

Is a Jerusalem Deal Enough for Peace?

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Articles & Testimony

Last week's headlines had the Israeli-Palestinian summit stalled over the issue of Jerusalem. But another intractable subject is as likely to prevent a deal at Camp David from bringing a lasting peace: the Palestinian "right of return." This refers to the demand that some three million Palestinians--refugees who left Israel in 1948 and 1967, plus their descendants--be allowed to return. For Israel, this is a non-starter: It would rapidly erode the Jewish majority of the democratic state.

Preliminary reports indicate that Israeli Prime Minister Ehud Barak has already accepted a compromise solution that would allow about 100,000 Palestinians to return over 20 years within the framework of "family reunification." The Palestinian leadership is still pushing for a formal Israeli apology and admission of responsibility for the refugee crisis, a request that Israel currently rejects, believing it would leave the Jewish state exposed to future financial and emigration claims.

Both anecdotal and survey data suggests that the Palestinian people have high expectations for the peace process. They take it for granted that they will achieve statehood on roughly 100 percent of the territory in the West Bank and Gaza.

Indeed, since signing the Oslo Accords in 1993, the Palestinian Authority--Arafat's government--has fed its citizenry a steady diet of maximalist negotiating positions on refugees and Jerusalem. As a result, Palestinian public opinion towards compromise on the core "final status" issues--and particularly on the right of all three million refugees to return to Israel--seems to be even more hardline than their leadership.

Over the course of the past seven years, official PA dicta have started referring to haq al-awda, the Arabic phrase connoting the right of refugees to return to Israel proper, as haq muqadis, a sacred right.

What will happen if it emerges during summit post-mortems that Arafat conceded right of return without attaining Palestinian sovereignty in Jerusalem? Will Arafat face an internal intifada?

Exactly what would happen in the event that Arafat surrenders the right of return is unclear. Many Palestinians would be furious. Hamas spiritual leader Sheikh Ahmed Yassin says that Arafat's signing of any agreement that does not maintain the right of return will be "political suicide."

By no means are these sentiments limited to extremists. Relatively mainstream Palestinians, such as Palestinian legislator Jamila Sydam and Fatah leader Marwan Barghouti, have been forthright in describing what will happen if the PA delegation comes home having made concessions on refugees. Barghouti has indicated that any such agreement will be rejected. Sydam has warned that if these Palestinian rights are ignored, the ensuing confrontations with the Israelis would be "more violent and fiery" than ever before.

Nor is it just the elite. The elected Palestinian Legislative Council (PLC) this month issued a statement calling on the PA negotiators to not yield the right of Palestinian refugees to "return to their homes" in Israel. Considerable activity on the popular level has included almost daily rallies in the PA, calling on Arafat's Camp David delegation to "remain steadfast" in refusing to make concessions.

Ibrahim Abu Najah, the first speaker of the Palestinian legislature who also serves as deputy to Abu Ala (the architect of the Oslo Accords), last week expressed the underlying logic against compromise: "We made enough concessions [in Oslo] when we agreed to live on 22 percent of historical Palestine."

Compromise for Abu Najah, then, started and ended in 1993 when Arafat signed the Oslo Accords. If this statement reflects the sentiments of a plurality of Palestinians, there is little hope for widespread acceptance of any concessions by Arafat's constituency in the PA. This possibility brings the utility of these negotiations into question.

In the Middle East, it's often hard to differentiate rhetoric from reality. This is doubly so for the Arab-Israeli conflict. All reports emanating from Camp David suggest that Jerusalem is the last major sticking point. This would suggest that Arafat has already made a historic compromise on the refugees' right of return. Even if a compromise is reached on sovereignty in East Jerusalem, one wonders what the Palestinian reaction will be to this long anticipated concession.

Will Arafat's constituency understand this agreement as the ceding of a "sacred" right, or as a painful but necessary step on the road to peace?



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