How far has the Palestinian 'right of return' been the main obstacle to the peace process since 1993?

Zara Steiner, a historian of the origins of the First World War, described exploring the tensions in Europe as requiring a "daily calendar to catch the sense of rising tension between all the capitals"[1]. By comparison, the Middle East would require hourly documentation. Persistent shifting of the 'boundaries of respect' on the negotiating table, translating to a lack of appropriate physical boundaries on the ground, truly determined the fate of the region from 1993 onwards. Diplomatic impasse, arising from the structural deficiencies and bias that littered any 'post-Oslo' arrangement, equated to an endless cycle of violence on the ground, usually under the guise of religious fanaticism. Crucial flashpoints, most notably the murder of the dovish leader Yitzchak Rabin, yet most consistently the erratic diplomacy of the Palestinian 'partner for peace', Yasser Arafat, in turn provided the degeneration of fair and peaceful relations. To assign one broad ideological factor, such as the Palestinian 'right of return', as culpable for derailing the entire Peace Process since 1993 would be simplistic, devoid of logic, and portray a complete misunderstanding of the region's complex dynamics.

This is not to say the refugee problem was a 'non-issue'. Drenched in controversy, very few topics inspire such heated historical debate as to why the Palestinian people find themselves displaced and in a state of constant limbo. Whilst Ilan Pappe documents the top-down, systematic, 'ethnic cleansing of 1948', the more grounded Benny Morris laments their plight as "a prolongation of a war for survival"[2]. Whatever the case, disagreements over blame, responsibility and thus who should manage the crisis initially imposed itself on the Peace Process, critically, without being discussed at all.

"Completely silent"[3] is how Avi Shlaim describes the influence of the refugee problem on the signing of the Declaration of Principles at Oslo on 13th of September 1993. The reasons for this are clear; its discussion would have prevented agreement, with the same principle applying to the status of Jerusalem and the building of Israeli settlements. The mutual recognition of the PLO and Israel was the dominant issue at hand and thus a full resolution of the refugee problem would remain consigned to the platforms of those who wished to pursue it through force and terror. It is therefore reasonable to suggest that the 'right of return' was in fact no obstacle at all, as the Palestinian recognition of Israel, thus the initiation of the Peace Process, served as the intractable antithesis to the practicalities of a complete return for refugees to historic Palestine.

Ignoring the right of return at Oslo set a precedent for future negotiations, in that it would remain non negotiable, leaving the premise of an autonomous Palestinian State to be formulated on a return to 1967 borders. Pappe concurs with this, stating the principle axiom for Israeli negotiation was that "nothing occurred prior to '67"[4]. The historian Don Peretz states the emotive connotations of such a strategy were profound, with a "stigma of second class citizenship"[5] emerging amongst the stateless Palestinians. However, whilst clearly a notable atmospheric feature in the region, this 'stigma' did not alter the reality that the concept remained removed from the negotiating table.

Denunciations of the 1993 Accord, centering on demands for the implementation of a Greater Israel, or a Historic Palestine, emanated from the theocratic absolutists on both sides, such as Shas, Hamas and Islamic Jihad for whom compromise was the ultimate betrayal. Thus it may be said, a failure to address the right of return provided such

groups with a motive to derail the peace plan at all costs. For the wider majority however, the right of return remained almost entirely "off the table", negating its importance in the wider context of why the peace process encountered early teething issues.

Following from this, if one is to maintain longstanding Palestinian nationalist desires of return were the main obstacle to the peace process, then surely its logical adversary, the ideology of the Jewish right and how it transpired into the political arena, must too be explored. Whilst it may seem crass to assess the comparative significance that the victims of both movements' religious right had on the peace process, the most detrimental 'scalp' amongst an arena of targeted killings and suicide bombings, was undoubtedly the assassination of Yitzchak Rabin, by the religious extremist Yigal Amir, whom according to scholar Zeev Chafetz, "pulled the trigger for the rabbis who trained him"[6].

The importance of Rabin's death as a hindrance to the peace process was intrinsically twofold. Firstly, it was hugely symbolic. The bloodstained song of peace found in his shirt pocket, the appearance of Arab leaders at his funeral and the million Israelis lining the street, all point to the enormity of the loss. William Quandt, writing in *Diplomacy in the Peace Process*', substantiates this view by stating with the death of Rabin, the "peace process was left without one of its crucial players"[7].

In the domestic arena, he provided the middle ground between co-negotiators. As a compromise between the leftist Beilin and centrist Peres, he was thus crucial in gaining support at home, and respectability in the international arena. Secondly, for practical purposes, the continuity of the motions set in place at Oslo and cemented at Cairo on February 9th 1994 would require their key proponents. Those who oversaw their initiation would logically become the people to enforce adherence to the interim agreements, and without Rabin, this would clearly be impossible. The calamitous governance, dire policy-making and spiraling violence emanating from both sides, goes far to substantiate such a thought, and ultimately signaled the death of the original Peace Process, less than a decade after Oslo.

Two critical decisions, taken by interim Prime Minister Shimon Peres, propelled the region to the abyss in a matter of weeks. This culminated in the suspension of all diplomatic arrangements, ergo a suspension of the Peace Process in its entirety. First, the decision to murder Yahya Ayyash, the self-anointed 'engineer' of numerous Hamas terrorist attacks. The immediate effect of the targeted killing was seemingly less targeted. Four suicide attacks between February and March 1996 left 59 Israelis dead and hundreds wounded, prompted a state of despair and the electorate's inevitable lurch to the right. In context, nothing did more harm to the Peace Process, or to the political success of those who advocated it, than cyclical violence amongst civilians. Howard Sacha, in the periodical *Foreign Affairs*, corresponds with this, stating that a litany of catastrophes on the ground, led to "a poisonous standoff between negotiating teams"[8].

Secondly, the launch of Operation Grapes of Wrath was detrimental to the wider, multi-faceted Peace Process, described by Quandt as having several tracks, "between not only Israel and the Palestinians, but also Syria, Lebanon and Jordan"[9]. Based on linkage politics of the cruelest kind, Peres saw an attack on Southern Lebanon as ideal to indirectly attack Syria who was providing rockets to the militant group Hezbollah. Shlaim describes the military venture as tantamount to "using a bulldozer to weed a garden"[10], and this holds weight when considering 30,000 Israelis and 350,000 Lebanese civilians were left displaced as a result.

One could be apologetic for Peres' abandonment of the peaceful principles he helped to construct in 1993. His difficulties in maintaining a balance between the ever changing emotional will of his domestic electorate and adhering to static diplomatic agreements of the past, has to be lamented. However, it does not negate from the primary issue at hand, that his failure to do so acted as a catalyst for the key obstacles to peace. Such failures provide this thesis with its much alluded-to theme, being that the complete contradistinction to the Palestinian right of return, Revisionist Zionism, ground any fantasy of resuming the Peace Process to a bloody halt.

The election of Likud and Binyamin Netanyahu in June 1996 institutionalized Jabotinsky's ideology, being the belief in a Greater Israel, from the highest political echelons to the grassroots of Israeli society, the classrooms. Ilan Pappe, conforming to type, proclaims, "The most significant obstacle to peace was Fortress Israel"[11]. At schools,

traditional Judaism dominated the curricula, and traditional Israeli history accounted for the bulk of literature taught in history classes. At government level, the coalition included the ultra-right United Torah Party and the aforementioned Shas with their "exhaustive and explicit assertions of Israeli sovereignty"[12] clearly pervading all forms of policy in the Knesset.

The most high-impact and dramatic decision of Bibi's administration, to blast open the ancient Hasmonean tunnel running alongside the Temple Mount, typified their unforgiving rationale. A clear violation of the pledge to resolve the status of Jerusalem through negotiation, the decision sparked fatally intense, albeit brief violence in Jeru?salem, and for the first time, saw Palestinian police firing on the IDF. However it was Likud's continual settlement expansion beyond the Green Line of 1967 that can be seen to have actualized the desire for a Greater Israel, a crucial impediment to formal agreement on both sides to this day. The decision to build 6,500 new housing units in Har Homa unquestionably polarized not only the two 'peace' camps, but also Israeli society itself. Shlaim notes the 1500 army reservists, including prominent generals, who sent a letter to Netanyahu questioning financial support for the settlers, who caused them "to question the righteousness of [their] path"[13].

In the interest of historical balance, it must be said that when formulating an assessment of who, or what, provided the main obstacle to the Peace Process, Israeli governmental figures become a much more accessible target for scrutiny. This is primarily because they operate within a society with freedoms of press and information. The same cannot be said for their supposed partner for peace, Arafat, a 'reformed' terrorist and leader of a disparate, stateless people. It is clear that his behaviour at best was inconsistent. As with the Israelis, the major concessions he made at Oslo, primarily being the agreement to redraw the PLO's charter and to accept Israel's right to live in security, were not necessarily followed through.

For instance, Arafat's decision to walk away from the Camp David Summit of 2000, the most significant negotiating platform since the agreement at Oslo, was telling and reeked of opportunism. Barak's 'Generous Offer', although deficient in some areas, was a giant leap from the paltry levels of respect contained in Netanyahu's 'Allon Plus' that designated only 40% of the West Bank for Palestinian autonomy. In the words of Gush Shalom, an Israeli Peace Activist group, Arafat, in knowing that his adversary was a 'political corpse' facing certain election defeat the following year, used Camp David as a platform to reintegrate wider ideological arguments into diplomacy, none more fervently than the Right of Return.

Pappe confirms the surprise nature of this, stating that "the Israeli's felt as if a Pandora's box had been opened in front of them"[14]. It is plausible to the reemergence on the political forefront of the Refugee Problem as crucial in hindering this clear attempt to revive the Peace Process. Nevertheless, the rushed provisional arrangements at Taba the following year emphasized how the rights of refugees, according to Michael Dumper, were "being traded away in favour of obtaining basic territorial components"[15].

Further to this, a breakdown in relations on the ground can once more be prioritized as the true enemy to peace plans. Sharon's inflammatory and downright daft decision to tour the Haram al-Shariff in September 2000 sparked the Al-Aqsa Intifada and a new round of almost daily suicide bombings in Israel's mainland. Accompanying such barbarism was relentless Israeli retaliation into Palestinian territory, resulting in countless deaths on both sides. Crucially, this left arrangements of the interim phase unfulfilled, for instance the transfer of security arrangements in the West Bank, in turn spawning violence on the ground. This resulted in a situation articulated by Hammami and Tamari as "untenable for most and unbearable for hundreds of thousands"[16].

From then on, the peace process became a caricature of its former self, with token gestures of give and take dominating proceedings and with token handshakes dominating the media's coverage. Added to this, competing events in the international arena, such as 9/11, dramatically shifted focus of any peace talks, such as the 2003 Roadmap, more favorably for Israel, a rare ally of the USA's war on terror in the Middle East.

This paper maintains that the right of return, in its most explicit form, remained off the table at any further arrangements. This was for two main reasons, firstly, the American broker for any substantial peace deal, based all discussion on a two state solution, as seen in the Clinton Parameters, which suggested the Refugee Problem should

be solved through a return to Israel, or a State of Palestine[17]. Secondly, the Israelis would never accept such a principle, as it would inherently undermine the demographic concept of a Jewish state. This said, real main obstacle to the peace process was the death of pragmatism in both the Knesset and the PA. With Rabin's death as a foreboding precursor, politicians subsequently seemed content "posturing, playing for the home audience"[18] allowing extremism to flower and the interim promises of Oslo to wilt.

Bibliography

- Shlaim,A: The iron wall : Israel and the Arab world, London 2000
- Pappe,I: Ethnic Cleansing of Palestine, Oxford, 2006
- Quandt,W.B: American diplomacy and the Arab-Israeli conflict since 1967, Berkely, 2005
- Morris,B, The birth of the Palestinian refugee problem revisited, Cambridge, 2003
- Aruri,N.H: Palestinian refugees: The right of return, Sterling, 2001
- Dumper,M: The Future for Palestinian Refugees: toward equity and peace, Colorado, 2007
- Howard Sacha in 'Enforcing the Peace' in Foreign Affairs, Tampa, January/February 2011
- Hammami,Tamari: Civil society in Palestine "case studies", in Dumper's Future for Palestinian Refugees: toward equality and peace, Colorado, 2007
- http://www.gush-shalom.org/media/barak_eng.swf
- http://www.peacelobby.org/clinton_parameters.htm
- http://www.jpost.com/MiddleEast/Article.aspx?ID=189549&R=R1
- http://news.bbc.co.uk/1/shared/spl/hi/middle_east/03/v3_ip_timeline/html/
- Peretz,D: Palestinians, refugees, and the Middle East peace process, Washington, 2003
- Zoe Steiner, Britain and the Origins of the First World War Second Edition, London, 1977

[1] Zoe Steiner, *Britain and the Origins of the First World War Second Edition*, London, 1977, p233.

[2] Morris,B, *The birth of the Palestinian refugee problem revisited*, Cambridge, 2003

[3] Shlaim,A: *The iron wall : Israel and the Arab world*, London, 2000

[4] Pappe,I: *Ethnic Cleansing of Palestine*, Oxford, 2006

[5] Peretz,D: *Palestinians, refugees, and the Middle East peace process, Washington, 2003 p.69*

[6] Chafetz, in Shlaim's *Iron Wall: p.528*

[7] Quandt,W.B: *American diplomacy and the Arab-Israeli conflict since 1967,* Berkely, 2005, p.334-338

[8] Howard Sacha in *Foreign Affairs: Enforcing the Peace*, Tampa, January/February 2011

[9] Quandt,W.B: *American diplomacy and the Arab-Israeli conflict since 1967,* Berkely, 2005, p.335

[10]Shlaim,A: *The iron wall : Israel and the Arab world*, London 2000 p.567

[11] Pappe,I: *Ethnic Cleansing of Palestine*, Oxford, 2006, p.246

[12] Shlaim,A: *The iron wall* p.569

[13] Shlaim,A: *The iron wall*, p.587

[14] Pappe,I: *Ethnic Cleansing of Palestine*, Oxford, 2006

[15] Dumper,M: *The Future for Palestinian Refugees: toward equity and peace*, Colorado, 2007 p.179

[16] Hammami and Tubourg, in Dumper's *Future for Palestinian Refugees:toward equality and peace, p.34*

[17] Dumper,M*: The Future for Palestinian Refugees: toward equity and peace*, Colorado, 2007 p.32-33

[18] Quandt,W.B: *American diplomacy and the Arab-Israeli conflict since 1967,* Berkely, 2005, p.334

About the author:

The author/s of this content have been verified by E-international Relations, but wish to remain anonymous.