

# **President Carter's "Palestine Policy": A Palestinian View**

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**Member of the Palestine National Council**

AMEU's Public Affairs Series #10

1977

**Americans for Middle East Understanding, Inc.**

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For the first time in thirty years, the United States now has a "Palestine policy". The Carter Administration no longer perceives the Middle East problem in just two dimensions: normalization of inter-state relations and withdrawal from occupied territories. Its acknowledgment that the Palestinian problem cries out for a just solution, as an integral part of durable Mideastern peace, provides its vision with that vital third dimension to which previous Administrations blinded themselves. At last, America is in step with the rest of the world.

To recognize the existence of a problem, however, is one thing; to prescribe an appropriate and adequate remedy is quite another. The two cardinal elements of President Carter's "Palestine policy"—namely, a "Palestinian homeland" and "compensation for Palestinian refugees"—are, respectively, *ambiguous* and *deficient*.

-I-

What does the much-flaunted concept of a "Palestinian homeland" mean? Is that "homeland" to be a "reservation" for Palestinians in a non-Palestinian state? Will it be an independent state in its own right, equal in sovereignty to all other states? Or will it lie somewhere in between?

And where will that "homeland" be located? In Palestine itself or somewhere else?

Whether the imprecision with which the "homeland" idea has been expressed reflects the groping of a new Administration for clearer visions or whether it represents a deliberate, tactical ambiguity is not relevant. Sooner or later, equivocation must give way to precision. Unless the idea is then translated into *sovereign Palestinian statehood in Mandated Palestine*, this cornerstone of Mr. Carter's "Palestine policy" will have proved to be neither morally just nor politically useful.

-II-

If the ambiguity of the "homeland" concept obscures its potential defectiveness, the concept of "compensation" manifests its deficiency from the start. By implying that mere monetary compensation constitutes sufficient redress for the injustices which the Palestinians have suffered, the Carter Administration arbitrarily abridges the natural human rights of the Palestinian refugees. And the call for mere compensation represents a retreat from the established position of the United States Government, which was consistently maintained from 1948 until 1976.

The primary and inalienable human right of the Palestinians is their right to return to their homes and property.

The Universal Declaration of Human Rights proclaims unconditionally the right of everyone to return to his country, in the same article in which it proclaims everyone's right to leave his country. *Its much-publicized commitment to the cause of human rights will not be fully credible or truly non-discriminatory as long as the Carter Administration remains silent about the inalienable right of the Palestinians to repatriation.*

With specific reference to the Palestinian refugees, the United Nations decreed (in paragraph 11 of resolution 194 (III), adopted by the General Assembly on 11 December 1948) that those refugees who would choose to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, while those who would choose not to return should be compensated for the property they left behind. (That decision was adopted at the urging of the U.N. Mediator for Palestine, the late Count Folke Bernadotte, who had told the General Assembly: "It would be an offense against the principles of elemental justice if these innocent victims of the conflict were denied the right to return to their homes while Jewish immigrants flow into Palestine, and, indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries.")

Far from being a forgotten, abandoned or obsolete decision, that 1948 resolution has been reaffirmed—with near unanimity—every year, including 1976.

In fact, *the successive resolutions reaffirming the original decision have been submitted year after year by none other than the United States delegation.*

- III -

Another basic element of the emerging "Palestine policy" of the Carter Administration is the rejection of the involvement of the P.L.O. in the search for a settlement. In that respect, the Carter Administration follows in the footsteps of its immediate predecessors. When Mr. Vance reaffirmed his recognition of Israel's "right" to veto the participation of the P.L.O. in the Geneva Conference, he was only reiterating an undertaking first made by Dr. Kissinger in the Kissinger-Allon agreement of September 1975. But Dr. Kissinger was at least consistent with himself: his opposition to the participation of the P.L.O. in the peace-making process was consonant with his denial of the Palestinian factor within the Middle Eastern equation. The reaffirmation of that opposition by Mr. Vance, on the other hand, is incongruous with the Carter Administration's professed awareness of the importance and distinctiveness of the Palestinian factor.

The present United States Government has inherited, and adopted as its own, its predecessor's phobia about the P.L.O. Yet it expresses that phobia within a policy-context at variance with that of its predecessor. The Carter Administration has thus placed itself in the anomalous position of acknowledging some Palestinian rights and affirming the imperativeness of satisfying some Palestinian aspirations within the framework of a comprehensive Middle Eastern settlement while, at the same time, denying the Palestinian people equal representation—indeed, any representation—in the forum in which that settlement is to be sought. George Orwell's famous witticism, that all animals are equal but some are "more equal" than others, has thus been dignified and made the basis of a policy: All peoples are equal but the Palestinian people is "less equal" than the others.

- IV -

Besides barring direct Palestinian participation in the peace-making process, the United States Government has committed itself, as a matter of proclaimed policy, to refrain from any contact with the universally-acknowledged representative of the Palestinian people, the P.L.O. It has done so by dictating certain conditions (which, it very well knows, cannot possibly be acceded to by the P.L.O.) and declaring those conditions to be the minimum prerequisites for P.L.O. acceptability to the United States. To the two original conditions laid down by Dr. Kissinger (that the P.L.O. should "accept Security Council resolution 242" and "recognize the right of Israel to exist"), Mr. Vance has now added two new conditions: that the P.L.O. should "recognize the right of Israel to exist as a Jewish state" and that it should appropriately "amend its Covenant". Let us look at these four conditions one by one:

(1) The demand that the P.L.O. should "accept" Security Council resolution 242 as the basis for settlement—while that resolution totally ignores the national rights, and indeed the very existence, of the Palestinian people—is patently absurd. But the timing of the re-issuance of that demand by the Carter Administration makes it, in addition, provocatively humiliating. For that demand is being reiterated after the formal declaration, by fourteen of the fifteen members of the Security Council (during the full-dress debate which took place from 12 to 26 January 1976), that that resolution was inadequate precisely because it failed to take into account the Palestinian dimension of the Middle East situation, and that its provisions should be appropriately supplemented if it was to serve as a valid basis for a just and durable settlement. On 26 January 1976, the United States cast the only negative vote against a draft resolution which attempted to supplement, and remedy the shortcomings of, resolution 242. But that was during the tenure of President Ford, when Dr. Kiss-

inger did not share the misgivings of the rest of the world about the incompleteness of the settlement envisaged in resolution 242, by virtue of its omissions regarding Palestine. Now, however, the Carter Administration openly and repeatedly acknowledges the inadequacy of any settlement-formula (such as that implicit in resolution 242) which ignores the Palestinian factor in the Middle Eastern equation. For the Carter Administration, notwithstanding these new circumstance, to continue to demand P.L.O. acceptance of resolution 242 is astounding.

(2) No less astounding is the demand that the P.L.O. should "recognize the right of Israel to exist", as a prior condition for its participation in a process which is supposed to produce, among other things, a mutually-acceptable definition of Israel's permanent frontiers.

The right of a state to exist cannot be divorced from its location and frontiers. France has a right to exist: but does it have a right to exist on Algerian soil? Will those who exhort the P.L.O. to "recognize the right of Israel to exist" be good enough to tell the P.L.O. just where that "right" is supposed to be exercised? And are they prepared to guarantee that Israel itself will accept that territorial stipulation? (It is the Government of Israel which refuses to accept a state of Israel within those very borders which, presumably, the United States Government has in mind when it speaks of "the right of Israel to exist" and demands that the P.L.O. recognize that "right").

Furthermore, is not the requirement of recognition a requirement of mutuality? Has the United States Government as much as hinted that Israel should recognize the right of an independent Palestinian state to exist in Palestine? Has it ever considered Israel's compliance with that hypothetical demand a condition for American recognition of Israel?

Above all: The demand that one party should recognize the right of the other party to exist, before a settlement has been achieved, puts the cart before the horse. Mutual recognition should be envisioned as the end-result of a process of settlement and reconciliation, not as a prior condition for participation in that process. Most certainly, it should not be a prior condition imposed upon only one of the parties.

(3) The declaration that, in order to qualify for recognition by the United States, the P.L.O. should first recognize "the right of Israel to exist as a Jewish state" poses great difficulties for Palestinians and should raise disturbing questions for Americans as well.

For Palestinians, that demand implies that the P.L.O. should acquiesce in the perma-

ment alienation, within Israel, of half a million non-Jewish Palestinians, and legitimize their status as less-than-full citizens. It implies also that the P.L.O. should forfeit the rights of the Palestinian refugees to return to their homes inside Israel. And it implies that the P.L.O. should relinquish future, and by peaceful means and mutual consent—of a pluralistic society of Israelis and Palestinians in a re-united Holy Land.

Palestinians know very well that the American system prescribes the separation of Church and State and that American society cherishes and zealously guards the ethnic, cultural and religious pluralism which characterizes it. To them, therefore, the American demand that they should accept and legitimize the existence of Israel "as a Jewish state", i.e., as an exclusivist state, is bewildering—as it should be to Americans also. What a strange spectacle unfolds before their eyes when they witness the United States Government strain every muscle in order to ensure the legitimization in the Middle East of an exclusivist system which is the antithesis of what America stands for!

The supreme irony of the situation lies in the fact that the American ultimatum has gone one step farther. The American Government has in effect served notice on the P.L.O. that, unless it accepts—and thereby legitimizes—the Israeli exclusivist system, which represents values which are the exact opposite of the values of pluralism espoused by America at home, the P.L.O. will never qualify for recognition by the American Government.

(4) Finally, the demand that the P.L.O. should duly amend its Covenant and repeal those articles which, in the opinion of the United States, are incompatible with the peaceful coexistence of an Israeli and a Palestinian state, fails the crucial test of *fairness* and *even-handedness*. For it is not accompanied by a similar call upon Israel to disavow or repeal those principles—contained in the basic programs of the World Zionist Organization and in Israel's Declaration of Independence, Fundamental Laws, and formal policy declarations—which are irreconcilable with the peaceful coexistence of Israel and a Palestinian state in Mandated Palestine.

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