The Palestinian Refugee in the Arab Host-State: Threat to the Status Quo & The Role of Citizenship

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Introduction

Palestinian refugees have been living all over the Middle East since the 1948 Arab-Israeli war. Most of the refugees would like to return to Palestine, however this has been a very difficult issue for over 70 years, and it does not seem likely that the situation will soon change. Meanwhile, these millions of refugees continue living in their host-countries, often as second-class citizens under bad circumstances. What is paradoxical is that some of these Arab host-states do champion and emphasize the brotherhood they feel with the Palestinians, and yet do not treat them as such when residing in their respective states. The refugees often do not have access to citizenship, and when they do it might differ from regular citizenship. This excludes them from many of the rights that regular citizens have.[1] An argument that is often used is that giving these refugees citizenship cancels their 'right-of-return' to historic Palestine.[2] This is a very important right for the Palestinian which is valued very highly. That does not mean that the refugees should therefore be excluded from all other rights that citizens of the host-states do enjoy. The maintenance of the right of return is not a reason for exclusion of the Palestinians. This paper will investigate why and how the Palestinian refugee is excluded from the host-state, and what role citizenship plays in this exclusion.

The problem of exclusion of the Palestinian refugee is a serious issue that has persisted since 1948. It is important to keep discussing this problem so that it is not forgotten, and to keep looking for ways to gain better perspective on the situation in order to envision change. This paper will do so by starting with the investigation of the existing academic discourse on the issue. It will be argued that this discourse gives insight into the problem and the different factors that play a role in the treatment of the Palestinian refugee. However, the discourse follows the narrative of the incommensurability of citizenship in the host-state and the right of return, with which this thesis will disagree.[3] [4] [5] [6] [7] [8]

After the discussion of the existing literature in chapter 1 will follow chapter 2, which is the theoretical framework that will give greater insight and explanatory power in the issues at hand in order to analyse the case studies which will be discussed in chapter 4. In the theoretical framework it will be explained how Michel Foucault's discussion of the origins and functions of biopower and biopolitics explain how power in a state through technologies of power normalizes and maintains the status quo in a state. This allows us to make sense how the Palestinian refugee threatens the ruling powers and status quo of the Arab states that host them, as well as the technologies of discipline that are used against them in reaction to their threatening of the state. We will, for example, see that

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[1] Tianshe Chen, "Palestinian Refugees in Arab Countries and Their Impacts," *Journal of Middle Eastern and Islamic Studies (in Asia)* 3, no. 3 (2009): 42–56.

[2] "The Palestinian Right of Return | War on Want," accessed October 18, 2020, https://waronwant.org/palestinian-right-return.

[3] Michael Dumper, *The Future for Palestinian Refugees: Toward Equity and Peace*, (London: Lynne Rienner Publishers, Inc., 2007).

[4] S Hanafi, J Chaaban, and K Seyfert, "Social Exclusion of Palestinian Refugees in Lebanon: Reflections on the Mechanisms That Cement Their Persistent Poverty," *Refugee Survey Quarterly* 31, no. 1 (2012): 34–53.

[5] Zeina Halabi, "Exclusion and Identity in Lebanon's Palestinian Refugee Camps: A Story of Sustained Conflict," *Environment and Urbanization* 16, no. 2 (2004): 39–48.

[6] Shaul Mishal, "Coexistence in Protracted Conflict," in *West Bank/East Bank* (New Haven: Yale University Press, 1978), 111–20.

[7] Nell Gabiam, "Informal Citizens: Palestinian Refugees in Syria," in *The Politics of Suffering: Syria's Palestinian Refugee Camps* (Bloomington: Indiana University Press, 2016).

[8] Laurie A Brand, *Palestinians in the Arab World : Institution Building and the Search for State* (New York: Columbia University Press, 1988).

Foucault's technology of racism is used to other the Palestinian to help construct the identity of the citizen and to link the well-being of the citizen to the diminishment of the Palestinian threat.[9] Giorgio Agamben takes this technology further in his concepts of the state of exception and *homo sacer*. We are all in the state of exception and are all *homo sacer*, but the refugee more so due to being excluded from the rest of society politically, but also physically in the refugee camps.[10] The case of the Palestinian refugee shows that the refugee camp is often not temporary but permanent and the state of exception helps explain this permanence. Agamben got his inspiration to analyse the situation of the refugee from Hannah Arendt, who discusses the refugee and their inability to access the universal human rights which had been declared to be the cornerstone of society. She argues that human rights can only be upheld by the nation state, and that stateless refugees therefore have no access to these human rights. We will see that this holds true for the Palestinian refugee, who is thus unprotected to the disciplinary technologies that the host-states subject them to.[11]

Michael Hardt and Antonio Negri's *Empire* allows us to move towards a way out of the human rights conundrum. They propose that there is resistance in mobility of the masses, and that these masses should strive for global citizenship, starting with the demand for citizenship in the state in which they reside.[12] This helps explain how the host-states discussed in the case studies often choose to limit the Palestinian in their mobility. Furthermore, the demand for citizenship could offer much needed steps towards the protection of the Palestinian refugee and their rights, which they are unable to access without any form of citizenship, be it Palestinian or other.

After the theoretical framework follows chapter 3 in which we will be situated in the historical context regarding the Palestinian refugee. This will show that the problem precludes the *Nakba,* tracing the history back to British Mandatory Palestine. The *Nakba* will and its consequences will be discussed, as well as Arab-Israeli war of 1967, which had major implications for the Palestinian refugee in Palestine and the diaspora.[13] After being situated in the historical context, citizenship, and its role in the lives of the Palestinian refugee will be discussed in chapter 4, in terms of exclusion/inclusion, political repression as well as opportunity, and legal and physical protection.

This is will be done by investigating this factor in three case studies, through the theoretical framework that will give greater insight and explanatory power in the issues at hand. The first case study is Lebanon and the sectarian system on which it is built. The French origins of this institutionalized sectarianism will be discussed, as well as how it is maintained both in Lebanon and in academic literature discussing the Lebanese case. It will be argued that the fragile sectarian balance in the Lebanese state plays a role in the exclusion of the refugee, and that the denial of citizenship is used as a political tool in this exclusion. The second case study will be Jordan, in which the Palestinians were initially given citizenship and played a role in the building of the Jordanian state. This however did not last, and the Palestinian refugee fell victim to processes of othering and the taking away of their citizenship. The third case study is Syria, where the inclusion of the Palestinian refugee was relatively better compared to the other two cases. However, we will see that this did not last, as well as seeing that the lack of citizenship plays a crucial role in their fate in the

[9] Michel Foucault, *The History of Sexuality Volume 1: An Introduction* (New York: Vintage Books, 1990).
[10] Giorgio Agamben, *Homo Sacer: Sovereign Life and Bare Life* (Stanford, California: Stanford University Press, 1998).
[11] Hannah Arendt, *The Origins of Totalitarianism* (San Diego, New York, London: Harcourt Brace Jovanovich Publishers, 1973).
[12] Michael Hardt and Antonio Negri, *Empire* (Cambridge: Harvard University Press, 2000).
[13] *Nakba* is Arabic for 'catastrophe,' and it refers to what happened to Palestinians during and directly after the 1948 Arab-Israeli war.

Syrian civil war. These three case studies were selected because they are the three Arab countries with the largest groups of Palestinian refugees, as well as them having different political systems and populations, which make them interesting for comparison as well as for seeing general patterns. Analysing the case studies through the theoretical framework will show that the refugees are perceived as being a threat to the status quo of the Middle Eastern state-system and as a result are oppressed in the host-states, and that the refugee due to a lack of citizenship cannot access what we know as universal human rights. They are still part of the state-building processes in their host-states, for example through their exclusion, with the state building national identity by othering the Palestinian. The Palestinian refugee is unprotected from this oppression due to a lack of citizenship, which must be demanded to gain protection.

1. Literature Review

1.1 The Palestinian Refugee

This chapter will discuss the academic discussion on the case of the Palestinian refugee. It discusses the case of the Palestinian refugee in the three case studies: Lebanon, Jordan, and Syria respectively. In the discussion on the Lebanese case, it will be shown that there is consensus among the authors that in Lebanon the refugees are furthest behind the citizens in terms of housing, labour, access to social services, and a host of other factors. The precarious sectarian balance is generally named as a reason for the exclusion and oppression of the refugees. This sectarian balance, as well as the maintaining of the Palestinian right of return to Palestine are for them the reasons for the lack of citizenship for the refugee.[14] [15] [16] The lack of citizenship is accepted as an unchangeable fact, the political workings of the denial and granting of citizenship are not discussed in depth, and the role that the Palestinian plays in the building of the Lebanese state is taken for granted. In the discussion on the Jordanian refugee, it is agreed upon that the living conditions are better than in the Lebanese case, but that the state others the Palestinian in order to construct the Jordanian East-Bank identity, and that the Palestinian refugee is repressed because they are seen as threatening to the Jordanian sovereignty.[17] [18] [19] These practises of othering and repression due to threat are good points that will be further developed and explored in this thesis, but what is missing is the specific role citizenship plays, as well as the role of the refugee in the building of the Jordanian state. The Syrian case is generally described more positively than the cases of Jordan of Lebanon, arguing that integration has been better and exclusionary practises less prevalent. The reason stated for this is that the refugee group is relatively small compared to the large Syrian population, as opposed to the cases of Lebanon and Jordan where the local population is much smaller relative to the Syrian case.[20] [21] [22]

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[14] Dumper, *The Future for Palestinian Refugees: Toward Equity and Peace*.
[15] Hanafi, Chaaban, and Seyfert, "Social Exclusion of Palestinian Refugees in Lebanon: Reflections on the Mechanisms That Cement Their Persistent Poverty."
[16] Halabi, "Exclusion and Identity in Lebanon's Palestinian Refugee Camps: A Story of Sustained Conflict."
[17] Dumper.
[18] Mishal, "Coexistence in Protracted Conflict."
[19] Riad M. Nasser, "Summary And Conclusion," in *Palestinian Identity in Jordan and Israel: The Necessary "Others" in the Making of a Nation* (Taylor & Francis, 2004), 186–94, https://doi.org/10.1163/ej.9789004185258.i-332.49.
[20] Dumper.
[21] Nell Gabiam, "Informal Citizens: Palestinian Refugees in Syria."
[22] Laurie Brand, "Palestinians in Syria: The Politics of Integration," *Middle East Journal* 42, no. 4 (1988): 621–37.

This thesis will argue that an overly positive image is being painted here, with a lack of attention being given to the fact that the refugees do not have citizenship and the vulnerabilities that this brings with it. Across the literature on the case studies, there are descriptions of different levels of integration and exclusion, giving attention to case study specific factors that influence these politics. However, there is a lack of attention to the factor of state-building, for example in terms of state identity building. Furthermore, the incommensurability between citizenship for the refugee and the Palestinian right of return is assumed, which leads to a lack of attention regarding the role citizenship plays as a political tool and as battling vulnerability for the refugees. This incommensurability will be challenged, and the role of citizenship will be further explored through the analytical framework.

In his book *The Future for Palestinian Refugees: Toward Equity and Peace,* Michael Dumper discusses the future of the Palestinian refugees, discussing the options of resettlement and repatriation. He argues that the current situation is not a long-term solution, since the refugees are dependent on emergency funds which are unstable. He discusses option of resettlement in the host nations, emphasizing the relationship between the host nations and the refugees. He argues that resettlement is met with resistance for multiple reasons. For the refugees, this would mean giving up their right of return, which is something they hold dear. For the Arab host nations in general, this can be perceived as legitimizing the state of Israel and its theft of Arab land.[23] He argues that positive reception of the refugees and the consideration of resettlement go hand in hand with positive economic prospects regarding the refugee group.

1.1.1 Lebanon

Dumper argues that Lebanon is the host nation which resists the Palestinian refugees the most. They destabilise Lebanon's already fragile sectarian balance. Past conflicts such as the civil war get blamed on the Palestinians by both state and civilian. The result is several anti-Palestinian laws in the shape of restrictions on housing, healthcare, and employment. Resettlement is not considered as an option by either the Lebanese government or the population.

Hanafi, Chaaban, and Seyfert argue that the Palestinian refugee in Lebanon is mostly 'behind' their Lebanese counterparts in terms of labour, housing, and social security. They envision better access to labour as the way up for the Palestinian refugee. They refer to Berman and Philips' eight indicators of inclusion as a model of indicators on which we should focus when looking at remedying the exclusion of refugees. These indicators are inclusion in the social security system, labour market inclusion, housing market inclusion, health service coverage, inclusion in education system and services, political inclusion, inclusion in community services, and social status inclusion.[24] As to why the refugees are excluded from the factors mentioned, the authors refer to usage of the Lebanese government and media of the *tawteen* or naturalization of the refugees as a scarecrow. There is a discourse in which it is said that increasing Palestinian rights will eventually lead to naturalization into the Lebanese society, which is something the Lebanese and the Palestinians themselves supposedly oppose.[25] This leads to the continued exclusion of Palestinians in the eight indicators. The

[23] Dumper, 87.
[24] Yitzhak Berman and David Phillips, "Indicators of Social Quality and Social Exclusion at National and Community Level," *Social Indicators Research* 50, no. 3 (2000): 329–50.
[25] Hanafi, Chaaban, and Seyfert, "Social Exclusion of Palestinian Refugees in Lebanon: Reflections on the Mechanisms That Cement Their Persistent Poverty," 34-42.

proposed solution is to lobby with the Lebanese government for better labour prospects of the refugees, as well as lobbying for real estate laws based on the Syrian model of allowing every refugee to own one apartment and one economic asset which should lead to inter-generational wealth and combat long term poverty.[26]

What is odd here is that the authors also mention the Jordanian model of unlimited ownership of property, yet encourage the adoption of the Syrian model, in which the refugee still has less rights than citizens. They do not explain why they have preference for less exclusion as opposed to none. Furthermore, it is established that the refugee has been continuously discriminated against since 1948, with the continued institutionalization of this exclusion, yet lobbying for better labour rights with the government is prioritized as a solution to these problems. What the article seems to be missing is the key point of citizenship. The eight indicators of inclusion (or exclusion when looking at it the other way) are all connected to the issue of citizenship within the state. Citizenship would ensure all these factors.

Zeina Halabi concurs that the Lebanese government has continued to implement exclusionary measures. The main reason for these measures would be the fear of disrupting the sectarian balance in Lebanon if the Palestinians were naturalized, which is also what Dumper argued.[27] [28] She adds to this the absence of effort on the side of the Lebanese state at attempting to reconciliate the different sects and minorities in the country after the civil war. The status quo was restored, and the militia leaders became politicians in post-war Lebanon. This meant that the bad blood between the Palestinians and the different sects was never solved.

Furthermore, the 1982 Israeli invasion had led to many Shi'ites from Southern Lebanon, who were uprooted during this invasion, settling in the refugee camps up north, side by side with the Palestinian refugees with whom they were on bad terms. There was also an influx of illegal Syrian workers into these camps, who after the civil war had ended, were given priority in the labour market by the Syrian government which was effectively in control of the Lebanese state after the war. These three marginalized groups now living together led to conflict within the camps, due to poverty, competition, and differing ethnic and religious identities. The solution proposed by the author is restoration of the rights of these respective marginalized groups, to better their situation, as well as moving towards post-war reconciliation.[29] Restoration of the rights of the Palestinian refugee group can of course be accomplished by giving them a form of citizenship, but Halabi does not follow the argument through to this point. The rights of the marginalized groups must be restored, but not through access to citizenship since this is impossible within the circumstances of sectarian balance and the right of return. The crux of the Lebanese situation seems to lie in the sectarian balance which the refugees supposedly endanger. This point will be returned to in chapter 4, where more insight into the situation will be given by analysing the sectarian balance and the role the Palestinian plays in this balance, through Foucault's theory of biopolitics and Agamben's theory on the state of exception.

[26] Hanafi, Chaaban, and Seyfert, 40, 52-53.
[27] Halabi. 40-42.
[28] These authors assume the existence of sectarianism in Lebanon without considering its origins, which will be considered in this thesis in chapter 3.
[29] Halabi, 43-48.

1.1.2 Jordan

Dumper argues that integration has historically been better in Jordan than it has been in Lebanon. West-Bank Palestinians in Jordan before 1954 gained citizenship, although their passport differs from East-Bank Jordanians. Palestinians have more difficulty with finding work, organizing politically, and with the acquisition of public services, compared to their East Bank counterparts. Resettlement is a dilemma for the Jordanian government. On the one hand, they have grown dependent on the Palestinians in terms of economics, but on the other hand they want to maintain their East-Bank hegemony in the country. In this case the Palestinian is valued for their labour, but the ruling class does not want to give them what they consider too much influence.[30]

Riad Nasser argues that national identity is constructed through the other instead of through sameness. In the case of Jordan this national identity is constructed through othering the Palestinians living in Jordan. Nasser is willing to go as far as saying that the Jordanian identity is nothing else than the exclusion of the Palestinians in Jordanian society.[31] This seems to ignore roles played by the culture of the different Transjordanian tribes inhabiting the area of current day Jordan, as well as the elements of identity that came with the forced creation of the state of Transjordan by the British. The point that Jordanian nationalism and identity is –whether fully or partially– based on the exclusion of the Palestinian is an interesting point. This would either lead to a dependence on the Palestinians, needing them to sustain Jordanian nationalism, or to the expulsion of the Palestinians in order to maintain the created East Bank Jordanian nationalism. Above we have seen that more factors come into play than just the sustaining of Jordanian nationalism and that it is likely more complicated than Nasser argues.

Shaul Mishal argues that before the 1967-war, the relationship between the Palestinians and the Jordanians was not good, but that both parties accepted the status quo, given that the alternatives were worse. This was when the West Bank was still part of Jordan, making the Palestinians and the Jordanians more geographically separated. The Hashemite rulers saw themselves as the rightful heirs of Greater Syria, which included Palestine. For this reason, they were willing to rule over the West Bank and were also interested in the liberation of Palestine as a geographical region. They distinctly did not promote the liberation of the Palestinians as a people, since they saw the distinction between Palestinians and Jordanians as harmful for the peace in the country. This was a time when pan-Arabism and Arab Nationalism were still thriving, which was also how the Jordanian government framed the situation. Palestinians and Jordanians were all Arabs living in unity. In reality the Jordanian government actively suppressed the Palestinians in terms of economics and politics. This was because unlike the pan-Arabic narrative, they held the East Bank Jordanians in higher regard, and wanted to maintain hegemony. They framed the suppression of Palestinian political ambitions under the narrative of pan-Arabism and Arabic unity. For example, when members of Palestinian organizations were arrested for furthering Palestinian politics, they were framed as being traitors and enemies of the Arab unity within Jordan.[32]

While the relationship had a better start than it did with the Lebanese case, tension between the state and the refugees was still present. Nasser explains this through the necessity of othering the Palestinians to construct Jordanian national identity, while Mishal argues that the state viewed the nationalism of refugees as being potentially harmful to keeping the peace in the country. It remains unclear how this tension is constructed. Analysing this tension taking into consideration how

[30] Dumper, 91.
[31] Riad M. Nasser, “Summary And Conclusion,” 189-193.
[32] Mishal, “Coexistence in Protracted Conflict.”

the Palestinians posed a threat to the Jordanian state, as well as the Jordanian reaction to this threat and the role of the Palestinian in the building of the Jordanian state, through the analytical framework which will be discussed in the next chapter, will further explore and clarify this tension. This also gives the opportunity to move to a more general analysis of the exclusion of the refugee, while not forgetting the case specific factors, given that it has become clear that exclusion is not limited to Lebanon alone. Furthermore, it will be discussed in chapters 3 and 4 what role the fact of receiving citizenship played for the unique Jordanian case, as well as how tensions led to the civil war of Black September, and the implication of this conflict in terms of Jordanian-Palestinian relations.

1.1.3 Syria

Dumper argues that Syria has integrated the Palestinian refugee group the most. There supposedly is a sense of solidarity between Syrians and Palestinians. The fact that the group did and does not make up a large part of the general population, such as is the case in Lebanon and Jordan, plays a big role in this positive reception. The refugees enjoy equal rights in most sectors except property ownership. Before the civil war the political policy of the Syrian government was to call for repatriation. Not because relations with the refugees are bad, but because Syria sees itself as the champion of the Arab cause in opposing the state of Israel. For Dumper, the land belongs to the Palestinians and they should have the right of return.[33] Dumper does not follow through on the fact of Syrian identity building as being the champions of the Palestinian cause against the enemy Israel.

Nell Gabiam mentions that Palestinian refugees were not unwelcome guests when they fled to Syria in 1948. She argues that this was partially because Palestine was perceived as part of Greater Syria, which implied that the Palestinians were brothers and not foreigners. Furthermore, The Ba'athist/pan-Arabic ideology being the ruling ideology in Syria at the time furthered this idea of having to help their Arab brothers who had fallen victim to Western imperialism. Another factor is that the group of Palestinians only made up 3-4% of the total Syrian population. Gabiam argues that since these numbers were a lot higher in Lebanon and Jordan (10% and 30% respectively), the Palestinians were not viewed as a threat, whereas this was the case in Lebanon and Jordan.[34]

What is furthermore interesting, is that according to Gabiam, Palestinians have a greater right to activism than their Syrian counterparts. This because Palestinian activism is mostly aimed at Israel, and not at the Syrian state. This begs the question whether they really do have more right to activism than Syrians. It seems that they have the freedom to speak out against the state of Israel, which would of course fall in line with the discourse of the Syrian state, but Gabiam does not stop to consider what would happen if the Palestinian refugee spoke out against the Syrian state, which is something the state has historically not been appreciative of. The influence of the relative size of the refugee group compared to the general population on the treatment of said refugee group is an interesting factor. Framing this through Foucault's biopolitics will allow for further pulling on this thread, establishing a framework in which states of exclusion in the three states will graspable.

Laurie Brand argues that the relationship between the host state and the refugee group is determined by economic, social, and political conditions, as well as the relationship of the host state and the PLO. Regarding the Syrian case, she explains that the first wave of refugees that arrived in 1948 was met with open arms. Syria had good socioeconomic conditions and the Palestinians were integrated into the workforce. At the same time, it was emphasized that they would retain their

[33] Dumper, 87-91.
[34] Gabiam, "Informal Citizens: Palestinian Refugees in Syria," 18-21.

distinctive Palestinian identity. They were given relatively equal rights compared to Syrian citizens, but no citizenship. They were integrated into different parts of Syrian society. For example, they were absorbed into the Syrian military and into the ruling Ba'ath party.[35] Brand argues that an effect of these politics of integration was that separate Palestinian organizations did not develop. She argues that the integration into Syrian organizations was not the only reason since the Syrian regime also actively suppressed initiatives for these independent organizations.

These politics of integration became more active after a clash between the Syrian military and the Palestinian militia Sa'iqah, which is at the same time a Palestinian branch of the Syrian Ba'ath party. After the clash, Sa'iqah's leadership was purged and replaced by people more loyal to the Ba'ath party. The result was that the organization had to deal with mass defections from its members and lost popular support. The politics of integration have prevented the creation of separate Palestinian organizations and made the refugees dependent on organizations controlled by the Syrian government. This is a less positive picture than the one Gabiam painted, with repression of Palestinian political aspirations. While relatively more rights were given in other areas, political rights were certainly limited. It is important to note that it is not the case that Syrian citizens enjoyed extensive political freedom. An argument could even be made for the Syrian case that citizenship does not further political rights very much, but we will see later that a lack of citizenship still limits mobility and is a crucially limiting factor in times of a conflict such as is the case with the Syrian civil war. It will furthermore be discussed how the attitude of the Syrian state differs when it comes to different Palestinian populations, from support of the Jordanian Palestinians in Black September in 1970, to direct conflict with the Lebanese Palestinians in the war of the camps from 1984 until 1990.

In the existing literature on the Palestinian refugee and their relationship with the host-states in which they reside, it becomes clear that repression and exclusion happen to different extents, with the scholarship describing the Lebanese case as seeing the worst living conditions and the most repression and exclusion, and the Syrian case seeing the most integration and the least exclusion. Insight was given into the local political situations that have helped shape the relationship between the Palestinian refugees and the host-states in which they reside. The literature does not properly consider the factor citizenship plays or could play in the lives of the refugees, arguing that this is an impossibility given its incommensurability with the Palestinian right of return to Palestine. This thesis will argue that this incommensurability is not a given. Furthermore, while description of local situations is crucial in understanding exclusion and repression of the refugee, what is missing is a theoretical framework that helps understand the exclusion and repression of the Palestinian citizens more generally. The next chapter will provide such a framework, which also helps capture the role that the absence citizenship plays for the refugee.

2. Theoretical Framework

The paradox of the exclusion of the Palestinian refugee in supposedly friendly states that proclaim that they are supportive of the Palestinian cause is what the following theoretical framework will help solve. We will see in this chapter that Michel Foucault's theory of biopower and biopolitics is a useful tool in framing how power in a state employs technologies of power to maintain the status quo, as well as when this status quo is challenged by a perceived threat. This threat is then dealt with through the different technologies of control and discipline.

[35] Laurie Brand, "Palestinians in Syria: The Politics of Integration," 621–626.

Giorgio Agamben picks up on this point and further explains how subjects in a state are in a state of exception. The extent to which the subject is in the state of exception differs, and Agamben argues that the stateless refugee who is outside of the law of the citizen is so extensively, especially in the case of the refugee camp where the refugee is also physically separated from the rest of society. The refugee lacks the protection a citizen has due to this statelessness, which puts the refugee in the state of exception, excluded from the society of the citizens. Agamben in this point finds inspiration from Hannah Arendt's discussion of the refugee, which will further guide us in explaining the importance of citizenship for the refugee. She explains that the so called 'universal human rights' are not that universal since they can only be enjoyed under the protection of the state. The stateless refugee thus cannot access these rights and as a result is vulnerable. To gain this protection the refugee must gain this citizenship.[36]

Michael Hardt and Antonio Negri's *Empire* proposes that global citizenship must be demanded so that the multitude which is subject to Empire's control can manifest itself and break away from this control. The first step would be to demand citizenship in the state in which one resides, which is a solution for those stateless refugees to gain a degree of protection from the technologies of power that they are subjected to in the state of exception. Now follows in in-depth discussion of the theory, followed by a discussion of how this framework is applied to the case of the Palestinian refugee.[37]

2.1 Biopolitics & Biopower

In *the History of Sexuality Volume 1: The Will to Knowledge,* Foucault argues that, in the West, up until the 19th century, the sovereign power in a state had the right to either kill or let their subjects live. This changed in the 19th century, when the sovereign disappeared, and eventually parliamentary democracies became the status quo in the West. Instead of having the right over death, political power now had the right over life. This means that life is no longer taken away, but produced, grown, and managed, with life being the biological population of a state.[38] Life does not have to be coerced to comply with this management, it itself drives and complies to these processes. This life propels to increase itself, as well as exterminating that which stands in its way, which according to Foucault expresses itself in the destruction and exclusion of exterior life, for example through war.[39] This power, which manages and produces life, is what Foucault named "Biopower." It is a political technology that aims to control populations, which, from the 19th century onward, developed in symbiosis with the capitalistic system.

Capitalism is a system that relies on ever increasing gains. Control over the body as machine, and management over life helped realize this. The body as machine for Foucault means that the body came to be perceived as a machine, with possibilities of enhancing it and increasing its productivity, through factors such as bettering the health of the body. Capitalism used this to grow their productions and therefor maintain the system.[40] The management of life is often called "Biopolitics." Power now has direct control over life, making life directly politicized. It measures and hierarchizes

[36] Agamben, *Homo Sacer.*
[37] Hardt and Negri, *Empire*.
[38] Michel Foucault, *The History of Sexuality 1: The Will to Knowledge*, trans. Robert Hurley (New York: Pantheon Books, 1978), 136.
[39] Foucault, *History of Sexuality,* 137.
[40] Foucault, *History of Sexuality,* 140-141.

the living subject in terms of value and utility, to grow and expand it.[41] In our day and age, capitalism has spread almost all over the globe, and we should therefore see these structures of biopower and biopolitics wherever capitalism resides.

Power gains control over life through technologies which order and manage the population. This is done in physical form, by spatially distributing people, meaning controlling where people live, in order to surveil and control the population's movement.[42] There is also statistical analysis. Regarding the phenomena that a population exercises, Foucault states that *"The phenomena addressed by biopolitics are, essentially, aleatory events that occur within a population that exists over a period of time."*[43] With the move from control over the individual to control over life in general, statistics have become important. Registration of life and its trends is a form of biopolitics that helps to predict and alter life, maximizing control and productivity. This move from purely disciplining to controlling and regularizing the population given Biopower control over life and the biological processes, is what Foucault calls 'bioregulation by the state.'[44] This new regularizing power-knowledge, which originated in the 19th century, together with the already existing disciplinary power-knowledge, continue to be the political technologies utilized by biopower.

Another technology of power is racism. Racism for Foucault is the solution to a paradox. It is the answer to the question how biopower can kill or expose to death its own population, when its goal is to increase life. The coming to be of biopower is what infused the state with racism, since the control of life also brings race into the equation. For Foucault it has two functions. First, it can fragment the population, which is a technology of control for biopower since a fragmented population is easier to control than a united one. The second function is the linking of the state's own population's life to the death of others. The death of others only becomes acceptable when it is believed that this is the only way that one's own life can be preserved and even increased. There is a relationship at the level of life itself in which the decrease in life of B is believed necessary for the health of the life of population A. In this way racism is deeply connected to Biopower and its biopolitics, having become a technology of power.[45]

2.2 The State of Exception & Human Rights

Giorgio Agamben argues that Michel Foucault's untimely death prevented him from finishing his work on "*the politicization of bare life as such.*"[46] Agamben sees hints at how biopower subjectivizes whilst totalizes in Foucault's oeuvre, but is of the opinion that this process was to be properly fleshed out by Foucault, which unfortunately did not happen. By subjectivizing whilst totalizing, Agamben means the process in which identity is shaped in the individual which at the same time binds the individual to the population in general. Agamben takes it upon himself to fill this hole left by Foucault, by investigating where individualization and totalization meet.[47]

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[41] Foucault, *History of Sexuality,* 144.
[42] Michel Foucault, "'Society Must Be Defended,' Lecture at the Collège de France, March 17, 1976," trans. David Macey, in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 63.
[43] Foucault, "Society Must Be Defended," 66.
[44] Foucault, "Society Must Be Defended," 67, 70.
[45] Foucault, "Society Must Be Defended," 73-77.
[46] Giorgio Agamben, "Introduction to Homo Sacer: Sovereign Power and Bare Life," in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 136.
[47] Agamben, "Introduction to Homo Sacer," 137-138.

Agamben argues that the answer lies in man being both included and excluded. Included as far as man is a political subject but excluded as far as man is bare life. Man is both these things and thus is excluded while included. According to Agamben this inclusion/exclusion finds its origin in ancient Roman law with the figure of *homo sacer.* This 'sacred man' was a man who the sovereign declared not to be sacrificed and yet as allowed to be killed. This puts the *homo sacer* outside of divine law, for he cannot be sacrificed, but also outside of the law of man, for he can be killed.[48] This places the *homo sacer* in the state of exception, which is a concept central to Agamben's theory. The state of exception is the suspension of the law, which maintains the law by delimitating it. He explains that *"The rule applies to the exception in no longer applying it, in withdrawing from it."*[49] This makes the law dependent on the state of exception, which makes the state of exception necessary for the state.

Every state functions through the state of exception, but for Agamben the degree to which this happens can differ. There is no way around biopolitics, the only choice remains in deciding which form of government best suits the situation. As far as analysis of biopolitics goes, the totalitarian state is for Agamben the most extreme and telling, with the Nazi concentration camp as the ultimate form of a reduction of the human to bare life, and as the absolute state of exception.[50] In it we can see both Foucauldian functions of racism, namely separation and the establishment by the state of a biological connection between two groups, where it is believed/is made to be believed that the destruction of one race should have the effect of contributing to the health of another.

Regarding the refugee, Agamben gets his inspiration from Hannah Arendt, from her chapter on refugees in *The Origins of Totalitarianism.* In the historical context of post-WW1 Europe, Arendt described how the stateless refugee came to be. With the disintegration of the large empires such as Austria-Hungary and the Ottoman Empire, the refugee and the minority now became political issues. These empires contained many minorities living amongst each other to different extents of stability and peace. The rise of nationalism made the construct of the empire obsolete, with former minorities becoming nations wanting to establish themselves. The falling apart of these empires saw minorities finding themselves in new countries in which they were not welcome, thus being turned into refugees. These refugees found themselves outside of the Rights of Man, which Arendt argues is an empty declaration without the protection of a nation-state.[51]

For Arendt, modern states only have two options when it comes to the refugee, either assimilation or repatriation. She is very sceptical when it comes to both options and does not really offer us a way out. Assimilation is hard because citizenship and nationality have been linked since the French revolution, and the refugee is not a national of the country they reside in. Repatriation rarely is an option since either the refugee cannot return, the refugee does not want to return, or the country of origin does not want the refugee to return. This stalemate has led to the 'solution' of the camp, where the refugees live without a perspective on either assimilation or repatriation.

Furthermore, Arendt argues that the discourse has changed from calling these people 'stateless' to 'displaced', so that the real issue, the fact that these people are without a state, can be

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[48] Giorgio Agamben, *Homo Sacer: Sovereign Life and Bare Life,* trans. Daniel Heller-Roazen (Stanford, California: Stanford University Press, 1998), 71-74.
[49] Agamben, *Homo Sacer,* 18.
[50] Giorgio Agamben, "The Politicization of Life," in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 145-148.
[51] Arendt, 267-268, 292.

ignored.[52] I would argue that the changing of the discourse in the favour of the state can be considered a technology of power in the Foucauldian sense. Power controls the discourse in a state, meaning that the language used is never neutral but always a result of power structures. Displaced is a term which just indicates location, whereas stateless indicates a lack of state protection, and a more serious issue. Changing the discourse from stateless to displaced is in this sense downplaying the gravity of the situation of the refugee. Assimilation and repatriation for the Palestinian refugee are tightly linked with the discourse of the right of return, which will be discussed in detail in chapter 4.

Agamben praises Arendt for her point that the rights of man disappear with the case of the refugee, however, argues that she did not follow this connection through to the end. Of course, this is what Agamben sets out to do. The problem is that these rights of man are only active with the citizen in their state, and not with bare life, which is what the refugee represents.[53] The modern nation-state is based on the 'sovereign subject', whose essential rights are integrated into the state. Those who are not sovereign subjects, yet reside within the nation-state, such as the refugee, are thus excluded. The citizen is both bare life and a political subject, making them eligible for the rights of the state, but the refugee is just bare life, or *homo sacer*. Agamben explains:

> *If refugees, (whose number has continued to grow in our century, to the point of including a significant part of humanity today) represent such a disquieting element in the order of the modern nation-state, this is above all because by breaking the continuity between man and citizen, nativity and nationality, they put the originary fiction of modern sovereignty in crisis.*[54]

This means that this is not only a problem for the refugee, since they, as bare life, do not enjoy the rights of the citizen, it is also a problem for the state whose sovereignty is threatened by the presence of the refugee, by bringing to the surface the reality of bare life, which before their presence was able to remain hidden.[55] The rights that are bestowed upon people when they are born, establishes the bare life-citizen connection. This connection is severed with the refugee and cannot be reconnected through basic human rights established outside the state, such as those declared by an organization such as the United Nations.[56] This is why NGOs that help the refugees cannot achieve more than the preservation of bare life, meaning that they help the refugee to survive, but are unable to change their status for the better. They cannot see the refugee and human life outside of the bare or sacred life figure.[57] The result is that

> *Every time refugees represent not individual cases but –as happens more and more often today– as mass phenomenon, both these organizations and individual states prove themselves, despite their solemn invocations of the "sacred and inalienable" rights of*

[52] Arendt, 273-279.
[53] Giorgio Agamben, "Biopolitics and the Rights of Man," in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 152-153.
[54] Agamben, "Biopolitics and the Rights of Man," 156.
[55] Agamben, "Biopolitics and the Rights of Man." 157.
[56] "Universal Declaration of Human Rights | United Nations," accessed October 2, 2021, https://www.un.org/en/about-us/universal-declaration-of-human-rights.
[57] Agamben, "Biopolitics and the Rights of Man." 158.

man, absolutely incapable of resolving the problem and even of confronting it adequately.[58]

Humanitarianism should according to Agamben not be separated from politics, otherwise this problem will continue to persist. The refugee as a concept needs to be brought back into the political fold, ending the separation between bare life and the political, between *homo sacer* and the citizen.

2.3 The Demand for Citizenship

Agamben does not go into how humanitarianism can be brought back into the political fold, but Michael Hardt and Antonio Negri did so in 2000 in their influential book *Empire*. They argue that Agamben's bare life has the productive power of the multitude, and that its power has the capability of overthrowing capitalism and Empire. According to them, the creation of subjectivity that stems from Foucault's oeuvre and which Agamben follows in his work, is not just top down the way it is for Agamben. This production of subjectivity is a source of power for the multitude and so opens the possibility of resistance. This expresses itself in events, which can function as productive acts of freedom, and places where resistance is possible.[59] Think of uprisings, demonstrations, wars, or other events. Empire for Hardt and Negri is the sovereign power that governs our increasingly globalized world. Empire controls the global flow of economics, culture, and power, and consists of the global corporations and NGOs that dictate these flows.[60] For Hardt and Negri NGOs (such as the ones that are there to help the refugee) present themselves as neutral and harmless but in reality are part of Empire, employing 'moral' interventions in order to anchor Empire's capitalistic ideology under the guise of human rights.[61] Empire controls the multitude (bare life) through Foucauldian biopolitics, but the scale has shifted from the state-level to the global-level. Hardt and Negri believe that the nation-state is no longer the sole place where power resides; the world market and global capital, in the form of global corporations and NGOs, have increasing influence in the world alongside the traditional nation-states. This means that resistance to these flows is now also at both the state level and across borders. This means that mobility has increasingly become a point of resistance for Hardt and Negri.

Hardt and Negri propose three demands that the multitude need to make, which are the right to global citizenship, the right to a social wage or minimum income, and the right to reappropriation (of means of production, media, education, healthcare, etc.).[62] Regarding the demand for global citizenship, Slavoj Žižek argues that this would imply the sudden abolition of state borders, and that this would lead to chaos instead of the idealistic utopia that Hardt and Negri perceive.[63] Hardt and Negri would not see it this way, arguing that state borders are already in a process of becoming obsolete, and that the demand for global citizenship would be the an opportune approach to use this to the advantage of the multitude. However, given that state borders are not yet obsolete, they first propose the demand for citizenship within the state in which one works and

[58] Agamben, "Biopolitics and the Rights of man." 159.
[59] Michael Hardt and Antonio Negri, "Biopolitics as Event," in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 237-241.
[60] Michael Hardt and Antonio Negri, *Empire*, Cambridge, (Harvard University Press, 2000), xi-xiii, 366.
[61] Michael Hardt and Antonio Negri, "Biopolitical Production," in *Biopolitics: A Reader*, ed. Timothy Campbell and Adam Sitze (Durham and London: Duke University Press, 2013), 226-227.
[62] Hardt and Negri, *Empire,* 396, 401, 403.
[63] Slavoj Žižek, "Have Michael Hardt and Antonio Negri Rewritten the Communist Manifesto for the Twenty-First Century?," *Rethinking Marxism* 13, no. 3–4 (2001): 190–98.

resides.[64] This would reconnect the severance of bare life and the citizen, putting the refugee back in the reach of the only institution that can uphold human rights at this time, which is the state. This would later serve as a steppingstone towards global citizenship.

2.4 State & Refugee

Foucault's theory of biopower and biopolitics explains how in the modern state life itself is grown, produced, and controlled. This is done through specific technologies of power. Regarding our case, the technology of spatially ordering the population, and the technology of racism, will lead to understanding regarding the case of the refugee camp and the exclusion of the Palestinian refugee by the host-state. When we consider the camp in chapters 3 and 4, we see that Foucault's technology of power of spatially distributing people is applicable. Housing and the layout of a city as a technology of power adds to the idea of the refugee camp as an example. Housing a refugee group in camps keeps this new group separated from the rest of the population, and allows for better policing of the group, given that they are all together and the state knows where to find them.

Racism as a technology of power is relevant since it has the potential of answering why refugees are not assimilated/integrated into the host-state when exclusion happens. The first function of not assimilating a refugee minority group, is fragmenting the population. The second function of linking the prosperity of life of one population with the decline of another, could prove to be relevant in the case of the population of the host country versus the population of the refugee group.

Ruth Wilson Gilmore and Craig Gilmore make an argument about underlying reasons for the separation of minorities, separately from Foucault. Their analysis applies to the case of mass incarceration of minorities in the US, arguing that framing minorities as being dangerous to society, followed by incarcerating them, legitimizes the state by being able to argue that the state is protecting society.[65] This is like Foucault's description of the technology of racism, where the wellbeing of one group is linked to the demise of another. The refugee camp is not the same thing as a prison, but it is a space in which a state keeps a minority that can be framed as being dangerous to society, thus legitimizing the state by supervising and policing the refugees in their camps.

Agamben furthers Foucault's theory, explaining that every state relies on the state of exception and on the figure of the *homo sacer.* The refugee reveals and thus endangers sovereignty. This is because the rights of man are useless without the state, and the refugee, being stateless, severs the connection between the citizen and bare life. The refugee in this way is reduced to just bare life, living in a state of exception in the refugee camp. Lucas Oesch argues within Agamben's theory the refugee is never completely reduced to bare life and that the refugee camp is not a complete state of exception. Bare life is a metaphysical figure, but not an ontic political reality. This means that the refugee does live in the state of exception, and gets reduced to bare life, but never fully, opening the option of the political in the camp.[66] In this way the state's attitude towards the refugee can still be analysed through the state of exception and bare life, but the sphere of the political is not excluded for the refugee. For Oesch, this also implies that the refugee is subject to the technologies of power described by Foucault. He argues that the refugee camp itself is a technology

[64] Hardt and Negri, *Empire*, 400.
[65] Ruth Wilson Gilmore and Craig Gilmore, "Restating the Obvious," *Indefensible Space: The Architecture of the National Insecurity State*, 2013, 141–62.
[66] Lucas Oesch, "The Refugee Camp As a Space of Multiple Ambiguities and Subjectivities," *Political Geography* 60 (2017): 110–112.

of power, likening it to Foucault's panopticon. The refugee knows that he is supervised, and thus he coerces.[67] Minimal intervention from the side of power is needed, biopolitics work through obeyance to the norm.

Hardt and Negri argue that biopolitics have shifted from the state to the global level. I will argue that biopolitics have entered the global sphere, with the rise of international organizations such as NGOs, but that does not automatically mean the disappearance of biopolitics in the state-sphere, which Arendt argues is the only place that can safeguard the refugee, and where Agamben argues the refugee is bare life. Biopolitics will be a useful tool in analysing the role of the state on the one hand, and the role of an NGO such as the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA), in the management of the refugee group.

Agamben gathers from Arendt that the refugee can be neither assimilated nor repatriated, and because of this gets stuck in the refugee camp. The solution for Agamben is to make humanitarianism political. Hardt and Negri offer a solution on how to do that, by locating power of resistance in the multitude against Empire. The displaced refugee is a representative of the multitude, and thus has this power of resistance. This gives the refugee agency, which prevents the refugee being characterized as just a victim, which could be condescending and harmful. A concrete way of bringing the refugee back into the political sphere, is by making the demand for global citizenship. This is a rather idealistic demand, assuming the downfall of the nation-state, but the proposed step towards global citizenship, namely citizenship for every member of the multitude in the state in which they reside, could offer real solutions to the problems of the refugee.

We will see that the Palestinian is a threat to the status quo to the state-system in the Middle East that was developed with the Sykes-Picot agreement after the fall of the Ottoman Empire, and that these states employ the technologies of power, specifically the technology of racism to subvert the threat that the Palestinian poses to their hegemony. The statelessness of the Palestinian refugee puts them outside of the law in the state of exception, making them increasingly vulnerable to these technologies, as well as to state-building practises such as identity-building through othering. The Palestinian has historically resisted and organized across borders, emphasizing the mobility of the diaspora. When the Palestinian poses resistance through mobility across borders, the states will attempt to limit this mobility. A way forward towards the protection of the right of the Palestinian refugee is the demand for citizenship in the states that they reside in.

In order to apply this framework to the case of the Palestinian refugee, we must first situate ourselves in the historical context in which this refugee is located.

3. Historical Overview

This chapter will provide a historical overview, from the time before the *Nakba,* in British Mandatory Palestine, to the events of the *Nakba* and its consequences in the following decades. Special attention will be drawn to the Arab-Israeli war of 1967 and its consequences, which were numerous for the Palestinian refugees in Palestine, as well as in the diaspora.

3.1 Before 1948

Rosemary Sayigh's *The Palestinians: From Peasants to Revolutionaries* gives an extensive historical and anthropological account of the experience of the Palestinian refugees, from before they were

[67] Oesch, 113-115.

refugees, in the British Mandate of Palestine, to the late seventies.[68] The anthropological perspective finds its origin in the many interviews with Palestinian refugees that Sayigh conducted in refugee camps in Lebanon.

Sayigh explains that most of the inhabitants of Mandate Palestine were peasants, who she described as being tied to village and family rather than nation, which contrasts with the generations born in the camps, who have a greater national and political consciousness.[69] These peasants and their country entered the world of capitalism with the coming of the British occupation after the fall of the Ottoman Empire after WW1. The Palestinian peasants were not able to benefit from the modernization that came with the British. Sayigh argues that this is due a multitude of reasons. The land was not blessed with easily cultivatable soil or a beneficial climate for the peasantry. The occupying state cared little about the Palestinians, did little for the benefit of the peasant, and neither did the middle-class or bourgeois Palestinians of the city. This combined with the rise of Zionist land purchase and the Zionist boycott of Arab labour made for a lot of poverty among the peasant class.[70] All these factors made for a weak Palestinian majority, which made for a basis of the events of 1948. Sayigh argues that "*The 'dismemberment' of the Palestinian was the logical outcome of three decades of a systematically produced inequality – military, political and social – between the two communities.*"[71]

These factors greatly benefitted the Zionist cause in the Arab-Israeli war of 1948, in which most of the Palestinians ended up fleeing. At first, most refugees fled from village to village within what was now becoming Israel, but eventually ended up elsewhere. In 1948, about a million Palestinians fled to or stayed in Gaza and the West Bank, 82.000 refugees fled to Syria, 104.000 to Lebanon, and 110.000 to what was then called Transjordan. 12.000 refugees ended up in states further abroad.[72] For Sayigh the central question, which according to her has historically been answered incorrectly, is why did the refugees flee? The common interpretation up until the writing of the book was that Palestinian leaders called upon their people to flee, and that they did so instead of staying and fighting for their land. Sayigh explains that this is incorrect and blames this misinformation on Zionist propaganda.[73]

Instead, she proposes four factors that contributed to the fleeing of the refugee: military attacks on Palestinian villages by the Zionists, a lack of Palestinian leadership, a shortage of arms among the Palestinians, and terrorist attacks on the Palestinians by the Zionists. These factors led to an environment of fear and chaos in which fleeing became the best option. The lack of leadership was because most of the Palestinian leadership was abroad in the capitals of the Arab world, which made communication difficult and the possibility of the mass fleeing due to their command virtually impossible.[74]

The Arab states that were to receive the bulk of the refugees also played a role in the events that happened before and during the War of 1948. Sayigh explains that the Arab League was hesitant to assist the Palestinians before the war. They underestimated the threat that the Zionists posed, and thought that they would easily neutralize the threat if things got out of hand. For this reason,

[68] Rosemary Sayigh, *The Palestinians: From Peasants to Revolutionaries* (London & New York: Zed Books, 1979).
[69] Sayigh, 4-16.
[70] Sayigh, 20, 21, 36.
[71] Sayigh, 61.
[72] Sayigh, 100.
[73] Sayigh, 60.
[74] Sayigh, 62.

they refused to arm the Palestinians, even though the Palestinians explicitly and repeatedly requested this. This, combined with the disarmament performed on the Palestinians by the British occupiers, left them in a weak position militarily. When the Arab League held a conference on the issue of Palestine and the Palestinians and Zionists living there, a Palestinian delegation was not invited.[75]

3.2 1948-1967

The Arab forces were defeated, and thus the Arab states could not revert the mass displacement of the refugees. King Abdullah of Jordan did manage to seize the West-Bank, and the Egyptians acquired Gaza under their jurisdiction. The Arab states now had to deal with the enormous number of refugees that had entered their states. The general tactic that was adopted was to put them into refugee camps, prevent their organization and regulate their behaviour. They were a painful reminder of their loss of the War of 1948 and seen as a burden. A historical overview of how the respective case studies dealt with this influx will follow shortly.

The response of the West was the call for humanitarian aid for the refugees, but no attention for the causes of their being refugee. The newly created state of Israel was not held accountable in any way in Western discourse. The humanitarian aid came in the form of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). They wanted the host countries to shoulder the burden, and the host countries wanted the UNRWA to do so. The UNRWA furthermore wanted to permanently resettle the refugees, but the refugees preferred the option of returning to Palestine, as did the Arab host-states. This resistance to the UNRWA's wishes shifted their strategy to providing basic health care, education, and relief for the refugees. Sayigh argues that the minimal help from the UNRWA combined with the repression of the host-state kept the refugee tired enough so that they would not organize and revolt.[76]

The Jordanian state offered the refugees citizenship, which made sense for them given that the West-Bank, which was mostly inhabited by Palestinians, was now part of their territory. Syria and Lebanon resorted to giving the refugees special ID cards, which granted less rights compared to citizens of the states. The refugees were often repressed in and excluded from the host-states in which they resided. This repression happened through limited access to healthcare, political organization, employment, and education.[77]

The Lebanese state for example excluded the refugees from the military and the public services. Furthermore, the Lebanese state actively tried to undermine any Palestinian organization, especially military organization. Sayigh argues that there were two fears that motivated these policies by the Lebanese state. First, the arrival of the huge refugee group upset the very precarious sectarian balance in Lebanon, which as we saw in chapter 1 is often assumed and reaffirmed in the literature on Palestinian treatment in Lebanon. Sectarianism in Lebanon finds its origin during French control over the area after the falling apart of the Ottoman Empire. The French favoured the Maronite bourgeoisie because they had trade ties with them, with the Maronite bourgeoisie controlling trade points between Europe and the Middle East.

The French furthermore put relatively many Maronites in high positions in the Mandate, and organized elections along sectarian lines, further institutionalizing sectarianism in what was to

[75] Sayigh, 65, 70, 75.
[76] Sayigh, 84, 110-113.
[77] Sayigh, 98-103.

become Lebanon. When independence came in 1943, these elections along sectarian lines were maintained by inscribing them in the National Pact.[78] This electoral system along sectarian lines caused some to view the Palestinian group with suspicion, given that this mostly Sunni group would change the status quo when included when included in the political process.

The other fear that Sayigh described was specifically related to Palestinian organization. They feared that the Palestinians would start attacking Israel from Lebanese territory if they managed to gain some military organization, which would lead to retaliation and insurgencies from Israel into Lebanese territory. A conflict with Israel was something that the Lebanese state wanted to prevent, and they therefore made sure that the Palestinians were unable to acquire weapons or gain forms of organization.

In Jordan, the state focussed on integration of the acquired Palestinian refugee group. As mentioned before, this was largely motivated by their acquisition of the West Bank and East Jerusalem. The Palestinians were recruited into both the public services and the military. The Jordanians viewed their acquisition of East Jerusalem as an opportunity for touristic exploitation. Integration was also a tactic towards preventing them from organizing amongst themselves. This was repressed and the refugee camps were surveyed to control the refugee group.[79]

Jamie Allinson's account of Jordanian state-building from the Ottoman period, through the British Mandate, to the events that dominated the Jordanian 1950s, provides us with the role that the Palestinians in Jordan played in the political realm of those times. Allinson does so through the Trotskyist concept of 'uneven and combined development.' Uneven development between states combined with the spread of advanced technologies makes for unique unevenness, for example in the Jordanian case. Jordan was subordinated to the United Kingdom, developed unevenly but also integrated technologies from the UK, and this reflects on the internal development and politics of the state. Focus is on the relation between the dependency on the British state and Jordan's geopolitical alignments in the Middle Eastern region.[80]

The military became the core of the Jordanian state. This was due to security and political reasons. During the times of the British Mandate (1922-1946), the Hashemite royal family of Jordan was on bad terms with the house of Saud of Saudi Arabia, with whom they shared a border. There was a lot of unrest and conflict around this border, and thus the Transjordanian Frontier Force (TFF) was established. What is important is that this TFF consisted mostly out of Palestinians, pointing to an early integration of the Palestinians in the military, even before the *Nakba*. The other main reason for the importance of the military in the Jordanian state was the integration of the Bedouin tribes of the country. These Bedouin turned to raiding when their crop yields were insufficient, and thus the British decided to recruit them into the army. Having the Bedouin on the payroll of the British Mandate solved the unrest of raiding, as well as countering anti-colonial sentiments and organization amongst this group.[81]

In the 1950s there was a split in the Middle Eastern region, between the states that followed Nasser's Egypt on the path of anti-colonialism and Arabism, and those that allied with Western States such as Britain. These Western allies came together with Britain in the Baghdad Pact, of which for

[78] Joseph Daher, *Hezbollah: The Political Economy of the Party of God* (London, England: Pluto Press, 2016), 10-16.
[79] Sayigh, 114.
[80] Jamie Allinson, *The Struggle For The State in Jordan: The Social Origins of Alliances in the Middle East* (London & New York: L.B. Tauris & Co. Ltd, 2016), 19-20, 139-140.
[81] Allinson, 69-90.

Jordan the central question of the 1950s was whether to join it. This led to internal opposition within the state, with one side wanting to join the Pact, and the other not wanting to join it. The side that wanted to join were the pro-British Hashemite rulers and the effectively integrated Bedouin. On the other side were anti-colonial nationalists, who wanted to turn away from Britain and towards Nasser and Arabism. This group consisted of the Palestinian majority, rural migrants in Amman, and the trade unions.[82]

The Palestinians in Jordan saw the threat of Israel and the liberation of Palestine as their main concern. The British were not forthcoming in helping the Jordanian defence against Israeli incursions, and in fact allied with the Israeli state. Nasser on the other hand championed the Palestinian cause and pushed for a united Arab world which could resist Israel. This made siding with the Nasserists much more attractive for the Palestinians, which they did. This contributed to the unpopularity of the Palestinians with the Hashemite rulers and the Jordanian right-wing elite. They worried that the Egyptians would use the Palestinian struggle as propaganda for their causes, and that a Palestinian elite group would develop. This did happen, with the rise of the political influence of the Free Officers in Jordan, which was an elite group of Nasserist army officers, consisting mostly of Palestinian Jordanians.[83] They wanted the expulsion of the British and a move towards a more Arab army. Another party that consisted largely of 1948 Palestinian refugees was the Jordan Communist Party (JCP), which was an illegal yet popular party. The JCP also opposed joining the Baghdad Pact and were proponents of expulsion of the British. The JCP was created out of a merger of the Palestinian National Liberation League and the East Bank Marxists, making the JCP an example of political cooperation between Palestinians and Jordanians in the political realm.[84]

Large scale demonstrations against the Pact, the British, and the Jordanian government followed. Palestinians were largely represented in these demonstrations. The reaction of the state was to order Bedouin parts of the army to shoot at the protesters, leading to deaths and further division within Jordanian society.[85]

The situation became untenable for king Hussein, which led to his decision in 1956 not to sign the Baghdad Pact, and to expel the British officers from the army. The pressure from the left, including both Palestinians and Jordanians, effectively managed to coerce the king from siding with the British to siding with Nasser's side. It also greatly increased the integration of the left and the Palestinians into the state, with many of the Free Officers filling the vacuum that the British officers left behind. Furthermore, the anti-imperial left won the elections that were held, forming a cabinet that championed Arab unity and Palestinian liberation. The financial gap left behind after the abrogation of the Anglo-Jordanian Treaty was filled through the signing of a military agreement with Egypt, Syria, and Saudi Arabia, officially moving Jordan from the colonial to the anti-colonial side in the Middle Eastern region.[86]

Unfortunately for the left their success would not last. Hussein sought new tutelage under President Eisenhower and the United States. He did this by suppressing of the anti-imperialist left, and by calling on his Bedouin support. Communist media outlets were banned, and the left-wing

[82] Allinson, 96-100.
[83] Allinson, 109.
[84] Allinson, 110-111.
[85] Allinson, 112-117.
[86] Allinson, 122-131.

cabinet was dismissed and replaced with a right-wing one. Hussein's tactics worked and a deal for financial support was struck with the United States.[87]

In Syria, between 75.000 and 100.000 Palestinian refugees arrived during the *Nakba*. These numbers increased with the second Arab-Israeli war in 1967, Black September in Jordan in 1970, the 1982 Israeli invasion of Lebanon, and the 2003 war in Iraq.[88] The first wave of refugees in 1948 was welcomed and assisted by the Red Cross. In 1949 the Syrian State set up the Palestine Arab Refugee Institution, which was responsible for everything related to the newly acquired refugee group. The UNRWA arrived in 1950, which started to provide the refugees in their basic needs. They have stayed in Syria ever since, though this has become complicated with the war that hit Syria in 2011. The UNRWA at first aimed at integrating the refugees into the Syrian society, however this was resisted by the refugee group and the Syrian state and was given up.[89]

In this period between 1948 and 1967, the refugees were given almost equal rights, and they could keep their own identity. This construction, in which they were given the same rights as citizens, whilst keeping their refugee status, was unique compared to the other host-states. The Syrian state furthermore supported their right of return, linking it to human rights more generally.[90] However, there was a limit to their equal rights. Due to their lack of Syrian nationality, they were not allowed to vote. What they could do was work in government positions, as well as in the military. This first consisted in there being a Syrian branch of the Palestine Liberation Army (PLA), which was part of the PLO. This later became a Palestinian branch of the Syrian army. These rights were only extended to the refugees who arrived before 1956, not to those who arrived afterwards, which is a small minority.[91]

Through this dynamic of being partially integrated, meaning that civic rights were extended whilst keeping the status of refugee, the refugee group in Syria turned into a distinct community within Syrian society, as intended by the Syrian state and the UNRWA. This community came to live mostly in nine UNRWA and three non-UNRWA camps, of which most camps were around the capital of Damascus. The difference between camps here and, for example in Lebanon, is that they slowly became indistinguishable as camps and had the outer appearance of a regular neighbourhood. These camps were also not purely Palestinian, with many of them housing both Palestinians and Syrian civilians.[92]

3.3 The Consequences of the 1967 War

The 1967 Arab-Israeli war was a conflict between Israel on one side and Egypt, Syria, Jordan, and Iraq on the other side. This conflict is central in the narrative of the Palestinian refugee due to its impact it had on the mentality of the Palestinians and due to the enlargement of the Palestinian refugee group. This catastrophic defeat of the combined Arab forces made the Palestinian realize that their respective host-states were not going to give them Palestine back, motivating them to start taking matters into their own hands, militarily and otherwise. This led to the creation of the Palestinian Resistance Movement (PRM). The PRM consisted of multiple Palestinian factions and was led by

[87] Allinson, 134-137.
[88] Anaheed Al-Hardan, *Palestinians in Syria: Nakba Memories of Shattered Communities* (New York: Columbia University Press, 2016), 51-52.
[89] Al-Hardan, 54-56.
[90] Al-Hardan, 5-7.
[91] Al-Hardan, 58.
[92] Al-Hardan, 59-64.

Fateh, the influential Palestinian political and military movement closely associated with Yasser Arafat. The PRM was a new hope for the Palestinian refugee, not only in opposing Israel, but also against the Arab states that oppressed them and prevented them from political and military organization. In 1969 they took over leadership of the Palestine Liberation Organization (PLO).[93] This new ideological and military Palestinian initiative is often called the *thawra,* which means revolution.

Allinson describes how the *thawra* came to Jordan. The 1960s saw effort of the Jordanian state to better relations with the Palestinians. Many were appointed to high offices, and the PLO was officially supported by the king in 1964. This support was used by the PLO to organize both militarily and politically, which led to the building of quasi-state structures in the West Bank by the PLO. Increased militarization of the Palestinians happened after they felt they had to take matters into their own hands, given the defeat of the Arab states in the 1967 war. The Arab Nationalist Movement split up into different groups, moving their focus from pan-Arabism to Palestinian nationalism, with the rise of Jordan based militias as the Popular Palestinian Liberation Front (PFLP) and the Popular Democratic Palestinian Liberation Front (PDFLP). This in turn was deemed as threatening to the sovereignty of the Jordanian state, and clashes with the PLO followed in the years after 1967.[94] [95] This eventually led to the civil war from 17-27 September 1970, known as Black September, between the Palestinian factions and the Jordanian army. The PFLP had hijacked four Western airliners, which eventually escalated the tensions between the fedayeen and the Jordanian state, leading to a civil war. The Palestinians were defeated and sent to northern Jordan, where they were once more defeated by the Jordanian army in 1971, which led to the expulsion of the PLO to Lebanon, restoring the sovereignty of the Jordanian state.[96]

The aftermath of Black September saw a different attitude of the Jordanian state towards its citizens. Transjordanian identity was promoted, and Palestinians were now increasingly discriminated in terms of participation in the political arena and the public sector, as well as being purged from positions of the Jordanian army. The Palestinian in Jordan was publicly viewed as an ungrateful traitor, and West Banker-East Banker relations worsened. The expulsion of the PLO from Jordan (and later from Lebanon in 1982) also severely weakened the military capabilities of the Palestinians.[97] However, before Black September, the PLO had managed to resist the Israeli Defense Forces (IDF) and prevented the capture of Yasser Arafat in the battle for Karameh, which was celebrated as a success and became an inspiration for Palestinians across the Middle East.[98] [99]

The Revolution came to Lebanon in 1969, with the liberation of the camps. The ideological make-up of the refugee group had switched from pan-Arabism to distinct Palestinianism after the 1967 war. The failure of the Arab states in the second Arab-Israeli war was what caused the loss of faith in the pan-Arabist dream in Lebanon. This Palestinianism influenced and was influenced by the Palestinian Revolution or the *thawra.* There was a dynamic in Lebanon where more activism led to

[93] Sayigh, 147-150.
[94] Shaul Mishal, *West Bank/East Bank : The Palestinians in Jordan, 1949-1967*, (New Haven, Yale University Press, 1978), 62-69.
[95] Hussein Sirriyeh, "Jordan and the Legacies of the Civil War of 1970-71," *Civil Wars* 3, no. 3 (2000): 75.
[96] Avi Schlaim, *Lion of Jordan: The Life of King Hussein in War and Peace* (New York: Alfred A. Knopf, 2007), 327-337.
[97] Sirriyeh, 76-82.
[98] Sayigh, 152.
[99] Chrisoula Lionis, "Peasant, Revolutionary, Celebrity," *Middle East Journal of Culture and Communication* 8, no. 1 (2015): 69–84.

more oppression, which lead to more activism, etc. This was a situation that was destined to escalate. This tension, combined with the absence of the Lebanese army in the Six-Day War, was what lead to the start of the *thawra* in Lebanon with the liberation of the Nahr al-Bared camp on the 28th of august. On this day the refugees in the camp, helped by different Palestinian military factions, removed the police and the Deuxième Bureau (military intelligence services) from the camp.[100]

The *thawra* brought the militarization of the camp refugees, which was expressed through military action onto Israeli soil. The IDF retaliated with counterinsurgencies into Southern Lebanon, to great dismay of some of the local Shi'a Lebanese population. Before this, the Palestinians and groups of the impoverished Shi'a of the south had sympathized with each other, given that they were both forgotten and neglected minorities within Lebanon. But the some of the Shi'a blamed the Israeli retaliations on the Palestinians and tensions rose.[101] Tensions with the Israeli backed Lebanese Front, which was an alliance between different nationalist Lebanese groups such as the Phalange, resulted in violent clashes which eventually escalated into civil war in 1975. To be sure, this was a civil war between many different parts of Lebanese society, with shifting alliances, not simply between the Palestinians and the Lebanese, and the Palestinians had many alliances with Lebanese militias throughout the conflict.[102] This civil war lasted until 1990, and completely devastated the country.[103]

The failure of the Arab states in the second Arab-Israeli war in 1967 also sparked Palestinian organization in Syria. Palestinian guerrilla groups were formed which were integrated into the PLO in 1969. The failure of the Syrian state to intervene in the events in Jordan during Black September led to both an influx of Palestinian refugees into Syria, as well as to the successful coup d'état which led to the rise to power by Hafiz al-Asad. Syria had sent tanks into Jordan to help the Palestinian fighters in their war against the Jordanian army. However, they did not want to commit fully and after some fighting retreated to Syria. This caused a rift between the Syrian and Jordanian states.[104] The new leader was against Palestinian political organization outside the Syrian state and suppressed such efforts. The rift between the Palestinians and the Syrian state widened when in 1976 the Syrian army actively fought the PLO in the Lebanese civil war. They furthermore were unable/unwilling to oppose the Israeli army when they invaded Lebanon and attacked the refugee camps in 1982.[105] [106]

The *thawra* in Lebanon was paradoxical, given that it was the most successful in organizing politically militarily, as well as in rallying popular support, in the country in which the state put most effort in repressing these exact factors. Irfan argues that this is because the policies that were meant to subdue Palestinian political aspirations in fact contributed to them. The Deuxième Bureau's violent and systematic oppression in the camps led to radicalization and nationalization of the refugees, who eventually organized to remove them from the camps. The country least favourable to the refugee group now forcibly hosted a Palestinian quasi-state in its country, with the PLO headquarters now settled into Beirut.[107]

The *thawra* instilled pride and revolutionary feeling in the refugees across the diaspora, and nationalism became increasingly displayed. However, socio-economic progress did not come, which

[100] Sayigh, 156-171.
[101] Khalili, 47-50.
[102] Daher, 20.
[103] Khalili, 51.
[104] Laurie A Brand, *Jordan's Inter-Arab Relations: The Political Economy of Alliance Making*, (New York, Columbia University Press, 1994), 152-153.
[105] Al-Hardan, 65-68.
[106] Sayigh, 114.
[107] Irfan, 8-14.

Irfan argues was in part due to the PLO's focus on militancy rather than bettering socio-economic conditions for the refugees. She furthermore argues that the *thawra* in Lebanon played a role in the coming Lebanese civil war, in which multiple Palestinian factions participated.[108] [109]

The liberation of the Lebanese camps did not last. In 1982, with this civil war still ongoing, the Israelis invaded Lebanon in order to deal with the Palestinians whom they considered terrorists for once and for all. The goal of the invasion was the destruction of the camps and the expulsion of both the PLO and the refugee group in general. During the invasion, in the same year, the newly elected president Bashir Gemayel was assassinated, by a Lebanese member of the Syrian Social Nationalist Party. The Phalange wanted revenge, and the Israelis saw this as an opportunity to remove the 'terrorists' that remained after the expulsion of the PLO. Even though the Palestinians had nothing to do with this assassination, it ended with the Israeli backed massacres of over a thousand Palestinians in the camps of Sabra and Shatila, carried out by the Phalange under the protection of the Israeli army. These events were followed by a regaining of control over the camps by the Lebanese state, led by the Phalange.[110]

The Syrian army also sought combat with the Palestinian militias in Lebanon in the war of the camps in1983. They incited infighting between different Palestinian factions and allied with Shi'a faction Amal to repress and prevent remilitarisation of the Palestinian refugees in Lebanon. From 1985 until 1988, they sieged the Palestinian camps, while in the same period the Israelis continued bombing them.[111] The PLO recognized Israel in 1988, and in 1990 the civil war in Lebanon ended. The war was mostly blamed on the Palestinians, and the betterment of the situation of the refugees was not included in the rebuilding of the country. The Lebanese state went back to controlling the camps and suppressed the commemoration of civil war events such as the massacres at Sabra and Shatila and the war of the camps.[112] The poverty and hopelessness of the situation and the government repression led many refugees to seek a way out through political activism, even though the Lebanese state went to great lengths to try and suppress these efforts.

We have seen that a lack of support by the Arab states combined with a British Zionist bias in Mandate Palestine contributed to the happening of the *Nakba.* This *Nakba* resulted in the spreading out of a large Palestinian refugee group over different states. The refugees that arrived in Jordan were actively integrated into the state and the political system at first, which is partially a result of the acquisition of the West-Bank by the Jordanian state after the *Nakba.* In Syria, the relatively smaller refugee group was at first positively received by the Syrian state, and with a high degree of rights they formed a separate community within Syria. The refugee group that arrived in Lebanon did not receive the same treatment, and was repressed and excluded, with much of the literature referring to the sectarian balance in the state as a cause. After the war in 1967, Palestinian military activism largely increased, which led to increased tensions between the Palestinians and the respective host-states. In Jordan this turned into the civil war of Black September and the expulsion of the PLO from the country. The Syrian state had altercations with Palestinian militias in Syria, and

[108] Irfan, 20-29.
[109] The Lebanese civil war was a long, devastating, and complicated conflict. For an in-depth discussion of this conflict, see *Pity the Nation* by Robert Fisk, or *The Lebanese Conflict: Looking Inward* by Latif Abul-Husn. This paper will only deal with a selected number of events relevant to the narrative of the Palestinian refugee in Lebanon.
[110] Khalili, 52.
[111] Khalili, 53-54.
[112] Khalili, 66.

waged war on the Palestinians in Lebanon in the war of the camps. The already bad tensions in Lebanon worsened with the increased military organization of the Palestinians, which led to fighting between different Palestinian militias with different Lebanese militias coming from different Lebanese sects. The next chapter will further analyse the tensions described in this chapter, with a focus in the role of citizenship in these affairs.

4. Repression, Exclusion & Citizenship for the Palestinian Refugee

This chapter will discuss the repression and exclusion of the Palestinian refugee in the three case studies, as well as explore the role that citizenship plays in these mechanisms. It will be argued that the Palestinian refugees are repressed and excluded when they challenge and threaten the status quo of a host-state, after which the state uses the Foucauldian technologies of power to realise this, reducing the refugee to bare life in the state of exception. These host-states are the result of the division of the Middle East by the British and French, whose influence will be shown to persist unto present times.

The exclusion can be used as a political state-building tool, when the othering of the Palestinian builds national identity in the host-state, and when the scapegoating of the Palestinian can build legitimacy for the host-state. Citizenship is used as a tool to exclude the refugee, by denying or taking away citizenship. The supposed incommensurability, with which this thesis disagrees, of citizenship and the right of return to Palestine is used to justify this denial of citizenship by the supposedly friendly host-states. Following Arendt, Agamben, Hardt, and Negri, citizenship will be shown to be essential in granting the rights of man, as well as being a serious demand that needs to be made in order to resist the oppression and exclusion that is happening to the refugee in the supposedly friendly host-states.

4.1 Palestinian Citizenship

The story of Palestinian citizenship dates to the days of the Ottoman Empires, where it assured equality among the different minorities. It is said that the idea of citizenship was imported from the West in the 19th century when the Ottoman Empire was attempting to modernize. Those living in Palestine at that time enjoyed this citizenship. When the Empire fell apart after its defeat in WW1, this entailed the changing of the situation regarding citizenship for those living in Palestine. Palestine became a British mandate in 1923. In 1925 citizenship laws were created which favoured Jewish inhabitants and discriminated against Palestinians.

The British government prioritized in creating a home for the Jewish people in Palestine, the Arabs and other minorities came second. There were several clauses in the new citizenship law that betray this fact. One promoted the emigration of a minority living in Palestine to a country where this minority is the majority. Azzam argues that this clause was included so that when the Jews became a majority, the Arabs living in Palestine could easily move to countries where Arabs were the majority. Another clause prevented those non-Jewish people that lived outside British Palestine when the law was adopted from applying for citizenship, even when they originated from the area. Those Palestinians returning to Palestine after living outside the geographical area of Palestine were now stateless. The Palestinians opposed these new citizenship laws, but to no avail. When the *Nakba* happened in 1948, most Palestinians became stateless, except for in Jordan and Israel, where citizenship eventually became available to an extent for the Palestinian residents of those states.[113]

[113] Azzam, 575-579.

We saw in the previous chapter how this situation, in most cases, did not change for decennia, for example in the cases of Lebanon and Syria.

When we move to the 1993 Oslo Accords, we see the instalment of the Palestinian Authority (PA), which was the first ever form of a supposedly independent Palestinian state. Residents of this new state, in Gaza and the West-Bank, were given residency cards in 1995, not actual citizenship. A law was formed in 2003 which declared that Palestinian citizenship, before a constitution was to be created, was going to be regulated by law. However, a law granting residents citizenship was never actualized. The 2006 Gaza elections were won by Hamas, which was not accepted by Fatah, ending up in violent conflict between the two parties. Hamas ended up ruling in Gaza, but the rift between Hamas and Fatah, and between Gaza and the West-Bank, further complicated a unified Palestinian voice in demanding Palestinian citizenship.[114] [115]

Azzam argues that this is problematic, since the possibility of Palestinian citizenship could be beneficial not only for those living in Gaza and the West-Bank, also for those living outside Palestine who are without any form of citizenship. Having citizenship of a state, either the state you live in or another, grants at least some form of protection from the state of which you hold citizenship. It would add to the legitimacy of a Palestinian state and make possible the participation of Palestinians worldwide in Palestinian elections. I add that this would also increase the mobility of Palestinians, worldwide, given that having a passport greatly enhances your ability to travel. However, Azzam does not think that this would be an easy endeavour, with expected resistance from the host-nations, Israel, and the United States. This would take negotiation with the Arab host-nations.[116]

The international community has also not been able to provide the Palestinian refugees with the protection that they need and have needed. The UN High Commissioner for Refugees (UNHCR) is the UN organization responsible for factors such as reestablishment of refugees. This organization was founded in 1951 to deal with the refugee groups in Europe after WWII. It is therefore modelled after the European cases and has some narrow definitions when it comes to the refugee. The refugee is for example defined as being persecuted or under direct threat of persecution. The organization is furthermore dependent on state support, of which it receives 75% from Western states (US/EU). The consequence is that the organization often acts in the interests of the West, and not of the global refugee, which is who the organization is supposed to help.[117]

What is furthermore problematic for the Palestinian refugee is that due to a rule the UNHCR does not help those that are already registered with a different UN organization. The UNRWA was created in 1949, two years before the UNHCR, and thus the Palestinian refugees cannot seek help from the UNHCR, which is an organization which is more effective at providing legal protection. The UNRWA at first looked at the possibility of repatriation to Palestine, following UN Resolution 194 which described the Palestinian right of return.[118] When this seemed hopeless given the resistance produced by the new-born Israeli state, resettlement into other Arab nations became the new objective. This was met with resistance by the Arab host-nations except for Jordan, and the objective switched to keeping the refugees alive, while trying to improve factors such as social and economic rights.

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[114] Azzam, 585-587.
[115] Nathan J Brown, "The Hamas-Fatah Conflict: Shallow but Wide," *The Fletcher Forum of World Affairs* 34, no. 2 (2010): 35–49.
[116] Azzam, 589.
[117] Almustafa, 166.
[118] Almustafa, 168.

These host-states refused the refugees citizenship on the grounds that it would remove their right of return. The right of return was blocked by the state of Israel, while the Arab states pushed for it. Dual-citizenship of Palestine and the host-state could have been a way out of the bind, but at this time in history, in the early 1950s, dual-citizen was a rather uncommon concept and was rejected by the host-states. Their stance did not change after the 1967 war, when the Arab League in Resolution 2455 explicitly opted not to give the new Palestinian refugees, who became refugees through the war that they waged against Israel, citizenship.[119] The discourse was still that one can only have citizenship in one country, and that granting the refugees citizenship in the host-states would cancel their right of return. In this way they could champion the Palestinian cause, by demanding right of return to Palestine, whilst not granting the refugees citizenship in their respective states.

Thus, the responsibilities fell onto the UNRWA's shoulders, but the upkeep of human rights, dignity, and physical security were not and are not priorities of the UNRWA. The improving of social and economic rights has been marginal. Keeping the refugees alive has also shown to be difficult when conflict has arisen, which also shows the incapability of providing physical security.[120] The slack that these UN organizations left would have to be picked up by the host-states, but this has also not been the case.

The Palestinian refugee has had a long and difficult relationship with citizenship. This is symbolized in the fact that today, there is still no such thing as Palestinian citizenship. Palestinians living in the West Bank and Gaza, and East-Jerusalem have Palestinian residency cards, but these are controlled by the Israeli military and promote division between the three areas by limiting the mobility that the residency cards give.[121] Out of the 12 million Palestinian in the world, 6.3 million were stateless in 2019.[122] The others are citizens mostly of Jordan and Israel, as well as of other states in the diaspora. This shows that this is a persisting problem, which needs to be reframed if progress is to be made.

The falling apart of the Ottoman Empire was where the problems of citizenship started for the Palestinians. As pointed out in chapter 2, Arendt argued that the falling apart of empires such as the Ottoman one was what created the refugee in the first place. The Palestinians found themselves out of the old-world order of empires and got catapulted into the new-world order of nationalisms. In this new world order, they immediately had to compete with Jewish nationalism in the form of Zionism. The British rulers of the newfound British Mandatory Palestine wanted it to become a home for the Jewish nation. This was shown through citizenship laws that favoured Jews and disfavoured the Arab Palestinians. These laws, together with destining Palestine as a Jewish home and not an Arab one, linked the well-being of the Zionists with the removal of the Arab people living in Mandatory Palestine. Foucault's technology of racism in this way became active in Mandatory Palestine, with the Zionists seeing the removal of the Arab people as a necessary step in the creation of their own nation.

Separated from their homeland, the refugees became stateless. This made them dependent on the international community, as well as on the states they now resided in. Arendt argued that

[119] Jinan Bastaki, "The Meanings of Citizenship Between Resettlement and Return: The Case of Displaced Palestinians," *Citizenship Studies* 24, no. 2 (2020): 160-161.
[120] Almustafa, 170.
[121] "The Colour-Coded Israeli ID System for Palestinians | Occupied West Bank News | Al Jazeera," 2017, https://www.aljazeera.com/news/2017/11/18/the-colour-coded-israeli-id-system-for-palestinians.
[122] Fateh Azzam, "Palestinian (Non)Citizenship," *The Middle East Journal* 73, no. 4 (2019): 573.

international organizations are incapable of protecting refugees, and that only the nation-state can provide this protection through citizenship. This is true in the case of the Palestinian refugee. The UNHCR, because of a clause, could not care for the Palestinian refugee, and the UNRWA proved incapable of doing much more than just keeping the refugees alive. This is because the refugee, being reduced to bare life, lives in the state of exception outside of the protection of the law. Hardt and Negri were correct in arguing that citizenship should be demanded for the state in which one resides.

We will now move to the three case studies, to see what this means for their role in the nation-states in which they reside, and to see what role citizenship plays in the three case studies, in terms of protection as well as exclusion.

4.2 Lebanon

The Lebanese state and its policy and attitude regarding refugees in general, as well as towards Palestinian refugees specifically has to a large extent been determined by the institutionalisation of sectarianism by the French, which we have seen has been assumed and accepted by academic discourse in chapter 1 and was further explained and discussed in chapter 3. The division among the four biggest sects of Lebanese citizens was estimated at 30.6% Sunni, 30.5% Shia, 33.7% Christian, and 5.2% Druze in 2018.[123]

When the state was originally founded by the French, it was founded as a Christian, Western-oriented state, with a Christian majority. This 1946 National Pact saw a static division of parliamentary seats among the different sects, with a Christian (Maronite) president, Sunni prime-minister, and a Shi'a chair of parliament. This division favoured the Maronite group.[124] The Muslim parts of the Lebanese population grew at a larger rate than their Christian counterparts, which is why these groups demanded change in the static parliamentary division, to better represent the division of the population. The state refused to hold a population census. This is a large reason why tension kept rising with the system not being flexible enough to relieve this tension, which exploded in the civil war in 1975, involving all sects as well as the Palestinian refugee group.

Another factor is the undecidability of Lebanon's geopolitical position. The French had established close ties with the Maronite elite, which is why this elite has historically preferred a Lebanese nationalism pointed towards the West, specifically France. The Sunni elite had been alienated from the French in this process, which led them to seek closer ties to the Arab world, specifically Syria, which is something that remained after Lebanon gained independence from the French.[125] After the cold war, this changed to an alliance of some Sunni factions and some Christian factions looking for support in Saudi Arabia and the Western states behind Saudi Arabia. Another faction consisting of the Shia party Hezbollah and some Christian parties look towards allies Iran and Syria, and indirectly their supported Russia, for support. This unclear geopolitical position has caused a lot of meddling of foreign states in Lebanese politics, with the refugees being forced to choose sides in the changing Lebanese political landscapes.[126] This also becomes clear in time of conflict,

[123] "Lebanon - The World Factbook," accessed November 30, 2021, https://www.cia.gov/the-world-factbook/countries/lebanon/#people-and-society.
[124] Filippo Dionigi, "Statehood and Refugees: Patterns of Integration and Segregation of Refugee Populations in Lebanon from a Comparative Perspective," *Middle East Law and Governance* 9, no. 2 (2017): 120-122.
[125] Daher, 11.
[126] Dionigi, 123-124.

with the civil war being the prime example, where they first fought the mostly Christian Lebanese Front, and later became opponents of the Shi'a AMAL/Syria alliance in the War of the Camps.[127]

This institutionalized sectarianism has led to the creation of the Lebanese citizenry as an exclusive political community. A law was passed in 1925 delineating that Lebanese citizenship was to be passed on through the father, thus excluding any refugees that were to arrive afterwards. This law was installed by Christian president and was used to keep the sectarian balance in favour of the Christians, by preventing the granting of citizenship to Muslims that moved to Lebanon. Different political leaders have used naturalization as a political tool to favour their sect throughout Lebanese history, showing how the institutionalisation of sectarianism has led to citizenship being used as a political tool in Lebanon, at the cost of the refugees.[128]

What is more is that Lebanon did not join the 1951 Convention on the Status of Refugees.[129] This was an early sign that the state was not looking to become a resettlement country for refugees, specifically Palestinian refugees, which is something that holds true to this day. The Palestinians have been overtaken by the Syrian refugee group in terms of size but are still estimated at 450.000 in 2017.[130] What is odd is that the Lebanese state does not classify these refugees as refugees, they rather classify them as "stateless foreigners." They have no right to property, only access to a few sectors in terms of work, limited access to healthcare, education and other services, restricted movement, and a lack of access to fundamental goods.[131]

This has always been the case. In the labour sector for example, the refugee has always had to compete with the presence of local skilled labour class, which led to exclusion from the Lebanese workforce. The labour that they did manage to acquire has always been badly paid and hard. In 1971, only 40% of refugees were employed but underpaid and very insecure regarding their prospects of keeping their jobs due to many working without a permit. The work they did acquire was in service of the Lebanese elite, who used refugee labour whilst proclaiming them as problematic.[132] Education, provided by the UNRWA has also not been as accessible as it should have been. The enrolment in their education programs in the years 1970-1971 was at 88.4% for refugees age 6-11, but only at 37.3% at age 15-17 and 8.3% at age 18-20.[133]

Besides the factors mentioned, the refugees also feel socially isolated from the local population. Sayigh names five reasons for this isolation, namely a difference in culture, misinformation about why they fled (perceived as cowards), a sense of shame regarding their situation, physical isolation in the refugee camp, as well as their identity as refugee being different from the Lebanese citizen. This led to a continued state of abnormality for the refugee.[134] The Local population was also quite hostile towards the refugees, more so than in the other two cases of Jordan and Syrian. There was furthermore little room for improvement in terms of housing. The reason for this was that housing that was deemed as being too long-term or permanent by the

[127] Dionigi, 141.
[128] Dionigi, 125-129.
[129] "UNHCR - Frequently Asked Questions about the 1951 Refugee Convention," accessed December 1, 2021, https://www.unhcr.org/news/stories/2001/6/3b4c06578/frequently-asked-questions-1951-refugee-convention.html.
[130] Dionigi, 130-139.
[131] Dionigi, 139.
[132] Laleh Khalili, *Heroes and Martyrs of Palestine: The Politics of National Commemoration* (Cambridge: Cambridge University Press, 2007), 45.
[133] Sayigh, 126.
[134] Sayigh, 132-133.

Lebanese state, was perceived as the threat of permanent resettlement onto Lebanese soil, which was to be prevented. This prevented the refugees from constructing decent housing facilities.

Many continue living under poor-socioeconomic conditions with half of them segregated from the rest of the population in refugee camps. There seems to be little hope for improvement, with naturalization being a taboo in the country, which is justified using the narrative of the right of return.[135]

The sectarianism that was institutionalized by the French during the Mandate has played a big role in the exclusion of the Palestinian refugee in Lebanon. Like the case with Palestine, where the British intended to create a home for the Jewish people, in Lebanon the French intended to create a Christian state as a home for the Maronite majority. The French in this way created the Lebanese sectarian system, establishing the importance of the sect, along with a static inflexible parliamentary system that does creates tension among population groups. This has problematized the integration of the Palestinian population, given that this would shift the sectarian balance in the country.

Parts of the Maronite elite, for example, were made to link the well-being of their Maronite sect, to the size of the Muslim others. The Palestinians, most of them being Muslim, should then never be allowed to gain citizenship. The Palestinians were kept excluded from the rest of society, in their refugee camps, in a state of exception. Here they were only kept alive as bare life by the UNRWA with no hope for the future. These camps were heavily policed by the Lebanese state, and as we have seen in the previous chapter, with the police and the Deuxième Bureau watching over and harassing the population in the camps. The Foucauldian technologies of power of surveillance and police were extensively utilized, giving the refugees the idea that they were always being watched, while harassment by the police instilled fear. This was done to repress any political aspirations of the refugee group. The containment of the refugees in camps, is also a tool in building state legitimacy, as we have seen in Gilmore and Gilmore in chapter 2. The state keeps the threat separated from the rest of the population, and gains legitimacy in that way.

However, resistance was possible and the *thawra* happened, liberating the camps from police control. This allowed the refugees to start organizing politically and militarily. The Palestinian militias that came to be would soon partake in the civil war. The other Lebanese sects gained in size relative to the Maronite elite in power and demanded more political influence, demands that were not met. Tensions rose until they broke, resulting in the civil war, in which the Palestinians fought not only the Maronite Phalange, but later also a coalition of the Shi'a AMAL militia together with the Syrians. The Palestinians played a large role in this war, and their hands are not clean, but afterwards all the blame got shifted to the Palestinian group. This allowed the sect leaders/war criminals of the civil war to enter politics, legitimizing the new Lebanese state by criminalizing and othering the Palestinians, through the creation of a common enemy of different Lebanese sects. During the war the Lebanese state was very weak with little sovereignty, and this scapegoating of the Palestinians worked as a way of gaining some legitimacy in the eyes of the Lebanese population.

The Palestinian refugee group was a threat to the fragile Lebanese status quo from the start, which is why the reaction of repression and exclusion through the technologies of power gained traction from the arrival of the Palestinian refugee, and why resistance to naturalization is so great in Lebanon. This ended in civil war, where the Palestinians played a role but got all the blame. Many innocent Palestinian refugees died, for example in the Sabra and Shatila massacres. The lack of

[135] Dionigi, 140.

citizenship, which places the refugee outside of the law in the state of exception, puts the refugee outside the protection of the law, as argued by Hannah Arendt and Giorgio Agamben in chapter 2. The Lebanese state used the scapegoating of the refugee group after the war as a tool in state- and identity-building after the civil war, which allowed the militia leaders who waged the war to put the blame elsewhere, allowing them to re-enter politics after the civil war.

4.3 Jordan

A result of the *Nakba* was Jordan's acquisition of the West Bank, including its inhabitants, the Palestinians. The new borders prompted the renaming of the country from Transjordan to Jordan. The merger into one country was a somewhat democratic process. A separate parliament was created for the West Bank, for which the residents of the West Bank could vote. This new parliament, together with the 'old' parliament of the East-Bank, voted on whether to merge. Both houses of parliament voted in favour, facilitating the merger. A new citizenship law in 1954 granted the Palestinians living in Jordan, of which most lived in the West Bank, citizenship. This no longer rendered them stateless. The situation changed with the 1967 Arab-Israeli war, which led to the occupation of the West Bank by the Israelis. Because of this the West Bankers with Jordanian citizenship that stayed in the West Bank were now no longer under the rule of their own government.

Furthermore, this led to a large influx of new refugees into the now significantly smaller state of Jordan. This influx consisted both out of West-Bankers with Jordanian citizenship and of Palestinian refugees originating from other parts of Palestine. It is for example estimated that around 100.000 Palestinians with origins in Gaza are currently residing in Jordan.[136] These and other non-West-Bankers were not granted Jordanian citizenship. This group and those descending from them, estimated at 140.000 in 2017, remain stateless to this day. Another large influx of new refugees came after the invasion of Kuwait by Iraq and the following liberation of Kuwait by the US military. The PLO had sided with Hussein, which led to Kuwait expelling 250.000 Palestinian refugees to Jordan. This group was also not given Jordanian citizenship.[137]

The number of Palestinian Jordanians without citizenship increased in the 1980s, when new developments regarding citizenship laws occurred. A colour system was introduced, indicating the official status of the Palestinian resident. Yellow indicated a Palestinian that was living in the East-Bank before 1949 and meant full citizenship. Green indicated a Palestinian living in or from the West-Bank, also meaning citizenship. Blue indicated all remaining Palestinians living in Jordan, and meant no citizenship, and thus statelessness. The Jordanian government officially seceded the rights over the West-Bank in 1988, changing the status for green card holders from citizenship to stateless in the process. This meant that 1.5 million Palestinians suddenly lost their Jordanian citizenship, with only yellow card holders maintaining theirs. Azzam comments that in the eyes of the Jordanian state, Palestinians with citizenship were Jordanians of Palestinian descent, but without citizenship were quickly classified as Palestinians, severing their ties to the country completely.[138]

The Jordanian government has consistently been taking away Jordanian nationality from Palestinian Jordanians with West-Bank roots ever since 1988. This is done without notifying those whose nationality is being stripped and is seemingly arbitrary. Human Rights Watch have shown that

[136] Bastaki, 159.
[137] Azzam, 579.
[138] Azzam, 580-581.

between 2004 and 2008 2.700 Palestinians Jordanians were stripped of their Jordanian citizenship.[139] It is estimated that about 300.000 Palestinians with Jordanian citizenship are at risk of losing theirs. The state's official discourse regarding this process is that they want to oppose Israel taking over the West-Bank, by asserting the Palestinians' birth right to the area. Human Rights Watch suspects that the real reason is that stripping Palestinians of their Jordanian nationality opens the possibility of deporting them to the West-Bank.[140]

The Jordanian state furthermore refers to a 1988 Arab League resolution that prohibits dual Arab citizenship, but besides the fact that this resolution is not binding in Jordan, is the fact that Palestinian citizenship does not currently exist, meaning that dual citizenship is not a realistic concern of the Jordanian state. The negative consequences for the individuals whose citizenship is stripped, as well as for their families, are numerous. Children whose father has been stripped from citizenship automatically lose theirs, meaning they lose access to state schools. Access to university becomes much more costly, given the fact that tuition fees are much higher for foreigners than citizens. Health care costs rise, property rights are lost, employment by the state becomes impossible, it is more difficult to find employment in general, families get separated due to one of the parents losing their nationality.[141]

The Jordanian case is unique because the refugees arriving in Jordan and the West Bank after the *Nakba,* as well as those Palestinians who already resided in the West-Bank, were granted citizenship. Not only that, but the Palestinians played an active role in the building of the state, being involved in politics, as well as in the military. When, in the 1950s, the Palestinians were part of the section of the Jordanian population that opposed the political course the king of Jordan wanted to steer, in terms of the Baghdad Pact and British and American tutelage, this was not appreciated. The East-Bank and Bedouin identity became more actively emphasized and constructed, othering the West-Bank Palestinian in the process.

The broad leftist opposition in the country of which the Palestinians were oppressed by the king who sought out and acquired US tutelage. The state of Jordan initially was willing to assimilate the Palestinian group, but as soon as they did not toe the line, repression and rejection followed. A Jordanian identity separate from the West-Bank was emphasized, and political opposition between the two banks set the precedent for an opposition between two populations.

The situation worsened when the West-Bank was occupied by the Israelis after the Arab-Israeli war in 1967. This, in 1988, led to the stripping away of Jordanian citizenship not only for those who live in the West-Bank, but also those still living in Jordan with West-Bank heritage. A colour system was introduced which ranked the East-Bankers highest regarding legal status, rendering the Palestinians inferior. The process of stripping away citizenship has been continuing ever since.

The discourse that is used to justify stripping away citizenship, as well as denying the waves of refugees that arrived after the 1950s is like the discourse the Lebanese state employs when denying citizenship. The right of return is argued to be incommensurable with citizenship of the state in which the refugee resides. What is different from the Lebanese case is that the refugee was first extensively involved in the state-building processes in Jordan, being integrated in all aspects of society, from governmental positions to position in the military.

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[139] "Stateless Again - Palestineans Deprived of Their Nationality," *Human Rights Watch*, 2011, 1-2.
[140] "Stateless Again - Palestineans Deprived of Their Nationality," 2.
[141] "Stateless Again - Palestineans Deprived of Their Nationality," 47-54.

However, when the refugee group started to threaten the Jordanian status quo of the monarchy, they became a threat that had to be repressed and excluded. Citizenship protected and included the refugee too much, which is why following waves of refugees were denied this privilege, and why throughout history the Jordanian state has taken away citizenship from Palestinian Jordanians. This explicitly shows how states are aware of the protection that citizenship provides and how they can use it as a technology of power when their status quo is threatened. The Palestinian kept playing a role in Jordanian state-building, although a very different one, with the state othering them in order to build a distinctly East-Bank Jordanian identity. These processes increased after Black September, when the threat that the Palestinians posed reached its peak in an outright civil war.

4.4 Syria

4.4.1 Resettlement

It must be said that there was a moment early in the history of the Palestinian refugee where there were talks of permanently resettling a serious number of refugees in Syria. In 1949 colonel Husni Za'im came to power through a coup, after which he offered Israel the resettlement of 300.000 Palestinians on Syrian soil in return for a peace-deal. It later turned that there was CIA involvement in the coup and that this coup and deal probably was designed in advance, with personal financial reward for Za'im included in the deal.

However, Israel was not forthcoming in the negotiations and it never came to a deal. Za'im quickly made enemies inside Syria and was dethroned and executed within four months of coming to power. After this futile attempt at permanent resettlement another has not been made.[142] However, as we have seen in chapter 3, the Palestinian refugee group has historically had more rights than their counterparts in Lebanon and Jordan did.

Furthermore, a degree of political freedom was allowed, but only when it was aimed at opposing Israel and it in no way hindered the Syrian state. Syria has seen itself as a champion of the Palestinian people and important opposition to the state of Israel. In this way the Palestinians have been used in identity- and thus state-building in Syria, portraying Syria as the protector of the Palestinian people and as the main opposition to evil Israel. This only goes as far as the Palestinian do not threaten the status quo, otherwise they are subjected to the Foucauldian technologies of power the same way Syrian nationals are when they try to organize politically.

When turning to the civil war that has been ravaging Syria since 2011, it will be shown that the high degree of rights did not end up mattering in times of great conflict, where citizenship could have provided legal and physical protection.

4.4.2 Civil War

Half a million Palestinian refugees residing in Syria have been hit by the Syrian civil war and its consequences. Maissaa Almustafa argues that they suffer even more than the Syrian civilians who already suffer greatly, when fleeing abroad because of a lack of legal protection due to a lack of legal status, which as we have seen is a structural lack that can be traced back through history.[143] The UN has been reluctant and incapable of providing protection for the refugees, and so have the host-states. The living conditions for Palestinian refugees have historically been better than they have

[142] Avi Shlaim, "Husni Za'im and the Plan to Resettle Palestinian Refugees in Syria," *Journal of Palestine Studies* 15, no. 4 (1986): 68–80.

[143] Maissaa Almustafa, "Relived Vulnerabilities of Palestinian Refugees," *Social & Legal Studies* 27, no. 2 (2018): 165.

been in other host-states. They were integrated into the economy, workforce, public services, and healthcare. However, none of this mattered when war came to the country in 2011. Half the refugees have been displaced, with 95% of the refugees needing humanitarian help.[144] The biggest refugee camp in Syria, Yarmouk, went from a population of 180.000 refugees at the start of the war to 18.000 refugees in 2015.[145] The inhabitants of this camp opted for neutrality at the start of the war. This was done so with past conflicts that they were involved in, such as the Lebanese civil war or the Black September in Jordan, in mind. Unfortunately, this turned out impossible with the war spreading through every corner of the country.

Many refugees tried to flee the war, the same way many Syrian citizens did. However, the Palestinian refugees from Syria were less welcome than Syrian citizens were. The Lebanese government was from the start of the new refugee crisis in 2011 reluctant to accept the Palestinian refugees coming from Syria. They were accepted, but not given any access to protection or aid. They could not seek protection from the UNHCR the way the Syrian citizen refugees could since they already fell under the umbrella of the UNRWA. The situation worsened in 2013 when the Lebanese state completely shut its border for the Palestinian group, criminalizing and detaining those that attempted the cross the border. Many refugees that were detained were even deported back to Syria where the war raged on.

A similar situation happened in Jordan, where in 2011 only a limited number of Palestinian refugees could cross from Syria to Jordan, namely 14.000. The policy changed to a complete closure of the border for Palestinian in 2013, with those attempting to cross it being sent back into Syria. The refugees that did manage to cross could not gain access to any relief programs or refugee camps.[146] This was often done using informal networks of Palestinian contacts in the diaspora, showing the ability of the refugees to organize informally, when the PLO and UNRWA showed themselves incapable or unwilling to help this group.[147]

These Palestinians who had become refugees for the second time could not access the resettlement and protection programs which the Syrian citizens could access. Many joined the Syrians in moving towards Europe to seek refuge there, but a lack of official documentation again made this more difficult for them than it did Syrian citizens.[148]

There was an early attempt made at the settlement of 300.000 Palestinians into Syria, but this turned out to be done because of bribes and back-door politics, rather than out of the interest for the refugee group. The attempt never came to fruition due to resistance by Israel and a lack of support in Syria. After that the Palestinian refugee group enjoyed rights which were more equal to those of a Syrian citizen, than did the Palestinian refugee in Lebanon and Jordan compared to their Lebanese and Jordanian counterparts.[149] This is often explained by the fact that the Syrian population is much larger relative to the refugee group, compared to the cases of Lebanon and Jordan. Following, Foucault, this makes sense when arguing that because the refugee group was relatively smaller, it

[144] Almustafa, 171-172.
[145] Luigi Achilli and Mjriam Abu Samra, "Beyond Legality and Illegality: Palestinian Informal Networks and the Ethno-Political Facilitation of Irregular Migration from Syria," *Journal of Ethnic and Migration Studies* 47, no. 15 (2019): 3351.
[146] Almustafa, 172-174.
[147] Achilli and Abu Samra, 3353-3357.
[148] Almustafa, 174.
[149] It must be said that the Syrian citizen has had a history of a lack of political freedom and an abundance of oppression.

therefore posed less of a threat to the well-being of the population of Syria. No fragile sectarian balance was involved, and no identity building through othering of the Palestinian occurred. This relative integration did mean that the Palestinian became integrated into the technologies of power prevalent in the Syrian state, and after a start with relative political freedom, political oppression ended up being the status quo, the same way this applies to the Syrian citizen.

And yet the refugee was never given citizenship, which would have finalized the integration into the systems subject to power. The Syrian case points to the fact that citizenship is not a necessity when it comes to integration into the systems of power. The refugee is subject to the biopolitics of the state, without enjoying the protection that citizenship provides. The discourse of the state is again the protection of the right of return, championing the Palestinian cause against enemy Israel. The Syrian policy on the Palestinians was always self-interest, which was at time helpful for the Palestinians and at other times bad. This can be seen in the fact that the Syrian army supported the Palestinians in Jordan during Black September, while fighting the Palestinians in Lebanon in the civil war there.

The consequence of a lack of citizenship was a position in the civil war that was even worse than that of the Syrian citizen. Unable to escape, devoid of any form of legal or physical protection, it becomes apparent that the Rights of Man do not protect the refugee and can only be held up by the nation-state through the tool of citizenship.

4.5 Refugees on the right of return & citizenship

It is crucial in the discussion of the possibility of reconciliation of right of return to investigate whether the refugees are open to the idea, which is what Jinan Bastaki has done. In the first decade of the Palestinian exile, the refugees generally rejected the idea of citizenship in a foreign country, because it would cancel their right of return. The Jordanian exception was made possible through the promise of king Abdullah that their accepting Jordanian citizenship was commensurable with the right of return. The refugees cautiously accepted the Jordanian citizenship but held onto their UNRWA ration cards to be able to prove that they are indeed refugees who eventually want to return to their homeland. The cards became a symbol of the right of return in this way.[150]

Contemporary Palestinians have a different view of the possibility of citizenship in the host-state. They are positive towards the prospect of citizenship, but on the condition that the right of return would still be valid and guaranteed. Citizenship is viewed by the poorer camp Palestinians as a way out of poverty, and towards better prospects. Middle-class Palestinians are also positive towards the prospect of citizenship and view it as a tool towards the right of return, with it granting better political prospects, as well as mobility.

When citizenship is viewed as just a legal document, and not a symbol of the nation, it can be commensurable with the Palestinian right of return. The refugee group is open to this possibility because it would give them protection, stability, mobility, and rights.[151] The repatriation/resettlement and right of return/citizenship dichotomies can in this way be solved with opting for one option without losing the other.

In the cases of Lebanon and Jordan the technology of racism was deployed to suppress the Palestinian refugee and their aspirations. In the case of Lebanon, France initiated this process by

[150] Bastaki, 160, 162-163.
[151] Bastaki, 163-171.

designing Lebanon as a Christian state with institutionalized sectarianism, Britain similarly destined Palestine to be a home for the Jewish people. The refugee group formed a threat to the sectarian system in Lebanon, created by the French, and a political threat to the Jordanian monarchy and state, with repression and exclusion being the result.

In Syria, repression and exclusion were less present when compared to the Syrian citizen, partially due to the relatively smaller refugee group. However, in this case citizenship was not given to the refugee to give protection in times of crisis either. The refugee in all cases came into a state of exception, often being reduced to bare life in the UNRWA refugee camps, proving that in these cases Hannah Arendt and Giorgio Agamben were right in claiming that the Rights of Man can only be upheld through citizenship. In these camps the refugees were subjected to repression through the technologies of surveillance and policing.

However, as we saw with Oesch in chapter 2, the state of exception and bare life are never final, and resistance through political and military organization did happen in the Palestinian refugee camps, with the *thawra* moving through the Palestinian diaspora. The refugees have not lost their agency or their demands, which continues to be the right of return. This right of return is always proclaimed to be incommensurable with citizenship of the host-states, at least in the discourse of these host-states. However, this is a fiction that for decades has blocked to way to legal and physical protection of the Palestinian refugee.

Moving towards the future, following Hardt and Negri, the demand for citizenship should be made for the refugees in their respective host-states, to acquire this protection while maintaining the right of return. Lastly, moves should be made towards the creation of a real Palestinian citizenship, both for those residing in the West-Bank and Gaza, as well as those living in the diaspora, to provide legal and physical protection that the currently over 6 million stateless Palestinians do not have.

Conclusion

This thesis has argued that the academic discourse in the existing literature on the situation regarding the Palestinian refugee and their treatment by their respective host states lacks a focus on the factor of citizenship, arguing it is incommensurable with the refugee's right of return to Palestine and thus unachievable. What the literature did provide was insight into the treatment of the refugee in their respective host-states. It pointed to the fragile sectarian balance in Lebanon, the process of Jordanian identity building through othering in Jordan, and the relatively large Syrian population as factors that influence this treatment. These factors were then traced back through history in the historical overview, going from the British Mandate, to the *Nakba* in 1948, to the Arab-Israeli war of 1967 and beyond. This gave important context and an overview of the differing policies of the host-states regarding the refugees, at times including and at times excluding them.

This thesis overall argues that the states and the state-system that were constructed in the Middle East by the British and the French after the fall of the Ottoman Empire have had difficulty in dealing with the fact of the large Palestinian refugee group. They feel their status quo is threatened and thus resort to the Foucauldian technologies that are used to repress and exclude this threat. This exclusion reduces the refugee group to bare life in the state of exception. This thesis furthermore argues that the refugee historically has had the ability to resist, and that citizenship could be a factor in protecting against and resisting this repression and exclusion. The role that citizenship played in these policies and the treatment of the refugee was explored. It was argued that a structural non-existence of both Palestinian citizenship and citizenship of the host-states in which the refugees reside have stood in the way of protection and mobility of Palestinians in the West-Bank and Gaza, as

well as all throughout the diaspora, and that the creation of Palestinian citizenship and the demand for citizenship in the place of residence would benefit Palestinians worldwide.

In Lebanon, exclusion happens because the refugee group threatens the fragile status quo that comes with the institutionalized sectarianism in the state, which links the well-being of the Lebanese population with the exclusion of the Palestinian in the Foucauldian technology of racism. Also prevalent in Lebanon were the Foucauldian technologies of the surveillance and police in the refugee camps, which was managed to be resisted by the Palestinian refugees in Lebanon during the *thawra*, but which unfortunately did not last. Furthermore, the scapegoating of the Palestinian after the civil war, combined with their repression, was a technique that gave legitimacy to the Lebanese state.

The case of Jordan was unique in the sense that Palestinians were initially given citizenship and played a role in the building of the state, however this did not last. When they were part of the leftist movement that opposed the king and the state, and therefore threatened their status quo, repression and exclusion followed. The loss of control of the West-Bank to the Israelis further complicated the situation for the refugee with the Jordanian state taking away citizenship from those with West-Bank heritage and got even further complicated with the civil war between the Palestinian militias and the Jordanian army in 1970-1971. Repression and exclusion followed through technologies of discipline and power. Identity- and state-building happened with the Jordanian identity getting linked to the otherness of the Palestinian.

In Syria the refugee was well accepted at first. This was explained through biopolitics, arguing that the refugees were a relatively small group compared with the larger Syrian population and therefore posed less of a threat. However, relatively equal treatment to a population with next to no political freedom and much repression also does not mean many rights. The case of the Syrian civil war made it abundantly clear how crucial citizenship is in times of crisis, and how the Rights of Man can only be upheld by the nation-state, and not by the international community.

The attitude of the state and its population towards the Palestinian refugee differ from case study to case study. The Palestinians refugees generally threaten the state-system of the Middle East. The refugee, when not granted citizenship, finds themselves in the state of exception to a greater extent than the citizen does, and is often reduced to bare life in the UNRWA refugee camps. These camps offer legitimacy to the respective states by actively separating the threat from the rest of the population. The state of exception is not a finalized state, and the refugee camp can still function as a place of resistance. Resistance also lies in the mobility of the Palestinian multitude, due to the connection of the diaspora across borders. What is important is that this thesis has shown that citizenship is an important factor towards the legal and physical protection that the refugee needs.

Arendt and Agamben were right in arguing that the Rights of Man mean nothing without citizenship to uphold them. The discourse regarding the supposed incommensurability of the right of return and citizenship for the refugee needs to be broken through, and the commensurability of the two should be explored if serious betterment in the situation of the Palestinian refugee is to be achieved.

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