Lesson
The “Right of Return”: Interpreting International Law

OVERVIEW
History is filled with examples of people displaced by edict, conflict and war, and there have always been questions about what should happen with such populations. Today, one of the most contentious debates over displaced persons is the one over the fate of Palestinians. Some believe that Article 13 of the Universal Declaration of Human Rights, which was passed by the United Nations General Assembly in the aftermath of World War II, guarantees Palestinians the right to return to land that they owned or lived on prior to the 1948 creation of the State of Israel. Others interpret the article differently. In this lesson, students will interpret the text of the declaration for themselves, and they’ll do so having looked at the story from the perspective of a real family whose members were displaced.

Video clips provided with this lesson are from A World Not Ours.

POV offers a lending library of DVDs that you can borrow anytime during the school year—FOR FREE! Get started by joining our Community Network.

OBJECTIVES
By the end of this lesson, students will:
• know the content and substance of Article 13 of the Universal Declaration of Human Rights
• examine how Article 13’s reference to a “right . . .to return” applies to a real-world situation: Palestinian refugees living in Lebanon
• experience the law as open to interpretation rather than fixed
• read informational texts and view informational video
• use listening, writing, speaking (discussion) and reasoning skills

GRADE LEVELS: 9-12

SUBJECT AREAS
Civics/Government Peace Studies
Current Events U.S. History
Global Studies (Middle East)
Law

MATERIALS
• Internet access for research and video streaming; equipment to show online video to the class
• text of Article 13 of the Universal Declaration of Human Rights, either distributed to each student or in a projectable format
ESTIMATED TIME NEEDED
One and a half class periods (approximately 70 minutes), plus homework

FILM CLIPS

A NOTE TO TEACHERS
The film clips in this lesson plan show life in a Palestinian refugee camp. Some clips contain profanity. Other clips describe contested history. Before you begin, you may want to send home a note to parents/guardians explaining what students will be doing and that the purpose of the assignment is to focus on the fact that laws and policies govern real people, and that A World Not Ours recounts one family’s story; it depicts that family’s personal experiences and beliefs. Make it clear that you will not be asking students to take a position on the issue. Invite families to connect school and home by asking students what they learned and sharing their own views on the issue with their children.

Clip 1: “Ain el-Helweh” (3:11 min.)
The clip begins at the beginning of the film and ends at 3:11 when the filmmaker says he has to convince the guards to let him in. This clip includes pictures of a Palestinian refugee “camp” that looks more like a city than a temporary camp. It also shows how the camp is controlled by the Lebanese army. When you show the clip, you might want to add these facts that appear later in the film, but not in the clips you will be showing: “Ain el-Helweh is one square kilometer in size with more than 70,000 refugees.”

Clip 2: “Right of Return” (3:00 min)
The clip begins at 7:38 with the filmmaker introducing viewers to his grandfather’s story. It ends at 10:08 with the filmmaker explaining, “They set up refugee camps in neighboring countries, hoping they’d soon return home.” The filmmaker’s grandfather is part of the original generation of camp residents. The account of how he came to be a refugee is the narrative as commonly told in Palestinian communities.

Clip 3: “I Don’t Want to Return” (3:10 min)
The clip opens at 30:40 with the filmmaker’s friend, Abu Iyad (Bassam), watching television. It ends at 33:50 with the filmmaker saying, “I’d become a stranger in what I always believed was my home.” Abu Iyad describes feeling betrayed by those who promised a Palestinian revolution. Unlike filmmaker Mahdi Fleifel’s grandfather, his friend says he does not want to return to his family’s land (where he never lived). Prior to viewing the clip you can fill in some background information that was provided earlier in the film: “Ain el-Helweh has many rivaling forces but Fatah is the dominant one . . . Like the rest of the guys here, Abu Iyad depends on Fatah, who provide him with a small allowance.”

Clip 4: “I Quit” (1:40 min.)
The clip begins at 1:05:45 with Abu Iyad telling another man, “They found someone else for the
job.” It ends at 1:07:25 with Abu Iyad saying, “And they say it’s a democratic country. What the hell are they talking about?” Abu Iyad explains that Palestinians are not allowed to work in Lebanon, even when they have lived in Lebanon their entire lives.

ACTIVITY

1. INTRODUCE THE IDEA
Ask students if anyone has ever misinterpreted something they wrote or they have misinterpreted something someone else wrote (e.g., a text message or Facebook post). Invite them to share a few examples.

Then pose your own version of this question: “If a simple communication between people who know one another is easy to misinterpret, how hard would it be to write laws that would be clear to everyone in the country or everyone in the world for many generations?” To explore that question, let students know that they are going to explore interpretations of one part of an international document that are currently in dispute.

2. INTRODUCE ARTICLE 13
In the aftermath of World War II, nations of the world gathered at the United Nations to establish rules to help prevent future conflicts, and especially to prevent the persecution and deaths of civilians. One of the resulting documents passed by the United Nations General Assembly (in December 1948) was the Universal Declaration of Human Rights. Article 13 of that Declaration reads:

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Source: www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng

Both Lebanon and the United States were original signatories, voting in favor of the declaration. Note: In December 1948, the State of Israel was less than one year old. It did not become a United Nations member until November 1949, nearly a year after the declaration was adopted.

Post the text of Article 13 where all students can see it (or distribute copies). Either in small groups or as a class, discuss what each of the provisions of the article means and whether they think their country is living up to this part of the declaration. It may help students to think deeply to ask them to define “everyone” and then think of categories of people to whom the enumerated right does not apply (e.g., imprisoned criminals don’t have the right to freedom of movement and people who don’t have valid passports can be denied entry to their own countries).

Ask students to summarize their conclusions by writing the end to these sentences:

“The intention of Article 13.1 is...” and
“The intention of Article 13.2 is...”

If time allows, you might invite students to share what they wrote. Assuming that responses are diverse, they can begin to reflect on how the meaning of a text can seem obvious until you start thinking deeply about its implications.
3. APPLYING ARTICLE 13
Once everyone has an understanding of Article 13, you are ready to help them apply it to a real-world situation. Palestinians currently consider Article 13 a basis for their “right of return” to land on which they lived prior to the creation of the State of Israel in 1948. For Palestinians and Israelis, this isn’t theoretical; the interpretation of Article 13 has real-life consequences.

Introduce students to the film and let them know they are going to view four short clips. After each clip, they should jot down their thoughts in response to these questions:
   1. Does Article 13 support the Palestinian claim to the right of return, and what in this clip provides evidence for your answer to that question?
   2. Does Article 13 support Palestinians’ right to work and travel within Lebanon?
   3. What other questions or issues does this clip raise for you?
As time allows, discuss reactions to individual clips.

Wrap up viewing by inviting students to share observations about how their initial interpretations of Article 13 were affirmed or challenged when they had to apply the article to real people in a real situation. As part of the discussion, challenge students to think about why Israel would not want to interpret Article 13.2 as giving Palestinians a right of return and what the practical consequences would be for both Israelis and Palestinians. For example, how would the influx of several hundred thousand Palestinians affect Israel’s capacity to function as a democracy and still retain its identity as a Jewish state?

Students might also consider whether return to one’s “country” means returning to the exact place where one used to live, or simply requires the current government to allow residence anywhere within that nation’s borders. How does return to one’s country work if one’s country, i.e., the government under which one previously lived, no longer exists?

Also challenge students to think about why those who support the Palestinians would not want to interpret Article 13.1 as entitling Palestinians to work and travel freely within Lebanon, and what the consequences of a favorable interpretation would be. For example, if the residents of Ain el-Helweh were permitted to assimilate into the population of Lebanon, would it diminish the need or desire to create lives in Israel, especially for generations who have grown up in the camp and never lived Palestine?

4. CONCLUSION/ASSESSMENT
Either as homework or in class (if time permits), assign students to write short persuasive essays arguing either for or against one (or both) of the following statements:

   According to Article 13.1 of the Universal Declaration of Human Rights, Lebanon should allow Palestinians to work and travel freely in the country and should allow others into the camp.

Or

   According to Article 13.2 of the Universal Declaration of Human Rights, the Palestinians have the right to return to land now controlled by the government of Israel.

After students complete their essays, invite them to reflect on the implications of laws being subject to interpretation rather than fixed in their meanings.
EXTENSIONS

1. Have students engage in a formal debate based on the positions they took in their essays. As an alternative, debate whether or not Palestinians should insist that Israel recognize their right of return as a pre-condition for peace talks.

2. Research, discuss and/or debate how the right of return might apply to historical instances of displacement (e.g., Native Americans forced onto reservations, Jews expelled from Spain in 1492, Muslims driven out of Europe).

3. Investigate the broader picture of the current number of stateless persons in the world. Define the benefits of having a legal national identity and discuss ways that stateless people could be guaranteed the rights enjoyed by people who are citizens. You may want to start your research here: www.ohchr.org/EN/NewsEvents/Pages/StatelessPersons.aspx

4. Explore the U.S. Constitution as a living document open to interpretation by examining instances in which the U.S. Supreme Court has changed its understanding of the constitution’s meaning (e.g., whether or not it allows racial segregation or whether the doctrine of equal protection extends to the LGBT community).

5. Study the full Universal Declaration of Human Rights to see what other assertions it makes about basic rights. Examine the successes and failures of the declaration’s signatories to adhere to its tenets.

6. Compare and contrast Israel’s Law of Return, which says that every Jew has the right to become an Israeli citizen, with Article 13 and Palestinian arguments that international law guarantees them a right of return.

RESOURCES

Immigration and Refugee Board of Canada Report: “Lebanon: Treatment of Palestinian refugees, including information on identity documents, mobility rights, property rights, access to social services, education and employment, and living conditions” www.refworld.org/cgi-bin/texis/vtx/rwmain?page=country&docid=507553bd2&skip=0&coi=LBN&querysi=Palestinian&searchin=title&sort=date
This 2011 report offers an overview of the status of Palestinians in Lebanon

Independent Media Review Analysis
www.imra.org.il/
This Israel-based website aggregates results of polls, interviews and news reports related to the Arab-Israeli conflict. A search for “right of return” will produce several thousand references going back more than a decade.

POV: Media Literacy Questions for Analyzing POV Films
http://www.pbs.org/pov/educators/media-literacy.php
This list of questions provides a useful starting point for leading rich discussions that challenge students to think critically about documentaries.

POV: A World Not Ours
www.pbs.org/pov/aworldnotours/
The POV site for the film includes a general discussion guide with additional activity ideas.

ProCon.org: Israeli-Palestinian Conflict
http://israelpalestinian.procon.org/
To encourage critical thinking and civil discourse, this non-partisan website provides easily accessible summaries of debates over controversial issues.

Project Look Sharp: Media Construction of the Middle East
http://projectlooksharp.org/?action=middleeast
This free, downloadable multimedia curriculum provides ways for students to examine how the Israeli-Palestinian conflict has been represented (and misrepresented) in mass media.

United Nations Information System: The Question of Palestine
http://unispal.un.org/unispal.nsf/about.htm
This site aggregates United Nations documents related to the Israeli-Palestinian conflict, including key resolutions.

United Nations Office of the High Commissioner for Human Rights
www.ohchr.org
This website provides the full text of the Universal Declaration of Human Rights as well as other related resources.

United Nations Relief and Works Agency for Palestine Refugees in the Near East
www.unrwa.org
The website of the agency responsible for creating the camps in which many displaced Palestinians still live includes an historical timeline as well as specific information on Ain el-Helweh, the camp featured in the film.

STANDARDS

Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science and Technical Subjects
(http://www.corestandards.org/assets/CCSSI_ELA%20Standards.pdf)

W.9-10.1, 11-12.1 Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

W.9-10.2d Use precise language and domain-specific vocabulary to manage the complexity of the topic.

W.11-12.2d Use precise language, domain-specific vocabulary and techniques such as metaphor, simile and analogy to manage the complexity of the topic.

W.9-10.4, 11-12.4 Produce clear and coherent writing in which the development, organization and style are appropriate to task, purpose and audience.

SL.9-10.1, 11-12.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups and teacher-led) with diverse partners on grades 9–
12 topics, texts and issues, building on others’ ideas and expressing their own clearly and persuasively.

**SL.9-10.3** Evaluate a speaker’s point of view, reasoning and use of evidence and rhetoric, identifying any fallacious reasoning or exaggerated or distorted evidence.

**SL.11-12.3** Evaluate a speaker’s point of view, reasoning and use of evidence and rhetoric, assessing the stance, premises, links among ideas, word choice, points of emphasis and tone used.

**SL.9-10.4** Present information, findings and supporting evidence clearly, concisely and logically such that listeners can follow the line of reasoning and the organization, development, substance and style are appropriate to purpose, audience and task.

**SL.11-12.4** Present information, findings and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed and the organization, development, substance and style are appropriate to purpose, audience and a range of formal and informal tasks.

**SL.9-10.6, 11-12.6** Adapt speech to a variety of contexts and tasks, demonstrating a command of formal English when indicated or appropriate.

**Content Knowledge:** ([www.mcrel.org/standards-benchmarks/](http://www.mcrel.org/standards-benchmarks/)) a compilation of content standards and benchmarks for K-12 curriculum by McRel (Mid-continent Research for Education and Learning).

- Language Arts, Standard 1: Uses the general skills and strategies of the writing process.
- Language Arts, Standard 2: Uses the stylistic and rhetorical aspects of writing.
- Language Arts, Standard 8: Uses listening and speaking strategies for different purposes.
- Language Arts, Standard 9: Uses viewing skills and strategies to understand and interpret visual media.


- Strand 2: Social studies programs should include experiences that provide for the study of the past and its legacy.
- Strand 4: Social studies programs should include experiences that provide for the study of individual development and identity.
- Strand 5: Social studies programs should include experiences that provide for the study of interactions among individuals, groups and institutions.
- Strand 6: Social studies programs should include experiences that provide for the study of how people create, interact with and change structures of power, authority and governance.
Strand 9: Social studies programs should include experiences that provide for the study of global connections and interdependence.

ABOUT THE AUTHOR
Faith Rogow, Ph.D., is the co-author of *The Teacher’s Guide to Media Literacy: Critical Thinking in a Multimedia World* (Corwin, 2012) and past president of the National Association for Media Literacy Education. She has written discussion guides and lesson plans for more than 200 independent films.