

Reflections on Al-Nakba that Deserve Remembering

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May 15 marked Nakba (“catastrophe” in Arabic) Day, Palestinians’ annual mourning of British withdrawal in 1948 leaving them helpless – having been disarmed by the British in the late 1930s – against a blitzkrieg of ethnic cleansing by Zionist terrorism with mass expulsions, property seizures and over 30 massacres.

The 70-80% dispossessed and expelled population have never been allowed to return, with those remaining within Israel in 1948, and those later colonized in 1967, repressed under brutal and degrading occupations and denied basic civil and human rights in varying degrees to this day.



Israel has predictably used the occasion this year for yet another genocidal onslaught against Gaza while President Biden smiles and signs yet another U.S. Treasury check to the genocidaires involuntarily underwritten by American taxpayers. Israeli PM Netanyahu smiles beside him in a photo-op for the Israeli electorate demonstrating their highly effective, long-standing lobby power openly boasted in 2001 by then-Israeli PM Ariel Sharon, “We, the Jewish people control America, and the Americans know it.”

Fortunately, Sharon didn’t speak for all “Jewish people” as Jewish Voice for Peace and other

anti-Zionist Jewish organizations are making clear. But they need to ramp up their opposition, since the anti-Zionist diaspora probably holds the key to any acceptable solution. The simplest and best solution, an integrated democratic state which I believe inevitable, and better sooner than later, was proposed over 30 years ago by a great Palestinian leader, Dr. Haider Abdul Shafi.

Good efforts by good people

I profoundly appreciate distinguished international attorneys such as Richard Falk, Marjorie Cohn and John Dugard who have repeatedly condemned Israel's relentless "violations of international humanitarian law" and sought legal redress through UN channels that are invariably blocked by U.S. threats, financial leverage, UN Security Council vetoes, and manipulations of international institutional machinery.

But there are too many syllables (17) in that familiar phrase to capture or evoke what we psychologists call "appropriate affect," aka gut feelings. Perhaps the most dedicated legal advocate for Palestine has been University of Illinois professor of international law Francis Boyle, who beyond articulate condemnation has painstakingly disentangled the elaborate strategies and deceptions used by Israel to evade international justice, and does not conceal his contempt for these devices and for American enablers who collude with Israel under guise of neutral mediation.

Even were it is actually practiced, the pretense of neutrality is disingenuous at its base. A murder, rape or armed robbery is not defined as a "conflict." There are "two sides" to be sure, but criminal rather than civil law is the applicable remedy. In his agonizing account of Israel's foundation following declassification of Israeli archives in the 1980s, titled *The Ethnic Cleansing of Palestine*, Israeli historian Ilan Pappé unequivocally designated the *Nakba* "a crime against humanity" that must be named as such and treated as a crime.

Dr. Boyle's book, *Palestine, Palestinians and International Law*, continues this story of the ongoing Nakba, describing his legal consultation with the Palestinian delegation preceding Oslo and his deep respect for the delegation's leader. This wise, principled and articulate Gaza physician, Dr. Haidar Abdul Shafi, offered Israel in his 1991 [Madrid speech](#) the peace it has always claimed it wanted, but to no avail since it also included the justice Israel has never wanted.

Before this moment, Palestinians had quite properly but futilely demanded that Israel return the land it stole, allow the refugees to return as specified by UN Resolution 194 under Article 13 of the Universal Declaration of Human Rights and pledged by Israel as a condition of its UN admission in 1949, and get out. But for the first time, a prominent Palestinian leader agreed to accept the invasive Jewish presence in Palestine however illegitimate in origin, share the land and establish a true democracy with equal citizenship and civil rights for all.

Opportunities squandered for greed and racism

But Israel ignored this entirely, met in Oslo with Arafat excluding Dr. Abdul Shafi, and engineered the Oslo Accords that included all the loopholes Boyle had advised the Palestinians to beware. The rest is history to date, as Israeli settlers under protection of IDF martial law and the ruse of conditionality pending "final settlement negotiations" have gobbled up more and more Palestinian land, dispossessed more and more Palestinian citizens, committed wholesale violations of the Universal Declaration of Human Rights, and

entirely disregarded the Fourth Geneva Convention which specifies the duties and limitations of an occupying power.

In a great historic irony, the democratic one-state solution offered by Dr. Abdul Shafi had been the solution envisioned by the majority of members of UNSCOP (UN Special Committee on Palestine) established in 1947 in response to the problems anticipated upon the announced British withdrawal. However, elaborate manipulations by the Zionist lobby supported by U.S. financial extortion – described in detail by contemporary observer Alfred Lilienthal in his 1953 book, *What Price Israel* – resulted in recommendation to the UN General Assembly, adopted as UNGA 181 in November 1947, that two-thirds of Palestine be given to the 30% Jewish population who owned less than 7% of the land.

In the discarded plan, Jerusalem would have been reserved as an international *corpus separatum* sacred to the three Abrahamic faiths under UN administration, which would likely have avoided the ethnic cleansing inferno we see there today.

UNGA 181 was never ratified by the UN Security Council, which was instead developing a 5-year UN trusteeship plan when Zionist terrorist militias, recognizing that they would not get what they wanted from the UN, launched their long- and well-prepared “Plan Dalet” operation to take over by force. In a final deception as British troops shipped out for home, Zionist leaders declared themselves a new country and requested diplomatic recognition from President Truman by assuring him that Israel would be a secular state. But the document cabled to Truman self-identified as the “new Jewish state,” which Truman [modified by hand](#) to read the “state of Israel.”

Intransigence or maturation ahead?

No matter. Israel proceeded to do what it pleased irrespective of U.S. or international opinion and has done so ever since. But ultimately, the only outcome consistent with international law and human rights is the original plan envisioned by UNSCOP and later proposed by Dr. Abdul Shafi, a solution prevented by the U.S. roadblock and Israeli unwillingness to abandon its racist policies of Jewish supremacy and entitlement. Their obstinacy blinds perception that the transformation of Israel into a multi-ethnic democracy from internal apartheid with some 65 laws that discriminate against non-Jews, and a UN-designated “belligerent occupation” next door, would benefit both parties.

Despite the daunting obstacles inflicted by Israel, Palestinians are a well-educated and admirably resilient people. Together, Israel/Palestine could become a great country instead of a festering sore in the Middle East. As a secular, egalitarian unity, Israel would predictably repel its racist settlers and attract better, smarter, more open and tolerant Jewish and other citizens. Until then, from my viewpoint as an advocate for international law and justice, I see no historical basis to view Israel as anything but an illegal political interloper “on a lunatic course” headed for self-destruction as forecast by French Israeli Michel Warschawski in his 2004 book, “Toward an Open Tomb.” The entire land between the Mediterranean and Jordan River – not simply the West Bank, East Jerusalem and Gaza – remains 73-year occupied Palestine that urgently needs thorough de-occupation. But Israel persistently continues along its narcissistic path of self-isolation behind its own apartheid walls – both physical and psychological.

Neither Israel nor the U.S. has special entitlement to drive on the wrong side of the street, although both do so at will. The world at large seems to agree. International opinion polls

consistently view the U.S. as the [greatest threat to world peace](#), and United Nations member states are nearly uniform in [condemning Israel](#). We have vetoed 45 UN Security Council resolutions to censure or discipline Israel, in 44 of which we were joined by none of the other 14 member states. The UN General Assembly has passed dozens of resolutions against Israel by overwhelming margins, with Israel, the U.S. and three South Pacific island U.S. principalities the only reliable votes supporting Israel each time. Much of the world has suffered under settler and/or economic colonialism and wants no more of it.



For our non-profit [al-Nakba Awareness Project](#), I produce an annual calendar each year. The cover image I found for our 2020 calendar seems Nakba-relevant this month. It evokes the layered beauty and vitality of historic Palestine (Jaffa) in the foreground, where it belongs. Palestine was the [western arc of the fertile crescent](#) sharing the origins of Eurasian civilization, hardly a “land without a people.” Jesus was a Palestinian. Gaza, Jaffa, Haifa and Acre were ancient Mediterranean ports. Tiberius and Jericho were ancient cities in the fertile Jordan Valley. Safad and Hebron anchored trade routes connecting Egypt, Persia and East Asia to each other and the Mediterranean. Palestinians have had various and successive cultures and cosmologies over some [4,000](#) years. In this calendar cover we see ordinary modern Tel Aviv, a grafted intrusion, in the background where it should humbly remain.

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