructive to read the original 1964 version of the PLO Covenant: Article 24. “This Organization (the PLO) does not exercise any regional sovereignty over the West Bank in the Hashemite Kingdom of Jordan, in the Gaza Strip or the Himmah area.”

Since the PLO’s *original* Covenant explicitly recognized Judea, Samaria, the eastern portion of Jerusalem, and the Gaza Strip as belonging to *other* Arab states, the only “homeland” it sought to “liberate” in 1964 was the state that belonged to the Jews. Three years later in 1967, five Arab states – including Jordan -- attacked Israel. As a result of Israel’s victory in the war Israel now occupied the West Bank having defeated the Jordanian aggressor, who had illegally annexed

the West Bank 18 years earlier. The PLO’s response to these events was to *revise* its Covenant, which it did on July 17, 1968. It removed the operative language of Article 24, thereby asserting for the first time a “Palestinian” claim of sovereignty to the West Bank and Gaza Strip. In other words, the Palestinian claim is asserted only against Jews.

The Jordanian occupation of the West Bank and the Egyptian control of the Gaza Strip were typified by brutal totalitarian repression. In the words of Arafat himself, in 1948 the Egyptians herded Palestinians into refugee camps, kept them behind barbed wire, sent in spies to murder the Palestinian leaders, and executed those who tried to flee.<sup>8</sup> There were no Palestinian protests of this oppression or behalf of any self-determination they felt they had been denied.

### **Belated Palestinian Nationalism**

The reason why there was no agitation among Palestinians for their own national identity prior to 1967 is perfectly clear. The concept of Palestine as a nation and Palestinians as a separate people did not exist among the Arabs of the Turkish provinces that became British Mandatory Palestine after World War I. Despite the contorted, forced, and contrived narratives of apologists for the Palestinian war against Israel like Rashid Khalidi, Baruch Kimmerling and others, there was never any state called Palestine, no country inhabited by “Palestinians”, and before 1967 no concept of a separate political, cultural, or linguistic entity representing a defined group that could be identified by such an appellation.

In fact, the opposite is the case. Arab respondents to the UN’s 1947 inquiries argued that there never was, nor should there ever be, a Palestine. The area under discussion they claimed was historically part of southern Syria, and for centuries had been known as “*balad esh-sham*” (the country of Damascus). In fact, at that time, the term “Palestinian” was applied only to the Jews living in Mandatory Palestine. The Arabs of the region were known as “Arabs”.

In a March 31, 1977 interview with the Amsterdam-based newspaper *Dagblad de Verdieping Trouw*, PLO executive committee member Zahir Muhse’in said: “The Palestinian people does not exist.

8 Yasir Arafat in his authorized biography, “Arafat: Terrorist or Peace Maker”, by Alan Hart, 1982

The creation of a Palestinian state is only a means for continuing our struggle against the state of Israel for our Arab unity. In reality today there is no difference between Jordanians, Palestinians, Syrians and Lebanese. Only for political and tactical reasons do we speak today about the existence of a Palestinian people, since Arab national interests demand that we posit the existence of a distinct ‘Palestinian people’ to oppose Zionism. For tactical reasons, Jordan, which is a sovereign state with defined borders, cannot raise claims to Haifa and Jaffa, while as a Palestinian, I can undoubtedly demand Haifa, Jaffa, Beer-Sheva and Jerusalem. However, the moment we reclaim our right to all of Palestine, we will not wait even a minute to unite Palestine and Jordan.”

Even today, Syrian 5th Grade social studies textbooks show “Greater Syria” as Syria, Lebanon, Jordan, and Israel. There is no nation called Palestine. The concept of “Palestinians” as Arabs living for millennia in “historic Palestine” is a fiction created for the political and military purposes described by Zahir Muhse’in. This latter day frenzy of Palestinian agitations for national self-determination is simply the *faux* mantle of respectability behind which genocidal Arab terrorism can be perpetrated against Israel with the support of international do-gooders and “idealists.” After the Holocaust, Western liberals cannot look kindly upon genocidal terrorism; but they can embrace warmly and enthusiastically the deep and heartfelt yearnings of an oppressed people struggling to be free. Hence, Arafat’s terrorist propagandists needed to invent the lies of Palestinian National Identity and Israeli occupation and oppression.

### **The Six-Day War of 1967**

Contrary to current Arab propaganda, but congruent with all news accounts contemporary to the events, Israel was the victim of Arab genocidal aggression in the 1967 War. On May 15, 1967, Egypt demanded that the UN peacekeeping forces, in place since the Sinai Campaign, evacuate at once. UN Secretary General U-Thant, for reasons never fully clarified, complied at once. Then, Egypt closed the Straits of Tiran, blocking the Israeli port of Eilat for shipping, and moved two tank battalions and 150,000 troops right up to Israel’s western border. A military pact with Syria and Jordan and illegal

invasion of Israel’s air space for surveillance over-flights of the Israeli atomic reactor in Dimona rounded out the threats. These were five *casus belli*: actions defined in international law as so threatening to a sovereign state that each one creates a legitimate cause for defensive military response. Had Israel retaliated with lethal force after any one of these five, its military action would have been completely legal per international law, as legitimate defensive response to existential threats from an aggressor.

However, Israel did not retaliate immediately. It first tried political negotiations, but its complaints to the UN went unanswered. Its reminders to President Johnson that the United States had guaranteed in 1957 to intervene if the Straits of Tiran were ever closed, or if Egypt ever re-militarized the Sinai, fell on deaf ears. President Johnson was too heavily involved in the Vietnam war to consider American military action elsewhere, even though President Eisenhower, when he forced PM Ben Gurion to retreat from the Sinai after the phenomenally successful Sinai Campaign in 1956, had promised America’s eternal vigilance that Israel would not again face a military threat from Egypt.

After three weeks of watching the Egyptian-Syrian-Jordanian forces grow in size and strength on its borders, Israel tried one last diplomatic action. Via the UN commander of the peace-keeping forces in Jerusalem, Colonel Od Bul (a Norwegian), Israel’s government sent a written message to King Hussein of Jordan: if you do not invade Israel, Israel will not invade the West Bank. Jordan’s King superciliously tossed the note back to Colonel Od Bul and walked away.

On Monday, June 5, 1967, after receiving military intelligence that Egypt was within hours of launching an invasion via the Gaza Strip, Israel launched its defensive pre-emptive strike, an air attack that destroyed the air forces of Egypt, Jordan, and Syria while they were still on the ground. With the control of the skies firmly in Israel’s hand, its armor and infantry put Egyptian forces to flight, reaching the Suez Canal within two days.

Despite Israel’s warning, King Hussein of Jordan began an artillery bombardment of Jerusalem and other Israeli cities along the Green Line. After more than a day of bombardment, with scores of

Israelis dead, hundreds wounded, and millions of dollars of damages, Israel sent a second message to the Hashemite king: if you stop the bombardment now, we will consider it your politically necessary 'salvo of honor'; and we will not retaliate. This message was sent via the Romanian embassy, from its West Jerusalem (Israeli) ambassador to its East Jerusalem (Jordanian) ambassador. King Hussein ignored the warning and launched an infantry invasion of Jewish Jerusalem. It was only then that Israel responded with its own invasion of the West Bank.

After almost a week of Syria's constant artillery bombardment of Israeli towns and villages in the Galilee, Israel conquered the Golan Heights, destroyed the Syrian artillery, and drove the Syrian army back to within 40 kilometers of Damascus.

Israel did not invade Egypt beyond the Suez Canal, although its forces could have advanced almost unopposed to Cairo. It did not cross the Jordan River, although the Jordan Legion was in disarray, as some troops had tossed their boots and rifles to more easily swim to the east bank. Nor did it continue its advance from the Golan Heights to Damascus, which it could have easily done in the wake of a terrified and decimated Syrian army. Israel stopped its advance on all three fronts after it had achieved its military objectives: the destruction of the armies that threatened its existence, and the establishment of defensible borders.

### **International Law and Israeli Sovereignty**

Even one of the most critical of Israel's historians, Professor Avi Schlaim, acknowledges that Israel was the victim of Arab aggression in the Six Day War. This is a crucial point in regard to the issue of Israeli settlements in and sovereignty over the West Bank and Gaza Strip. International law is very clear. Had Israel been the aggressor, its occupation of the West Bank and Gaza Strip would have been illegal, as would all future expansion of Israeli population into these territories.

However, as the victim of aggression, Israel's legal position is exactly the opposite. The legal disposition of territories conquered in a defensive war can be determined only by a peace treaty between the belligerents. If such a peace treaty is absent, the continued sov-

ereignty and economic activities of the victim of aggression over its newly won territories is completely legal as long as such activity does not unfavorably prejudice the indigenous inhabitants. In fact Israel's sovereignty over the West Bank and Gaza Strip was beneficial, as we shall see, until their administration was turned over to the Palestinian Authority under the Oslo Agreements.

Immediately after the war, Israel offered to return conquered territory in exchange for a formal peace. The Arab nations rejected this offer, as they rejected similar offers after the previous Arab-initiated wars. Israel could legally have annexed all the newly won territories, but chose not to because it expected that eventually the aggressor nations would come to their senses and want their land back, and Israel would return some of these territories to their former occupiers in exchange for peace.

Israel did exactly this with Egypt, returning all of Sinai at the Camp David I accords in 1979. In these accords Egyptian leader Anwar es-Sadat refused to accept the Gaza Strip back, preferring that the Palestinians who lived there remain under Israeli sovereignty. When Jordan agreed to a peace treaty in 1994, King Hussein specifically excluded the West Bank from consideration, because by then 96% of Palestinians in the area were under the rule of the Palestinian Authority, and Hussein conceded that he had no legal claim to the area or its Arab population.

In sum, Israel is the only known country in all of history to come into existence via legal and beneficial land development (as opposed to the almost universal method of conquest). Israel's victory in the 1948 war and in the 1967 war, in which it was the victim of genocidal aggression, and the refusal of Arab nations to join it in peace negotiations, give Israel the legal right to maintain its sovereignty over its newly won territories, and to develop those territories in any manner that is not prejudicial to the well-being of the indigenous civilians. Had Arab leaders been amenable to peace with Israel, there could have been a Palestinian state in 1937, and again in 1947, and again in 1949; and there would never have been an Arab refugee problem. Had Arab leadership in 1967 and again in 2000 been amenable to peace with Israel, there would never have been a continued Israeli sovereignty

over the disputed territories of the West Bank and Gaza.

With this historical framework in place, one can understand the real issues behind the controversy over Israeli settlements in the West Bank and Gaza Strip and the legal status of the settlements.

## THE SETTLEMENTS

There are five types of settlements: A. Agrarian settlements for military purposes manned mostly by soldiers; B. Settlements of Jews returning to sites occupied by Jews prior to 1948 (Hebron, Gush Etzion, Jewish Quarter of East Jerusalem); C. Expanding suburbs of Israeli cities on or near the “Green Line;” D. Settlements unrelated to the previous three types; E. Illegal rogue settlements

### A. Settlements for Military Purposes

Agrarian settlements manned by IDF soldiers were established soon after the war along what the IDF felt were crucial corridors of defense, especially along the Jordan river, near the “Green Line,” in the Golan Heights, and near Gaza. Because Egypt, Syria and Jordan remained belligerent states for decades after the war, and because the PLO was actively trying to develop bases for terrorism in the newly conquered territories, and because Israel had previously been invaded across these territories, these settlements were intended primarily to serve a strategic military defensive purpose.

The Alon plan, developed by General Yigal Alon shortly after the war, envisioned a series of these military-agrarian settlements (referred to as “nahal” in Hebrew) protecting strategic areas along the Jordan river (it is important to recall that the Hashemite kingdom of Jordan was in a *de iure* state of war with Israel until 1994) and across parts of the West Bank where surveillance and the potential for rapid military deployment were deemed essential for security purposes.

In several cases, where Palestinian farmers utilized the Israeli court system to lodge complaints that the army was unnecessarily taking land without proper military purpose, the Israeli High Court of Justice decided in favor of the plaintiffs. The army site at Beth El (near Ramallah) is the best-known case, and probably one of the few cases in all of world history where the legal system of the victorious country decided in favor of the defeated, contrary to the security-

related demands of the army. The IDF was forced to move its base about ten kilometers further west, to accommodate the land claims of the local Palestinians.

### B. Settlements of Jews Returning To Their Pre-1948 Homes

Settlement of civilian Israelis in the West Bank began shortly after the 1967 war, with a small group of Orthodox Jews setting up a few households in the former Jewish section of Hebron, followed by a larger re-settling of Jews in the rapidly reconstructed Jewish Quarter of East Jerusalem. Jews had lived in Hebron almost continuously since the days of Joshua, 3100 years ago, and were expelled only during the horrific Arab pogroms of 1929 in which hundreds were slaughtered. Jewish habitation in Jerusalem had a similar millennia-long history, with the 1948 war and the massacre of about half of the population of the Jewish Quarter terminating Jewish presence there.

Later, Jews resettled the villages of the Kfar Etzion area (aka Gush Etzion) southwest of Bethlehem. Since this area had been extensively settled and developed in the early part of the 20th century by Zionist pioneers, and mobs of Arab irregulars had massacred most of the Jews of these villages during the 1948 war, the return of Israelis to these sites created additional Type B settlements.

### C: Settlements Expanding Suburbs of Israeli Cities On Or Near The “Green Line”

Unoccupied areas around Jerusalem and to the east of Kfar Saba and Netania (near Tel Aviv) and to the northeast of Petah Tiqvah were used as sites for major building projects that created low cost housing for the expanding populations of the Jerusalem and Tel-Aviv areas. In most cases, the land utilized for these projects was Jordanian ‘Crown Land’, land to which no individual could lay claim of private ownership. In the absence of Jordan’s willingness to enter into peace negotiations after the war, Israel’s expropriation of these unoccupied areas was legal in as much as Israel’s sovereignty, having been created via defensive actions against an aggressor nation (Jordan), was legal.

In cases where West Bank Arabs legally owned land that Israel wanted for these expansion projects, Israel bought the land at fair market prices. Land sale to Israel was fairly active throughout the

decades after the Six-day war. So much so that when the Palestinian Authority was established in 1994, Arafat declared that sale of land to Jews was a capital offense; and as a result, Palestinian families who had benefited from these sales were suddenly in mortal danger and some were forced to flee the West Bank.

The rapid growth in Jerusalem's Jewish population after the war presented the Israeli government with both a problem and a solution of considerable political valence. Areas of dense Jewish settlement were developed in order to accommodate this growth, and these settlements were used to surround Jerusalem, such that the 1948-1967 phenomenon of a "Jerusalem Corridor" (where Jerusalem was surrounded on three-and-a-half sides by hostile Arab towns and villages with access to other Israeli areas restricted to only one narrow road) would not be re-created in the context of a future peace agreement with the Arabs. The outlying areas (French Hill, Ammunition Hill, Gilo, Ma'aleh Adumim, Har Homah, *inter alia*) were turned into hi-rise suburbs that expanded the city's perimeter and accommodated the burgeoning population. Of these, only Gilo was built on privately owned land. A Christian family in Beit Jalla sold the hilltop site to the municipality of Jerusalem in 1974.

#### **D: Settlements Unrelated to the Previous Three Types**

Over time, religious and right wing political pressure supported the creation of settlements elsewhere in the West Bank and Gaza. Under Prime Ministers Begin and Rabin, these settlements proliferated. Often they were founded near ancient Jewish holy sites, such as Joseph's Tomb near Nablus (Biblical Shechem).

Arab spokespersons claim that these settlements, some of which were built well inside the West Bank or Gaza areas, stole land from Arab farmers. Israel claims that most land used for these developments was unoccupied and un-owned, thus qualifying as 'Crown Land' on which Israel had full legal right to build and develop. Where privately owned land was needed for settlement expansion, Israel claims to have purchased that land from its legal owners at fair market values.

There was considerable debate in the Israeli government and society at large as to whether allowing these Type D settlements to

be developed was productive in the context of Israel's long-term goal of achieving peace. Ultimately, the government felt that creating "uvdot bashetah" (facts in the field - settlements that were there, literally in concrete, with buildings, populations, agrarian and industrial activities, connected by efficient infra-structure to the pre-1967 Israeli areas) would be useful as bagaining chips in future negotiations.

#### **E: Illegal Rogue Settlements**

Illegal Rogue Settlements were set up by break-away settlers, often contrary to IDF and/or government instructions, sometimes on privately owned Palestinian land. Palestinian complaints about such illegal land grabs have been adjudicated in the Israeli court system with decisions not infrequently in favor of the Palestinians. These settlements, whether on illegally taken land or not, are considered illegal by many in Israel. Some have been forcibly dismantled. This is a very emotional issue in Israel, with mostly orthodox Jews demanding that all Jews be allowed to settle anywhere in the Promised Land (especially anywhere in the region where Abraham lived: i.e., the West Bank from Shechem/Nablus to Hebron). Anti-settlement sentiment among Israelis (especially the non-religious) is spurred in large part by these rogue sites; and it is almost exclusively this type of settlement on the West Bank that Prime Minister Sharon has considered dismantling even before peace negotiations with the Palestinian Authority.

#### **The Legality of the Settlements**

Anti-settlement spokespersons (Arab, Israeli and other) have repeatedly branded the settlements as illegal in accordance with the 4th Geneva Convention and international law. However, even a superficial review of the relevant elements of international law demonstrates that this interpretation of the Geneva Convention is a typical example of Orwellian "doublespeak". It is precisely international law, the Geneva Convention, and relevant UN resolutions that define these settlements as legal.

According to the Fourth Geneva Convention, the prohibition of exiling conquered populations and settling populations from the conqueror's territory into conquered territories pertains to territory conquered in an offensive war. These sections of the Convention

were written to deter future actions like those of the Nazis in Eastern Europe during WWII. Since Israel acquired sovereignty over the territories in a defensive war, it is highly questionable whether these prohibitions apply. The fact that the belligerent opponent (Jordan) remained at war (until 1994) meant that the conquered population was potentially hostile. Moreover, Israel never exiled any Arabs from anywhere in the territories (except in 1992 when it deported about 400 terrorists to south Lebanon in an attempt to stop terror activities).

On the contrary, because of Israel's policies of 'open bridges' across the Jordan (although Jordan was still in a state of declared war with Israel), Arabs migrated into Israel in vast numbers, and the Arab population of the West Bank tripled, from about 650,000 in 1967 to more than 2,000,000 in 1994, with a commensurate increase in Arab settlements (some estimates suggest that as many as 260 new Arab villages or expansions of existing sites occurred during this time).

It is obvious therefore, that Israeli settlement activity not only did nothing to infringe on the well being of the indigenous population; rather, that activity actually created the beneficial economic environment into which hundreds of thousands of Arabs could integrate.

Regarding territory conquered in a defensive action, the Charter of the League of Nations (the same one which gave Britain the right to establish a Mandatory Government over Palestine and which declared that British Mandatory Palestine was to be the homeland of the Jewish people) indicates that the disposition of such territory will be part of the peace treaty between the warring parties. In the absence of such a treaty, the disposition of these territories remains in dispute. Such territories should be referred to as "disputed territories," not "occupied territories." Their continued occupation by the defensive party is legal. Since the wars in 1948 and 1967 were defensive, Israel's occupation of territories beyond the 1947 partition boundaries and 1949 armistice boundaries is completely legal. The Charter of the United Nations accepts, and with no authority to change it, the Charter of the League of Nations. So the League of Nations Charter is still international law, and offers a congruent and rational balance to the 4th Geneva Convention (i.e., the Charter describes the rights of a nation occupying territory in a defensive action, and the Convention describes the

limitations placed upon a nation occupying territory in an offensive action). Both are valid under international law.

It is also legal for the defensive party maintaining occupation in the absence of a peace treaty to take necessary measures to maintain security. Thus Nahal settlements (for military reasons) are legal according to international law.

International law is also clear that populations that had been dispossessed from their ancestral homes by an offensive action have the right to re-settle their homes when a successful defensive action re-captures the land from which they were driven out. Thus the return of Jews to Hebron, Gush Etzion, and the Jewish Quarter is also legal under international law.

UN Resolution 242 (November 22, 1967) makes it clear that the purpose of the resolution is to create a just and lasting peace, with guarantees for the territorial inviolability, mutually recognized borders, and political independence of every state in the area. According to Eugene Rostow, one of the drafters of 242, the plain meaning of the resolution is that Israel's administration of the West Bank and Gaza is completely legal until a just and lasting peace is achieved. Such administration, in the absence of a peace treaty, and in the face of continued hostility from Arab nations and terrorist groups, can include the development of unoccupied segments for housing a growing population. Such activity is not the same as transporting population to the territory for resettlement. So the third type of settlement (C) is also legal.

Type D Settlements are more complex. Nothing in the Geneva Convention prohibits voluntary development of the disputed territories. What is prohibited is forced deportations and organized displacement of original populace by a forced settlement of the conquering population. So, to the degree that settlements of Type D are a function of voluntary Israeli settling in areas of the West Bank and Gaza Strip without the sequestering of Palestinian land and the removal of Palestinian population, these Type D settlements are legal. Moreover, since the West Bank and Gaza were never legally part of any sovereign nation (they were part of British Mandatory Palestine till November 29, 1947, were intended by the UN to be part of a Palestinian State,

and were over-run and illegally occupied by Jordan and Egypt in the 1948 war, in stark and defiant violation of the UN partition plan, UN resolutions 181 and 194, and international law), Israel's occupation of these territories after the 1967 war does not violate the legal claims of any nation.

However, since some privately owned Palestinian land was taken by government fiat, and it could be argued that either by complicity or by design the Israeli government sponsored these settlements (thus making it more of a government plan rather than a voluntary settlement), it seems fair to say that Type D settlements, although legal according to the Fourth Geneva Convention and relevant UN resolutions, may be in a gray area morally.

Rogue settlements (Type E) are palpably illegal. Israeli government officials have referred to them as "rogue" settlements, IDF forces have dismantled some, and Prime Minister Sharon has targeted some for a similar fate.

### **Impact of Settlements On Arab Population**

The impact of Israeli settlements (excluding rogue settlements) has been almost exactly the opposite of what the Arab propaganda claims.

It is important to note that from 1967 to 1992, the population and economy of the West Bank grew substantially. The standard of living of the Palestinians, as well as the average per capita income, increased almost exponentially. This was in part due to the Israeli "Marshall Plan", which expanded the infra-structure, modernized roads and the supplies of water, electricity, and sewerage, and made 20th century medical care available. Telephone and radio technology was upgraded to 20th century levels. Economic progress was also due in part to the integration of the Palestinian workforce into the Israeli economy by the employment of hundreds of thousands of Palestinians in a wide variety of Israeli business and agricultural endeavors.

The growth of tourism throughout the West Bank was a further boost to the area's economy. The population of the West Bank and Gaza Strip more than tripled from 1967 to 1994, with an Arab population of about 950,000 in 1967 growing to more than 3,000,000 by

1994. Seven universities, some sponsored in part by Jewish donors and the Israeli government, came into being where only three teacher-training institutions had existed before.

Rather than displacing Palestinians, the Israeli sovereignty over the West Bank stimulated substantial growth and improvement. It has been noted that when an Israeli settlement of any of the first 4 types was erected, areas around it that were hitherto uninhabited became foci for Palestinian shops selling agricultural goods and cottage industry wares to the Israelis. Later, Palestinian houses followed the shops.

Moreover, during the decades after 1967, there were no road-blocks or lock-downs or curfews (except on rare occasions when the Israeli military or central intelligence agencies learned of the presence of terrorists in a specific village or town). West Bank and Gaza Strip Arabs shopped in Tel Aviv, and Jews shopped in east Jerusalem and Ramallah.

It is only since 1994, when 96% of Palestinians living in Israel came under the autonomous and independent control of the Palestinian National Authority, that the economies of the West Bank and Gaza Strip have been crippled and the lives of the Palestinians wrecked by the Authority's despotic and terrorist rule. The West Bank's GDP in 2003 was about one-tenth of what it was in 1992. Only because of Arafat's terror war was Israel forced to implement now infamous and wildly exaggerated harsh measures to stop terror attacks and protect civilian lives.

It is also important to note that the so-called "apartheid roads" did not exist prior to Arafat's 1994 ascent to power, nor are they apartheid. During the decades from 1967 on, Israelis and Arabs used the same roads, many of which ran as main streets through the towns and villages of the West Bank, bringing in millions of tourist dollars to hitherto impoverished small-town Arab merchants. Only after Arafat began his terror war, and Israelis driving through Arab towns found themselves in mortal danger, did Israel build the "Israelis only" (not "Jews only") roads. Rather than take punitive measures against Arab offenders who murdered or injured Israeli motorists (Jewish, Christian, and Moslem), the government decided instead to create this

by-pass system so that Israelis could reach West Bank and Gaza Strip destinations without exposing themselves to terrorist attacks.

In sum, until Arafat began his terror war, the growth of the Israeli population in the West Bank and Gaza, and the expansion of Israeli villages and towns in those territories, was highly beneficial economically for the West Bank and Gaza Arab populations, did not entail significant loss of Arab privately owned land, offered legal recourse to the rare cases of unfair expropriation, and was accompanied by a far, far greater growth of Arab population and settlements in the West Bank and Gaza.

### **The Role of the Settlements in the Peace Process**

The role of the settlements in the context of the current conflict, and in the contentious issue of applying the “Road Map” to future peace negotiations, is perhaps the most complex and difficult issue to deal with. This is precisely because Arab propaganda has been so effective in establishing as axiomatic that the settlements are:

- a.) Illegal
- b.) A symptom of Israel’s intent on conquest of Palestinian land and are thus inherently an obstacle to peace
- c.) A harbinger of Israel’s permanent occupation of the West Bank and Gaza Strip and hence make territorial compromise impossible
- d.) Signal Israel’s inherently obvious unwillingness to negotiate a fair peace.

Therefore, it will be most useful to look at these Arab contentions, and see how they correspond to historical reality.

Are the settlements illegal? We have already seen that they are not.

Are the settlements an obstacle to peace? From 1949-1967 there were no settlements in the West Bank or Gaza Strip. Nor was there peace. Arab belligerence was unrelated to West Bank and Gaza settlements. The settlements to which the Arabs objected at that time were Tel Aviv, Haifa, Hadera, Afula, etc.

In June, 1967, immediately after the Six Day War, and before there were any Israeli settlements in the West Bank and Gaza Strip, Israel

proposed its dramatic peace initiative both at the UN and in *sub rosa* talks with Jordan. This initiative was rejected by all Arab states and the PLO at the Khartoum Conference in August-September, 1967. The obstacle to peace was the very existence of Israel, not settlements in the West Bank.

In 1979, as part of the accord with Egypt, Israeli settlements in Sinai were evacuated. In the context of a peace treaty, settlements are negotiable, can be, and were, dismantled.

In 1979, as part of the accord with Egypt, Israel froze settlement expansion for three months, in order to encourage entry of Jordan into the Egypt-Israel peace process. Jordan refused. The freezing of settlements did not stimulate peaceful interaction. Arafat (then engaged in creating a terrorist state in south Lebanon) was invited to join Egypt at the peace talks, and this settlement freeze was intended to encourage his participation. He refused. The existence of settlements in Sinai did not interfere with the Israel-Egypt peace accords; and the freeze on settlement activities did not encourage Jordan or the PLO to enter into peace accords.

In 1994, Jordan signed a peace treaty with Israel, while settlements in the West Bank and Gaza Strip were growing in size and increasing in number. The existence and expansion of the settlements in no way impaired the peace process with Jordan.

Do the settlements make territorial compromise impossible? The accords discussed at Madrid, Wye, Oslo and Taba all include the acknowledgement that settlements (a few, some, many, probably not all) will be dismantled in the context of a peace agreement. Those accords were discussed while settlements were expanding. Settlements did not impede negotiation then.

Currently, about 250,000 Jews live in a total of 144 communities scattered through the West Bank and Gaza Strip. 80% of them could be brought within Israel’s pre-1967 borders with only a very minor rearranging of “green line” boundaries.

Part of Barak’s offer to Arafat in 2000 was the exchange of land such that the Palestinians would be compensated for the small number of settlements that would not be dismantled by the ceding of

Israeli land within the pre-1967 boundaries to the Palestine National Authority. This offer was in addition to the approximately 95% of all the disputed land in the West Bank and 100% of the territory in Gaza which were to be under the control of the Palestinian Authority. Arafat rejected this offer, much to the surprise and chagrin of President Clinton.

Does Israel's violation of international accords by building the settlements show Israel's unwillingness to negotiate a fair peace? In regard to the Geneva Convention and UN Resolution 242, we have seen that the settlements do not constitute violations of international law. Therefore, this argument is a red herring.

The Camp David accords called for a 3-month moratorium on settlements. Prime Minister Menahem Begin kept this agreement.

The Oslo Accords say nothing about settlements. It was tacitly and informally agreed upon that a moratorium on settlements would be one of 16 "confidence building" measures that Israel and the PNA would undertake. The provision about not changing the "status" of the territories refers to the agreement that neither side would unilaterally annex the areas (or declare them an independent state). In the presence of glaring, overt, and provocative violations of every one of the Oslo Accords by the Palestine National Authority almost immediately after its signing, Prime Minister Netanyahu's government felt itself under no obligation to maintain the tacit informal agreement. Since the Palestine National Authority was not building confidence by ending terrorist attacks (it was actually behind them), why should Israel compromise its security and position for future negotiation?

While Israel has built a total of 144 settlements in the West Bank and Gaza, more than 260 new Palestinian settlements have been constructed. These serve as testimony to the flourishing of the West Bank's economy and the growth of Palestinian population under Israeli control (1967-1994), contrary to the Arab allegations that Israel has perpetrated genocide and crippled the economy of the West Bank. By what logic would anyone suggest that these Palestinian settlements are any less a threat to negotiations or a change of status of the territories than are the Israeli ones?

Summing up: All the settlements except those of the rogue variety are legal. Their growth and expansion have contributed substantially to the economic improvement of the West Bank and the Gaza Strip. When there were no settlements in the West Bank and Gaza Strip, no territorial compromises or peace settlements were reached. Later territorial compromises and peace agreements have been reached despite the existence of settlements in the West Bank and Gaza Strip. Israel's settlements violate no international accords. Therefore, it is irrational to suggest that Israeli settlement in the West Bank and Gaza Strip prevent peace. Rather, it is the unwillingness of the Palestine National Authority to control the Arab terror groups, to stop the incitement and to negotiate honestly, that makes compromise impossible.

### **What About Unilateral Withdrawal?**

Part of the intent in creating "uvdot bashedakh" (facts in the field) was to create "bargaining chips" for future negotiations. They are one of the issues that Israel will negotiate. That is clearly what Netanyahu and Barak had in mind when they encouraged settlement expansion following Arafat's violations of the Oslo Accords. There is no rational justification for a one-sided curtailment of population growth when the other side maintains a state of war despite the agreement to curtail violence.

The security needs that prompted the Alon Plan and militarily warranted settlements still exist; especially in light of the surge of terror activities sponsored openly by Hamas and at least 9 other terror groups operating in Israel. In addition, these needs exist in light of many terrorist factions and Arab states that refuse to consider any peace with Israel, that continue to perpetrate Jew-hatred in media and education, and that continue to promulgate the goals of Hamas and other terror groups for the total destruction of Israel. The settlements and IDF presence in the major Arab population clusters of the West Bank reduce substantially the ability of terror groups to successfully launch their attacks. Unilateral withdrawal enhances the ability of the terror groups to wage terror war.

Any unilateral dismantling of settlements is likely to be interpreted by the Palestine National Authority and terrorist leadership as

a victory for terrorism. This, in fact, is exactly what has happened following Prime Minister Sharon's decision to unilaterally dismantle Jewish settlements in the Gaza Strip and at the northern part of the West Bank. Terrorist spokespersons rejoice in the apparent success of their terror activity, which they claim is the real motivator for Sharon's decision, while official Palestinian spokespersons suggest that the unilateral withdrawal from the Gaza Strip is just another Israeli deception. According to their logic, instead of being a real concession to the Palestinian demand for national self-determination, the unilateral withdrawal is actually aimed at distracting the world and the Palestinian leadership so that Sharon can strengthen his hold on the West Bank and continue to expand Jewish settlement there.

After Oslo, Netanyahu abandoned any thought of a settlement freeze because the Palestine National Authority made clear its intent to disregard Oslo and pursue a policy of unrelenting terror. It is believed by some that part of his purpose in creating more settlements was to send Arafat a clear signal: 'If you keep doing your anti-Oslo behavior, the area that you are likely to end up with as a Palestinian state is going to get smaller and smaller.' Sounds logical, especially since a military response may have been justified but would have caused world outrage. It didn't work, even though a number of Palestinian intellectuals and political leaders (most notably, Elyas Freij, mayor of Bethlehem, quoted in the *Washington Post* in 1991) publicly advocated negotiation because the growth of Israeli settlements in the West Bank made it clear that "time is on Israel's side now".

It did not work, probably, because Arafat never intended to negotiate. He always intended to perpetrate his long-dreamed final solution of the total destruction of Israel. In his 90-minute cell-phone speech to a Lebanese PLO radio station on April 14, 2002 (from his bedroom of his headquarters in Ramallah which Israel had surrounded and partially destroyed in Operation Defensive Shield), he outlined his strategy. With the help of other Arab states, with the success of Arab propaganda to gradually weaken Israel's legitimacy in the eyes of the world such that UN forces could be deployed to assist the Palestinians and impede the Israelis in a future battle, and with the United States Israel's only foul-weather friend having moral and political difficulty

providing assistance to what was now defined as a rogue nation, the terror armies and their allies could use the West Bank as a launching pad for the great final *Jihad* against Israel. Arafat's intent as expressed in that speech has been corroborated by the Israeli destruction of major arms smuggling networks handling hundreds of tons of illegal weaponry and munitions since 2001, most recently the 50 tons of weapons on the ship, the *Karine A*, and the scores of smuggling tunnels from Sinai to the Gaza Strip. If this buildup of terror is allowed to continue, it will ultimately compromise the welfare of the entire free world as we know it.

There is no rational justification for a one-sided settlement compromise when the other side maintains a state of war. Unilateral withdrawal enhances the ability of the terrorists to wage terror war. In light of the unrelenting commitment of terror groups and Mahmoud Abbas' frequent public statements commending the terror groups, defining their casualties as martyrs, and vowing to never use force against them, it is irrational to suggest that further Israeli concessions will generate a Palestinian willingness to reciprocate. In fact, the opposite has happened. The failure of Camp David II was due in large part to Arafat's strategy of pocketing Barak's concessions, making no substantive concessions in return, and then demanding more from Barak (see Dennis Ross, *The Missing Peace*, 2005).

In August 2005, Israel unilaterally withdrew from the Gaza strip and removed all Israeli settlements from the area, along with all 8,500 Jewish settlers. In addition, Israel dismantled settlements at the northern part of the West Bank. Israel had made an historically unprecedented concession in an attempt to jump-start the peace process, and demonstrate to the Palestinians that it was willing to trade land for peace. Yet, there was no movement on the part of any Palestinian leader to reciprocate. Instead there were terrorist leaders on Arab TV, radio, newspapers, all declaring that the withdrawal was a great victory for Arab terrorism, and that the terrorist attacks must escalate so that Israel could be annihilated and all of Palestine "liberated." In other words, the problem is not the settlements. They were dismantled. The problem is the existence of Jews in the land between the Jordan River and the sea, and the commitment of the Arab terrorist leader-

ship to the destruction of Israel and the genocide of its people.

### CONCLUSION:

The most famous recent episode of the rejection of the creation of a viable contiguous Palestinian state and the resolution of the refugees problem was in the year 2000 when the PA Chairman Arafat rebuffed President Clinton's most generous offer and initiated a cruel intifada against Israel. At that time, the Israeli Prime Minister Barak, hoping to end the protracted conflict with the Arabs, accepted the offer despite the fact that it would have forced Israel to make extremely painful concessions.

Most Israeli settlements in the West Bank and the Gaza Strip are legal and violate no international laws or relevant UN resolutions. Most do not involve the theft of any Palestinian land. The settlement movement has provided enormous benefit to the Arabs of those areas and fueled a tripling of the Arab population and a skyrocketing West Bank economy -- until the onset of Arafat's rule. Settlements do not create stumbling blocks to peace or hindrances to peace negotiations. They can be, and have been, dismantled in the context of negotiations with an honest peace partner. Concessions about settlements should be made only in the context of negotiations, which can begin only after Palestinian leadership stops the violence, ends the terror war, and ends the hate speech, hate preach, and hate teach that have permeated Palestinian society since 1994.

Now that, painfully and unilaterally, Israel has relinquished all the settlements in the Gaza Strip and in the Northern part of the West Bank, it will be even easier for the Palestinians to demonstrate if they intend to proceed toward peace. Their actions so far are not very promising.

There is no issue relating to the Israeli settlements in the West Bank that could not be settled honorably to mutual satisfaction at the negotiating table between honest peace partners negotiating in good faith. The question of the remaining settlements is a matter for final status negotiations.

The simple fact is that no sovereign state would ever be expected to do otherwise.

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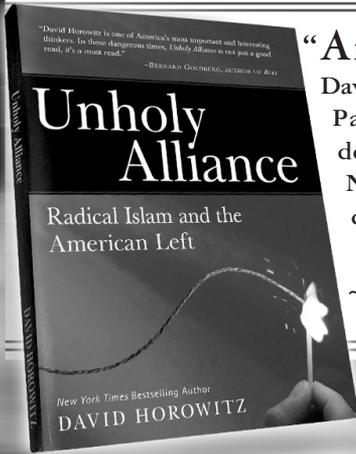
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### BIOGRAPHICAL NOTE

#### David Meir-Levi

David Meir-Levi is an American-born Israeli currently living in Palo Alto, California. He holds a BA from Johns Hopkins University, and an MA in Near Eastern Studies from Brandeis University. He taught Archaeology and Near Eastern History at the Hebrew University in Jerusalem and at the University of Tel Aviv in the 60's and 70's, during which time he completed his service in the Israeli military. Upon returning to the USA, Mr. Meir-Levi has worked as a professional Jewish educator, most recently in the San Francisco Bay Area.

Mr. Meir-Levi is the Director of Research and Education at the Israel Peace Initiative (IPI), a grass-roots not-for-profit organization in the San Francisco Bay area working to educate the American public and its leaders in to the history of the Arab-Israel conflict and realistic options for resolution. For more information about IPI, see: [www.ipi-usa.org](http://www.ipi-usa.org).



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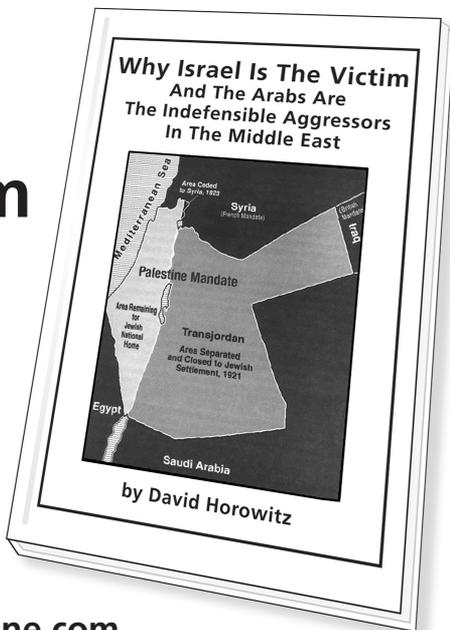
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