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A TALE OF TWO TRAGEDIES. A HISTORICAL BACKGROUND AND COMPARATIVE ANALYSIS OF THE NAKBA AND THE PARTITION[**]

Povestea a două tragedii. Fundalul istoric și analiza comparativă a exodului palestinian și a partiției indiene

Abstract: *The first half of the 20th century was one of the most turbulent periods in human history. Particularly with two of its major migrations: the population exchanges caused by the partition of India in 1947 and the exodus of Palestinians in 1948 after the formation of Israel (also referred to as the Nakba). Both of these events would go on to significantly shift the course of history in the 20th century. The Partition of India led to the creation of the Hindu-majority Republic of India and the Muslim-majority Republic of Pakistan, while the Nakba set the stage for the Palestinian-Israeli conflict which continues to this day. This paper seeks to introduce and analyze the massive exodus of refugees generated from both of these events. There is also an analysis and comparison of how the two cases dealt with their migrations and ethnic cleansing. This paper also seeks to introduce and analyze the issue of absentee property between the two cases. The primary time period that is being analyzed is between 1947-1951 though some of the material may extend a little further for greater context.*

Keywords: *Pakistan, India, Israel, Palestinian, ethnic-Cleansing, Absentee Property, Refugees*

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The Massive Exodus of Refugees

The Indian Partition. The partition of India began when the British announced they were quitting India and intended to create the Muslim nation of Pakistan after a consensus could not be reached between the Muslim League and the Hindu dominated Congress Party[1, 2]. The monumental task of partition was given to lord Mountbatten who in turn created the Radcliffe Commission headed by Cyril Radcliffe. The Radcliffe Commission's primary concern was dividing the wealthy regions of Punjab

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[**] I would like to dedicate this paper to my beloved younger Sister Sareh Siddiqi who tragically passed away on May 27th, 2019. She passed away at the young age of 19 and is dearly missed by me and all who knew her.

[1] See *Partition: The Day India Burned* (2007), directed by Racardo Pollack, British Broadcasting Company, available at youtube.com/watch?v=jGiTaQ60Je0&t=3s.
[2] Madan G. Chitkara, *Converts do not make a nation*, A.P.H. Publishers, New Delhi, 1998, pp-5-8.

and Bengal which would demarcate the borders of Pakistan and India. Historically these had been united provinces of India with several mixed Hindu, Muslim, and Sikh communities. The actions of the Radcliffe Commission in these regions would not just divide them but help create one of the largest movements of people in human history[3]. This was due, in part, because the Radcliffe Commission relied heavily on census data when dividing Punjab and Bengal. Once it was revealed to the public that it would be using census data for the near evenly split provinces, the results were dire. Across Punjab and Bengal previously peaceful villages erupted into ethnic cleansing, with Muslims, Hindus, and Sikhs participating in ethnic cleansing wherever a majority was not present[4, 5]. This, along with ethnic violence around India, caused a giant influx of refugees attempting to flee to either the Hindu or Muslim majority areas[6].

 One of the biggest issues for refugees was the uncertainty of where the partition borders would fall. This resulted in over 14 million people fleeing for what they hoped would be either the Hindu Majority or Muslim Majority state. This resulted in many people being stuck in camps on the wrong side of the border, even when borders were announced by the Radcliffe Commission on August 17th, 1947, a full three days after the independence of Pakistan and two after the Independence of India[7, 8].

Unfortunately, reliable statistical data does not exist on the exact number of refugees that were stuck in refugee camps. The United Nations High Commissioner for Refugees (UNHCR), which collects most of this data, was not established at this point. The chaotic nature of the partition resulted in rapidly fluctuating numbers in these camps; it is estimated that there were around 35,000 people in larger camps[9]. However, there is reliable census data from the 1951 census in both India and Pakistan and the data is quite telling of the magnitude of the number of refugees. For example, on the Pakistani side of Punjab (West Punjab) over 5.7 million (or 80% of Pakistan's total refugee population) originated from East Punjab and Rajastan, both areas wracked by ethnic violence fueled by speculation of where the Radcliffe Commission would draw the border[10].

Fortunately for many refugees of the partition, one of the primary priorities of the newly formed states of India and Pakistan was to assist in

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[3] *Ibidem*, p. 1.

[4] *Ibidem*, p. 478.

[5] Mahbubar Rahman; Willem van Schendel, "«I am not a refugee»: Rethinking Partition Migration" in *Modern Asian Studies*, 37, no. 3 (July 2003), pp. 566-568; jstor.org/stable/3876610.

[6] *Ibidem*.

[7] *Partition: The Day India Burned*.

[8] Chitkara, *op. cit.*, p. 679.

[9] Ravinder Kaur, *Since 1947: Partition Narratives among Punjabi Migrants of Delhi*, Oxford University Press, 2007, p. 277.

[10] Chitkara, *op. cit.*, p. 216.

ensuring they would be patriated in the state of their choosing[11]. One of the first tasks of the Pakistani and Indian armies was that of escorting refugees and ensuring their safe passage to their preferred states. Once there, Pakistan and India made it a priority to grant citizenship for these refugees and resolve their status as such. However, this was not an entirely perfect process as there was a sizable population of these refugees that did not think that they would have to permanently leave. In fact, in some cases refugees left their farms in the care of other individuals so that they may be tended to until it was safe for their return[12, 13, 14]. Unfortunately for them, it was often too unsafe or costly to return to their communities generating a substantial amount of absentee property.

The Nakba. The origins of the Nakba can be traced all the way back to the first plans of the partition of Mandatory Palestine with the Peel Commission, UN Resolution 181, and the communal violence that led up to 1948. These partition plans defined most of where the Jewish state of Israel would be derived from. This is also where many of those who fled during the Nakba were coming from (even though the Negev was largely given to the Jewish State in A/Res/181 II). Civil war also helped create the tension that would eventually lead to the first Arab-Israeli war of 1948. It was during this war that the most Palestinians fled as the Arab armies failed to defeat the Hagana. However, even before the war there were significant events that led to the exodus of Palestinians. This would include the Deir Yassin massacre which helped lead to the panicked exodus of close to 40,000 of Haifa's Arabs[15].

It was during the first Arab-Israeli war that the most major shifts in the Palestinian populations occurred. This is apparent when considering that refugee movement typically followed that of the retreating Arab forces[16]. For example, when the Hagana forcedly advanced on Haifa many Arab Palestinians did not flee very far north. In fact, many of them ended up in Acre until it too fell to Hagana forces. Many refugees fled Palestine entirely heading to safety in Lebanon, Syria, and the West Bank (then controlled by Jordan). It was here that the famous image of UN Camps being set up along the border are derived[17].

Many of the refugees that fled out of Palestine did not intend to leave on a long-term basis. This aspect of the Nakba is one of the most important

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[11] *Partition: The Day India Burned*.

[12] Joseph B. Schechtman, "Evacuee Property in India and Pakistan" in *Pacific Affairs* 24, no. 4 (December 1951), p. 407; jstor.org/stable/2753454.

[13] *Partition: The Day India Burned*.

[14] Rahman; Schendel, *op. cit.,* pp. 570-573.

[15] Benny Morris, "Haifa's Arabs: Displacement and Concentration, July 1948" in *Middle East Journal* 42, no. 2 (Spring 1988), p. 1; jstor.org/stable/4327736.

[16] Ghazi Falah, "The 1948 Israeli-Palestinian War and Its Aftermath: The Transformation and De-Signification of Palestine's Cultural Landscape" in *Annals of the Association of American Geographers* 86, no. 2, 1996, p. 256; doi:10.1111/j.1467-8306.1996.tb01753.x.

[17] *Ibidem*.

aspects in analyzing the intentions of Palestinian refugees when they fled. While the reports of the Arab states encouraging Palestinians to leave so that they can return with the "victorious Arab Armies" have been debunked, it is true that many Palestinian refugees intended to return to their homes after it was deemed safe to do so. Many refugees fled in a hurried manner, often leaving with their Ottoman or Mandatory era land documents so that they may reclaim their land once the fighting had subsided[18]. This also led to the creation of several absentee properties like in the partition.

Unfortunately for the Palestinian refugees, most of them became stuck in makeshift camps. Many of the villages they fled from would either end up re-appropriated for the State of Israel or demolished, leaving little for them to return to[19]. In some cases, efforts were made to integrate the Palestinian populations into the societies they fled. A model example of this would be the Jordanian government offering citizenship to its Palestinian population[20]. However, Palestinian diaspora populations generally favored keeping their refugee status to someday return to their homes. The right of return for the Palestinian refugees has been a sore point for generations which has yet to be effectively addressed[21].

Comparative Section. With regards to the high number of refugees generated by both of these events there are many similarities and many key differences. Both of these events saw some of the biggest refugee crises of the 20th century. While the number of refugees generated by the Partition dwarfs that of the Nakba (14,000,000 in the Indian Partition vs. 700,000 in the Nakba), when looking at the crises as a percentage of the actual populations it tells a different story. For example, when comparing the populations that fled in the Nakba versus the pre-Nakba populations using the 1945 Census of Mandatory Palestine, as a percentage, 39.6% of Mandatory Palestine's population had fled. In contrast, within the Indian partition only 4.4 % of India's population found themselves fleeing for either India or Pakistan[22, 23]. When analyzing these events as a percentage, a

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[18] Michael Fischbach, "The United Nations and Palestinian Refugee Property Compensation" in *Journal of Palestine Studies* 31, no. 2 (Winter 2002), pp. 40-43; jstor.org/stable/10.1525/jps.2002.31.2.34.

[19] Falah, *op. cit.*, pp. 256-258.

[20] Laurie Brand, "Palestinians and Jordanians: A Crisis of Identity" in *Journal of Palestine Studies* 24, no. 4 (Summer 1995), pp. 53-59; doi:10.2307/2537757 (16.01.2017).

[21] Nur Masalha (ed.), *Catastrophe Remembered: Palestine, Israel and the Internal Refugees*, Zed Books, London, 1995, pp. 9-15.

[22] American-Israeli Cooperative Enterprise, "Demographics of Israel: Population of Israel/Palestine (1553-Present)" on *Jewish Virtual Library*, retrieved from jewishvirtuallibrary.org/jsource/History/demograhics.html (16.01.2017). This is the source that is used to get the population of mandatory Palestine for the purpose of Calculating the Percentage. The source this site says it received its statistics from is the following: Government of Palestine, Office of Statistics, Village Statistics, April 1945.

[23] "Table NO.1.01-1: Trends in Census Population in India 1901-2001", Table. CBHIDGHS. 2002, retrieved from cbhidghs.nic.in/hia2005/1.01.htm (16.01.2017). Figures were provided

significantly higher amount of Mandatory Palestine's population was affected by the Nakba than that of the population of India by the partition. In terms of just raw numbers, when comparing the Nakba and Partition figures it is easy to lose sight at just how much the smaller scale events affected the smaller populations.

In both events communal violence and ethnic cleansing had a significant effect creating their respective refugee crises. In the case of Partition, the example of the splitting of Punjab saw large scale ethnic cleansing. Over 5,000,000 people or roughly one third of the refugee population of the Partition left because of ethnic cleansing[24] [25]. In the Nakba, too, the climate of conflict accelerated the rate of Palestinians fleeing their historic homes. This can especially be seen with examples such as the ethnic cleansing of roughly 40,000 Palestinians in Haifa after months of communal violence between Arabs and Jews, particularly after the Dier Yassin massacre[26]. However, there is an important difference between communal violence in the Nakba versus the Partition. Much of the communal violence leading up to the Nakba was in the context of a civil war with foreign volunteers and eventually a foreign Arab intervention, while in the Partition much of the violence was mostly localized and it never escalated into a full-fledged civil war. It is within this context of civil war that we can understand how a higher percentage of Mandatory Palestine's population was affected than was seen in India[27].

In both cases there was a failure of the British to ensure any kind of smooth transition. In the Partition, the rushed and religiously motivated borders of the Radcliffe Commission resulted in a significant increase in ethnic cleansing. In the case of the Nakba, British failure to coordinate an orderly withdrawal from Palestine resulted in bitter fighting culminating into the first Arab-Israeli war and the Nakba[28]. It is important to note that the British did fail in a somewhat different regard. In the Indian partition the British had largely pulled out when Radcliffe had started his work. This resulted in remaining British authorities being largely absent in the Partition, leaving much of the responsibilities of the transition to the newly formed Royal Indian and Royal Pakistani armies[29]. In the case of the Nakba the British had not yet completely withdrawn. This meant that the British still had the capacity to intervene and prevent the violence associated with the Nakba[30]. An example of this is the British Government's decision to not

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from the Registrar General of India; the Table was courtesy of the Central Bureau of Health Intelligence-India. This was used in calculating the Percentages used in the paper.

[24] Chitkara, *op. cit.*, p. 216.

[25] Schechtman, *op. cit.*, pp. 406-407.

[26] Morris, *op. cit.*, p.241

[27] Efraim Karsh, "Nakbat Haifa: Collapse and Dispersion of a Major Palestinian Community" in *Middle Eastern Studies* 37, no. 4 (October 2001), pp. 25-40; jstor.org/stable/4284196.

[28] *Ibidem*, pp. 25-35.

[29] *Partition: The Day India Burned*.

[30] Karsh, *op. cit.*, pp. 43-50.

officially help in any capacity when the UN implemented its partition plan on Palestine. This led to the British allowing for a significant amount of communal violence to occur eventually culminating into the Nakba[31, 32].

In both of these events the manner in which repatriation was addressed merits comparison. In the Partition repatriation was one of the top priorities of the newly established Indian and Pakistani governments. In the case of the Palestinians this is also partially true, with Jordanian efforts to absorb Palestinians by giving them Jordanian citizenship. In both cases there were many refugees who believed they would be able to return to their homes. However, in the case of the Partition this number was far lower than with the Palestinians as many in the partition did intend on leaving permanently[33]. This is also reflected in the amount of partition refugees that remained in a refugee camp. Many of the camps were dismantled by the 1950's as the refugees were repatriated into their new states. In the Palestinian case, Palestinians typically clung to their refugee status with the hope of eventually returning. This will become especially relevant when talking about the issues of absentee property.

Absentee Property
The Indian Partition. Absentee property was a significant issue for both the Indian and Pakistani government. For example, in West Punjab alone the Indian government estimated over 8 million acres of land was abandoned from non-Muslim property owners who had fled the region. Within India over 800 million dollars (or 8.8 Billion dollars with modern currency values) worth of Muslim-owned property was left behind on the Indian side[34]. The scale of the absentee properties made it hard for these newly formed states to deny refugees the rights to these lands. Even though the land status had not been clear, there was a desperate need for long term housing for refugees that came with very little. This is not to say that the first reactions of Indian and Pakistani government were that of handing over absentee properties over to newly arrived refugees.

One of the first acts of the newly minted Pakistani and Indian governments was that of the preservation of absentee properties in early September 1947. This was due to the fact that there was still a hope for some refugees who fled to India or Pakistan temporarily. The borders largely remained open and people were freely going in and out of India and Pakistan well until the start of the 1950's[35]. In early September of 1947 the Indian government even enacted the Evacuees Act to ensure the return of absentee

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[31] M. Golani, "The Haifa Turning Point: The British Administration and the Civil War in Palestine, December 1947-May 1948" in *Middle Eastern Studies* 37, no. 2, 2001, pp. 98-105; doi:10.1080/714004397 (april-may 2019).

[32] *Ibidem*, pp. 1-5.

[33] Rahman; Schendel, *op. cit.*, 557-563

[34] Schechtman, *op. cit.*, p. 3.

[35] Rahman; Schendel, *op. cit.*, pp. 557-565.

property to those who fled from East-Punjab[36]. However, this honeymoon phase of the protection of absentee property was short-lived as the very real reality of having to house refugees became more apparent[37]. For example, as early as the end of September 1947 the Pakistani government had started to allow refugees to adversely possess Sikh and Hindu properties[38] .

While this did alleviate some of the short-term housing requirements for refugees it made it significantly harder for the original property owners to reclaim their land[39]. This preference for squatters was eventually codified into law with Ordinance No. VII in December 1947 by the Pakistani government. This law laid out an extremely lengthy and complicated process for reclaiming absentee property which, even if fulfilled to the fullest, could be nullified for various "objectionable reasons". For example, in Pakistan one of these valid reasons included the "rehabilitation of Muslim Refugees from India". This essentially gave Muslim squatters in abandoned Non-Muslim properties preference in the legal system over the properties' legitimate owners before the Partition[40]. The situation for absentee property owners was not significantly better in India. In fact, the Indian government even tried to negotiate a statist approach of each government essentially "swapping" the values of the absentee properties with each other. These swaps would eventually reach a sum of money that would be to the satisfaction of each government with little input from owners or squatters[41]. However, after negotiations had failed with the Pakistani government by the end of the 1940's, the Indian government instead turned to implementing laws based on the British Trading with the Enemy Act. With these new laws drawn up by the Indian government, by 1950 5.3 million acres of absentee Muslim land was appropriated by the state of India for Sikh and Hindu refugees[42].

The Nakba. In the case of the Nakba there was United Nations intervention from the beginning in helping absentee property owners receive compensation for their land. With the passage of A/Res/194III in December of 1948 the United Nations called for the Israeli Government to allow for refugees to return to their land as soon as they would see fit. In addition to this the Israeli government was also to offer just compensation for those who could not return to their property[43]. This resolution also created the United Nations Conciliation Commission of Palestine (UNCCP) to ensure that the United Nations would advocate on the behalf of Refugees. Unfortunately for the refugees, the Commission largely failed at its task as realities on the

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[36] Schechtman, *op. cit.*, p. 407.
[37] *Ibidem*, pp. 407-408.
[38] *Ibidem*, p. 407.
[39] *Ibidem*.
[40] *Ibidem*, p. 409.
[41] *Ibidem*, pp. 407-409.
[42] *Ibidem*, p. 411.
[43] Fischbach, *op. cit.*, p. 35.

ground began to change for the worse for refugees. The agency itself failed to bring about any real cooperation between Palestinians and Israelis on resolving property issues. This was not aided by the fact that the Commission had to deal with the reality that the Israeli government was "rapidly sequestering" absentee Arab property for its own use to house incoming Jewish immigrants and refugees[44].

This "rapid sequestering" of land by the Israeli government was due in part to the fact that the government had given itself the authority under a legal framework to sequester abandoned property and assign custodians to it. This was first done under the Cultivation of Waste Land Regulation in late 1948 under which the Agricultural Minister could assign "temporary" custodians for a period of two years (later extended to five) until the owner could return to claim their property[45]. However, the now infamous Absentee Property Law made in March 1950 added one key clause which made the returning of absentee property to its original owner extremely difficult: it allowed for custodians to sell the properties they were to supervise to the State Developmental Authority[46]. This sale of property to the development authority had, in effect, handed these absentee properties to state control without driving out custodians as the custodians were typically allowed to remain on the property after the sale. This was therefore giving the impression that the state was not confiscating absentee Palestinian property when the SDA would later sell that land to the Jewish National Fund, effectively cementing control of the absentee property in the hands of Jews[47, 48]. This rapid transfer of land coincided with Israel's "rapid settlement ideology"[49]. By the mid 1950's the Israeli government began to pivot towards settling absentee Palestinian property with Jews. This coincided with efforts trying to block Palestinians from reclaiming their property, even if they still resided in Israel[50]. This shift in settling absentee properties coincided with the UNCCP's efforts in trying to start a dialogue between the Palestinians and Israelis on either resettling their absentee properties or receiving compensation[51, 52].

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[44] *Ibidem*, pp. 37-39.
[45] David A. Wesley, "Land, Territory, and Jurisdiction: The Experience of Land Loss" in *State Practices and Zionist Images: Shaping Economic Development in Arab Towns in Israel*, Barghahn Books, 2013, p. 109; jstor.org/stable/j.ctt9qdfc3.12.
[46] *Ibidem*.
[47] *Ibidem*, pp. 110-111.
[48] Alexander Kedar, "The Legal Transformation of Ethnic Geography: Israeli Law and The Palestinian Landholder 1948-1967" in *New York University Journal of International Law and Politics* 33, no. 923 (Summer 2001), p. 947; pdfs.semanticscholar.org/9b3b/7aa8428dc8630d1d6bba9a62c28f07ed5dd4.pdf (16.01.2017).
[49] Ibidem.
[50] Ibidem, pp. 944-951.
[51] Fischbach, *op. cit.*, pp. 34-38.
[52] Falah, *op. cit.*, pp. 257-260.

Another major barrier for the Palestinians in reclaiming absentee property was the fact that many of the Palestinians belonged to peasant or fellaheen class and therefore technically did not own the land that they had lived on for generations[53] . This was especially true for rural Palestinians who fled[54]. This complicated matters for the UNCCP as this land was managed under an Ottoman System which the British mandate had largely left intact, but the Israeli Government had no intention of keeping[55]. The primary method the UNCCP used for circumventing this issue when recommending compensation for land was that it did not just factor in the value of the land. The UNCCP also considered the value of things such as "movable objects", hardship and distress cost, and the loss of income from having to flee. However, this modest holistic calculated cost (which totaled to roughly $2,500 or $20,000 in 2016 for each Refugee) went largely ignored until the issue of absentee properties was dropped by the Commission in the early 1960's [56]. This lack of advocacy and eventual designation of "Absentee Present" for landowners if they ever went back to reclaim their land were the death knell in enforcing A/Res/194III[57].

Comparative Section. There are many similarities shared between the Partition and the Nakba with regards to how absentee property was dealt with. This is due by and large because in both cases the governments had legislated their Absentee Property laws after the British Trading with the Enemy Law. This law allowed for provisions such as appointing "custodians" for absentee property until there was a peace where they can return[58]. In fact, according to Kedar, the Israeli government actually used Indian and Pakistani laws as a basis for the Absentee Property Law of 1950[59]. In both of these cases refugees who wanted to reclaim their land were faced with several obstacles before being able to do so. Refugees could not recover their property either because of realities on the ground or because of a "fail safe" mechanism in the law that ensures the state can keep whatever land it sees appropriate. With this being said, there are key differences in how the issue of Absentee Property was dealt with in each of these cases.

In the case of the Partition there was an initial effort by the governments to preserve the integrity of the ownership of absentee property

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[53] Fischbach, *op. cit.*, p. 42.

[54] *Ibidem.*

[55] Kedar, *art. cit.*, p. 933.

[56] Fischbach, *op. cit.*, p. 43.

[57] Wesley, *op. cit.*, p. 110.

[58] Michael Malloy, "Trading with the Enemy Act (1917)" in *Major Acts of Congress*, Detroit, Macmillan-Thomson Gale, 2004; retrieved June 12th 2017. Excerpt may be freely accessed at this link: https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/trading-enemy-act-1917.

[59] Alexandre Kedar, "The British, Indian and Pakistani Sources of the Israeli Absentee Property Act of 1950" in *PIP Database*, 2008, retrieved 16.01.2017. Also available directly from Dr. Kedar at sandy@law.haifa.ac.il since this article is no longer published in this database. Also see Idem, "The Legal Transformation of Ethnic Geography...", p. 930.

whereas in the case of the Nakba the Israeli government blocked Palestinians from reclaiming their land from the beginning[60]. This is not to say that the period in which the Pakistani and Indian governments tried to preserve property was very long. This is also not to say that many who tried to reclaim their property did not end up facing many of the same hurdles as Palestinians did in their attempts. However, from the start the Palestinians had the support of the United Nations, effective or not, in their efforts to reclaim their property whereas in the case of the Partition those who wanted to reclaim their property were largely at the mercy of either the Indian or Pakistani Government. Also, in the case of the Partition neither the state of India nor Pakistan had the "Absentee Present" designation which was seen by the Palestinians after the Nakba.

The intentional use of complex and targeted red tape to tie up potential absentee landowners from claiming their land is common between the Nakba and the Partition. In the case of the Nakba the government intentionally tried to keep Palestinian landowners from reclaiming their land, even if they resided in Israel itself, by creating the Absentee Present designation which simultaneously acknowledged yet discredited the landowner who attempted to reclaim their land[61]. In the Indian Partition case, efforts in limiting owners from reclaiming their land can be seen through examples such as the Pakistani government intentionally making things difficult for absentee landowners by making the process intentionally laborious and bureaucratic: see, for example, the creation of the mechanism by which no matter what the absentee, but rightful owner, does they are at the mercy of whether or not the court deems them invalid for harming the rehabilitation of Muslim Refugees from India.

There is significant overlap between the settlement ideology of the state of Israel and the desire to give Partition refugees homes with regard to absentee property. In both cases there was large-scale sequestering of absentee property for new arrivals at the expense of the original owners. However, in the case of the Partition more of the refugees that fled to India or Pakistan had intended to stay there in a long-term capacity than Palestinians after the Nakba; the general consensus amongst the Palestinian refugees was that they would eventually return to their homes. This desire to return to their properties was also a much stronger rallying symbol for the Palestinian identity, especially when dealing with the concept of being Absentee Present[62]. In the Partition the issues of Absentee Properties were largely dealt with by the mid 1950's, after the respective governments had essentially redistributed most of the abandoned properties to their respective refugees. This eventually resulted in the issue of absentee properties essentially turning into a land grab, whereas the Palestinians used the issue

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[60] Wesley, *op. cit.*, p. 109.
[61] Kedar, *art. cit.*, 944-951.
[62] Masalha, *op. cit.*, pp. 9-15.

of absentee property as a formative moment for their identity[63]. Unfortunately, for both the Palestinian and Partition Refugees the way that the Israeli, Indian, and Pakistani governments dealt with absentee property favored the interest of new arrivals rather than the rights of original property owners.

Conclusion

It is important to emphasize just how influential both the Nakba and the Partition have been in the history of their regions through the latter half of the 20th century until the modern era. Both cases led to long term geo-political struggles that have yet to be resolved. While the issues of sorting out who would move where and what would happen to absentee property have largely been decided upon, the effects still linger. To this day the borders drawn by the Radcliffe Commission have been contested. For example, the disputed region of Kashmir between India and Pakistan or the disintegration of East-Pakistan in 1971. The same can be said for the trauma of the Nakba on the Palestinian identity.

Sadly, for these regions this would not be the last time they would witness these kinds of exoduses. In the case of the Palestinians there was yet again another round of ethnic cleansing known as the Nakda after the Six-Day War. Around 300,000 Palestinians had to once again feel the pains of the Nakba. India too bore the brunt of 10 million Bengali Refugees in 1971 during the disintegration of East Pakistan[64]. However, from under the ashes that was East-Pakistan rose the newly minted state of Bangladesh. Perhaps from what was left of the Nakba, someday a Palestinian State can exist just as Bangladesh has done. Until that can be done it will be hard for Palestinians to move past the darkness of the Nakba.

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[63] *Ibidem.*
[64] Shahzeb Jillani, "Scars of Bangladesh Independence War 40 Years on" on *BBC newsgroup*, December 11th 2011; bbc.com/news/world-asia-16111843 (16.01.2017).