

Camp David and Palestine

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CAMP DAVID AND PALESTINE

by
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Introduction

"The peace agreement which Israel is to negotiate with Egypt within three months looks like a separate Israeli-Egyptian peace, feels like a separate Israeli-Egyptian peace, and smells like a separate Israeli-Egyptian peace, but is not a separate Israeli-Egyptian peace.

"At least, that is what Prime Minister Begin does not want the Israeli press to call it because it would `weaken and embarrass President Sadat'."

-These are the opening paragraphs of a report in *The Jewish Week* on Begin's meeting with Hebrew-language media representatives in Washington, D.C., on 18 September 1978—the day following the end of the Camp David Summit.¹

American diplomats and spokesmen also have launched an intensive campaign aimed at convincing leaders of a skeptical world—particularly Arab leaders—that what was accomplished at Camp David was not merely the foundation of a separate, bilateral peace treaty between Egypt and Israel but also a genuine framework for a comprehensive settlement of the Arab-Israeli conflict in all its aspects—including its root-cause and core, the Palestine problem.

"No peace agreement will be either just or secure if it does not resolve the problem of the Palestinians in the broadest sense," Mr. Vance told the United Nations General Assembly on 29 September. "We believe that the Palestinian people must be assured that they and their descendants can live with dignity and freedom, and have the opportunity for economic fulfillment and for political expression," he added. "We are determined to achieve a fair and just settlement of the Middle East question in all its parts, and we hope the Palestinian people will seize this historic opportunity," he stated.²

Propaganda-rhetoric, posturing and public relations-diplomacy aside, however, what does the Camp David "Framework for Peace in the Middle East" really *offer* the Palestinian people in real terms—in the immediate, intermediate and long-range future?

Before we turn to specifics, let us make a few general observations about the basic features of the Camp David "Palestine formula" as a whole.

I. Basic Features of the Camp David "Palestine Formula"

1. Denial of Fundamental Palestine Rights:

The Camp David accords envisage a final resolution of the Palestine problem which precludes the exercise of the inalienable national right of the Palestinian people to self-determination and statehood in Palestine, the natural human right of dispersed Palestinians to return to their homes, and the elementary right of the Palestinian people to choose and designate its national representatives.

Both Israel and the United States had all along denied the Palestinian people those rights; it was the concurrence in that denial by the Egyptian negotiators, headed by President Sadat, however, that constituted the astonishing feature of the Camp David Palestine formula. Hence the prompt declarations of the unacceptability of that formula which have been made not only by the Palestine Liberation Organization and the leaders of the Palestinian population of the West Bank and Gaza but also by the Governments of the Arab States—as well as by the post-Camp David meetings of the Non-Aligned and the Islamic States, the Socialist States and others. For it has been clearly perceived that the Camp David Palestine formula violates the international consensus on the Palestine problem which has been repeatedly expressed by the Summit Conferences of all those groups of States, as well as by the United Nations.

2. Permanent Dismemberment of the Palestinian People:

The Camp David Framework divides the Palestinian people into separate categories and offers different formulas for dealing with their respective situations. It places in one special class, and focuses its attention upon, the "inhabitants of the West Bank and Gaza." It then takes cognizance of a second group of Palestinians, consisting of those who were "displaced from the West Bank and Gaza in 1967". And, finally, it refers imprecisely to the "refugee problem". (It should be noted, however, that the Camp David Framework does not refer at all to three other categories: Palestinians displaced or deported from the West Bank and Gaza since 1967; Palestinians who were displaced in 1948 but who have not registered themselves with UNRWA as "refugees"; and Palestinians in Israel.)

The distinctions among various groups of Palestinians, however, are not made solely for the procedural purpose of providing appropriate formulas for dealing with each group in accordance with its distinctive present situation. On the contrary: the Camp David conferees have "assigned" each of those groups a separate and distinct permanent fate.

The unity of the Palestinian people is thus to be brought to an end, once and for all, under the Camp David accords.

The dismemberment of the Palestinian people—which is in itself a symptom of its tragedy—has been transformed at Camp David into a permanent feature of the proposed Egyptian-Israeli-American solution to the Palestinian problem.

3. An "Imposed Settlement":

The Camp David Palestine formula has all the earmarks of an "imposed settlement"—a concept formerly opposed by both Israel and the United States.

All the basic decisions—whether the explicit decisions relating to procedures to be followed in seeking solutions or the implicit decisions regarding the nature of those solutions—have been made at Camp David in the absence of Palestinian representatives and without regard for the known wishes and the universally-recognized rights of the Palestinian people. Once again, then, the Palestinian people is now being confronted—as it was confronted on many occasions in the past sixty years—with fundamental decisions about its own destiny reached without its participation, knowledge or consent. In this respect also, then, what has been so far a symptom of the Palestinian tragedy has been made at Camp David a permanent feature of purported Palestinian "salvation". The Camp David Framework will go down in the history of Palestine alongside the Balfour Declaration, the League of Nations Mandate, the partition recommendation of the United Nations General Assembly and Security Council resolution 242—all of which dealt with Palestinians as objects and ignored both their inalienable rights and their known aspirations.

In this connection, it should be recalled that it was none other than President Sadat who declared, in his keynote address to the latest (thirteenth) session of the Palestine National Council:

"The Palestinian people is the sole decision-maker with respect to anything that concerns its destiny and its cause. No one, whoever he may be, may exercise a trusteeship over, or impose his will upon, the Palestinian people. For a decision which does not emanate from a free will is devoid of its very essence. We in Egypt insist that the Palestinian will shall remain sovereign and independent, free from bondage or interference. We equally insist that all the decisions which that will has generated shall be fully respected—foremost among which, is the decision to designate the Palestine Liberation Organization as its sole legitimate representative, the defender of its rights and interests."³

4. Procedural Substitutes for Substantive Principles:

Unlike the "Framework for the Conclusion of a Peace Treaty Between Egypt and Israel", which includes agreements on substantive, general principles as well as specific actions, the "Framework for Peace in the Middle East" provides only procedural formulas.

Moreover, the generic procedure involved is that of "negotiation"—which, in the absence of agreement on substantive principles, will necessarily confer upon Israel in practice a veto-power over any proposal which it does not approve, including proposals to inscribe certain outstanding

issues not specifically mentioned in the document on the agenda of the proposed negotiations.

Thus, the basic decisions relating to all aspects of the Palestine problem have simply been deferred; Israel has been assured of its ability to prevent—when the moment of decision at last arrives—the adoption of any agreement to which it does not consent; and, inasmuch as Israel is now, and will then be, in actual control of the situation, the failure to reach agreement (as a result of the Israeli veto) will be tantamount to perpetuation of the status quo.

In presenting the Camp David "Framework for Peace in the Middle East" on 17 September 1978, President Carter told the world:

"This framework concerns the principles and some specifics in the most substantive way which will govern a comprehensive peace settlement."⁴

The fact of the matter, however, is that the document in question deserves none of those descriptions: no "principles" and no "specifics" are dealt with in a "substantive" way—as we shall presently see.

II. Establishment of a Transitional Regime in the West Bank and Gaza

1. "Full Autonomy"?

The population of the West Bank and Gaza is to experience some relaxation of direct rule by the Israeli military government and a measure of self-rule, more or less in accordance with a proposal first made by Begin on 28 December 1977.

Although President Carter, in his address to the joint session of Congress on 18 September 1978, described this transformation by saying that "the Israeli military government over those areas will be withdrawn and will be replaced with a self-government with full autonomy"⁵ [emphasis added], it is explicitly stated in the Camp David Framework that the precise "powers and responsibilities of the self-governing authority to be exercised in the West Bank and Gaza *have yet to be defined*, and that they will be defined through negotiations among Egypt, Israel and Jordan.

The Government of each of these three countries must "agree on the "powers and responsibilities" of the proposed "self-governing" authority—which means that each of those Governments will have a veto-power. Accordingly, the "self-governing" authority will not be able to enjoy any of the attributes of "self-government" or "full autonomy" which the Government of Israel does not consent to confer upon it.

2. *Palestinian Participation: Fact or Fiction?*

It is true that the agreement provides also that, in those negotiations in which the powers and responsibilities of the "self-governing" authority will be defined, "the delegations of Egypt and Jordan may include Palestinians from the West Bank and Gaza or other Palestinians as *mutually*

agreed." [Emphasis added]. This modest permissive clause has given rise to some extravagant rhetoric. Thus, Secretary Vance told the United Nations General Assembly on 29 September 1978:

"The Camp David Framework also gives the Palestinians a vital role in shaping their destiny by recognizing them as participants in all aspects of the negotiations that determine their future. They will participate in the negotiations to set up their self-governing authority ..."⁶

Contrary to that assertion, however, Palestinian participation in that regard is subject to six crucial limitations:

- (1) The actual inclusion of Palestinians in the Jordanian and Egyptian delegations is not mandatory: it is subject to the decision of the Governments of Jordan and Egypt, respectively.
- (2) The selection of individual Palestinians is also subject to the will of those Governments: the selected Palestinians will be not representatives of their own people but appointees of an Arab Government.
- (3) If either Arab Government chooses to include Palestinians in its delegation, every Palestinian it selects must first be approved by Israel. Israel can thus veto the participation of any individual Palestinian in either Arab delegation.
- (4) During the negotiations, any proposal which a Palestinian member of either Arab delegation may wish to make must be approved by the Arab delegation concerned before it may be formally presented at the negotiations.
- (5) Proposals, whether Israeli or Arab, which are unacceptable to any Palestinian participant (or to all Palestinian participants) will not be rejected by the Arab delegation concerned unless its Government also finds the proposals in question unacceptable to it.
- (6) Any proposal made by a Palestinian participant—assuming that it is endorsed and submitted by the Arab delegation in which he serves—must be approved by the delegation of Israel before it may be reflected in the final agreement.

Under these limitations, the role of participating Palestinians—assuming that any Palestinians choose, or are permitted, to participate—is minimal indeed: it is a far cry from the "vital role" about which Mr. Vance spoke.

Egypt, Israel and the United States, then, have already determined that the role of any Palestinian who may be selected in his personal capacity to participate in the projected tripartite negotiations shall be a subordinate role—a token role.

And neither the Palestinian people as a whole, nor the Palestinian inhabitants of the West Bank

and Gaza, will be represented as an independent party, and on an equal footing with the other parties, in the negotiations during which the powers and responsibilities of the projected "self-governing" authority are to be defined.

3. The Sadat Innovation: Palestinian "Participation by Proxy":

The pretense of enabling the Palestinians to play a vital role in shaping their own future institutions in the West Bank and Gaza was unceremoniously tossed to the winds in the simultaneous exchange of letters which accompanied the agreement on the Camp David Framework. In one of those letters, dated 17 September 1978, President Sadat wrote to President Carter:

"To ensure the implementation of the provisions related to the West Bank and Gaza and in order to safeguard the legitimate rights of the Palestinian people, Egypt will be prepared to assume the Arab role emanating from those provisions, following consultations with Jordan and the representatives of the Palestinian people."⁷

In view of the clear opposition voiced by the Palestinian Liberation Organization (on behalf of the Palestinian people as a whole) and by the leaders of the West Bank and Gaza (on behalf of that section of the Palestinian people directly concerned) to the Camp David Palestine formula, any attempt by President Sadat to give effect to that unilateral undertaking would make a mockery of any claim that such arrangements as may be contrived through the Camp David-initiated processes represent the will, or respond to the aspirations, or safeguard the rights and interests, of the Palestinian people.

4. "Free" Elections Under Foreign Military Occupation:

The United States, Egypt and Israel have already agreed, in the Camp David "Framework for Peace", that elections to the "self-governing" authority shall take place under Israeli occupation and while the Israeli military government continues to exercise sole authority in the West Bank and Gaza. No provision is made for the withdrawal of the Israel military government prior to the elections, or at least for the suspension of Israeli military rule during the election campaign and the actual elections.

Nor is there provision for impartial, international supervision for safeguarding the freedom of the electoral process, the integrity of the election results, or the freedom of expression during the election campaign.

5. Additional Statutory Limitations:

Thus doubly handicapped before birth—by virtue of the fact that its powers and responsibilities are to be defined by others, and that elections are to take place under foreign military occupation without international supervision—the "self-governing" authority is further handicapped by certain mandatory provisions of the Camp David agreement, which will place additional crippling limitations

on its autonomy. It is unequivocally stipulated in the "Framework of Peace" that "these new arrangements should give due consideration both to the principle of self-government by the inhabitants of these territories and to the legitimate security concerns of the parties involved." Thus, for example, "Israeli and Jordanian forces will participate in joint patrols and in the manning of control posts to assure the security of the borders."

III. "Self-Government" during the Transitional Period

1. "Legitimizing" Continued Israeli Occupation:

During the transitional period—which will last for five years from the time the "self-governing" authority is "established and inaugurated"—Israeli forces will continue to be stationed in the West Bank and Gaza, notwithstanding partial withdrawal, in locations to be specified during the proposed Egyptian-Israeli-Jordanian negotiations. Having been determined in advance by the agreement of the United States, Israel and Egypt at Camp David, the question of the continued presence of Israeli forces in the West Bank and Gaza throughout the five-year transitional period will not be subject to further discussion and agreement at the proposed trilateral negotiations. Acquiescence in that decision by the "self-governing" authority, which those negotiations are designed to produce, is mandatory.

Nor will the "self-governing" authority have a say in determining the *locations* into which those forces will be redeployed, their *size*, their *weapons*, or their *functions*—for all these matters will have been decided by Israel, Egypt and Jordan in the proposed trilateral negotiations *before* the establishment of the "self-governing" authority; and the agreements among the three parties will be binding upon that authority.

The Camp David Framework thus bestows *American-Egyptian* "legitimacy" upon the continued Israeli occupation of the Palestinian areas in question for years to come. The projected Egyptian-Israeli-Jordan negotiations—which, it is stipulated, must be conducted "on the basis" of the Camp David agreement—are pre-determined to confer further "legitimacy" upon that occupation through Jordanian consent (if Jordan agrees to participate in those negotiations). And the "self-governing" authority in those Palestinian territories—which must acquiesce in that continued occupation—will in effect grant purported Palestinian "legitimacy" thereto as well.

Thus, thanks to the Camp David "Framework for Peace", an Israeli occupation—which the entire international community has for eleven years been declaring illegal—will now be enabled to maintain itself in the Palestinian territories concerned as a "legitimate" occupation for several more years, if not permanently!

2. Excluding Occupied Jerusalem:

The Camp David "Framework" places occupied Jerusalem totally outside the scope of the powers and responsibilities of the projected "self-governing" authority.

It will be recalled that, since the beginning of the Israeli occupation of the West Bank, occupied Jerusalem has been formally *annexed* and its area *enlarged* (by the incorporation therein of other occupied Palestinian territories). Its *demographic composition* has also been significantly altered—by the displacement and deportation of thousands of Palestinians from, and the settlement of thousands of Israelis in, "Greater Jerusalem".

Having failed to agree even on some procedural formula for deciding the status of occupied Jerusalem during the transitional period and beyond, the Camp David conferees resorted to the stratagem of an "exchange of letters"—in which Carter and Begin reaffirmed their respective countries' positions while Sadat, deviating from the Arab position, made significant concessions.

It has been reported that, during the Knesset debate on the Camp David agreements, "Begin disclosed that he had threatened not to sign the accords if President Anwar Sadat of Egypt had gone ahead with his intention to send him a 'letter of disagreement'" regarding Jerusalem.⁸

Concerning that "exchange of letters", Begin told the Knesset:

"I don't really mind what Mr. Carter writes to Mr. Sadat, or Mr. Sadat to Mr. Carter. Jerusalem will remain the eternal united capital of Israel, and that is that. What we declare on this issue is what will stick."⁹

Earlier, he had told a large audience of American Jewish leaders in New York, on 20 September, that Jerusalem had been a "heated issue" at Camp David and that he had "chided" Carter for not recognizing Jerusalem as Israel's capital. He added:

"Recognition or no recognition, Jerusalem is united and indivisible and for ever more will remain the eternal capital of our people."¹⁰

Begin repeated that statement again and again on American television programs; and, later on, he pointedly made it the sole theme of his Rosh Ha-Shana Message (of 28 September 1978), which reads as follows:

"To my brethren, the Jews of the diaspora, from Jerusalem, the eternal and indivisible capital of our people and land, I send my heartfelt greetings. May the Almighty bless every Jewish household and family with happiness and may the coming year be blessed as the year of peace. Shanah Tova."¹¹

In the absence of an explicit American-Israeli-Egyptian agreement at Camp David to that effect, the question of Jerusalem will not appear on the agenda of the projected tripartite negotiations designed to define the powers and responsibilities of the "self-governing" authority—for it is clearly stipulated that those negotiations would be carried out strictly "on the basis" of the Camp David Framework.

Accordingly, the "self-governing" authority will be automatically prohibited from exercising any

powers or responsibilities with respect to the *territory* of occupied Jerusalem, including the additional occupied areas incorporated into "Greater Jerusalem", or its population. Nor will it be competent to exercise any powers regarding the *property* which has been expropriated by Israel in "Greater Jerusalem" during the past eleven years.

3. *Equivocation on Israeli Settlements:*

(a) *Establishment of New Settlements:*

Concerning the Israeli settlements established by Israel in the occupied Arab territories, including the Palestinian territories of the West Bank and Gaza—in violation of international law, and in defiance of repeated condemnations by the United Nations—the controversy over what was actually agreed upon at Camp David still rages. It revolves around only one aspect of the question of Israeli settlements in the West Bank and Gaza, namely, whether the freeze on the establishment of new settlements, to which Begin has agreed, applies only during the three-month period in which negotiations on a separate Egyptian-Israeli peace treaty must be conducted and concluded (as Begin contends), or whether it applies during the projected trilateral negotiations on the modalities for establishing the "self-governing" authority in the West Bank and Gaza (as Carter maintains).

Beyond that, there is another dispute over whether the trilateral negotiations can or cannot take up the question of Israel's establishment of new settlements in the West Bank and Gaza during the five-year transitional period, and therefore whether or not the "self-governing" authority may be given the power to prohibit or control the establishment of new settlements in those territories. David Landau has summarized the two points of view as follows:

"Israel maintains that it will resume the right to put up new settlements unless *all four* negotiating parties [i.e., including Israel itself] decide otherwise. The U.S. holds that the settlement freeze will in effect continue unless and until all four parties decide to lift it."¹² (Emphasis added).

President Carter has sought to minimize the Israeli-American dispute and, in the process, to exonerate Begin and absolve him of improper action. "I certainly do not allege any improper action on his part. It is just an honest difference of opinion", he told a news conference on 28 September 1978¹³; and at least one American newspaper has cautioned against the "backtracking" implicit in that statement. Wrote the *Christian Science Monitor* editorially:

"President Carter appears to have softened his dispute with Israel ... If he has backtracked, we question the wisdom of the decision."¹⁴

No less astonishing than President Carter's exoneration of Begin over this issue is his having permitted himself to be deceived by ambiguity over such a vital issue in the first instance. For the Carter Administration has had more than one experience with the deviousness of the Begin Administration over the question of unilateral freeze on the establishment of Israeli settlements. On the

next-to-last occasion, the *Washington Post* summarized what it described as Begin's "provocative and devious" policy as follows:

"No sooner had Menachem Begin promised Jimmy Carter personally last July that Israel would restrict new settlements on occupied territories than the Israeli government legalized three existing but previously unauthorized settlements in the West Bank. Only three weeks later new civilian settlements were established ...

"Moshe Dayan in September assured Jimmy Carter that there would be no more settlements except within existing military camps .. Then it turned out that the Dayan pledge was good only for a year.. .`A' year soon became `the' year,1977.

"On Jan. 3, 1978, some weeks after Anwar Sadat's Jerusalem initiative transformed the diplomatic landscape, the government authorized three more West Bank civilian settlements—albeit inside military perimeters—in a part of the West Bank heavily populated by Arabs. Just the other day American officials detected signs of yet another new settlement. Mr. Carter said he'd been assured it was only an archaeological dig, but the people living there say they intend to stay.

"What is going on? Many Israelis, even some within the government coalition, are shocked to find Mr. Begin pursuing a policy so provocative and devious. A policy of sneaking new settlements in between the lines of assurances to the United States is offensive to the United States, and to Jimmy Carter personally.¹⁵

The New York Times also surveyed what it termed "the stealthy conduct" of Israel's policy of "planting new settlements", in the same vein. It wrote editorially:

"After agreeing with President Carter that Israel should not encumber the path to negotiation with new psychological and even physical obstacles, Prime Minister Begin's Government has been infinitely resourceful but most imprudent in the handling of the settlement issue.

"Existing but previously unauthorized settlements have been officially recognized and qualified for governmental support.

"New settlements, allegedly restricted to military encampments, have been earmarked for demilitarization and various forms of 'civilianization'.

"One settlement, officially `unauthorized,' has been given the fig leaf of archaeological site.

"Three more are now being constructed by military units, under an `old' plan but for `new' civilians.

"The effect is to portray Israel's leaders as tricksters determined to drive huge tractors through the loopholes of solemn policy declarations ."¹⁶

In view of this history, it is inexcusable that Mr. Carter should have permitted the Camp David agreements to contain such gaping loopholes through which Begin might choose to drive his fanatic determination to continue to colonize the West Bank and Gaza. In his first encounter with Begin's deviousness, after their first meeting, President Carter took the blame himself. "The matter of legalizing existing settlements was a subject that was never discussed by me or Prime Minister Begin," he told a news conference on 28 July 1977; "My own concern was with the establishment of new settlements".¹⁷ When pressed for further explanation, he said: "I hate to admit it to you, *but I did not think about* raising the subject of recognizing the legality of those settlements. The item that I wanted to discuss with him—and I did—both in the public meeting with Cabinet members and also privately upstairs in the White House, was the establishment of new settlements."¹⁸ (Emphasis added). However, by September 1978, neither inexperience with the complex aspects of the question of settlements nor unfamiliarity with Begin's pattern of deviousness could have served as a valid excuse for the failure at Camp David to make the agreement on settlements as loophole-proof as possible.

(b) Enlargement of Existing Settlements:

All this relates to the establishment of new settlements. Regarding the related question, of the *territorial enlargement* or *demographic expansion* of *existing* settlements, however, nothing at all was agreed upon at Camp David. Israel has made no commitments not to engage in the reinforcement of existing settlements in the West Bank and Gaza, whether during the period immediately ahead or during the five-year transitional period and beyond. Yet this is a question which is no less important than that of planting new settlements.

In the light of the events of the past year, it will be readily seen that the possibility of Israel's proceeding to establish new settlements in the guise of expanding existing ones is not remote. Israel resorted precisely to that strategem in early January 1978—between the end of the Begin-Sadat Ismailia Summit last Christmas and the convening of the Military and Political Committees, in Cairo and Jerusalem respectively, in mid-January 1978.

When the intensive Israeli campaign to build new settlements in Sinai in early January 1978, and the strong disapproval voiced by both the United States and Egypt, brought matters to a head, the Israeli Government found a way out by equivocation. William E. Farrell reported on the decisions of the Israeli cabinet, on 8 January 1978, in the *New York Times*, in the following words:

"Mindful of the sensitivity of the impending negotiations between Israel and Egypt, the Cabinet today rejected plans for establishing new settlements on Israeli-occupied areas of Sinai.

"The Cabinet Secretary, Aryeh Noar, said that the Cabinet voted, however, to extend agricultural lands and to encourage additional settlers to move to existing Israeli communities in northern Sinai ... and to the vicinity of Sharm al-Sheik.. ."19

In a report from Yamit, the principal Israeli settlement in Sinai, filed the following day, Mr. Farrell wrote:

"The Cabinet said 'no' to new settlements but 'yes' to expansion of existing ones.

"Viewing the situation on the scene can cause bafflement.

"Some people say the bulldozers and earth movers are carving out land for new settlements. Others say the work is for expansion of existing settlements. How far, some ask, does a machine have to work from an existing settlement before it is involved in ground-breaking for a new one?"20

This cynical Israeli equivocation was noted by other observers. Thus, Ronald Koven wrote in the *Washington Post*:

"After what nearly erupted into an Israeli Government crisis over halting a rush plan for new settlements, the cabinet decided that it would add people and farmlands to existing settlements but not set up new ones.

"Many of the residents of the area see this as nothing but semantics. They say they do not care if the government chooses to call what were originally planned as new settlements enlargements of old ones."21

How the Israeli cabinet's decisions were implemented in practice was described by Zvi Arenstein in the *Jerusalem Post*:

"The government decision to 'strengthen existing agricultural settlements' in the Yamit area is in fact being defined as the establishment of separate agricultural 'footholds' as far as six kilometers from an existing settlement in Northern Sinai ...

"Construction of 20 of these 'footholds' was discussed at a meeting in Yamit between Agriculture Minister Ariel Sharon and Jewish settlement director Ra'anan Weitz on January 6 ...

"It appears that the plan is to put up just one house on each site, before continuing with its further development."22

With full knowledge of this Israeli pattern of operation, Presidents Carter and Sadat inexplicably failed to ask Prime Minister Begin for—or else tried but failed to extract from him—a commitment to refrain not only from the creation of new settlements but also from the enlargement of existing ones. This failure will return to haunt the Camp David participants in the future. For Begin has al-

ready declared in the Knesset that, "with regard to the West Bank, there was no problem with reinforcing Israeli settlements."²³

(c) Retention of All Settlements:

More important than the question of the setting-up of new settlements or the territorial-demographic expansion of existing ones is the question of the retention of Israeli settlements in the West Bank and Gaza.

Israel has made no commitments whatsoever regarding the liquidation of the network of settlements it has planted in the West Bank and Gaza since 1967.

Accordingly, the difficult question of the future of Israeli settlements, which has not been resolved, even in principle, at Camp David, remains open—as do all other questions relating to the future of the West Bank and Gaza. No substantive principles governing the negotiations on those questions were agreed upon at Camp David. As has already been indicated, however, to defer difficult issues of such importance to future negotiations without providing any directives about the principles which should govern those negotiations is to play into the hands of the party which controls the situation now and will control it then—Israel.

(d) The "Self-Governing" Authority & The Settlements:

Meanwhile, Israeli settlements will raise a number of important problems for and about the "self-governing" authority during the transitional period:

(1) Will Israeli settlers in the West Bank and Gaza take part in the elections to set up the "self-governing" authority? (It will be recalled that the Camp David Framework refers on several occasions to the "elected representatives of the inhabitants of the West Bank and Gaza" without qualifying the word "inhabitants" by any description of nationality or citizenship.)

(2) Will the "self-governing" authority have the power to restore to their rightful owners the lands expropriated by the Israeli occupation authorities over the past eleven years and turned into Israeli settlements?

(3) Will the "self-governing" authority exercise its powers over the Israeli settlements and settlers in the area it governs, just as it will over the villages and towns of that area and their Palestinian inhabitants? Will the local police, the judiciary, and the administrative agencies of the "self-governing" authority exercise their respective powers in and over the Israeli settlements? Or will Israel insist—as it had initially done with respect to its Sinai settlements—that its settlements in the West Bank and Gaza "be linked to Israeli administration and law" and "be defended by an Israeli force"?

The far-reaching importance of these questions, for the transitional period and beyond, requires

no elaboration. What the *New York Times* wrote editorially on the long-range import of Israeli settlements, before Camp David, applies with even greater relevancy after Camp David:

"Mr. Begin asks whether he has not been generous enough in postponing Israeli claims of sovereignty in the West Bank and offering 'self-rule' to the million Palestinians there and in Gaza. Why has Jordan failed to negotiate from that point? Probably because Jordan, like a growing number of prominent Israelis, understands the fine print in the offer. *While Arabs rule their own communities, Israelis financed by their Government and protected by their army would continue to buy and settle West Bank lands so that when the question of sovereignty is next examined, they will have completely altered the face of the region.* Behind a shield of security, they would have staked out claims to more territory. If it were not so, why have there been no Israeli security proposals—as for the Sinai—that plainly renounce the ambition for territory?"²⁴ (Emphasis added).

4. *Return of Displaced Persons:*

One more aspect of the powers and responsibilities of the proposed "self-governing" authority, according to the Camp David Framework, must be mentioned. It pertains to the power of that authority to participate in decisions on the return of former inhabitants of the West Bank and Gaza.

It will be recalled in that connection that the General Assembly has affirmed on at least 12 occasions the right of those persons to return to their homes—in resolutions 2252 (ES-V), 2452 A (XXIII), 2535 B (XXIV), 2672 D (XXV), 2792 E (XXVI), 2963 C and D (XXVII), 3089 C (XXVIII), 3331 D (XXIX), 3419 C (XXX), 31/15 D and 32/90 E. (The latest of these was adopted on 13 December 1977 by a vote of 125 in favor, one against (Israel), and no abstentions; however, five delegations, absent during the vote, later notified the United Nations Secretariat that they had intended to vote in favor—thus bringing the vote to 130 to 1.) This "reaffirm[ed] the right of the displaced inhabitants to return to their homes and camps in the territories occupied by Israel since 1967" and "deplore[d] the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants."

The agreement reached at Camp David, to the effect that "the Israeli military Government and its civilian administration will be withdrawn as soon as a self-governing authority has been freely elected by the inhabitants of these areas [viz., the West Bank and Gaza]" should have led to the two inescapable conclusions of that arrangement: the termination of Israel's ability to obstruct the exercise, by the displaced inhabitants of the West Bank and Gaza, of their inalienable and universally-recognized right of return; and the assumption, by the "self-governing" authority, of the power to determine the modalities of, and regulate, that process of return. But the logic of Camp David has decreed otherwise. The Camp David Framework has been based directly on paragraph 21 of Begin's original 26-point proposal of 28 December 1977. It provides that—

"During the transitional period, representatives of Egypt, Israel, Jordan, and the self-

governing authority will constitute a continuing committee to *decide by agreement* on the modalities of admission to persons displaced from the West Bank and Gaza in 1967, *together with necessary measures to prevent disruption and disorder.*" (Emphasis added).

By means of this procedure, the United States and Egypt have acquiesced in Israel's determination to abridge drastically the exercise of the right of return by the displaced Palestinian inhabitants of the West Bank and Gaza. Accordingly,

- (1) the *absolute right of return* is transformed into a *selective privilege of "admission"*,
- (2) the application of that "privilege" is limited to persons displaced in (but not since) 1967; and
- (3) Israel is given a *veto-power* over the "admission" of any of the displaced persons concerned.

The linkage between the "admission" of displaced persons and "measures to prevent disruption and disorder" gives Israel the legal weapon wherewith it may "justify" its refusal to consent to the "admission" of any Palestinian it deems "politically undesirable", on grounds of "security".

Furthermore, Israel has already alluded to another criterion it intends to apply in order to restrict the scope of the exercise by displaced Palestinians of their right of return: it intends to invoke the principle of "economic viability" as another factor in its determination of who and how many of the displaced Palestinians would be "admitted". At a news conference in Jerusalem on 21 September 1978, shortly after his return from Camp David, Dayan said that he "expects the Palestinians to demand the right of 100,000 (sic) of their compatriots who fled the West Bank and Gaza Strip to return. But Israel's attitude ... would depend on whether this will be economically viable. 'We don't want any new Arab refugee camps,' he said."²⁵

Students of the history of the Palestine problem will not fail to detect the irony of Israel's invoking the principle of "absorptive capacity" (now re-named "economic viability") in the context of seeking to limit the flow of people into the land. During the British Mandate, the Zionists always objected to any attempts to tie the influx of Jewish immigrants to the "absorptive capacity" of an underdeveloped Palestine. Now, however, when the issue revolves around the return of displaced inhabitants to their own homes, it is Israel which seeks to invoke that very principle whose relevance to the immigration of aliens had been denied by Zionists a few decades ago!

IV. Beyond the Transitional Period

1. Deferred Agreement on All Issues:

What of the future of the West Bank and Gaza beyond the transitional period?

The Camp David agreement resolves *none* of the issues involved: it simply *defers* all substan-

tive decisions.

Having failed to agree on the principles governing their resolution, the Camp David conferees have agreed on nothing other than a *procedure* for negotiating on those issues.

They have agreed on the *parties* to those negotiations ("Egypt, Israel, Jordan, and the elected representatives of the inhabitants of the West Bank and Gaza"); on their *timing* (they should begin "as soon as possible, but not later than the third year after the beginning of the transitional period" and end by the close of that period); and on *some* of the *issues* to be negotiated (namely, (1) "the final status of the West Bank and Gaza", (2) "its relationship with its neighbors", (3) "the location of the boundaries", and (4) "the nature of the security arrangements"). It is significant, however, that the following questions are not included among the "matters" which the Camp David conferees have agreed that the projected quadrilateral negotiations "will resolve": (1) the final status of occupied Jerusalem, (2) the future of Israeli settlements, (3) withdrawal of Israeli forces and, above all, (4) sovereignty over the West Bank and Gaza.

2. *The Position of Israel on The Outstanding Issues:*

Since the end of the Camp David Summit, Israeli leaders have forcefully reaffirmed the position which Israel will adopt at the projected negotiations.

(a) Occupied Jerusalem:

Several statements made by Prime Minister Begin since the end of the Camp David Summit were cited earlier, in connection with the transitional period; their import, however, goes beyond that period. In his address before the United Nations General Assembly on 9 October 1978, Mr. Dayan stated:

"One of the subjects that will be discussed between the parties will undoubtedly be the question concerning Jerusalem. For us, the city of Jerusalem is the one and only eternal capital city, whether or not others recognize it as such ... We have resolved never again to compromise the unity of Jerusalem, and it is our hope that other people will share our position."²⁶

Appearing on the CBS television program, "Face the Nation", on the preceding day, Dayan "set the rumors at rest which supposedly had him saying that he envisioned some Arab sovereignty over the eastern part. 'The answer is no. I haven't heard of it,' he declared."²⁷

(b) Israeli Settlements:

Immediately after the Knesset vote approving the removal of Israeli settlements from Sinai within the framework of an Egyptian-Israeli peace treaty, the Israeli press published assurances by Begin that that decision did not establish a precedent affecting the future of Israeli settlements in the other occupied territories. "In newspaper interviews published over the weekend," reported the

Jewish Telegraphic Agency *Daily News Bulletin*, Begin "insisted that Israel would never withdraw its settlements from the West Bank and Golan Heights."²⁸ And, in remarks to foreign newsmen in Jerusalem on 21 September 1978, Dayan stressed that "Israel would have an open-ended right" even after a peace treaty is signed to "settle on the West Bank."²⁹ He spoke in the same vein in his address to the United Nations General Assembly on 9 October 1978:

"... We do not regard ourselves as foreigners in those areas. The Israeli settlements in Judaea, Samaria and the Gaza district are there as of right. It is inconceivable to us that Jews should be prohibited from settling and living in Judaea and Samaria, which are the heart of our homeland."³⁰

(c) *Withdrawal of Israeli Forces*:

Begin has contended that the "security arrangements" envisaged in the Camp David Framework for the transitional period "and beyond" confer upon Israel the "automatic right to keep troops on the West Bank beyond the five-year interim period"³¹ and has declared that Israeli troops would remain on the West Bank "forever".³²

While Secretary Vance was visiting Saudi Arabia immediately after the end of the Camp David Summit, a senior official in the United States party who asked not to be identified was reported by the Associated Press to have told reporters that—

"if it was necessary for Israeli security, the United States would support Israel in its determination to leave troops on the West Bank beyond the five-year transition period envisaged in the Camp David accords."³³

(d) *"Security Arrangements"*:

In the "Framework for the Conclusion of a Peace Treaty Between Egypt and Israel", Israel agreed to a set of "security arrangements" which included the stationing of "United Nations forces" and excluded the continued stationing of Israeli forces in Sinai.

The "security arrangements" envisaged by Israel, with respect to the West Bank and Gaza—by contrast—would exclude the stationing of non-Israeli forces and require the continued presence of Israeli forces.

That was disclosed by Begin in his meeting in Washington with Hebrew-language media representatives, on 18 September 1978, when he was reported to have stated that "only Israeli troops would be on the West Bank and Gaza" and that "no foreign forces would be there."³⁴

(e) *"The Location of the Boundaries"*:

The fact that the Camp David conferees agreed that the projected quadrilateral negotiations would "resolve, among other matters, the location of the boundaries" indicates that both Presidents

Carter and Sadat have agreed, in advance of the negotiations, with the Israeli position that—at least as far as the West Bank and Gaza are concerned—there shall be no return to the Armistice Demarcation Lines which had separated Israel from those territories between 1949 and 1967.

In the Israeli mind, the question of drawing new borders is intimately inter-connected with the questions of continued presence of Israeli forces and retention of the settlements. The link has been aptly described in an editorial, "Towards a Peace Treaty," which appeared in the *Jerusalem Post* of 12 October and was reproduced in the 17 October issue of the *Jerusalem Post International Edition* (p. 24), as follows:

"Speaking to the General Assembly, Mr. Dayan set out Israel's twin irreducible conditions for a Palestinian solution: a deployment of Israeli forces in the West Bank and a recognition of the right of Jews to settle and live in Judea, Samaria and Gaza.

"In so doing the Foreign Minister may have come close to defining what amounts to ... a national consensus. But the definition is somewhat lacking in precision, and it gives ground for uncertainty.

"Mr. Dayan placed the right of settlement ahead of the consideration of security, and that need not have been accidental. Yet settlement to what purpose?

.. The underlying issue here is not, after all, whether Jews should be entitled to settle and live in Judea and Samaria, even though they are 'the heart of our homeland,' but whether these areas, or parts of them, should be within Israel's domain.

"It need hardly be repeated that very few Jews would care to take advantage of the right, or even the practical possibility, of living in the heart of the homeland that is not organically related to Israel's body politic.

"The way to a solution was pointed out by Mr. Dayan himself, towards the end of his speech to the General Assembly. There he recalled that under Security Council Resolution 242 'the final borders must be negotiated bilaterally among the states concerned.' That is what must, sooner or later, be done in the east with Jordan, as it has already been done in the south with Egypt. Once this is done it should indeed be possible, in Mr. Dayan's words, 'for Jews and Arabs to live together in equality, trust, and mutual respect.'"

(f) *Sovereignty over the West Bank and Gaza:*

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Shortly after the end of the Camp David Summit, Begin told the U.S. House Foreign Relations Committees that "Israel had not given up its right to claim sovereignty over the West Bank. It would exercise that right if the issue came up for negotiation in the future."³⁵ He assured "a cheering, enthusiastic audience of more than 200 Jewish leaders from across the United States" on 20 Septem-

ber 1978 that "Judaea, Samaria and the Gaza Strip are integral parts of the land of Israel. This is our land of right."³⁸ Although Israel was willing to "let the question of sovereignty be open", for the time being, it was ready to discuss it and re-assert its claims during the negotiations on the future of those territories." He repeated, in an exclusive interview with *Time Magazine*, that Israel has "a right and a claim to sovereignty" over the West Bank and Gaza, that it had agreed at Camp David that that question "will be left open", and that it will re-assert that claim at the end of the five-year transitional period in the expectation that "others also will come and put forward a similar claim."³⁸

Harry Hurwitz, the South African journalist who has become Begin's adviser on *hasbara* (information and propaganda), urged the Jewish media to "start educating your readers to understand the right of the Jewish people to Eretz Israel."³⁹ Emphasizing that that was one of the first priorities of the Jewish media, he added: "We must realize that in the course of the next five years, Israel and the Jewish people and the Zionist movement have to present a very strong, substantiated case to indicate that our claim to the right of Judea and Samaria as an integral part of Eretz Israel is the higher claim, the stronger claim."⁴⁰ Asking rhetorically, "What is Eretz Israel? Is it only the area around Tel Aviv and Netanya?" he replied to his own question: "I believe that when the time will come in the last years of the 20th century, we may well have to educate the world to sustain our political association with that Land."⁴¹

And Yehuda Blum, Israel's new permanent representative at the United Nations, told members of the Anglo-Jewish press that Israel's "concessions in Samaria and Judea," in allowing the question of sovereignty to be "kept in abeyance", were "of equal magnitude" to its "sweeping concession in the Sinai."⁴²

(g) *The final Status of the West Bank and Gaza:*

On several recent occasions, and particularly in his address to the Knesset during the debate on the Camp David accords, Begin has repeated his famous *three noes*: No Palestinian State; No referendum on the West Bank and Gaza; and No negotiations with the Palestine Liberation Organization.⁴³

More importantly, however, he told the Knesset, with reference to his negotiations with Presidents Sadat and Carter at Camp David:

"I obtained an assurance that there will not be a Palestinian state under any pretext whatsoever."⁴⁴

It will be noted that the public assertion has been contradicted neither by President Carter nor by President Sadat.

In that connection, it must be observed that the Camp David Framework, although it appears to leave the question open by not explicitly excluding political independence and statehood, implicitly rules out this option. For it requires that the projected negotiations produce agreement on a "peace

treaty between Israel and Jordan, taking into account the agreement on the final status of the West Bank and Gaza" and that, in those negotiations, the representatives of Jordan be "joined by the elected representatives of the inhabitants of the West Bank and Gaza."

3. *Disagreement Means Perpetuation of the Status Quo:*

It cannot be over-emphasized that, with regard to all the foregoing questions, by failing to agree on the substantive resolution of the problems involved and by simply deferring decisions to future negotiations, the Camp David conferees have in effect agreed that, while each party would be free at the negotiations to make whatever proposal it might wish to submit, every party would also be free to reject any proposal submitted by any other party. Armed with such a veto-power, the party in control would in effect be able, by preventing agreement, to perpetuate the status quo.

That was precisely what Begin had in mind when he told *Time Magazine*:

"[If] there is an agreement between the parties negotiating—then everybody will rejoice that there is an agreement. And if there is no agreement, the [present] arrangement . . . will continue. So in either case nothing wrong can happen. Therefore, I am optimistic about the future."⁴⁵

4. *Depriving Resolution 242 of All Relevance:*

The crux of the matter is that, contrary to Carter's assertion that the Camp David Framework "concerns the principles and some specifics in the most substantive way which will govern a comprehensive peace settlement",⁴⁶ the Camp David conferees agreed only on the procedures through which a settlement might be reached but on none of the principles governing a settlement.

It is true that the Camp David Framework, when it deferred all decisions about the future of the West Bank and Gaza and decreed that those decisions shall be reached through quadrilateral negotiations no later than the third year after the beginning of the transitional period, stipulated also that those negotiations "shall be based on all provisions and principles of U.N. Security Council Resolution 242." American diplomats have been placing special emphasis on that element in the agreement, in their private discussions with Arab leaders. What American diplomats have not taken fully into consideration, however, is that any substantive effect which might have otherwise resulted from that statement regarding resolution 242 has already been destroyed by Israel.

In his address to American Jewish leaders in New York, on 20 September 1978, Begin disclosed very important details of the negotiating history of the Camp David agreement, which throw a totally different light on the political and legal effects of the reference to resolution 242 in that agreement. And his version of the story of the Camp David negotiations, in that respect, has not been contradicted by either American or Egyptian participants.

According to Begin, the negotiations were held up for eight days by disagreement over a pas-

sage in an early American draft which declared that future negotiations would be based on the principle of "the inadmissibility of the acquisition of territory by war"—which is the most relevant principle proclaimed in resolution 242. Begin disclosed that he adamantly refused to sign any draft containing that clause and that, after eight days of arguing, the clause was deleted. Only then were the negotiations able to proceed.⁴⁷

As important as Begin's refusal to agree to the inclusion of the "inadmissibility" clause in the agreement and the acquiescence of Presidents Carter and Sadat in that position, was the reasoning behind Begin's position—as explained by Begin himself.⁴⁸ According to his uncontradicted version of the events, Begin argued that:

(1) Because the "inadmissibility" clause appeared in the preamble of resolution 242, it did not have the force of law;

(2) Even if it did have legal force, the "inadmissibility" clause would refer only to "aggressive wars";

(3) Israel captured the Palestinian (and other Arab) territories in question in "defensive war"; and

(4) In any case, the "inadmissibility" clause had no relevance whatsoever to the West Bank and Gaza, which are "integral parts of Eretz Israel". (Begin had all along maintained, it will be recalled, that those territories had been "liberated" in war and not "acquired by war").

Inasmuch as the negotiating history of an agreement is relevant for the interpretation and implementation of its provisions, particularly when there is disagreement over the interpretation of its terms, the attitude taken by Begin at Camp David—and acquiesced in by Carter and Sadat—removes the principle of "the inadmissibility of the acquisition territory by war" from among the "provisions and principles of UN Security Council Resolution 242" on which the projected quadrilateral negotiations on the future of the West Bank and Gaza "shall be based".

In other words, Israel has refused to agree that those projected negotiations would be governed by the principle of "the inadmissibility of the acquisition of territory by war". This plain fact is ignored by American diplomats when they try to assure Arab leaders about the prospects for the West Bank and Gaza in the projected future negotiations.

5. Hollow Recognition of the "Legitimate Rights of the Palestinian People":

Equally worthless, in practical terms, is the statement, in the Camp David Framework that: "The solution from the negotiations must also recognize the legitimate rights of the Palestinian people and their just requirements."

The very language of this statement reveals how hollow in fact it is. The "solution" must "recognize" the "legitimate rights" of the Palestinian people? In normal language, it is people or human institutions who recognize: whoever heard of solutions doing the recognizing? The unusual

language employed in the Camp David Framework can only serve to emphasize that the Camp David conferees could not agree on stating that Israel—or all the parties—would recognize the legitimate rights of the Palestinian people. Hence the resort to a form of rhetoric which would lull the Palestinians and hopefully satisfy their supporters without in fact committing Israel to anything specific.

Use of the term "legitimate rights" without defining its contents is somewhat deceptive—particularly when it is known that the parties to the Camp David agreement have totally different ideas about the connotations of that term. More importantly: the explicit and implicit provisions of the Camp David Framework exclude, in practice, the most important elements of the term "legitimate rights", including sovereignty, statehood, self-determination and return. In a perceptive analysis of the Camp David Framework, David Landau, the diplomatic correspondent of the *Jerusalem Post*, wrote:

"Though some of the awkward code-words were omitted, others were left in, and here, apparently, there were significant concessions by Mr. Begin. There is 'legitimate rights'. . . and there is 'all its aspects'—both codewords which Begin always refused to swallow ...

"But the Israeli concessions, it can be argued convincingly, were more apparent than real. Granted, the code-words are in the agreement. But the code has been broken. 'Legitimate rights' and 'all its aspects' no longer mean what they meant before.

"No longer does 'legitimate rights' virtually presuppose a Palestinian state. On the contrary, the 'Framework for Peace' agreement effectively rules out such a state—and redefines 'legitimate rights' accordingly:

"... The solution from the negotiations must also recognize the legitimate rights of the Palestinian people. ..' (That is, those rights will be recognized only to the extent that the four negotiating parties recognize them.)"⁴⁹

V. Resolution of The Palestine Problem "in All Its Aspects"

1. A Procedure for Establishing a Procedure:

Section A of the Camp David Framework for Peace, entitled "West Bank and Gaza", opens with the high-sounding declaration:

"Egypt, Israel, Jordan and the representatives of the Palestinian people should participate in negotiations on the resolution of the Palestine problem *in all its aspects*." (Emphasis added).

But the hopes aroused by that declaration are immediately blighted. For the document proceeds to narrow the scope of that opening statement, by declaring that:

"To *achieve that objective*, negotiations relating to the West Bank and Gaza should proceed in three stages." (Emphasis added).

Apart from the procedural provisions relating to the West Bank and Gaza which then follow, and on which we have commented in the preceding pages, the *only* other aspect of the Palestine problem to which the Camp David agreement refers is that of the refugees. The agreement states:

"Egypt and Israel will work with each other and with other interested parties to establish agreed procedures for a prompt, just and permanent implementation of the resolution of the refugee problem."

This strange paragraph provides only for a procedure for establishing a procedure! There is no agreement on the nature of the solution which the parties will seek to implement.

Even as a procedure, however, this formula is deficient. There is no agreement on who the "other interested parties" are, or who identifies them; on how the representatives of the Palestinian refugees will be designated; or on when the efforts to resolve the problem will begin or end. In all these respects, the procedural formula relating to the refugees has far more serious shortcomings than the procedural formulas relating to the West Bank and Gaza. Could it be that the reference to the refugee problem was inserted in the Camp David Framework as an afterthought?

2. *Paying Lip-Service to United Nations Resolutions:*

For its part, the United States has subsequently introduced a substantive element into the picture. In his address to the joint session of Congress on 18 September, President Carter said:

"We also believe there should be a just settlement of the problems of displaced persons and refugees, which takes into account appropriate U.N. resolutions."⁵⁰

And Secretary Vance told the General Assembly on 29 September:

"The United States is irrevocably committed to bringing about a satisfactory solution to the problem of the Palestinian refugees. We will play an active role in the resolution of this problem. A solution must reflect the relevant U.N. resolutions relating to these refugees."⁵⁰

This welcome reference to United Nations resolutions on the refugees would have been far more meaningful and satisfactory if it had been written into the Camp David "Framework for Peace" itself, instead of appearing in subsequent unilateral assertions by the United States alone.

The American assertions notwithstanding, however, the fact remains that—as matters stand—Israel is not committed to the proposition that the solution of the problem of the Palestinian refugees must "take into account" or "reflect" the relevant resolutions of the United Nations.

More importantly: How does the United States interpret those resolutions? It is well known that

General Assembly resolution 194 (III) of 11 December 1948, on which all the other resolutions of the United Nations relating to the Palestine refugees have been based, affirms above everything else the principle of *free choice* by the refugee themselves between repatriation and compensation. It is also well known that, in recent years, American interpretations of that key resolution have ignored its basic thrust—by disregarding the natural right of return and the principle of free choice and emphasizing the resettlement of the refugees instead of their repatriation.

The suspicion that post-Camp David references by American leaders to U.N. resolutions relating to the Palestine refugees are predicated on an interpretation of those resolutions which envisages enforced resettlement as the solution instead of repatriation is heightened by two additional facts:

First: that Secretary Vance followed his reference to U.N. resolutions by calling for assistance "to promote economic development in the West Bank and Gaza as *well as to assist those refugees residing elsewhere*"; and

Secondly, that Mr. Vance also referred in that context to "the question of admission of Palestinian refugees *to the West Bank and Gaza*" but not to the question of their "return to their homes as the United Nations resolutions stipulate.

VI. Conclusion

At the beginning of this study, we asked: What does the Camp David Framework for Peace promise the Palestinians? In the light of the foregoing analysis, we may formulate the answer as follows:

A fraction of the Palestinian people (under one-third of the whole) is promised a fraction of its rights (not including the national right to self-determination and statehood) in a fraction of its homeland (less than one-fifth of the area of the whole); and this promise is to be fulfilled several years from now, through a step-by-step process in which Israel is able at every point to exercise a decisive veto-power over any agreement. Beyond that, the vast majority of Palestinians is condemned to permanent loss of its Palestinian national identity, to permanent exile and statelessness, to permanent separation from one another and from Palestine—to a life without national hope or meaning!

Mr. Vance has acknowledged that "no peace agreement will be either just or secure if it does not resolve the problem of the Palestinians in the broadest sense. We whole-heartedly agree. And it is in the light of this basic truth that we pronounce the "peace" envisaged in the "Framework for Peace in the Middle East Agreed at Camp David" neither just nor secure.

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