

# THE NAKBA: 70 YEARS ON

70 Years of Dispossession, Displacement and Denial of Rights, but also  
70 Years of Steadfastness, Self-Respect and Struggle for Freedom and Justice

PASSIA

## INTRODUCTION

2018 is the year where Palestinians all over the world remember the 70th anniversary of the Nakba - 70 Years in which they had their civil and national rights trampled on, sacrificed lives and livelihoods, had their land stolen, their property destroyed, promises broken, were injured, insulted and humiliated, endured oppression, dispersion, imprisonment and torture, and witnessed numerous attempts to partition their homeland and divide their people.

However, despite all past and ongoing land confiscation, settlement construction, forcible displacements and rights denials, the Zionist movement has failed to empty the country of its indigenous Palestinian inhabitants, whose number has meanwhile increased to an extent that it is about to exceed that of the Jews. Despite all repressions at the hands of the occupier, despite all attempts at erasing or distorting their history and memory, and despite all political setbacks and failed negotiations, Palestinians are still steadfast on their land and resisting occupation.

The 1948 Nakba remains the root cause of the Israeli-Palestinian conflict and will continue to fuel the Palestinian struggle for freedom and self-determination. As clearly reflected in the 'Great March of Return' which began on 30 March 2018 along the Gaza border fence, the Palestinians will not relinquish their historical and legal right of return to their homeland nor their demand that Israel acknowledges its moral and political responsibility for this ongoing tragedy and the gross injustice inflicted on the Palestinian people.

This bulletin intends to present a Palestinian narrative of the history of the events preceding and surrounding the Nakba and the partition of Palestine. It shows how Palestine became a pawn in the hands of European countries, Jewish Zionists and Arab leaders, and explains why and how the Nakba continues to this day.

### Contents:

Prelude to Disaster .....	2
Revisiting the Events of 1948 and its Aftermath .....	8
The Nakba in Jerusalem .....	11
Continuous Nakba .....	13
Conclusion .....	15

## What is the Nakba?

The term “Nakba” (Arabic for “disaster” or “catastrophe”) refers to the deliberate and systematic mass expulsion of Palestinians by Zionist forces, which resulted in the creation of the Palestinian refugee problem, as well as the destruction and confiscation of their property during the period leading to and following the creation of the state of Israel (1947-49). It is closely linked to the emergence of both Western efforts to secure materialistic hegemony over the resources of the Middle East and of political Zionism in 19th Century Europe, its growing determination to establish a nation state for Jews to escape centuries of anti-Semitic persecution, and the subsequent immigration of Jews to the “Promised Land”. The Zionist colonization of Palestine as a process thus began long before 1948.

In 1998 then-President Yasser Arafat decided that ‘Nakba Day’ will be commemorated annually on 15th May, the day after Israel proclaimed its independence in 1948. However, though the Nakba dates back to 1948, it was not a one-time occurrence, but part of a larger plan for the ethnic cleansing of the Palestinians from Palestine which is still going on today. Since that first wave of dispossession and displacement, entire generations of Palestinians have been born scattered around the world and lived without justice and freedom. The conflict still endures and the events of the past are still shaping present-day Palestinian life, upholding the refugee problem, disintegrating an entire society, thwarting economic development, and keeping a nation broadly dependent upon international aid for survival.

## Prelude to Disaster

The roots of the Palestine problem date back to the late 19<sup>th</sup> Century, when Palestine was part of the Ottoman Empire. During this time competing colonial interests put the region in the crosshairs of the Western powers’ larger designs in the Middle East. Jewish nationalism (Zionism) developed in Europe into a political movement of Jewish intellectuals led by Theodor Herzl, which, at the first **Zionist Congress in 1897** in Basel, established Zionist institutions with the goal to bring Jews to Palestine.<sup>1</sup> The Nakba must thus be understood as part and parcel of the larger Western designs in the Middle East dating back more than a century, as the following historical brief will illustrate.

“If I wanted to sum up the Basel Congress in one word – which I wouldn’t do in this way publicly – it would be: In Basel, I founded the Jewish state. If I stated that publicly, people would laugh in response. Perhaps in five years, certainly in fifty, everyone will recognize this.”

Theodore Herzl,  
Diary entry, 3 September 1897.

During World War I, the Western Allies pinpointed the weakness of the Turkish Ottoman Empire – an ally of Germany – which was partially caused by the Arab people’s “awakening” and rising call for independence. In 1915, the British government commissioned Sir Henry MacMahon to correspond with the Hashemite leader Sharif Hussein Ibn Ali of Mecca (known as **Hussein-McMahon correspondence**) to encourage him to ally with Britain against the Ottomans. In return, MacMahon offered British official support for Arab independence and a unified Arab kingdom under Hashemite leadership. This assurance contributed to the outbreak of the **Arab Revolt** for independence from Ottoman rule of June 1916.



Sir Henry MacMahon



Sharif Hussein

That same year, the French and British laid down their interests in another – secret, because contradictory – agreement (**Sykes-Picot Agreement** after its negotiators, the British orientalist Sir Mark Sykes and the former French Consul General in Beirut Charles Georges Picot) dividing the territory of the Ottoman Empire under their control after the war. Russia would get Constantinople, the Bosphorus Strait, and most of the provinces close to the Caucasus. France would receive Syria (including Lebanon), while Britain would acquire Iraq and Jordan. Palestine was to be divided with France controlling the north and Britain the Haifa-Akko area. The rest (excluding the



Sir Mark Sykes



Charles G. Picot

<sup>1</sup> A first wave of Jewish immigration (or *aliyah*) had begun in 1882, mainly from Eastern Europe.



The Syces-Picot Agreement

Negev) was to be placed under international administration. The legacy of Sykes-Picot, designed to meet Western colonial interests, is an Arab wound that has never healed and the repercussions of which still attribute to the political instability in the Middle East.

The British also held talks with Zionist leaders and promised their support for “the establishment of a Jewish national home in Palestine”, which was formalized in the **Balfour Declaration** – a letter sent on 2 November 1917 by British Foreign Secretary Arthur James Balfour to Baron Lionel Walter de Rothschild. The Balfour Declaration was later included in the British Mandate document ratified by the League of Nations in 1922. While it also stated that “nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine”, it first and foremost gave a great boost to the Zionist Movement.

As World War I continued, Amir Feisal, son of Sharif Hussein Ibn Ali, led the Arab Revolt forces alongside Allied troops into Damascus on 3 October 1917 and on 11 December 1917, the British Army entered Jerusalem under General Allenby, **ending 400 years of Ottoman rule**. Britain then established the Occupied Enemy Territory Administration (OETA), which was in control until 1920.

In January 1919, the **first Palestinian National Congress** met in Jerusalem and sent two memoranda to the post-War Paris peace conference at Versailles, rejecting the Balfour Declaration and demanding independence. In March, the conference decided to send an international commission of inquiry to ascertain the aspirations of the people in the Near East, and in June-July 1919, the Americans Henry King and Charles Crane (known as **King-Crane Commission**) examined the situation in Palestine. Their report, which was kept secret for three years and remained unpublished until 1947, warned against the effects of unrestricted Jewish immigration and Zionist plans, recommending that “the project

**The Balfour Declaration, 2 Nov. 1917**  
*“Dear Lord Rothschild, I have much pleasure in conveying to you, on behalf of His Majesty’s Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by the Cabinet. ‘His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.’ I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.”*  
 Signed by the British Foreign Minister at the time, Arthur James Balfour

for making Palestine distinctly a Jewish commonwealth should be given up,” stating “To subject a people so minded to unlimited Jewish immigration, and to steady financial and social pressure to surrender the land, would be a gross violation of the principle just quoted, and of the peoples’ rights though it kept within the forms of law...”.



Commission led by Henry King and Charles Crane (seated)

Britain, meanwhile, realizing that its three pledges (the 1915 MacMahon-Hussein Correspondence, the 1916 Sykes-Picot Agreement, and the 1917 Balfour Declaration) were contradictory, encouraged their allies – the Arab national movement under **Amir Faisal**, and the Zionist movement under **Chaim Weizmann** – to formulate an agreement on Arab-Jewish relations. As Faisal knew no English and Weizmann no Arabic, British intermediaries, including T.E. Lawrence, drafted the documents



Chaim Weizmann      Amir Faisal

according to their interpretation. Faisal added his own handwritten conditions in Arabic to the English document. In January 1919, the Faisal-Weizmann Agreement was signed (but remained unpublished until 1936), providing for Jewish immigration to Palestine and the establishment of a unified, independent Arab state.

In April 1920, the post-World War I **San Remo Conference** awarded the mandate for Syria and Lebanon to France and that of Palestine, Transjordan and Mesopotamia (Iraq) to Britain, and the new League of Nations gave Britain mandated control of Palestine. Jewish Herbert Samuel<sup>2</sup> was appointed as first British High Commissioner of Palestine (until 1925). That same year, Amir

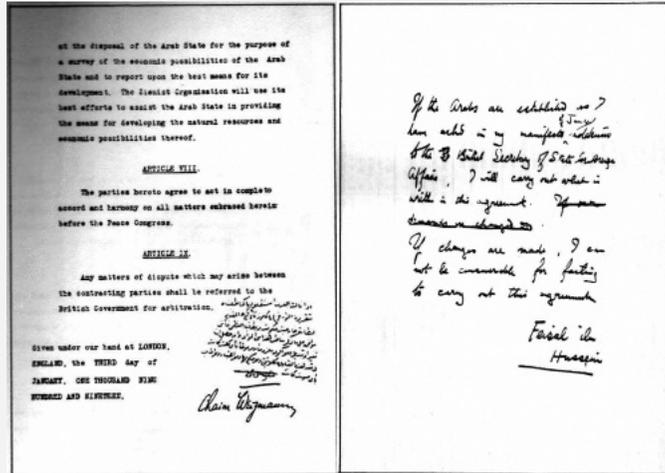
Faisal was proclaimed King of Syria and Chaim Weizmann was elected president of the Zionist Organization. Meanwhile, tensions over Jewish immigration peaked in an anti-Zionist uprising during the Muslim festival of Nabi Musa in early April 1920, an annual Islamic festival from Jerusalem to Jericho and the site of the Mosque of Prophet Musa (**Nabi Musa Uprising**), which took place since the 12<sup>th</sup> Century.

As Palestinians increased their resistance to the British Mandate and Zionist plans, Britain tasked the Chief Justice of Palestine, Sir Thomas Haycraft, to look into the recent violence. The **Haycraft Commission's** report, published in October 1921, attributed the disturbances to Arab fears about increasing Jewish colonization, and led to the issuance of the **Churchill White Paper** of June 1922 (named after the Secretary of State for the Colonies, Winston Churchill), which noted that Arab hostility stemmed from Jewish immigration and Zionist policy and reasserted British support for the idea of a Jewish national home in Palestine, for which "it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration." However, it also stated that Palestine should not become "as Jewish as England is English", but rather see the establishment of "a center in which Jewish people as a whole may take, on grounds of religion and race, an interest and a pride," but without exceeding the economic absorptive capacity of the country.

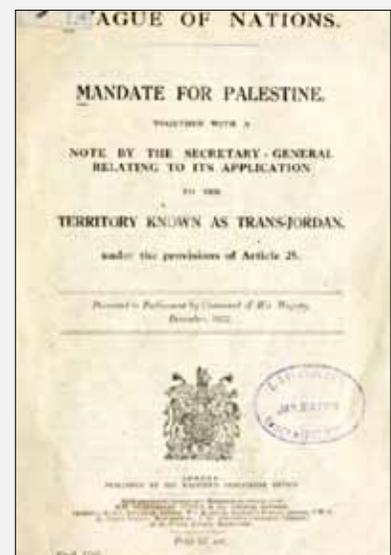
Without the consent of the Palestinians, the League of Nations Council formally approved the **British Mandate for Palestine** on 24 July 1922, officially coming into effect on 29 September 1923 (when the Treaty of Lausanne with Turkey came into force). The text of the Mandate said nothing about the national rights of the largely Arab inhabitants. **Arab-Jewish tensions** continued to smoulder and escalated again in September 1928 when British authorities removed a screen placed by Jews at the Western Wall to separate male and female worshippers, a move Palestinians denounced as a change in the site's *status quo*. The incident was politicized over the following months and led to violence on 23<sup>rd</sup>-29<sup>th</sup> August 1929 when Palestinians and Jews attacked each other in a number of cities, leaving some 250 people dead.

Britain subsequently dispatched the **Shaw Commission**, led by Sir Walter Shaw, to investigate the violence and re-examine the immigration policy. Its March 1930 report concluded that Palestinian violence resulted from their fear of Zionist immigration and land purchases and recommended limitations on both. The follow-up **Hope-**

<sup>2</sup> His appointment was greeted with dismay by the Palestinians and with joy by the Zionists, and his policies went a long way towards setting the foundations for a Jewish takeover of Palestine. While denying the Palestinians a cohesive authority, he allowed the Jews to build institutions and even granted them the right to levy taxes. His appointments of rival Nashashibis and Husseinis to positions of authority weakened the Palestinian political resistance to Zionism, and his administration of the land set the precedent for a system of expropriation which is still employed by the Israeli government today. His tenure as High Commissioner, during which the Jewish population in Palestine was allowed to double through immigration, was marked by anti-Palestinian policies including closure of Palestinian institutions and a ban on Palestinian flags. These policies have been faithfully reproduced by the Israelis in the post-1967 occupation of Palestine.



Last page of the Faisal-Weizmann Agreement



Cover of the British Mandate for Palestine document

**Simpson Commission of Inquiry** (conducted by Sir John Hope-Simpson) to investigate on the economic absorptive capacity of Palestine, also recommended restrictions to Jewish immigration and land acquisition as it was causing a growing population of landless Arabs and threatened Palestinian agriculture. The recommendations of both Commissions were adopted by the **Passfield White Paper** (after British Colonial Secretary Lord Sidney Webb Passfield) in October 1930, but after strong Zionists protests, British Prime Minister Ramsay McDonald sent a 'Black Letter' to Chaim Weizmann largely nullifying the document's immigration clauses.

*"This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment."*

From the Passfield White Paper, October 1930

In October 1933, the **Arab Executive Committee**<sup>3</sup> called for a **general strike** to protest ongoing British pro-Zionist policies and the influx of large numbers of Jews.<sup>4</sup> British police violently suppressed disturbances but tensions remained high, and in April 1936, the Palestinian **Great Revolt** began: a widespread national uprising against the British, demanding independence and the end to Zionist colonization. National Committees as well as the **Arab Higher Committee**, chaired by the Grand Mufti of Jerusalem Haj Amin Al-Husseini, were established and a **general strike** (April-October 1936) was adopted.



Members of the Arab Higher Committee



Disturbances in Jaffa during the Great Revolt

The British appointed the **Peel Commission**, led by Lord Earl Peel, to investigate the 1936 riots and the overall situation. Its report in July 1937 concluded that the Mandate was unworkable, that both sides could not live in peace together in one state, and that Palestine should be partitioned into two states, one Jewish and one Arab, with a British-controlled corridor from Jerusalem to the coast at Jaffa. The plan was rejected by the Arabs, with the exception of Amir Abdullah of Transjordan, and split the Zionist movement. As a result, the Great Revolt resumed, and led the British to dissolve the Arab Higher Committee and all National Committees, arrest many of their members, and deport some of them to Seychelles Islands. In November 1937, while the Palestinians were practically left without a leadership, the Jewish paramilitary **Irgun** embarked on a series of indiscriminate attacks against Palestinian civilians, who began organizing as guerrilla fighters.



Lord Peel reading his opening speech

<sup>3</sup> Body set up in December 1920 to represent and defend the Palestinian cause. It held seven congresses, sent several delegations to Europe, mainly London, to present the Palestinian case against Jewish immigration, and led the Palestinian political movement until it was dissolved by the British in 1934.

<sup>4</sup> This was the period of the so-called fifth *aliyah*, which brought with over 250,000 people the biggest wave of immigrants to Palestine, mostly from Europe, where National Socialists were, particularly in Germany, on an alarming rise.

In April 1938, the British **Palestine Partition Commission** (better known as **Woodhead Commission** after its chair Sir John Woodhead), held hearings (boycotted by Palestinians) to study the practicability of the Peel Commission recommendations, concluding that partition was not workable. After all of its three proposals (published in November 1938) were rejected by the Zionists due to the limited scope of the proposed Jewish state, the British called for a conference on Palestine.

The **St. James Roundtable Conference** with British, Jewish, Palestinian and Arab participants took place from 7<sup>th</sup> February-17<sup>th</sup> March 1939 at St. James's Palace in London, but failed to produce an agreement on immigration and land sales. The British government subsequently laid down its own policy in the **MacDonald White Paper** (named after Colonial Secretary Malcolm MacDonald) on 17<sup>th</sup> May 1939, disclaiming any intention to create a Jewish state, placing restrictions on Jewish immigration and land purchase, and envisaging an **independent state in Palestine** with a two-thirds Arab majority within 10 years. This marked the end of British commitment to the Jews under the Balfour Declaration and was rejected by the Zionist movement (as well as by the Arab Higher Committee for not going far enough), but remained British policy until 1947.



*St. James Roundtable Conference, London, 1939*

In response to the MacDonald White Paper, the Zionists launched a bloody **anti-British and anti-Palestinian campaign** with the aim of driving both out of Palestine and paving the way for the establishment of the Zionist state. In the early 1940s, the head of the Jewish Agency for Palestine, David Ben Gurion, mobilized American Jewry and in 1942, the **Biltmore Conference** of American Zionists formulated the idea of a 'Jewish Commonwealth' in Palestine - endorsed by the US Congress and House of Representatives in 1944 and 1945 respectively.

Meanwhile, **World War II** had broken out (on 1<sup>st</sup> September 1939) and the tragedy of the Holocaust and of millions of Jews under the Nazi regime created an urgency of finding a viable solution. A joint **Anglo-American Committee** of Inquiry was appointed in November 1945 to associate the USA with responsibility for the Palestine Question and to examine continued Jewish immigration into Palestine. Its final report in May 1946 recommended Jewish immigration, the cessation of the 1940 Land Transfer Regulations, and adoption of a (UN) trusteeship for Palestine. After Britain and the Arab League rejected the proposal, search for a solution on the basis of federalization or cantonization began. The July 1946 **Morrison-Grady Plan** (by British Deputy Prime Minister Herbert Morrison and US Ambassador Henry Grady) proposed a federal solution in which the British Mandate would be converted into a trusteeship and the country divided into Jewish and Arab provinces, as well as two districts (Jerusalem and Negev). In September 1946, the **Palestine Roundtable Conference in London** rejected the plan with Arab delegates proposing a unitary state of Palestine, in which Jews would have full civil rights.

Meanwhile, members of the **Arab League** met in **Bludan**, Syria, on 11<sup>th</sup>-12<sup>th</sup> **June 1946**, warning Britain and the US that their continued disregard of Arab rights in Palestine will adversely affect their oil and other interests in the Arab world, and discussed ways of assisting the Palestinians, including dispatching forces in the case of war.

After the situation on the ground further deteriorated, including increasing terrorist attacks against British targets by Jewish underground groups (such as the **bombing of the King David Hotel** in Jerusalem), Britain announced in February 1947 that it would cease its Mandate and turn



*Bombing of the King David Hotel in Jerusalem*

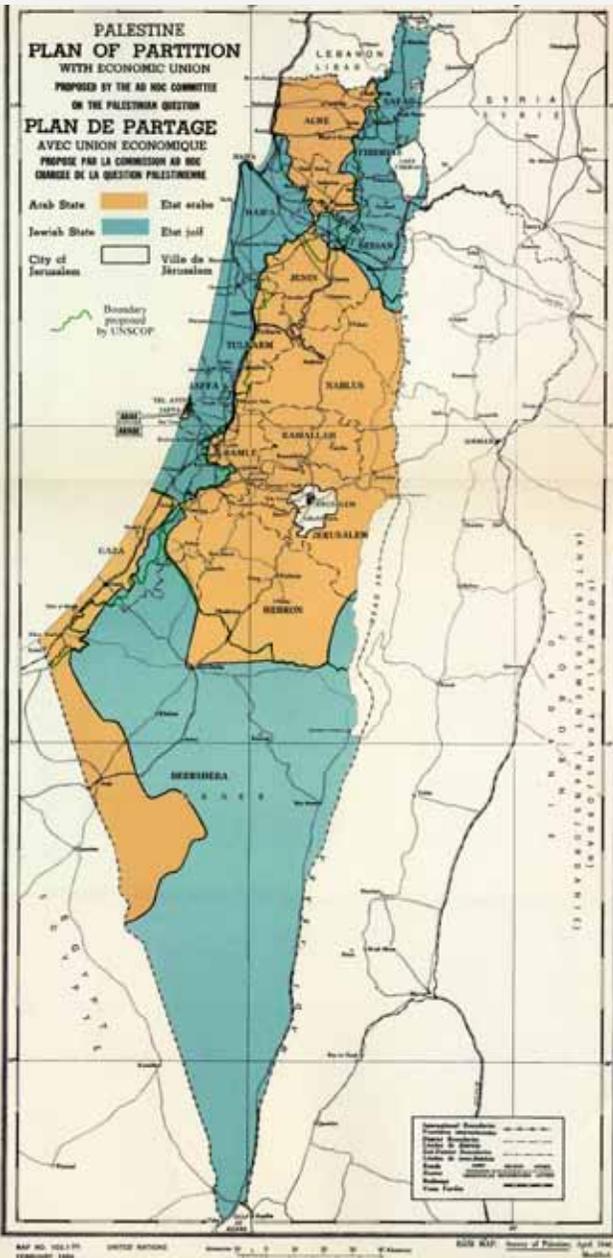
over responsibility for Palestine to the United Nations. It was almost like announcing an American mandate for Palestine since the US had taken clear sides and most UN member nations at the time depended heavily on US aid to rebuild their shattered post-war economies so the US could count on a majority of the votes.

On 28 April 1947, the UN General Assembly (UNGA) opened a special session on Palestine and on 15 May, a **Special Committee on Palestine (UNSCOP)** was appointed to investigate the situation on the ground and propose solutions. Its report was published on 3 September, with a minority of the members recommending a federal solution and the majority recommending partition and an international status for Jerusalem. The **UNSCOP majority report** was adopted as **UNGA Resolution 181** on 29 November 1947; it called for the **partition of Palestine**, allocating 56.47% of the territory to a Jewish state (although Jews accounted for no more than one third of the population - mostly recent immigrants from Europe - and possessed only 7% of the privately owned land) and only 42.88% to the Arab state, while placing Jerusalem (and Bethlehem) under a **corpus separatum** (in 0.65% of Palestine), to be administered by the UN Trusteeship Council.<sup>5</sup>



UNSCOP Members

With UNGA Resolution 181 the European states hoped to get rid of a problem that they had created, but could not (anymore) solve. Most Jews welcomed the **Partition Resolution** as an achievement (i.e., international legal recognition for a Jewish state in Palestine), but did not intend to stick to the proposed borders, which, as Ben-Gurion put it, “will be determined by force and not by the partition resolution”.<sup>6</sup> Palestinians and other Arabs rejected it outright, considering it unacceptable that Palestinians should give up more than half their country to newly arrived European immigrants. With the news about the passing of the Partition Plan, a new round of violence broke out between Arabs and Jews, setting off the large-scale dispossession of Palestinians.



Original Map of the Partition Plan



Jews celebrating the passing of the Partition Resolution in Tel Aviv

<sup>5</sup> International Court of Justice, Advisory Opinion Proceedings on Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 2004, available at <http://palestineun.org/wp-content/uploads/2013/08/ICJ-writtenstatementenglish.pdf>.

<sup>6</sup> Pappé, Ilan, *The Ethnic Cleansing of Palestine*, Oxford: Oneworld Publications Ltd., 2006, p. 37.

## Revisiting the Events of 1948 and its Aftermath

Following the Partition Plan and by the end of 1947, attacks by Zionist forces had already led to the expulsion and flight of tens of thousands of Palestinians. In early January 1948, volunteers of the **Arab Liberation Army** came from neighboring countries to help, but as they were equally poorly equipped and trained as the Palestinian fighters, defeat over the much larger and stronger armed Jewish forces<sup>7</sup> was only a matter of time. Their military actions, acts of terrorism, economic measures such as blockading the supply routes, and massacres by the Zionists led to the flight and expulsion of the native Palestinian population.<sup>8</sup>



Members of the Arab Liberation Army

On 10 March 1948, the Zionist leadership under Ben-Gurion approved **Plan Dalet**, the blueprint for the forcible depopulation of Palestine (see box<sup>9</sup>). As part of the plan, the Jerusalem-area village of **Deir Yassin** was targeted on 9 April; Jewish forces killed over 100 men, women, and children and expelled the remaining villagers, prompting the mass flight of Palestinians from other locations throughout the country.<sup>10</sup>

*Mounting operations against enemy population centers located inside or near our defensive system in order to prevent them from being used as bases by an active armed force. These operations can be divided into the following categories:*

- *Destruction of villages (setting fire to, blowing up, and planting mines in the debris), especially those population centers which are difficult to control continuously.*
- *Mounting search and control operations according to the following guidelines: encirclement of the village and conducting a search inside it. In the event of resistance, the armed force must be destroyed and the population must be expelled outside the borders of the state.*

From the Text of Plan Dalet,  
10 March 1948: para. 6 (b) 4.



Aftermath of the Deir Yassin Massacre

<sup>7</sup> There were 2,000-3,000 Palestinian-led guerrillas and 2,000-4,000 mainly Syrian and Iraqi volunteers of the Arab Liberation Army. See Salman Abu Sitta, *Atlas of Palestine 1948*, London: Palestine Land Society, 2004; Simha Flapan, *The Birth of Israel*, New York: Pantheon Books, 1987. The Zionist side consisted of the 30,000-strong Haganah, Lehi and Etzel (or Irgun) militias, in addition to 20,000 Zionist auxiliary forces from various settlements. See Ilan Pappé, *The Ethnic Cleansing of Palestine*, Oxford: Oneworld Publications Ltd., 2006, p. 44.

<sup>8</sup> *The Nakba – Flight and Expulsion of the Palestinians in 1948*, Exhibition Catalogue, available at <http://zochrot.org/uploads/uploads/aa0d1cda57550fb0ad815d606cb1ccb1.pdf>.

<sup>9</sup> For the full text see <http://www.jmcc.org/Documentsandmaps.aspx?id=755>.

<sup>10</sup> The atrocities against the Palestinians around that time will not be listed here in detail as they have been well-documented by Israeli researchers, including those dubbed the 'New Historians'. It is worth noting however, that most files relating to the 1948 Palestinian exodus remain sealed in the Israeli archives, although they should have - according to Israeli law - been declassified long ago. Even files that were previously declassified are no longer available to researchers. See Hazkani, Shay, "Catastrophic Thinking: Did Ben-Gurion Try to Rewrite History?" *Haaretz*, 16 May 2013, available at <https://www.haaretz.com/.premium-ben-gurion-grasped-the-nakba-s-importance-1.5243033>.

On 14<sup>th</sup> May 1948 the Jewish Agency formed a provisional government and proclaimed the **State of Israel**. In the course of the subsequent **War of 1948**, Jewish forces, which were three (British sources) to over five (Palestinian sources) times as many as the Arab troops<sup>11</sup>, took over half of the intended Arab State, while Jordan took control of the West Bank and Egypt of the Gaza Strip. Some 150,000 Palestinians remained inside what became Israel's borders<sup>12</sup>; they were granted Israeli citizenship but were (until 1966) placed under military rule, requiring permits to leave their villages and towns, and had up to 70% of their land seized.<sup>13</sup> The UN Conciliation Commission estimated that **726,000 Palestinians** (75% of the Arab population of Palestine) had fled, or were expelled, from what became Israel, and 25,000 others had become so-called "borderline cases": they still lived at home, but with no means of income because they were separated from their lands by the armistice lines.<sup>14</sup> Two-thirds of the refugees found themselves in the 22.8% of historical Palestine that was controlled by Arab forces after the war (the West Bank and Gaza), the remainder had fled to the neighboring Arab countries.



*David Ben Gurion proclaiming Israel's independence*



*Fleeing Palestinians*

The UNGA passed **Resolution 194** on 11 December 1948, calling for the establishment of a UN Conciliation Commission to facilitate peace between Israel and the Arab states and define principles for returning Palestine refugees to their homes.<sup>15</sup> Even before UNGA 194 was passed, the original UN mediator for Palestine, Count Folke Bernadotte wrote, "It would be an offence against the principles of elementary justice if these innocent victims of the conflict were denied the right of return to their homes while Jewish immigrants flow into Palestine, and, indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries."<sup>16</sup> A day later, he was assassinated by members of the Jewish Zionist Stern Gang due to his diplomatic efforts to modify the Palestine partition.

Israel indeed signed separate **armistice agreements** in 1949 - with Egypt (24<sup>th</sup> February), Lebanon (23<sup>rd</sup> March), Jordan (3<sup>rd</sup> April), and Syria (20<sup>th</sup> July) - according to which the territory under its control encompassed about one-third more than was allocated under the UN Partition Plan (78% instead of 56%). However, its Cabinet passed on 12<sup>th</sup> December 1949 the **Emergency Regulation Relative to Property of Absentees**, which allowed

<sup>11</sup> Simha Flapan, *The Birth of Israel*, New York, 1987, p. 193. It should be noted that the formal establishment of the "Israeli Defense Forces" was declared by Prime Minister Ben Gurion on 31 May 1948, and the next day, Irgun commander Menachem Begin signed an agreement amalgamating the latter with the official army.

<sup>12</sup> Today, Palestinian citizens of Israel number 1.6 million, including an estimated 400,000 internally displaced, including their descendants (also known as the "Present Absentees", allowed to live in Israel but not in their original communities), whom Israel still does not recognize. See Badil, Bethlehem (badil.org).

<sup>13</sup> Cook, Jonathan, *Disappearing Palestine*, 2008, p. 37.

<sup>14</sup> UN, First Interim Report of the United Nations Economic Survey Mission for the Middle East, 16 November 1949.

<sup>15</sup> Article 11 of UNGA Resolution 194 stipulates that "refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible." It should be noted that Israel was admitted to the UN as its 59<sup>th</sup> member on 11 May 1949 (UNGA Resolution 273) on the premises that it "unreservedly accepts the obligations of the United Nations Charter and undertakes to honor them," and taking into account UNGA Resolutions 181 (Partition Plan) and 194 (Right of Return). However, since then Israeli policy and practice went counter to those resolutions.

<sup>16</sup> UNGA, "Progress Report of the United Nations Mediator on Palestine," 16 September 1948, Doc. A/648. Part One, Section V, Paragraph 6.

it to confiscate all property of the “absent” refugees without compensation,<sup>17</sup> and adopted new land laws to facilitate the **expropriation** of refugee property and its transfer to the state and the Jewish National Fund.<sup>18</sup> It is estimated that Israel expropriated some 4,244,776 of acres of Palestinian land and **depopulated** at least 418 Palestinian towns and villages, many of which were subsequently demolished to prevent the return of their Palestinian owners, during and immediately following its creation in 1948.<sup>19</sup> Over 70% of the 418 depopulated villages were totally and 22% largely destroyed<sup>20</sup>, while the remainder were taken over by Israeli settlers (e.g., Ein Karem village in West Jerusalem) or remained depopulated (e.g., Lifta). Land of destroyed villages was often handed over to Jewish agricultural communities and for the use of Kibbutzim.<sup>21</sup> Over two-thirds of the Jewish National Fund’s forests and parks are located on the ruins of destroyed villages.<sup>22</sup> In the words of Israeli historian Ilan Pappé: “in these forests Nakba denial is so pervasive, and has been achieved so effectively, that they have become a main area of struggle for Palestinian refugees wishing to commemorate the villages that lie beneath them.”<sup>23</sup> Within what had become Israel only about 81 Palestinian villages emerged intact<sup>24</sup> and formerly mixed towns (e.g., Jaffa, Haifa, Tiberias) became largely Jewish with small Palestinian minorities. At the same time, Israel began a process of “Hebraization” in order to present the state as naturally Israeli and denying its Arab heritage,<sup>25</sup> replacing Arabic names of sights and places with Hebrew ones. For example, the site of the depopulated village of Lifta is now called Mei Naftoah nature reserve, claiming this was the antic Jewish name of the place.



Depopulated Lifta

In the following years, the Palestine Question was primarily addressed as the serious refugee problem the *Nakba* had caused. UNGA Resolution 302 (IV), of 8 December 1949 established the **United Nations Relief and Works Agency (UNRWA)** for Palestinian refugees in the Near East and set up temporary (!) camps. In 1950, 914,221 refugees were registered with UNRWA.

<sup>17</sup> “Any property of an absentee is hereby vested in the custodian [...] and any right possessed by the absentee in his property shall automatically devolve on the custodian with effect from such vesting.” “Absentees are persons [...] who have left the town or village in which they customarily resided in Eretz Israel (i.e., Palestine).”

<sup>18</sup> A UN Conciliation Commission for Palestine (UNCCP) study on losses conducted from 1953-62 identified 6,057,032 dunums of individually-owned land abandoned by refugees, worth at least \$824,780,808 (in 1948 dollars), not including collectively-owned village land, grazing land, lands for public uses, etc. In addition, there were losses worth between \$70,122,000 and \$169,538,070 (1948 dollars) in moveable property such as cash and jewelry, farm animals and tools, household furnishings and factory inventories, automobiles, etc. A later study by Yusif Sayigh placed the amount of lost refugee property much higher, estimating the abandoned 6,611,250 dunums of land and real estate worth \$1,625,702,000 (in 1948 dollars), as well as 173,000 buildings, worth \$954,304,000, and \$453,375,000 in moveable property. See Michael R. Fischbach, *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*, New York: 2003. Finally, Sami Hadawi and Atif Kubursi calculated that the refugees lost 19,031,012 dunums of land worth \$2,131,467,000 (in 1948 dollars). Sami Hadawi, *Palestinian Rights & Losses in 1948. A Comprehensive Study. Part V: An Economic Assessment of Total Palestinian Losses*, London: Saqi Books, 1988, 113, 187.

<sup>19</sup> Walid Khalidi, *All That Remains - The Palestinian Villages Occupied and Depopulated by Israel in 1948*, Institute for Palestine Studies, 2<sup>nd</sup> ed. 2006. For maps of depopulated/destroyed Palestinian locations see <http://www.palestineremembered.com/Acre/Maps/Story1261.html>, or, interactive, [http://www.palestineremembered.com/GeoPoints/Jerusalem\\_528/SatelliteView.html](http://www.palestineremembered.com/GeoPoints/Jerusalem_528/SatelliteView.html) and <http://www.zochrot.org/en/site/nakbaMap>.

<sup>20</sup> Masalha, Nur, “Remembering the Palestinian Nakba: Commemoration, Oral History and Narratives of Memory”, *Holy Land Studies: A Multidisciplinary Journal*, 7/2 (2008): 123-156.

<sup>21</sup> Cook, Jonathan, *Disappearing Palestine*, 2008, p. 30.

<sup>22</sup> Bronstein, Eitan, Most JNF - KKL forests and sites are located on the ruins of Palestinian village, April 2014, available at <http://www.zochrot.org/en/article/55963>.

<sup>23</sup> Pappé, Ilan, *The Ethnic Cleansing of Palestine*, 2006, p. 227.

<sup>24</sup> Salman Abu Sitta, *Atlas of Palestine 1948*, London: Palestine Land Society, 2004.

<sup>25</sup> Only 5% of places depicted on British Mandate maps in 1948 were in Hebrew. See Kadman, N., *Erased from Space and Consciousness: Israel and the Depopulated Palestinian Villages of 1948*, 2015, p. 94.

What happened in 1947-1949 can be described as the “culmination of a colonial settler process, whose aim was (and continues to be) to dislodge the indigenous Arab population of Palestine and replace them with Zionist Jewish settlers from other countries.”<sup>26</sup>

## The Nakba in Jerusalem

During the late Ottoman period Jerusalem was the administrative center of an independent *sanjak* (district) and then became the capital of the British Mandate administration in Palestine (1922-48), during which it was also home to the most significant Palestinian national and religious bodies (the Arab Executive Committee, the Supreme Moslem Council, and the Arab Higher Committee, as well as schools, literary societies, and libraries), which were dominated by the city’s leading families (Dajani, Jarallah, Khalidi, Alami, Hussein, and Nashashibi).

Jerusalem was deeply impacted by Zionism and Jewish immigration and a frequent scene of Jewish-Arab tensions and violence, including the August 1929 Al-Buraq disturbances, the 1936 Great Arab Revolt, terror acts by Jewish underground forces, such as the 1946 blowing up of the British Headquarters in the King David Hotel, and heavy fighting during the 1948 War.

In December 1947, Haganah and Irgun forces increased their military operations against Arab villages and towns in the Jerusalem area. The village of Lifta, strategically located at the city’s entrance, was attacked and completely cleansed of its 2,500 Palestinian inhabitants by 11<sup>th</sup> January 1948. Beit Naqquba was occupied on 1 April, Al-Qastal on 3<sup>rd</sup> April, then shortly retaken by Palestinian guerillas in a battle on 8 April (during which Jerusalem commander ‘Abdul Qader Al-Husseini was killed), and eventually reoccupied the day after (while most fighters attended the funeral of Hussein). The most notorious massacre of Deir Yassin took place on 9<sup>th</sup> April 1948, and Qalunya, Nitaf and Saris on the hills west of Jerusalem fell on 11<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup> April respectively. During “Plan Dalet”, launched on 26<sup>th</sup> April 1948, another eight Jerusalem neighborhoods were “cleansed” as well as 39 Palestinian villages, whose inhabitants were forced into the eastern part of the city,<sup>27</sup> where most of them found refuge in the Old City and the northern suburbs of Shu’fat, Beit Hanina, and Ar-Ram.

*“From your entry into Jerusalem, through Lifta, Romema... there are no Arabs - 100 percent Jews. Since Jerusalem was destroyed by the Romans, it has not been as Jewish as it is now. In many Arab neighborhoods in the west one sees not a single Arab. I do not assume that this will change ...”*

David Ben-Gurion,  
addressing the Mapai Council,  
8 February 1948.



*Palestinian guerillas with Jerusalem commander Abdul Qader Hussein (standing, center)*

<sup>26</sup> Nakhleh, Khalil, “Al Nakba of 1948,” *Counterpunch*, March 21, 2008, available at <https://www.counterpunch.org/2008/03/21/al-nakba-of-1948/>.

<sup>27</sup> “The Nakba (1) - Stages of a Forced Displacement”, *paljourneys*, available at <https://www.paljourneys.org/en/timeline/highlight/160/nakba-i>.

Unlike the conventional Zionist version of the fall of Arab West Jerusalem - depicting self-defending Jews countering attacks by Palestinians and their Arab allies and the subsequent settling of abandoned houses with homeless Jewish refugees, it were the Jewish attacks as well as acts of terror (such as the blowing up of the Semiramis Hotel in Qatamon) that produced a sense of insecurity, panic and further flight among Palestinians, greatly facilitating the evacuation of Arab West Jerusalem. By the time the State of Israel was proclaimed on 15<sup>th</sup> May, some 30,000 Palestinians had fled or were expelled by Zionist forces from their homes in West Jerusalem neighborhoods - Abu Tor, Musrara, Baq'a, Talbiyya, Qatamon and the Greek and German Colony<sup>28</sup>, while most of its surrounding villages fell in July ("Operation Danny" to capture territory east of Tel Aviv and relieve the Jewish population and forces in Jerusalem) and October ("Operation Ha-Har" to extend the Jerusalem Corridor to the south) 1948.<sup>29</sup>



*Bombing of the Semiramis Hotel, Jerusalem*

Meanwhile, the newly established Israeli army suffered only one major loss: in late May 1948, it was forced to surrender to the Transjordanian Arab Legion in the Old City's Jewish Quarter. Extensive looting of the empty Arab homes began with the first cease-fire in June. By 17<sup>th</sup> July 1948 the UN had arranged a ceasefire in the city, whose western part was controlled by Israel and eastern part by Transjordan with some areas left no-man's land. A month later, Israel's provisional government declared West Jerusalem "territory occupied by the State of Israel" subject to Israeli law.<sup>30</sup>



*Members of the Arab Legion after Jewish Surrender of the Old City*

On 11<sup>th</sup> December 1948, the UNGA passed Resolution 194, which not only called for the return of Palestinian refugees but also providing for the internationalization of Jerusalem. Nevertheless, Prime Minister Ben-Gurion announced soon after, the transfer of government institutions to Jerusalem - despite opposition from Britain and the US. The Knesset and the Prime Minister's Office were transferred immediately, other government offices followed gradually (e.g., the Foreign Ministry in 1953). On 2<sup>nd</sup> February 1949, the Israeli government declared that it no longer considered West Jerusalem as occupied territory and by June 1949, all of West Jerusalem's formerly Arab districts were settled by Jews.<sup>31</sup> In December (seven months after being admitted to the UN on the premise of accepting UN Resolutions 181 and 194) the Knesset drafted a resolution to declare Jerusalem Israel's capital, which it then adopted by a vote of 60-2 on 23<sup>rd</sup> January 1950.

In 1997, UNRWA records put the number of **Palestinian Jerusalem urban refugees** from 1948 (those still alive as well as their descendants) at 84,268, 64% of which lived in the West Bank, including East Jerusalem, whereas the number of Jerusalem *rural* refugees had reached 110,439, of which 66% lived in Jordan, the remainder in the West Bank.<sup>32</sup>

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<sup>28</sup> Krystall, Nathan, "The De-Arabization of West Jerusalem 1947-50," *Journal of Palestine Studies*, Vol. 27, No. 2 (1997/1998), p. 5.

<sup>29</sup> See <http://www.palestineremembered.com/JerusalemTownSnapshot.html>.

<sup>30</sup> Krystall, Nathan, "The De-Arabization of West Jerusalem 1947-50," op. cit.

<sup>31</sup> According to some estimates, about 10,000 mostly fully furnished Arab homes were occupied. See, for example, Cattani, Henry, *Jerusalem*, London: Croom Helm, 1981, p. 61.

<sup>32</sup> Tamari, Salim, "The Phantom City," in *Jerusalem 1948: The Arab Neighborhoods and their Fate in the War*, Institute of Jerusalem Studies & Badil Resource Center, 2<sup>nd</sup> revised ed., 2002, p. 7.

## Continuous Nakba

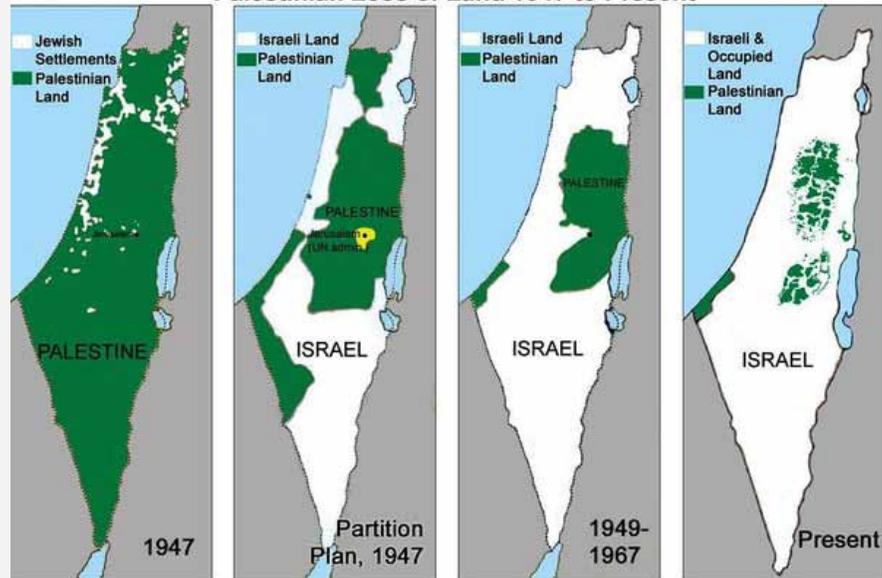
This process did not stop following the events of 1947-49; on the contrary: ever since, Israel has done everything to consolidate its control and further subjugate and oppress the undesired Palestinian populace. After 1948, Israel continued to **confiscate land**, often declaring it “**state land**”, so that by 1962, 93% of the land inside Israel was controlled by the Israel Lands Administration, while Palestinian citizens only owned 4% of the total<sup>33</sup>.

The Israeli government also passed several laws to ensure that the newly created state retains a Jewish majority: the **Law of Return** (1950), granting Jews from anywhere in the world the right to settle in Israel and immediately become a citizen<sup>34</sup>, and the **Entry into Israel Law** (1952) which governs the entry into Israel of non-citizens of the state and was also designed to prevent the return of Palestinian refugees. Also in 1950, the **Absentees’ Property Law** was passed, granting the government “custodianship” over lands and property belonging to Palestinian refugees, with no compensation for the owners. An “absentee” was defined as any Palestinian who left his or her home after November 1947, even if he or she remained within what became Israel’s borders.<sup>35</sup> In 1952, Israel adopted the **Israeli Nationality Law**, effectively **denationalizing** the Palestinians who had fled or were expelled. Their property was seized and ultimately transferred to the State of Israel. In 1960, Israel adopted its **Land Law**, effectively barring transfer of land held by the state to non-Jews.

Military conflicts continued as well,<sup>36</sup> culminating in the **1967 War**, during which Israel occupied the remaining 22% of historic Palestine that had been outside its expanded post-1948 borders, i.e., the West Bank, Gaza, and East Jerusalem (along with the Syrian Golan Heights, and Egyptian Sinai Peninsula). This time, about 300,000 Palestinians were displaced from the West Bank and Gaza Strip, including some 175,000 UNRWA-registered refugees who became refugees for a second time. In violation of international law, Palestinians in the occupied territories were denied political or civil rights, while their lands were relentlessly confiscated and colonized with Jewish-only settlements.

Today, Jews control over **85% of the land** of historic Palestine (compared to 6.2% during the British Mandate).<sup>37</sup> Since 1967, Palestinians have lost access to over **60% of West Bank land** and two thirds of its grazing land, while over 2.5 million productive **trees** have been uprooted. In **Gaza** half of the **cultivable area** has been lost.<sup>38</sup> Israel has **destroyed** over **27,000** Palestinian **homes** and structures<sup>39</sup>, established 131 illegal **settlements** and over 100 outposts on Palestinian soil, transferred over 600,000 Jews to settle in

Palestinian Loss of Land Since 1947



<sup>33</sup> M.R. Fischbach, “Land,” in Philip Mattar, ed., *Encyclopedia of the Palestinians*, revised ed., New York, 2005.

<sup>34</sup> Between 1948 and 1952 alone, some 738,891 new immigrants arrived, 377,251 from Muslim, 307,082 from Communist and 33,706 from Western countries. See <http://israelsdocuments.blogspot.co.il/2013/04/immigrants-to-israel-1948-1952.html>.

<sup>35</sup> Between 1947 and 1949, an estimated 17,178,000 dunums of land were expropriated from Palestinians. Between 1950 and 1966, 700,000 dunums were expropriated from Palestinians who remained within the territory of the new state. Badil, *Survey of Palestinian Refugees and Internally Displaced Persons (2010-2012)*, Vol. VII, 2012.

<sup>36</sup> Such as the Israeli assaults on Qalqilya, Kufr Qassem and Khan Younis as well as the brief occupation of the Gaza Strip in 1956 and the Israeli attack on As-Samu’ village in 1966.

<sup>37</sup> PCBS, *Special Statistical Bulletin on the 68<sup>th</sup> Anniversary of the Palestinian Nakba*, May 2016.

<sup>38</sup> UNCTAD, *Report on UNCTAD’s Assistance to the Palestinian People*, September 2016.

<sup>39</sup> ICAHD.

Palestinian territories,<sup>40</sup> and **stripped** over 100,000 residents of Gaza, some 140,000 residents of the West Bank, and over 14,500 Palestinian Jerusalemites of their **residency rights**.<sup>41</sup>

The violations of fundamental Palestinian human rights that began at the time of the Nakba, just as international complicity with it did, persist to this day in many forms, and while the world has failed to bring an end to the tragedy of Palestine, the political situation on the ground has deteriorated constantly. Palestinians are still subject to – well-documented – military assaults; confiscation of their land and natural resources; construction of Jewish only settlements; a range of institutionalized discrimination, denying them their freedoms of speech, movement and association; house demolitions; settler violence; imprisonment; etc.



*Destroyed Palestinian home*

which the Israeli state refuses to provide with a planning structure and place under municipal jurisdiction.<sup>43</sup> Meanwhile, Palestinian refugees worldwide still wait for justice – their right to return, restitution, compensation, which has been explicitly acknowledged in peace agreements in Cambodia, Rwanda, Croatia, Bosnia-Herzegovina, Guatemala, Northern Ireland, Kosovo, Sierra Leone, Burundi, and Darfur,<sup>44</sup> but which Israel continues to deny them in violation of international humanitarian law, the Universal Declaration of Human Rights, and dozens of United Nations resolutions issued since 1948.



*Israeli bulldozer uprooting Palestinian trees*

## Palestinian Refugees Today

Today, the total Palestinian refugee population is estimated at over 7.9 million (66% of the entire, worldwide Palestinian population, estimated at 12.1 million)\*, including over 5.8 million registered with UNRWA, constituting approximately 45% of the total Palestinian population worldwide. In the Palestinian territory, they account for some 42.8% of the total population (WB: 27.3%, GS: 68%)\*\*. Around half of the Palestinian refugees are stateless. About 41.4% of the UNRWA registered refugees live in the West Bank and Gaza, the remainder in neighboring countries.

\* Badil, *Survey of Palestinian Refugees and IDPs 2013-15* (Vol.VIII).

\*\* PCBS, *Special Statistical Bulletin on the 68th Anniversary of the Palestinian Nakba*, May 2016.

While Palestinians in the occupied territories suffer from the above policies and practices, Palestinian citizens of Israel live as second-class citizens, subject to over 50 laws that discriminate against them because they are not Jewish.<sup>42</sup> Within Israel proper, almost 200,000 Bedouins – the 10% of the Bedouins who did not flee from the Negev during the Nakba and their descendants - reside in unrecognized villages,

<sup>40</sup> Peace Now.

<sup>41</sup> "Israel admits it revoked residency rights of quarter million Palestinians since 1967," *Haaretz*, 12 June 2012; Hamoked.

<sup>42</sup> See Adalah's Discriminatory Laws Database at <https://www.adalah.org/en/law/index>. For recent examples see also Edo Konrad, "Even inside Israel, colonialism is far from over," *972mag*, 18 March 2018, available at <https://972mag.com/even-inside-israel-colonialism-is-far-from-over/133896/>.

<sup>43</sup> ACRI. There are also repeated attempts to revive the so-called Praver Plan (ostensibly frozen in 2013 after mass protests across the Negev), which seeks to forcibly evict some 40,000-90,000 (pending on the sources) Bedouins into "townships."

<sup>44</sup> <https://imeu.org/article/ten-facts-about-the-nakba>.

In recent years, new forms of discrimination have been added, such as, *inter alia*, checkpoints, the separation wall, and the closure and permit regime associated with it; denial of family reunification; freezing fuel and electric power supplies to Gaza for extended periods; and refusal or delays of patients' referrals for medical treatment.

Looking at the ever deteriorating situation on the ground and the continuous disregard of international law one wonders what allows this still to happen – 70 years on. Among the factors that have so shamefully contributed to the perpetuation of the Nakba are certainly the Israeli state's insistence on its Jewishness and its thirst for expansion. Furthermore, the ongoing exploitation of the Holocaust to instill guilt in people, especially in the Western world, has undoubtedly contributed to the "phenomenon" of international complicity with the injustices of the Israeli state vis-à-vis the Palestinians. Intentional international exceptionalism regarding international law when it comes to Israel is equally part of the problem as are the interests of many countries, including Arab, in strong relations with the economically and militarily mighty Israel that they are not (longer) willing to give up for the sake of Palestine. Another contributing factor is the state's – and thus the (Jewish) public's – denial of the occurrence of the Nakba; Israeli historical narratives "still promulgate the story that Palestinians fled out of unfounded panic, and present expulsion and massacres as esoteric transgressions or rare cases of necessary evil."<sup>45</sup> Consequently, the Nakba is not only absent from school textbooks, on maps, and on signs of places around the country, but its commemoration has even been criminalized.<sup>46</sup>

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## Conclusion

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The Nakba did not end in 1948 but continues until today, not only in the memories of loss and defeat but in the form of Israel's ongoing theft of Palestinian land for settlements and for Jewish communities inside Israel proper. With no prospect of freedom and political independence or of integration into Israel as citizens with equal rights in sight, with policies on the ground that contain all the elements defining apartheid in international law,<sup>47</sup> and with a world that continues watching passively, the *Nakba* remains an ever-present aspect of the consciousness of the Palestinian people. Israel's attempt to obliterate historical memory has failed as the Palestinian people continue to identify themselves as belonging to their original homes in Palestine. Israel's problem is thus not only "knowing that there is not one single place in its colonial settlement that did not have a former Arab population, but in its realization that there is no place today in its imaginary 'Jewish State' that does not still have an Arab population who claims it."<sup>48</sup>

Despite the disintegration of Palestinian society and despite all Israeli attempts to the opposite, the Palestinian narrative and connection to the homeland remains deep-rooted in the common identity of the people and has kept their struggle for rights, self-determination and dignity alive. 70 years after their mass expulsions, Palestinians remain – against all odds – steadfast in their quest for historical justice and for statehood.

For 70 years they did not surrender nor did they concede their national identity or rights. They countered numerous "Israelization" attempts, preserving their language and terminology. They stood strong in the face of Israeli aggression and international ignorance, they showed readiness for compromise and accepted unfair agreements (such as Oslo), but never gave up their struggle for freedom and independence. They resisted the occupation with all means and in all spheres of life – through education, building homes and institutions, worshipping, preserving their heritage and narrative – showing the whole world that this is their homeland and they are here to

<sup>45</sup> Peled-Elhanan, Nurit, *Palestine in Israeli School Books: Ideology and Propaganda in Education*, 2012.

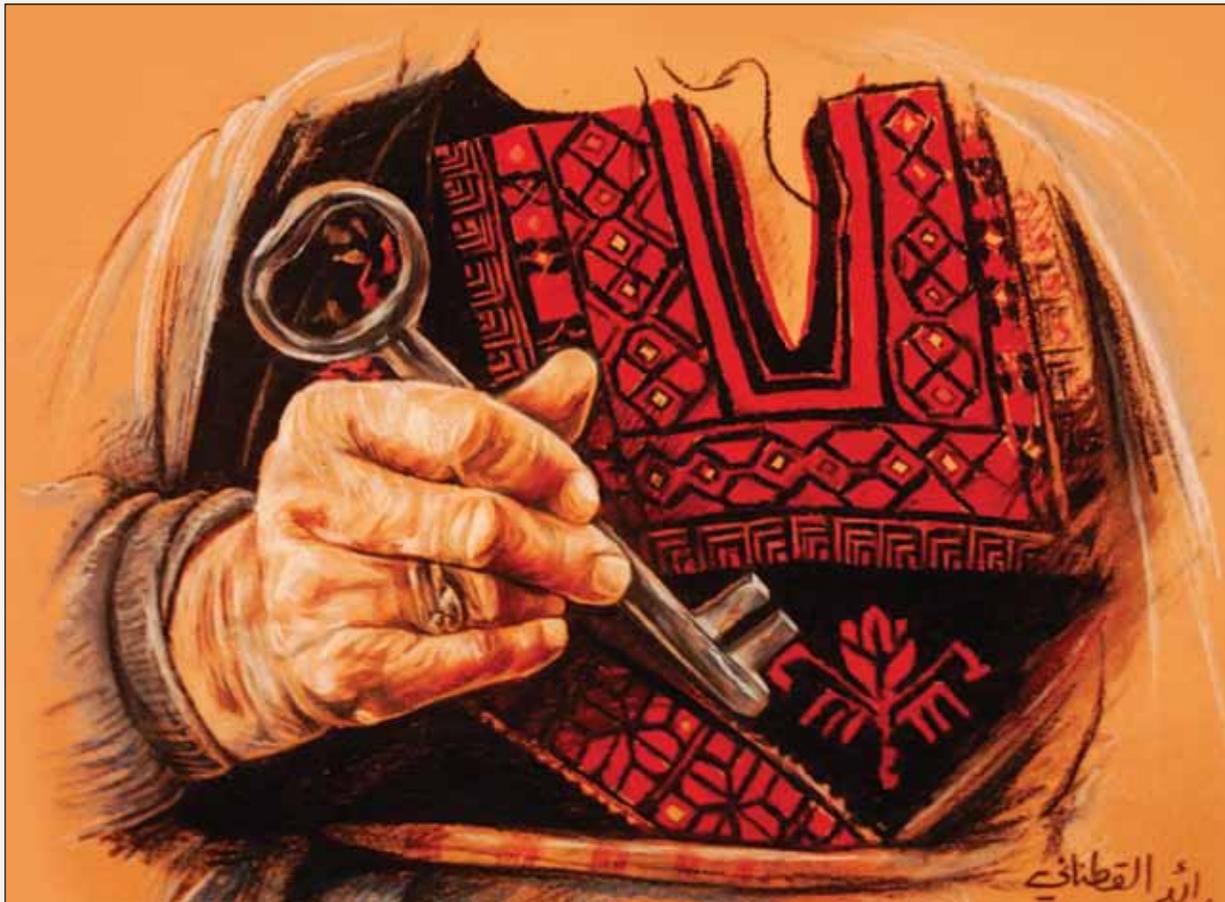
<sup>46</sup> In March 2011, the Knesset passed the so-called "Nakba Law", which authorizes the Finance Minister to reduce state funding or support to an institution if it holds an activity that rejects the existence of Israel as a "Jewish and democratic state" or commemorates "Israel's Independence Day or the day on which the state was established as a day of mourning," as Palestinians traditionally do as an integral part of their history. See Human Rights Watch (2011) <https://www.hrw.org/news/2011/03/30/israel-new-laws-marginalize-palestinian-arab-citizens> and <https://www.aljazeera.com/news/2015/05/israel-nakba-palestine-150514080431980.html>.

<sup>47</sup> The 1973 UN Convention on the Suppression and Punishment of the Crime of Apartheid defines the "crime of Apartheid" as "acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them" (Art. 2). Similarly, the Rome Statute of the International Criminal Court (17 July 1998), defines it as acts "committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group and committed with the intention of maintaining that regime". (Art. 7 Crimes Against Humanity, paragraph 2 (h)).

<sup>48</sup> Massad, Joseph, "Resisting the Nakba", *The Electronic intifada*, 16 May 2008, available at <https://electronicintifada.net/content/resisting-nakba/7518>.

stay. They made every effort to keep hope alive and could not be deterred from pursuing their goal to return and build their independent state. They have succeeded in keeping their just cause in the headlines while exposing Israel as an openly human rights violating settler-colonial entity with an apartheid-system in the making. Over 12 million Palestinians all over the world – and their ever growing international support base - continue to struggle in pursuit of justice.

And it is those “achievements” of the Nakba – 70 years on, and not the “catastrophe” itself, which should be kept in mind notwithstanding all disillusionment and lack of perspectives, when Palestinians face Israel’s celebrations this year of their state foundation and alleged Jewish victories.



## I Come From There

*I come from there and I have memories  
Born as mortals are, I have a mother  
And a house with many windows,  
I have brothers, friends,  
And a prison cell with a cold window.  
Mine is the wave, snatched by sea-gulls,  
I have my own view,  
And an extra blade of grass.  
Mine is the moon at the far edge of the words,  
And the bounty of birds,  
And the immortal olive tree.  
I walked this land before the swords  
Turned its living body into a laden table.*

*I come from there. I render the sky unto her  
mother  
When the sky weeps for her mother.  
And I weep to make myself known  
To a returning cloud.  
I learnt all the words worthy of the court of  
blood  
So that I could break the rule.  
I learnt all the words and broke them up  
To make a single word: Homeland.....*

**Mahmoud Darwish (1941-2008)**