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PALESTINIAN REFUGEES AND THE REGIONAL SECURITY IMPLICATIONS OF THE PEACE PROCESS

by

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This thesis focuses on the status of Palestinian refugees following final peace negotiations. The major conclusions of the thesis are that basic Palestinian refugee rights are not likely to be honored given the immense imbalance of power between Israel and the PLO; that the Palestinian refugee community will likely become a permanently marginalized outcast group in the Middle East; and that the probable result of this condition will be an increase in Palestinian political violence and terrorism against Israeli, American, and allied Arab interests. This is likely to be achieved through mobilization of former refugees by Islamic fundamentalist groups, capitalizing on the failure of the nationalist peace effort. These conclusions are reached through a close examination of the specific Palestinian refugee question and applying a general model of ethnonationalist collective action to the Palestinian question. The major policy conclusion for the United States is that to protect its own interests in the Middle East and reduce violence, the United States must treat seriously the rights of Palestinian refugees during regional peace negotiations. American and Israeli interests on this key issue are clearly divergent; they should be recognized as such and treated accordingly.

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ABSTRACT

This thesis focuses on the status of Palestinian refugees following final peace negotiations. The major conclusions of the thesis are that basic Palestinian refugee rights are not likely to be honored given the immense imbalance of power between Israel and the PLO; that the Palestinian refugee community will likely become a permanently marginalized outcast group in the Middle East; and that the probable result of this condition will be an increase in Palestinian political violence and terrorism against Israeli, American, and allied Arab interests. This is likely to be achieved through mobilization of former refugees by Islamic fundamentalist groups, capitalizing on the failure of the nationalist peace effort. These conclusions are reached through a close examination of the specific Palestinian refugee question and applying a general model of ethnonationalist collective action to the Palestinian question. The major policy conclusion for the United States is that to protect its own interests in the Middle East and reduce violence, the United States must treat seriously the rights of Palestinian refugees during regional peace negotiations. American and Israeli interests on this key issue are clearly divergent; they should be recognized as such and treated accordingly.

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EXECUTIVE SUMMARY

In Palestine, the nationalists are failing, and the Islamists are on the rise. The rights of Palestinian refugees have not been addressed in primary negotiations due to the insistence by Israel that such issues be delayed until final status talks. Instead, the refugee issue has been relegated to unofficial, non-binding negotiations headquartered in Ottawa. The demands which the refugees make do not rest on random proclamations of some revolutionary leader, but rather the resolutions and proclamations of the United Nations.

In this case, the interests of the U.S. and Israel are clearly divergent. Standing with Israel puts us on the side opposite justice as defined by American words over the last fifty years. Turning our backs on the refugees now, robs the United States of any moral or ethical leadership among the nations of the world. Henceforward, America would remain as a superpower whose leadership rests solely on pillars of military and economic dominance.

Concluding negotiations without respect for realistic refugee concerns will expand the conflict throughout the region as relocated Palestinian communities strike back at the Westerners who "tricked" them, the Arabs who "used" them, and the PLO who "surrendered" their struggle. Mobilization of former refugee populations would occur largely through the efforts and organization of Islamist groups such as Hamas and Islamic Jihad, which promise their members simple justice above all else. The drive for "justice" ideally coincides with the primary desires of the refugees and leaves that population ripe for manipulation and exploitation. Current plans that deny the Palestinian

right of return and negate the rights to compensation as promised in United Nations Resolution 194 (III), play directly into the hands of the radical elements of Palestinian society.

The PA has failed to deliver on a broad range of social programs, and the UNRWA has been overwhelmed by budgetary constraints and sheer demographics. Because of this, the promise of good health care and education for their members ensures the Islamists solid representation at all of their events and infuses people with the belief that maybe the religious groups can succeed where the nationalists have failed.

Israel possesses overwhelming advantages in bilateral negotiations and continuing to pretend that America is playing the honest broker by allowing the two sides to handle the situation themselves is to silently give Israel carte blanche. Without diplomatic pressure from the United States, Israel has little incentive to relinquish land and resources it has already proven it can militarily hold. Assisting the parties to settle the conflict with due respect for refugee rights would not only improve the security situation in the territories of Israel and Palestine, it would also quiet the opposition of many of America's biggest supporters in the region who would be robbed of their bogeyman in the form of the "Zionist/U.S. oppressors." By taking a behind the scenes position of intense diplomatic pressure on Israel while at the same time renewing our commitment to the security of the Jewish state, it may be possible to bring about a solution which treats the refugee hardships of the last fifty years with proper respect without jeopardizing the security concerns of Israel. Most importantly, the U.S. must realize that a settlement in this conflict will settle nothing unless it adequately addresses refugee rights.

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I. INTRODUCTION

The twentieth century was witness to an explosion of ethnic conflicts. In the latter part of the twentieth century, ethnic groups began asserting their rights to self-determination and self-rule in opposition to what were often foreign colonial powers. It has not been unusual for the dominant power in a region to deny the existence of a particular ethnic group, such as the Turkish dismissal of Kurds as "mountain Turks," and the famous quote from Israeli Prime Minister Golda Meir that "there is no such thing as the Palestinian people." These disadvantaged communal or ethnic groups fall broadly into the categories of *national peoples* or *minority peoples*, with the differentiating trait essentially being that national peoples seek autonomy from the states that rule them while minority peoples seek greater access to or control of, power within the state (Gurr, 1993, pp. 3-15).

Within the category of national peoples a further classification as *ethnonationalists* is given to those groups that constitute relatively large, regionally concentrated populations that for much of their history possessed either *de jure* or *de facto* autonomy and who are pursuing separatist objectives today against the ruling regime (Gurr, 1993, pp. 19-20). It is the ethnonationalist desire for self-rule that forms the basis for this research paper.

A framework for ethnonationalist activism will be constructed in Chapter II, supported by evidence from communal groups in similar circumstances. Once this framework is established, Chapters III, IV, and V will examine the situation the Palestinian refugees face today, proposed solutions to the refugee problem, and the ability of the Palestinian Authority (PA) to absorb refugees, respectively. Using the information established in these three chapters, Chapter VI will apply their information to the

framework established in Chapter II to forecast potential reactions of the Palestinian people, and the refugees in particular, to proposed "final status" issues in the Israeli-Palestinian peace process. Finally, Chapter VII will bring everything together and draw out the relevant policy recommendations from the preceding arguments.

Assuming that the peace process continues onward following a cessation of the current hostilities, it seems a reasonable proposition that the Palestinian population–particularly the refugees–are not going to be satisfied with the outcome. Their dissatisfaction, however, is likely to meet with indifference and the perceived lack of legal recourse in the international community following the signing of documents declaring an "end of conflict" by the PA. Such signatures would eliminate any claims by Palestinians beyond those settlements agreed to in negotiations.

If the conflict is "resolved" by paying compensation or reparations to governments instead of refugees with fewer Palestinians living in the West Bank and Gaza than before the Oslo Accords, with those remaining in the PA isolated from each other by Israeli settlements, how will the Palestinian people react? Specifically, what regional security environment will likely evolve from the dissatisfaction of the Palestinian people with the conclusion of final status talks?

A population of former refugees who still believe their rights have not been addressed following the failure of nationalist efforts to negotiate peace will be susceptible to mobilization along Islamic lines. Furthermore, their anger and sense of official alienation is likely to lead to an increase in political violence directed towards America, Israel, and allied Arab states, which the refugees will view as having betrayed their cause.

The Palestinian people possess a resolute determination to retain their identity and regain their homeland as defined by international bodies. Their Palestinian identity plays an enormous role in their daily lives and their feelings of abandonment by the international community as well as their Palestinian leadership, will result in greater instability in the region than is experienced today without a peace settlement.

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II. ETHNONATIONALISM

A. DEVELOPMENT OF ETHNIC IDENTITY

What exactly comprises an ethnic group? Christopher Dandekers' book, *Nationalism and Violence*, defines an ethnic or communal group as possessing these characteristics: (Dandeker, 1998, pp. 22-23)

1. A collective proper name.
2. A myth of common ancestry.
3. Shared historical memories.
4. One or more differentiating elements of common culture.
5. An association with a specific homeland.
6. A sense of solidarity for significant sectors of the population.

This identity can be transitory, and what is important to a particular ethnic group is the strength of identity at a particular *place* and *time*. In *Minorities at Risk*, Ted Robert Gurr states that what is most important to Group identity is whether the ethnic group feels that their perceived differences from the larger society are significant enough to set them apart from others (Gurr, 1993, p. 3). Therefore, outside perceptions and judgments of the validity of a certain groups identities are irrelevant if the group members perceive a difference, and vice versa.

The mere existence of an ethnic identity, however, does little to explain the desire by certain groups to pull away from the larger society or to demand greater participation in governance. To understand such desires, it is necessary to establish some way to gauge the strength of the identity itself. It would seem obvious that something must be working in the society to influence not only the perceived need for the creation or revival of the groups identity, but also its sustenance and vitality. As in the establishment of the identity itself, there are criteria that may be used to evaluate the strength of ones ethnic identity: (Gurr, 1993, pp. 124-129)

1. Extent of collective disadvantage.
2. The salience of group identity.
3. The extent of group cohesion and mobilization.
4. Repressive control by dominant groups.

When speaking of "collective disadvantage," what is important are the differences within the social spectrum in terms of quality of life or access to political participation compared with other groups under the same government. These disadvantages generally fall into three categories. The first type of disadvantage is one of political or economic disfavor: Within the larger society, are the members of the group treated differently from others in terms of access to political or economic advancement based solely on their ethnic identity? This takes many varied forms around the world, from the "Jim Crowe" laws of the U.S. Southern States that helped to unite African-Americans across the country, to the former Yugoslavia where Serbs were grossly over represented in governmental and military positions, thus pushing that country toward Civil War.

Groups may be disadvantaged based entirely on the degree of cultural, racial or religious differences from the dominant groups. The differences measured here are in terms of language, ethnicity, religion, social customs, rural or urban heritage, and historical origin. Unfortunately, examples of such cases abound. Some of the most brutal examples stem from seemingly minor differences, such as the distinction between Hutu and Tutsi in Rwanda, Protestant and Catholic in Northern Ireland, or Serbs and Croats in the Former Yugoslavia.

Demographic and ecological stresses also define the nature of an ethnic conflict. Particularly acute in regions experiencing resource shortages such as the Middle East or Sub-Saharan Africa, the disadvantages here, while perhaps the most difficult to frame, are quite literally matters of life and death for group members. Problems of denial of

access to resources and nonexistent or ineffective waste removal programs based on ethnic identity are common. Moreover, they often combine with rapid family growth due to cultural traditions and lack of access to family planning programs to create demographic and ecological disasters that heighten tensions between groups.

The second of the four factors determining the strength of ethnic identity concerns the salience of that identity. It is important to judge not only intergroup conflict that may wear on allegiance, but also the intensity of past or ongoing conflicts with the dominant group and how those serve to unite or divide the greater group. The example of Northern Ireland, where past historical conflicts between mostly Catholic Irishmen and mostly Protestant Englishmen over the course of several centuries has devolved into loyalist and republican activists divided cleanly down sectarian lines. If the historical conflict had not been so intense, it is unlikely that the animosities that exist today would still be in place and divided along such rigid identities. Similarly, one has only to travel the American South to hear young men weave tall tales about their states performance in the Civil War, before immediately transitioning into defense of "American values" to an outsider. There is intergroup conflict based on past events but the dominant identity is still that of being an American.

The extent of group cohesion and mobilization is where the real strength of identity lies, and it is the third determinant overall. It is the heart of the identity, precisely because without it the other three determinants lose much of their meaning. A collectively disadvantaged ethnic group, that takes its identity seriously, is of little political threat to a repressive controlling regime if it cannot work together towards a common goal or harness its human potential. Likewise, a group that is able to rise above

internecine feuds and work towards achievement of the ethnonationalist goal is a force to be taken seriously. The campaigns of Gandhi and Martin Luther King Jr. stand as testimony to the powers of cohesion and mobilization, and the resultant strength it brings to a cause.

The final element of group strength and one that in many ways determines the intensity of the identity itself is the amount of repressive control by dominant groups. The more repressed a group is because of its identity, the stronger that identity becomes, much to the frustration of the repressive agent. Contrary to common beliefs, harsh control and domination of a group may actually do more to incite rebellion than it does to diffuse opposition.

B. IDENTITY ORIENTATIONS

It has been demonstrated to this point that there exists a specific set of factors which serve to not only define an ethnic group, but that also determine the strength of that ethnic identity to the individuals both inside and outside of the group. Once the group has established a strong sense of identity, a format is required for determining what their actions are likely to be in relation to the outgroup.[1]

In the book *Nationalism and Violence*, social psychologist Assaad Azzi describes a set of variables, represented in Table 1, which is useful in determining whether an ethnic group is likely to assimilate, integrate, separate, or marginalize itself in the larger culture. The manner in which groups direct their efforts relates to whether the first contact between groups was voluntary, the group's numerical size, the group's relative position in the power structure, and other determining factors. The matrix formed from

[1] In this paper, the term "ingroup" will be used to define members of the minority group, and "outgroup" shall designate those members of the greater society that are not members of the particular ethnic group.

this is based on simple "yes" or "no" answers to the questions of whether an ethnic group wants to retain a separate identity and whether they wish to have positive relations with the outgroup.

Table 1.
Identity Orientations of Minority Groups (ingroup)
In relation to the Majority (outgroup). After Azzi, 1998, pp. 95-96.

		Desire to Maintain Group Identity: Yes	Desire to Maintain Group Identity: No
Desire for Positive Relations with the Outgroup	Yes	Integration	Assimilation
	No	Separation	Marginalization

The author goes on to explain that the four identities to be assumed fall into three broad categories. Assimilation, as it is a matter of personal choice and desires, is distinctly individualistic. However, integration and separation are group interests since they both require the retention of group identity and therefore, group cohesion. Finally, in the unique case, marginalization is a group identity irrespective of individual or group interests, and is imposed more than chosen.

In cultural groups with a high level of individualism, assimilation is the most likely course of action, as there is little stigma attached to cross-group mobility. More plainly, a society where individual success is highly valued contains no barriers for an individual entering another socioeconomic class. When an ethnic group finds itself in a situation where assimilation is possible, intragroup differences are likely to arise. Those most able to benefit from assimilation due to education, training, or language ability are most likely to make the leap to the outgroup. The potential result of this type of assimilation is the robbing of the nonassimilated ethnic community of its skilled members

and resources, making collective action more difficult and raising the likely specter of intra-group conflict.

As a course of action, marginalization as discussed by Azzi is less of a choice and more of an outcome in terms of identity. Even if an ethnic group does not want to retain its distinct culture and looks upon the outgroup favorably, the larger society may still exclude them and leave them on the periphery. In the middle of the twentieth century in America, as African-Americans in many parts of the country attempted to assimilate during this time into the larger culture, the majority white population rejected them.

Unlike assimilation, integration, as Table 1 shows, results when the ethnic group desires to maintain positive relations with the outgroup while retaining its culture as well. In practice, the reality of this orientation is that ingroup members will usually desire to maintain some aspects of their traditional culture while incorporating some aspects of the outgroups culture. The result of this is a form of cultural pluralism or biculturalism that allows for incorporation and expression of elements from each culture.

The remaining identity to discuss is also potentially the most important. The separatist identity arises from a desire to retain an ethnic identity while at the same time refusing positive relations with the outgroup. Peoples embracing this identity orientation are those leading the ethnonationalist drives for states of their own throughout the world.

C. MOBILIZATION TO COLLECTIVE ACTION

Separation is a goal more easily spoken than achieved, as the real test is whether one can mobilize others of their ethnic group to the same cause and convince them of the necessity for collective action. The cornerstone of such mobilization lies in an appeal to efficacy beliefs.

Both individual and collective efficacy beliefs and their associated cultural values are critical to determining the potential for collective action. In societies with a strong corporatist structure, there is less likelihood of individuals striking out on their own in opposition to the group, which therefore makes such cultures ideally suited for mobilization. But, in order for the ideas of *collective self-efficacy* to take hold, the individual must believe three things: 1) Collective action has a chance at achieving some of the desired results; 2) Other people in the group are willing to participate in the action; 3) The group possesses the means to achieve their goals. This is a simple concept to illustrate, as it is not likely that people will risk bodily injury in opposing government security personnel if there is no hope of achieving anything and there is not likely to be anyone else out wanting to take direct action. People have to believe that at least a large part of the society is behind them to motivate them to collective action. (Azzi, 1998. pp.103)

There is a large difference between those that support the collective action in a moral sense and those that actually get out in the street and take part in the necessary civil disobedience. This "free-rider" problem, in which there is little reason for someone to risk harm supporting the cause if they can watch safely from a distance and reap the benefits of others success, is overcome through the promotion of *participatory self-efficacy*. If this can be established, if people really believe that their participation will have a meaningful positive effect on the achievement of the groups' goals, then the final and perhaps greatest hurdle to collective action will have been surmounted. (Azzi, 1998. pp. 103-104)

However, a note of caution must be given when it comes to the articulation of collective grievances by those who are taking action. As discussed by Gurr, (1993, pp. 68-69) there are four points to keep in mind regarding the professed motives of ethnonationalist movements:

1. *Collective interests are not unitary.* In every disadvantaged group there are those who would prefer to retain the status quo or act to preserve distinct interests that may be at odds with the best interests of the ingroup.
2. *Political organization is essential to the formulation and expression of collective interests.* Despite the feelings of discrimination or alienation felt by individuals, the organized expression of collective interests counts politically.
3. *Some political expressions of collective interest are more authentic than others.* In the early stages of a political movement, group members are subjected to numerous potential organizers trumpeting the benefits of particular movements. Group members must then decide what is most important by the granting or withholding of support from each movement. In general, the most authentic representations of group concern come from the largest organizations.
4. *Group interests and objectives change during the course of the communal conflict.* While conflict with an external foe normally increases cohesion, there is no evidence to suggest movements regularly become more or less radical as conflicts progress. Government concession and/or repression can affect the solidarity of groups by alienating the most dovish or moderate members in both cases.

This chapter has established three things: First, for an ethnonationalist movement to exist, people need only to view themselves as being separate from the outgroup regardless of what others may believe. Second, there are essentially four different identity orientations which an ethnic group may pursue within the larger society, or which may be imposed upon them in the case of marginalization. Finally, ethnic identity and a separatist orientation mean little if the problems of individual, participatory, and collective efficacy are not resolved in such a way that they enhance the propensity for collective action.

The leaders of any ethnonationalist movement may take deliberate steps designed to manipulate efficacy beliefs and focus on differences between the ingroup and outgroup so as to motivate the group to action. Specifically, they may take steps to weaken the belief in individual self-efficacy by constraining the exit choices from the group. Put plainly, this occurs when an individual's belief that he can successfully assimilate and thus avoid the hardships of his ingroup is continually weakened until such point that he believes the only option is to "stick with his people." If they can then be convinced that other members of the group are waiting to support them in collective action and that their participation is crucial, oftentimes by invoking patriotic nationalistic myths, the likelihood of their taking part in demonstrations, protests, and other collective actions increases exponentially.

D. ETHNONATIONALISTS IN THE REAL WORLD: THE KURDS

There has long existed a region known as Kurdistan, yet except for a few fleeting fragmentary attempts at government, there has never been a Kurdish State. Today, Kurdistan is spread over the borders of five established states: Iran, Iraq, Syria, Armenia, and Turkey and in each state, their population forms a minority. The experience of these populations has been far from uniform as each state has pursued separate policies towards the Kurds. Comprised mostly of Sunni Muslims, they are traditionally pastoralist seminomadic mountain tribes that have migrated in recent years to many of the regional urban centers. They believe that they were descended from the Medes, of the ancient Persian Empire and speak a variety of broadly ranging dialects, based on the Kurmanji language, and thus share common religion, language and myths of origin. (Gurr/Harff, 1994. pp. 28-32)

Based upon a history of fierce independence and resistance to outsiders common to mountain tribes the world over, the Kurds have almost universally retained a strong sense of identity and have refused assimilation. Integration however, is another matter. Remember that integration is most likely when the ingroup wishes to retain its separate identity, yet it still desires positive relations with the outgroup. This is the situation in which most Kurdish populations find themselves today. (Harff, 1993. pp. 226-227)

Despite several notable exceptions, the Kurds have been largely successful with their integration into their host countries, desiring in most places greater autonomy, instead of true independence. The largest exception to this statement exists in present-day Iraq where the Kurdish population has gone through many different iterations of its relationship with Saddam Hussein. Despite desires to integrate in the mid-1970s, they have since been marginalized and subsequently harshly persecuted by the regime. (Gurr/Harff, 1994. pp. 41-43)

Much like the Palestinian population, the Kurds were promised an independent Kurdistan by the international community at the Treaty of Sevres in 1920, but that state did not come to pass due to power politics of major states at the time. Instead, the closest they came to independence was the insignificant Mahabad Republic formed on a portion of Iranian Kurdistan when Soviet forces invaded in 1945. It was but another opportunity for the Kurdish population to be used by the international community for the achievement of goals contrary to their interests, and the Province was gone a year later when the Soviets withdrew. In the Iraqi case cited above, whereby the Kurds were becoming closer and closer to integrating into the Iraqi state, it was political manipulation by the

Shah of Iran that led to the assumption of a disastrous uprising against Hussein whose effects are still being felt.

The rebellion against Hussein was originated and sustained through effective manipulation of efficacy beliefs by the leadership of the various Kurdish opposition groups. Harsh repression of group members by the regime played into the hands of the opposition as it marginalized Kurds and greatly constrained their exit strategies from the conflict, for wherever they went within the region they would be persecuted because of their ethnic identity. In effect, they were cornered. Utilizing the notion of "sticking with ones own kind" together at various times with the belief that either the Shah or the United States was going to support their efforts, the Kurdish people believed that success was achievable and they took up arms on a large scale. When that support never materialized in either case, they were crushed.

Despite promises of independence from the international community, their use as pawns in great power political gambits, and their repeated dislocation and defeat militarily, the Kurds still continue their drive for autonomy. This drive is fed by a strong sense of identity founded on shared belief systems and the notion that they are different from the groups around them whether they are Turkish, Persian, or Arab. Their case is similar in many respects to that of the Palestinians, though as shall be shown in the remainder of this work there remain key differences between the two groups. Perhaps foremost among the differences is the idea that the achievement of a state is more of a reality for the Palestinians as they possess land in the West Bank and Gaza which belongs to no other state, while the Kurdish population is spread across many borders. Additionally, the Palestinian case is perhaps easier to internationalize due to the regional

importance of the conflict and the large scale cultural and racial differences between the groups, whereas the Kurds and their neighbors are not easily distinguishable to an outsider.

III. THE PALESTINIAN SITUATION TODAY

> Because we did not have any land, the PLO itself was the embodiment of our nation. But Oslo was a big blow to the Palestinian refugees in the Diaspora. Many feel let down. Oslo hasn't given anything to the Diaspora refugees. [In Lebanon] we have been through war, we have lost many lives, and suddenly we find ourselves naked, severed from our nation. Oslo struck against our hopes of return [to Palestine/Israel]. The blow was not only political and psychological, but had practical consequences as well. –Souheil Al-Natour (Edminster, 1999. pp. 1)

While it could be argued that the problems in the area of the Palestine Mandate can be traced back to the early foundations of Zionism or the opportunities presented by Ottoman Land Reform in the Middle 19th century, this study concerns itself with the origins of the actual large scale physical displacements of population beginning in 1947. It is necessary to examine the historical foundations of the conflict to be able to discuss the proposed solutions while recalling accepted international standards of conduct as defined by such documents as the Geneva Conventions and the United Nations Charter and subsequent resolutions. Once the issues of causation and international law are established, this chapter will deal with how the United Nations has involved itself in the issue of Palestinian refugees, and will conclude by describing the status of the various Palestinian refugee communities under UN mandate.

A. PROBLEMS WITH HISTORY

By the conclusion of the first Arab–Israeli War, approximately 760,000 Arabs had departed the land that was to become the State of Israel, leaving behind only about 160,000 of their kind (Morris, 1987. pp. 298). Since then, there have been countless debates as to who or what made them flee. The primary argument from the Jewish side has been that the Arabs abandoned the land willingly under orders broadcast from the governments of the invading Arab Armies to make way for their tanks and troops. This

was allegedly done with the intention of returning to the land once the Jewish forces were destroyed. The Arab version of the Palestinian flight however, has always been that the armed forces of the Israelis, both pre- and post-statehood, employed broad ethnic cleansing tactics to push the Arabs off of the land to provide room and demographic stability to the new state and its stream of immigrants (Arzt, 1997. pp. 15)

Such debate is not for the sake of moral righteousness; rather it plays a crucial role in determining culpability in the creation of, and thus responsibility for, the entire refugee problem (Dowty, 2001. pp. 1) Though it may seem trite in some respects, at its basic level, culpability in international law rests largely on the principle of "who started it?" When politicians and academics throw around such phrases as the "Right of Return," or the "Right to Compensation," taken from the text of UN Resolution 194, it is important to understand to what they are referring and why they believe it is justified based on the actions of the parties involved.

Because of this, it is essential to determine how the Palestinians came to be refugees, and the legality or lack thereof, of the causal actions. The 1945 Nuremberg Charter made Mass Deportation a crime against humanity and the subsequent Geneva Convention of 1949 relating to the treatment of civilian populations in time of war explicitly outlawed forcible transfers, or mass expulsions of any kind. (Arzt, 1997. pp. 67)

Due to the work of such Israeli revisionist scholars as Benny Morris, and his examining of declassified Israeli documents from the conflict, we now know that the truth of the refugees' departure lies closer to the Arab telling. Take for example the writings of Joseph Weitz, the director of the Jewish National Fund's Lands Department:

> It must be clear that there is no room in the country for both peoples...If the Arabs leave it, the land will become wide and spacious for us...There is no way but to transfer the Arabs from here to the neighboring countries, to transfer all of them, save perhaps for Bethlehem, Nazareth, and old Jerusalem. Not one village must be left, not one [Bedouin] tribe...and only after this transfer will the country be able to absorb millions of our brothers and the Jewish problem will cease to exist. There is no other solution. (Morris, 1987. p. 27)

Weitz was writing in 1940, before the outbreak of hostilities in Palestine and his words are symptomatic of the attitudes of leading Israeli intellectuals. What is far more damning to the Israeli governments' claims of innocence than the mere writings of a government official is the very fabric of Israel's Plan D (*Tochnit Dalet*), undertaken on the eve of the 1948 War.

The contents of Plan D and its objectives have become one of the most controversial topics enmeshed in the fabric of the Arab-Israeli conflict, and have only recently been made public and deciphered by scholars such as Morris. Plan D was disseminated to the Officers of the Haganah[2] in early March of 1948, and was the Jewish plan to provide for the security of the state following the Arab invasion which was widely expected once the British completed their withdrawal in mid-May. The plan in its most basic sense, provided for the depopulation and destruction of Arab villages that "resisted" the Haganah, or that the Haganah could not effectively garrison, so as to eliminate sources of enemy fifth column activity. Morris states that "[Plan D] constituted a strategic-ideological anchor and basis for expulsions, by front, district, brigade and battalion commanders," and that "from the beginning of April, there are clear traces of an expulsion policy on both national and local levels with respect to certain key districts and localities" (Morris, 1987. p. 62).

[2] The Haganah were the forerunners of the Israeli Defense Forces (IDF).

Morris concludes, much to the bewilderment of many of his readers, that there is no clear evidence of a nationally directed policy of expulsion of Arab residents, and that those expulsions that did take place were the actions of individual commanders. Whether or not one believes that the young Jewish state had a formal policy of expulsion, it is indisputable that Plan D, which was promulgated from the Israeli National Authorities, set an overtly permissive tone for the large-scale expulsions of Arab civilians between December of 1947 and September 1949. Perhaps more telling is the fact that when it was clearly known such expulsions were taking place, no orders were given to reprimand the commanders or cease population transfers. The result of the war was that only one prewar Arab resident out of seven remained in the area of Palestine.

B. THE UNITED NATIONS AND THE REFUGEES

Even armed with these facts, many people question whether there is such a fundamental international right as the right of return as applied to the Palestinian refugees. The debate itself revolves around semantics. The notion of the right of return is based on the "Universal Declaration of Human Rights," passed by the United Nations in December, 1948 which contains within it the phrase, "Everyone has the right to leave any country, including his own, and to return to that country." This seems basic enough, but problems arise from two notions: First, the subject declaration was speaking about citizens of a nation. Since Palestine was never a country, according to critics of a return policy, the principle does not apply. Secondly, it is not clear if the law applies to descendants of the original refugees who may never have stepped foot inside the original land. So the right of return debate comes down to whether individuals from a country

that did not formally exist, together with their descendants born abroad, have a fundamental right to return to their original land from which they were wrongfully displaced. (Arzt, 1997. p. 64)

This again relies on a basic tenet of international law, that if the expulsion from the land was illegal, the right to return to that land to reverse the illegal act is generally considered irrefutable. International law requires treaties be interpreted in a fundamental humanistic sense, rather than a strict technical manner (Arzt, 1997. pp. 64-65). This notion as regards the Palestinians became official by the United Nations in 1948. Acting on the recommendations and observations of UN Observer Count Folke Bernadotte, the United Nations passed Resolution 194 (III) on December 11th, 1948. The pertinent paragraph reads:

> [The UN] Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss or damage to property which, under principles of international law or in equity, should be made good by the governments or authorities responsible...[3]

One of the factors that has made the Palestinian case unique is that with most refugees the United Nations has dealt with, the refugees themselves cannot and do not want to return to the country of origin, particularly while the conditions that made them refugees still exist (Hammarberg, 2001. p. 7). In this situation however, it was the desire to return and the steadfast belief that it would one day happen that has served to unite and define the very people displaced.

[3] Text directly from UN General Assembly Resolution 194 (III), passed 11 December 1948, paragraph 11. This passage was inspired by the words of Count Bernadotte who was assassinated by Jewish terrorists two months before the Resolutions was passed.

Because of the "special nature" of the Palestinian Refugees, they do not fall under the United Nations High Commissioner for Refugees (UNHCR), but rather the United Nations Relief Works Agency for Palestinian Refugees in the Near East (UNRWA). Under UNRWA, the definition of who is a Palestinian Refugee is very specific, and differs from the normal international definition. UNRWA considers as a Palestinian Refugee, "any person whose normal place of residence was Palestine during the period 1 June 1945 to 15 May 1948 and who lost both his home and his means of livelihood as a result of the 1948 conflict" (UN doc 7/83, Jan. 1984). As the definition of the UNRWA mandate is very specific, so is the area of responsibility. Included in UNRWA services are only those *registered* Palestinian refugees in Jordan, Lebanon, Syria, the West Bank, and the Gaza Strip.

Herein lies one of the most difficult factors in researching the Palestinian refugee issue–numbers. Every organization seems to have its own numbers that it uses for estimating populations. For example, Table 2 below, from a paper written by Elia Zureik for the Institute for Palestine Studies, gives some idea of how big the differences can be:

Table 2
Estimates of Refugees According to Area of Arrival 1948-1949. From Zureik, 1996. p. 15.

Areas of Arrival	Official British Estimates	Official U.S. Estimates	United Nations Estimates	Private Israeli Estimates	Official Israeli Estimates	Palestinian Estimates
Gaza	210,000	208,000	280,000	200,000	N/A	201,173
West Bank	320,000	N/A	190,000	200,000	N/A	363,689
Arab Countries	280,000	667,000	256,000	250,000	N/A	284,324
Total	810,000	875,000	726,000	650,000	520,000	849,186

Further complicating the issue, organizational bias may also play a part in the estimation of numbers. For instance, while the UNRWA figures for Lebanon today cite just over 370,000 refugees, the PLO puts the number at a low of 150,000 and in

diplomatic circles it is generally accepted to be between 180,000 and 200,000 (Hammarberg, 2001. p. 8). In the interests of consistency, this paper will utilize the numbers of registered camps and refugees as determined by UNRWA, as well as scholars' estimates for groups of Palestinians residing in countries outside of the mandate. Included in the numbers outside of UNRWA are those Palestinians counted as *present absentee* by the Israeli State that still reside within the borders of Israel, together with those living in "unrecognized villages" within the State.[4] Furthermore, refugees from the 1967 war that fled to Jordan are counted as "displaced persons" since at the time of the War, the West Bank was Jordanian territory and thus those who fled there are not considered refugees, as they did not cross international borders. However, the approximately one third of those fleeing, that were fleeing for the second time (after having taken refuge in the West Bank after 1948), are included in UNRWA's figures.

What is certain today is that the approximately 800,000 refugees that fled in 1948 have grown into 3,246,044 refugees registered with UNRWA as of 1996, which means that about half of the world's population of Palestinians are refugees. They are distributed throughout the world and in camps administered by UNRWA as shown in Table 3 below. As one might expect, the refugee populations in each of these States face unique difficulties since each host country has taken a slightly different approach to

[4] Any person was declared an absentee if he was, on or after 29 November, 1947 a citizen or subject of any of the Arab states; in any of these states for any length of time or in any part of Palestine outside of the Israeli controlled area, or in any place other than his habitual residence even if such place as well as his habitual abode were within Israeli-Occupied territory. In practice, even if the villager hid in a nearby orange grove while his village was seized he was declared an absentee and lost all rights to the land. (Zureik, P. 10) Also, the "unrecognized villages" today number about 40 villages with a total 50,000 – 60,000residents which are not acknowledged by the State of Israel and receive no roads, water, sewage, electricity or schools. Their residents are not even acknowledged on census reports. Prince-Gibson, Eatta. 2001. p. 1).

dealing with the Palestinians. Table 3 illustrates the differential status faced by the different populations.

Table 3
Estimated Palestinian Population Breakdown 1996. From Arzt, 1997. p. 60.

	Total Palestinians	Registered UNRWA Refugees	In UNRWA Camps	With Citizenship	% of total Pal. Pop. in Camps	1967 Displaced Persons
West Bank	1,200,000	524,000	133,886	7,500 (E.Jerusalam)	11%	N/A
Gaza	880,000	700,789	389,035	Stateless	44%	N/A
Jordan	1,832,000	1,328,768	256,977	1,762,812	14%	696,340
Lebanon	372,700	349,773	186,006	30,000 (mostly Christian)	50%	Unknown
Syria	352,100	342, 507	96,447	3,452	27%	17,500 + Descendants
Israel	840,000	N/A	N/A	840,000	N/A	N/A
Other Middle East	446,600	N/A	N/A	Mostly Stateless	N/A	Unknown
Non-Middle East	452,400	N/A	N/A	Unknown	N/A	Unknown
Total	6,375,800	3,246,044	1,061,351	2,643,764 plus?	17%	713,840 plus?

C. STATUS OF REFUGEES WITHIN UNRWA STATES

1. Lebanon

The population of registered Palestinian refugees within the territory of Lebanon is neither the largest nor the smallest of the UNRWA areas, but it is the poorest and has long been the target of official discrimination from the Lebanese Government. After 17 years of Civil War and Israeli invasion to expel the Palestine Liberation Organization (PLO), the government resolutely opposes any measures that would grant citizenship to refugees or give the camps a feeling of permanence. Due to the arrangement of the government ministries along religious lines based on a delicate population balance, the Lebanese claim that the mostly Sunni Muslim population of refugees would comprise 10% of the overall population and would upset the country's system too greatly and destroy the peace that has finally been established. (Edminster, 1999. pp. 1-2)

Since peace was established in the early 1990s, Lebanon has taken steps to formalize their dissatisfaction with the continued Palestinian presence. Government ministers have gone so far as to state, "Lebanon's refusal of (Palestinian) settlement is a condition of our existence" (from Sayigh, 2000. p. 2). Furthermore, Lebanon's constitution explicitly forbids permanent settlement of Palestinians within Lebanon and a series of harsh laws were passed shortly thereafter, prohibiting refugees from practicing technical professions or attending Government schools. This has resulted in unemployment rates in 1999 of 40% for Palestinian refugees overall in Lebanon and 60% for those who reside in Camps. The refugees do not have access to government-sponsored public health care as well as a wide range of other social services. (USCR/Leb, 2001. pp. 2-3)

Because of this legalized discrimination, the refugees have traditionally received the bulk of their services and support within the camps from the UNRWA and the PLO. Since the PLO's funding debacle following the withdrawal of support by key contributors resulting from Arafat's pro-Iraqi position in the Gulf War, the PLO money has all but disappeared, leaving the majority of the funding to UNRWA at a time of flagging international support for their operations (USCR/Leb, 2001. pp. 4-5). Without adjusting for inflation, UNRWA expenditures per refugee dropped by over 28% between 1992 and 1997 (Edminster, 1999. p. 17). As of last year, the UNRWA no longer had the funds to assist special hardship cases (the very poorest of the refugees) repair their homes (Sayigh, 2000. p. 2). This has resulted in high levels of poverty and a complete reversal of educational trends that up until 1975 had placed the Palestinians in Lebanon among the best educated people in the Arab world.

Much of the poverty in the camps is a result of warfare, which raged throughout the area for nearly two decades. Thousands of Lebanese families are without a male head of the household and thus a chief breadwinner. The homes destroyed either directly through fighting or via the rebuilding and revitalization efforts of the government for its Lebanese citizens cannot be rebuilt. Because several former camps and large portions of existing camps were destroyed during the war years and cannot be rebuilt, the population of refugees in the camps is actually living on less land than they did in 1948 despite a threefold increase of population. Because of this, housing in the Lebanese camps is the poorest of all of the UNRWA areas with an average density of almost five people per room and an average area of 80 square meters of living space per household. (Zureik, 1996. p. 32)

Lebanon's UNRWA camps have often become battlegrounds between rival Palestinian factions. The greatest rivalry has been between Syrian backed groups and Arafat's Fatah faction, which has been trying to establish control over the camps to increase the bargaining power of the PA (USCR/Leb, 2001. p. 1). In trying to establish control of camps such as Lebanon's largest, Ain El-Hilweh, Fatah met its strongest opposition from Islamist groups, which will be critical again later when this study begins to examine the susceptibility of camp residents to radicalization along religious lines.

It has been made quite clear by the Government of Lebanon that naturalization of Palestinian refugees is not an option, though surveys of the camps, not surprisingly, show very few refugees desiring to stay in Lebanon even if they were granted full citizenship (Arzt, 1997. P. 47). However, a further problem arises from proposals to resettle these refugees in the new Palestinian State as well. Why would a refugee in Lebanon, who

most likely originated in the Galilee, have any interest in living in West Bank or Gaza? Moving there would move him further from his former home than he is in Lebanon. He would have little expectation of a job or adequate housing because of a lack of any connection to the area, which operates largely on a social corporatist structure. Because of this, it would appear that the only return option that would satisfy the demands of the refugee population in Lebanon is settlement within Israel itself.

2. Syria

Information on Syrian refugees is somewhat more difficult to come by than for other regions under UNRWA due to state restrictions, press censorship, and fear of state intelligence agencies. Nonetheless, it is certain that the refugee population of Syria, while lacking citizenship, is well integrated into the national economy. Most Syrian camps are concentrated in the greater Damascus region and are not nearly as differentiated from the surrounding housing and populations as is the norm in the other regions. Officially, Syria treats Palestinian refugees as being like:

> Syrians by origin in Syria, in all matters pertaining to...the rights of employment, work, commerce and national obligations and by keeping their nationality of origin (Law 260, July 10th, 1956).

Educational opportunities are available in government schools and universities, though those living in camps still receive their education through UNRWA schools, which are extremely overcrowded and operate on double shifts (USCR/Syr, 2001. p. 2).[5]

While wages are still generally below those of Syrian citizens, Palestinians showed a greater emphasis on education and family planning, and nearly 70% own their own homes (Zureik, 1996. p. 34). Nonetheless, much of the labor done by refugee

[5] According to USCR, 93% of the camp schools operate at double shifts which is the highest percentage for any of the UNRWA administered areas.

workers in Syria is done without contracts and is performed entirely with the employers' tools, making it very easy for employers to dismiss workers at a whim thus promoting an inability of refugees to plan for the future. Due to a lack of faith in the peace process and a relatively decent life in Syria when compared to Palestinians in the other regions, to include the PA, there is little expectation that many of the Palestinian refugees, particularly the non-camp population, would resettle in the PA if the offer were made. Because of the relatively high level of integration of the population already, I believe that Syria is well suited to extend citizenship to Palestinian residents choosing to remain and accepting reparations at the conclusion of the peace process.

3. Jordan

Almost 40% of Palestinian refugees live in Jordan where they comprise a clear majority of the population, which certainly makes their situation different from most refugee cases. Most Palestinians within Jordan hold Jordanian citizenship because of the 1954 Nationality Law (Arzt, 1997. p. 44).[6] This allows them full citizenship rights like regular Transjordanians, in that they can participate fully in politics and avail themselves of government services and educational institutions. Citizenship does not terminate their refugee status as determined by UNRWA, since according to that organizations mandate, the only things that can terminate their refugee status is a return to their homes or compensation for their losses. Even so, over 250,000 still reside in refugee camps with many of the same problems as camp residents in other countries. Unlike any of the other

[6] Most Palestinians without citizenship are those that came from the Gaza Strip in 1967 and their descendants. Since Gaza was not Jordanian territory they are denied Jordanian citizenship and require official permission to work, and then must restrict this work to the private sector.

refugee sites, in Jordan the host country government by far pays the largest portion of the bill for supporting the camps (USCR/Jor, 2001. p. 3).[7]

Nonetheless, while Palestinians are free to participate fully in Jordanian life, there is a clear yet unofficial dividing line that differentiates them from the Transjordanians whose country they share. Transjordanians are disproportionately represented in the public sector, to include the military, while the same can be said for the Palestinians in the private sector. Though they comprise a majority of the population, as of 1999 Palestinians only held seven of 24 cabinet posts, seven of 40 Senate seats, and 11 of the 80 members of the lower house of parliament (USCR/Jor, 2001. p. 2). Moreover, they are seen as a threat to the Hashemite throne, due in no small part to their activities following the 1967 war that eventually led to the "Black September" events of 1970 in which King Hussein forcibly expelled the PLO and its sympathizers from Jordanian soil. Which brings up another interesting point regarding their citizenship: it was granted to them with the expressed understanding that it in no way nullified their right to return or receive compensation in keeping with UN Resolution 194 (III) of 1948.

If a right of return were granted in peace negotiations, it is uncertain how many of the refugees in Jordan would choose to exercise that right. There are those that consider themselves "Palestinian-Jordanians," and those that are "Palestinians temporarily living in Jordan" until they can return home. In her research, Laurie Brand placed Palestinians in four different groupings within Jordan, each of which affected the desire of the Group members to return: (Arzt, 1997. p. 45)

[7]During the 1998-99 reporting year, the Jordanian government spent $323 million dollars on behalf of Palestinian refugees and displaced persons, which was four times the UNRWA operating budget.

1. Refugee camp dwellers that have built up a greater identity as Palestinians vice Jordanians, due largely to their history of opposition to policies of the government.
2. The petite bourgeoisie, which have expressed loyalty to the King and attachment to the State due to their improved status.
3. The notables of the upper middle class who have achieved success and see no conflict whatsoever between being a Jordanian and a Palestinian.
4. Those workers expelled from the Gulf States following the Gulf War who view their Jordanian passports and citizenship as a travel convenience and have no attachment to the State.

Essentially, from this view, only those camp dwellers that have little investment in the State and nothing to keep them in Jordan could be expected to seek resettlement in the West Bank.

4. West Bank and Gaza Strip

Unlike certain of the other areas administered by UNRWA, the Palestinian refugees of the West Bank and Gaza have been extensively studied and researched, resulting in an abundance of information about their living conditions and psychological state. According to 1999 UNRWA counts, the two territories together contained 1,368,100 registered refugees (USCR/Gaz, 2001. p. 1). Due to high birthrates, the population is growing at an annual rate of 4%, which puts it among the very highest in the world. The median age within the territories is 16.4 years, which means that for the vast majority of the population, they have known nothing but military occupation their entire lives and fully half of the population were just learning to walk and talk as the first intifadah got underway. (World Bank, 2000. p. 90) The fact that most Palestinian refugees within the West Bank and Gaza have from birth witnessed almost daily confrontation with military authorities has resulted in a corresponding breakdown in the

family structure as authority of elders has been seriously degraded and respect towards positions of authority such as teachers and community leaders is waning (Zureik, 1996. p. 39).

Housing in the two areas varies, with infrastructure development considered very good for a developing area. Overcrowding, defined by international standards as more than three people per room, affects about 28% of refugee households (Zureik, 1996. p. 37). A complete lack of open land in the camps caused by the overcrowding means that there are no places for children to play, which drives them into the street with the resultant problems of increased turf wars and drug abuse (Farah, 2000. p. 10). Simultaneously, there is pressure on the residents from an unemployment rate in the territories of around 40% during times of closure, with higher rates in Gaza than in the West Bank (Zureik, 1996. p. 40). Combine these effects with a complete lack of privacy for residents and constant friction with family and neighbors due to close quarters, and it is easy to see why a general sense of depression pervades the narrow alleyways.

What is perhaps surprising when considering the numbers of refugees in each area and the sheer density of humanity resulting is the revelation that the poorest and most psychologically damaged refugee communities are in the West Bank (Zureik, 1996. p. 37).[8] This is surprising because, on average, it is much more likely for a West Bank refugee to have sewage and electricity than his counterpart in Gaza, but it appears that Gazans have a much stronger sense of collective identity and purpose, and seem to have adapted better to the conditions under which they live.

[8] However, it must be said that the West Bank also contains the most successful refugee communities in the area of East Jerusalem.

Regardless of whether the area is controlled by the PA of the Israelis, the living conditions over the last six years throughout the West Bank and Gaza have been made more difficult by the dividing up of the region in cantonments which seek to preserve the integrity of Israeli settlements and the lines of communication between them. It seems clear that the system currently in place between the PA and Israel is not a permanent solution as it does not allow normal daily social and economic activity to occur for residents of the territories, refugee or not. Closure of the territories resulting from the Al-Aqsa Intifada of 2000 until the present, with its resulting near collapse of the PA economy, is symptomatic of the extreme political and economic leverage held by Israel over the residents of the West bank and Gaza.

The current situation existing in the territories and the resultant lack of faith that the conflict can really be resolved has resulted in a situation where return to a Palestinian State within the occupied territories does not present an attractive solution to many refugees in the Diaspora. It is therefore necessary to examine the various solutions that have been put forward to solve the refugee problem and evaluate them to determine which presents the most likely resolution.

IV. PROPOSED SOLUTIONS TO THE REFUGEE PROBLEM

A. RETURN AND RESETTLEMENT

From the outset, it must be understood that Israel will not accept the return of a sizable portion of the Palestinian refugees to its soil. Since its inception, the state has been plagued by the difficult political choice of whether it is to be a Jewish state, or a Democracy. If it were a true democracy, such an influx of Palestinian Muslims to Israel proper would almost surely result in the loss of the Jewish character of the state. For the same reason, it could hardly claim to be a modern Western nation if it actively suppressed a major portion of its population. The solution for years has simply been to not allow any large numbers of Arabs to reside in the state.

Israel's most consistent claim to date regarding the denial of the right of return is the states' lack of moral responsibility in creating the refugee crisis and the opinion that a de facto population transfer occurred in the 1950s with the flight of several hundred thousand Jews from Arab countries to Israel. Israel insists that since they integrated the Jews that fled the Arabs, so the Arab countries should integrate the Arabs that fled Israel. (Brynen, 1996. p. 1)

A variety of academics and government representatives have expressed differing views of what is meant by UN Resolution 194 (III), but from their writings it is possible to develop a sense of what Israel may be willing to allow and what the Palestinians will be forced to accept. Since Israel is without a doubt the strongest party to this conflict, any realistic solution must conform to its requirements first, since as the stronger state, it has little concrete reasons for making compromise. Furthermore, any compromise made

by Israel may be viewed by its citizenry as betrayal or forfeiture of Jewish and state interests.

If refugees choose to return, where would they go? A likely proposal is one where Israel recognizes the right to return in principle and allows approximately 75,000 refugees to reside in Israel proper with Israeli citizenship. In response, the PA would recognize that the right of return for the majority of Palestinians could only be exercised within the PA. Who will decide how many Palestinians are really allowed to return to the areas of the PA? Shall the Israelis decide? They do not seem to have a stake in an overcrowded neighbor with widespread poverty staring out at the prosperity of Israel. If the PA were a sovereign state, it would be able to set its own limits and standards on immigration, which is a prime reason why Israel does not favor the establishment of a truly sovereign Palestinian Authority.

Again, in what seems to be one of the more popular solutions to date, it has been made clear that the Government of Israel is not likely to extend the right of return to more than 75,000 Palestinian refugees. This would occur under a continuation of the Israeli family reunification program. This will largely be contingent upon the surrounding Arab States extension of citizenship to a portion of the refugees living within their borders (Arzt, 1997. p. 89). Concurrently, large numbers of refugees would be allowed to return to the areas of the PA, fulfilling at least some of the spirit of Resolution 194(III) by allowing the Palestinians to return to their national soil vice their pre1948 homes within Israel (Brynen, 1996. p. 1).

Supporters of such actions, such as International Law expert Donna Arzt, envision a distribution of Palestinian refugees by 2005 (perhaps farther out now, due to events since September, 2000) as shown in Table 4:

Table 4
Repatriation and Resettlement of Palestinian Refugees. From Arzt, 1997. p. 88.

	1996 Populations	2005 Populations
West Bank	1,200,000	2,400,000
Gaza	880,000	450,000
Jordan	1,832,000	2,000,000
Lebanon	372,700	75,000
Syria	352,100	400,000
Israel	840,000	1,000,000 +75,000 (family reunification)
Other Middle East states	446,600	965,000
Non-Middle East states	452,000	900,000
TOTAL	6,375,800	8,265,000

Her projections allow for population growth and transfers of population as outlines above. However, what is striking about this proposed solution is where the population actually goes. The number of Palestinians in the Diaspora, even beyond the UNRWA areas, increases by approximately 1 million people. While just over 350,000 people are allowed to return to the West Bank and 75,000 are allowed to return to Israel, the Gaza Strip would lose almost two-thirds of its population, which would be sent abroad. Therefore, while conditions within the Gaza Strip might improve, the number of Palestinians living within the PA and Israel would actually decrease with this model. In addition, the criteria for being allowed back in to Israel as part of the 75,000 should not be taken too lightly. To qualify, an individual must:

1. Be able to prove original residence prior to 1948.
2. Must have close family members (term yet to be defined) who have been citizens of Israel since 1948.
3. They must agree in writing, to abide by Res. 194(III) "live at peace with their [Israeli] neighbors." Israel would retain the right to veto any returnee that they feel would not comply with this requirement.
(Arzt, 1997. p. 91)

Again, the solution is not nearly as attractive as it may appear.

B. COMPENSATION AND REPARATIONS

Compensation and Reparations are difficult issues that have as many supporters and detractors as the issue of return (Brynen, 1996. p. 4). Supporters of the refugees point to Resolution 194(III) and its specific direction that compensation be paid out to refugees for the loss of physical property caused by the 1948 War, and insist additional reparations be paid for the physical suffering and loss of property endured by the refugees due to the war and their years of displacement. The attempt to accurately tabulate the monetary loss suffered by the refugees over the course of fifty years could be simply staggering to calculate on an individual basis. Partly because of this, it has been proposed by several parties to the discussion that a flat arbitrary payment ranging from $10,000 to $20,000, be paid to each refugee for their loss and hardship, to be paid from an international aid fund (Zureik, 1996. p. 65).

As with nearly all facets of this conflict, what appears to be a straightforward resolution of the situation whereby the refugees elect to either return to Palestine, or accept monetary compensation/reparations and remain where they are with the citizenship of their host country, is anything but straightforward. To begin with, the task of determining the loss of the Palestinian refugees is not such a monumental task, as the United Nations Refugee Office completed it back in 1951.

The Refugee Office, utilizing land titles and village records for the years preceding the war, determined that of the total state area of post-war 1948 Israel of 20,500,000 dunums (4 dunums = 1 acre), 16,324,000 of them were identified as refugee property. Over the course of the next ten years, the study detailed the *individual* holdings of Palestinian Arabs, identifying 1,500,000 holdings that had been lost, for a revised total of 17,500,000 dunums. The work of claims identification has therefore been done in great detail. The more realistic difficulty arises from the fact that payment of compensation indicates admission by the payer that a wrongful act was committed for which they are responsible, which is something that Israel is not willing to do. (Rempel, 1999. pp. 38-39)

The issue of who would get paid the money earmarked for the refugees is another potentially explosive element of the compensation regime as it is quite possible that the refugees would receive very little of any money paid. There are essentially four different ways in which compensation funds could be paid out. First, the most basic method of determining who receives the money is to quite cleanly pay all of the registered refugees and their descendants directly, with all of them receiving a set amount with a possible differentiation based on whether they were receiving compensation for losses and reparations, or simply reparations. A second option is to determine the amount received by whether or not the refugees choose to exercise the right of return, thereby enticing the most poor of refugees to remain in the Diaspora. The third method of payment would assign a large portion of the compensation/reparations package to the PA itself to assist in the absorption of the incoming population and the rehabilitation of the PA territories. Finally, it is almost certain that the current host governments, which have in some cases

spent huge sums of money supporting the refugees over the last 50 years, would make claims for restitution and costs in absorbing those Palestinians choosing not to exercise the right of return. Certainly, if the refugee issue is declared resolved without the refugees receiving more than a pittance in compensation, or nothing at all, because of direct government payments on their behalf, it would certainly strike a negative chord with the Palestinian camp populations. (Brynen, 1996, pp. 4-5)

An ironic precedent in this instance is the reparation paid out to the State of Israel as well as individual Holocaust survivors by the German government for their losses and suffering during World War II. Much of this money went to Israel to offset the costs of accepting so many refugees. Initial payments of nearly one billion dollars were paid out to Israel in the 1950s, and then survivors around the world received a monthly pension for the remainder of their lives. So far, the German Government has paid out over $50 billion dollars to individuals and the Israeli State, and will likely pay $20 billion more by the year 2030 when the payments are scheduled to cease. (Wise, 1993. pp. 1-5)

V. ABILITY OF THE PA TO ABSORB REFUGEES

A. TODAY'S ECONOMIC SITUATION

There will be limits on immigration to the PA, regardless of who sets them, due in large part to the economic and infrastructure realities/limitations of the territories as currently arranged. The situation in the territories both demographically and economically as created under Oslo is an interesting one and serves to further call into question the absorptive capacity of the future Palestinian entity in relation to the refugees. As it stood in the summer of 2000, the unemployment rate for the area as a whole, both refugee and otherwise, was steady at 14% with approximately 125,000 Palestinians working as day laborers within Israel itself. Simply to continue to meet the employment demands of a growing population, 30,000 new jobs must be created each year for the PA. (World Bank, June 2000. p. 91.)

This expansion of population causes a potential crisis for the PA in the very near future simply in terms of capital outlays. Palestinian budgets as they stand today do not allocate much money at all to the maintenance of facilities, which means that to simply maintain the status quo, they will have to increase their expenditures on such things as schools by 64% in real terms by 2010.[9] Complicating the projection of such figures is the fact that UNRWA currently provides education and health care to the nearly one quarter of the population that are registered refugees. Were they to cease operations, which is a logical assumption once a separate Palestinian entity were declared, the PA would have to raise another $165 million dollars in today's money to merely duplicate their efforts. (World Bank, June 2000. pp. 91-95)

[9] Additionally, the World Bank study projects that the PA needs to construct fifty new schools per year over the next ten years just to keep pace with *current* enrollments.

The economy of the PA was showing signs of life before the outbreak of the recent troubles, and was on its way to improving the living conditions of the Palestinian people-to a point. From January 1999, to June 2000, GDP had risen 6.1% with a corresponding increase in working days per year over the same period (World Bank, Nov. 2000. p. 2.).[10] One of the potential danger signs however, is the extraordinary number of Palestinians who are on the government payroll, thus skewing unemployment figures. The 2000 budget for the PA devoted nearly 60% of the expenditures to pay salaries for the 16% of Palestinians employed in the Public Sector (World Bank, June 2000. p. 88.).[11] The creation of regime loyalty through the provision of government jobs via patronage networks is damaging to foreign investment prospects and makes the fiscal job of running the PA more difficult.

B. EFFECTS OF CLOSURE OF PA AREAS

Economic projections aside, it is the ability of the Israeli security forces to effectively shut down the territories through a series of checkpoints and roadblocks owing to the nature of the territorial arrangement that has been the biggest obstacle to viable statehood for the PA. Even when there is no closure, in order for a Palestinian to pass from the Gaza Strip into Israel, he must be married, over 30, and have a clean security record (Rabbani, 2000. p. 3.). Historically, during times of full closure of the West Bank and Gaza such as we see today, unemployment figures rise dramatically in both areas as the regular day laborers are unable to make the journey into Israel, as demonstrated in Table 5.

[10] Assuming even that job creation did not continue at this rate (and that closures such as those that started in September, 2000 and that are ongoing did not happen) the PA economy was expected to grow at a sustained rate of 5.2% through 2001.

Table 5.
Border Closures Imposed on the PA, 1993-2000. From UNSCO, Jan 2000. p. 4)

Year	Total Days of Border Closures	Holidays and Weekends During border closure Days	Eff. Border Closure Days	Lost days as a Proportion of Potential work days
1993	26	9	17	6.13%
1994	89	25	64	23.1%
1995	112	28.5	83.5	29.93%
1996	121	31.5	89.5	31.91%
1997	79	22	57	20.54%
1998	26	11.5	14.5	5.21%
1999	16	9	7	2.53%
2000	75	23	52	18.81%

Complicating the matter further is the reality that as more and more Palestinians are out of jobs and making less money, the cost of goods rises dramatically due to increased transaction and transportation costs arising from the closure. Not only is it more difficult to get to work within Israel, it also becomes quite difficult to get to work within the territories themselves as all of the towns and cities are separated by Israeli checkpoints. Thus, not only does the area get hit by a 50% rise in transaction costs, the World Bank estimates that it also loses approximately 25% labor productivity because workers are held up at checkpoints and prevented from freely going to and from their workplace within the area. For instance, during the recent closures in Gaza, average travel time from Khan Yunis to Gaza City increased 341%, from 30 to 132 minutes with a corresponding increase in taxi fare of 111% (UNSCO, Jan. 2000. p. 4).

Whatever economic recovery the West Bank and Gaza was experiencing before the recent violence has been erased by the full Israeli closures. In the first month of the current uprising, both UNSCO and the World Bank estimate the PA lost $210 Million US dollars in revenue. Given the present geographic situation in the territories, it will take a

[11] Comparable figures of government employment for the Middle East show Egypt at 12%, Jordan and

significant amount of time before the Palestinians can recover economically, especially if Israel follows through with threats to hire foreign laborers to replace the Palestinians on a permanent basis.

C. PROSPECTS FOR RECOVERY

If Palestine is to recover, and the land that the PA occupies is roughly the same as it was when negotiations last broke down, the crucial issue becomes the manner in which the PA expects to make the recovery. By what industries will it raise revenues? What resources will it possess? How much autonomy will it have in trade matters? How can it incorporate large numbers of immigrants in a short time? All of these questions are important if any serious speculation about the future viability of a right of return to the PA is to occur. However, as all of these matters have been pushed back in negotiations until "final status" talks, speculation replaces facts, and from those speculations arise some general predictions as to what difficulties face the Palestinians in the near future.

In any successful Palestinian economy, agriculture is likely to be the key component, with the population already in possession of the requisite skills and demonstrated abilities in this market. With current map configurations the way they are, only about 25% of the arable land in the Occupied Territories will revert to PA control (De Jong, 1998. p. 88). The rest has been appropriated over the years of occupation by the aforementioned absentee laws and outright military seizures. This was made quasi-legal through manipulation of Ottoman Land Law codes that placed land in several different categories of ownership, and left them ripe for exploitation by Israel (Shehadeh, 1988. p. 34).

Tunisia both at 10%.

Further hampering full Palestinian exploitation of the land available is poor access to water for irrigation and general use. While the PA contains a large amount of water by Middle East standards, over 80% of the fresh water in the West Bank flows from the West Bank directly to consumers inside Israel (PNA, 2000. p. 1). Most of this water comes from aquifers beneath the area, which Israel will control following transition. As for surface water, as much as 75% of the water in the Jordan River is diverted by Israel before it reaches the West Bank, depriving the residents of its irrigation capacity. There is some speculation that if dams could be constructed in the area of the Jordan valley, much of the floodwaters that annually flow through the area could be retained and used for agriculture, or that desalinization plants could be constructed in Gaza (Abdullah, 1994. p. 131). However, the Oslo Accords do not allow the PA any authority to create or expand water sources by themselves, nor do they allow the PA any control of the Jordan Valley, which is to remain a security area.

Another key item when attempting to gauge the economic capabilities of the PA as they relate to its absorptive capacity is one of trade and resultant trade restrictions. This becomes of prime concern when viewed against the noncontiguous nature of the land ceded to the PA. In the Palestinian view, this facet of relations with Israel is the most crucial, for the territories have benefited over the years as a sort of free trade zone with Israel. Without raw materials of their own, Palestinians rely on the importation of materials from abroad and then the exporting of these assembled products out of the territories. The single greatest resource possessed in the PA is manpower. As long as

Palestine can receive their resources and get them back out to market, they have the opportunity to grow industrially, but they will in a very large way be dependant on Israeli cooperation.

VI. PALESTINIAN IDENTITY

In the beginning of this work, a framework was established that makes it possible to gauge certain characteristics of a particular ethnic group. Having established that framework and learned what the Palestinian history has been to the current day, this chapter will overlay the two to answer three questions: 1) Do the Palestinians constitute an ethnonationalist group, contrary to the assertions of Golda Meir? 2) How strong is their sense of identity? 3) What identity orientation are they most likely to pursue?

A. DO PALESTINIANS CONSITUTE AN ETHNONATIONALIST GROUP?

Using our listing of six factors essential to the formation of an ethnic identity established in the second chapter, the Palestinians, in a broad grouping, fit the construct in the following manner:

1. *A collective Proper name.* The name Palestinian indicates an Arab resident of the area of The Palestine Mandate prior to the establishment of the State of Israel, and their descendants born abroad following the 1948 war.

2. *A myth of common ancestry.* Ancestry of Palestinians is common as far as their being descended from the farmers, merchants and traders that lived in the area during the time of the Ottoman Empire.

3. *Shared historical ancestry.* Clearly there is no element of Palestinian history more defining than the dispossession of their land in 1948 and again in 1967, and the resultant life in the Diaspora.

4. *One or more differentiating elements of common culture.* In this case, that the common Arab linguistic and cultural bonds become subordinate to the common identity

forged in the refugee camps and the occupied territories. It is important also to recall that the label "Palestinian" encompasses more than simply Muslim Palestine, Christians are included as well.

5. *An association with a specific homeland.* Palestine is associated with that portion of the Eastern Mediterranean shoreline, inland to the Jordan River, and South from Lebanon to the Southern borders of the Negev Desert.

6. *A sense of solidarity for a significant sector of the population.* For those residents of the Occupied territories, the Intifada provided a common bond of struggle; likewise the populations of Jordan and Lebanon, whether it be the war of attrition from 1967 to 1970 or the intercamp wars of the mid-1980s, have shared a common suffering and have come together because of it.

On a collective scale, the Palestinians in the occupied territories and those in the UNRWA countries constitute an ethnonationalist movement, as they are regionally concentrated, reside across the borders of several different states, and are politically motivated toward gaining greater autonomy and self-rule. (Gurr/Harff, 1994. p. 18)

The two dominant theoretical perspectives used in determining the motivations behind ethnonationalist activism are *relative deprivation* and *group mobilization* (Gurr, 1993. p. 123). Relative depravation states that people such as the Palestinians become politically motivated due to resistance to ongoing discriminatory practices or unjust deprivation, while group mobilization views political mobilization as a calculated move by political elites to take advantage of a particular opportunity. Therefore, determining the motivation for the Palestinian ethnonationalist movement represented by the Palestine

Liberation Organization (PLO) becomes a question of legitimate grievances or political opportunism under the guise of groups' rights.

In the case of the Palestinians, the movement for greater rights and autonomy symbolized by the majority of the PLO and by the masses in the street combating the IDF is the result of real grievances against the dominant powers. These are present in every country considered in this report, encompassing Hashemite favoritism of TransJordanians in the public sphere in Jordan, the work and housing restrictions placed on refugees by the Lebanese government, and the disparity of status between settlers and Arabs within the Occupied Territories; they are all based on status of varying ethnic groups. Palestinians could make a further case against the International Community for discrimination, as the enforcement of UN resolution 181 establishing the State of Israel is ensured, while Resolutions 194 (III) and 242/338 regarding the return of land to the Palestinians are left unfulfilled.

When it comes to the question of the leadership of the PLO however, the answer for its rationale in accepting the Declaration of Principles (DoP) lies partly in both motivations. This is because the PLO senior leadership had long looked at the establishment of a two-state solution as a viable end to the conflict and an effective redress of discriminatory practices against their people, but that the timing and nature of the agreement seems to have been borne of political expediency. The decision in the summer of 1993 came at a low point politically and economically for the PLO following their disastrous decision to back Saddam Hussein in the Gulf War against their largest financial contributors, Kuwait and Saudi Arabia.

B. STRENGTH OF IDENTITY

Equally important as the underlying motivation for activism is the strength of group identity, since weak group cohesion is not sufficient to undertake or sustain collective action. Using the four criteria established early in Chapter II, it is possible to apply them to the Palestinian case to determine how important and how strong that ethnic identity is to those who possess it, whether it is personally chosen or imposed upon them from outsiders.

In discussing collective disadvantage in the second chapter, it was stated that there are essentially three different categories relating to political or economic disfavor, cultural differentiation, or demographic/ecological stress. These differentiations are important to the Palestinians not only in how they view themselves, but how they are viewed by others.

As has been shown in Chapter III, when it comes to political and economic discrimination, Palestinian refugees in all of the UNRWA areas have experienced at least one of these, and those in the territories and Lebanon have experienced exclusion in both spheres. Economically, Palestinians living in the territories were actually the target of deliberate de-development that sought to ensure the inability of the population to exist without Israeli support, which places them firmly on the high end of the scale used to measure economic discrimination. (Roy, 1995.)

Furthermore, Palestinians have been disadvantaged based upon their real and perceived differences in cultural, racial or religious differences from the ruling group in each of the countries in which they reside, regardless of whether the government is Arab or Jewish. Combining the established historical discussion in Chapter III with the criteria

above, it is possible to make general statements about each of the UNRWA areas where Palestinians reside. In the Occupied Territories, the population differences are great, being based not only on religious and language differences, but commonly European vice Levantine cultural norms. In Lebanon, where politics is defined along sectarian lines, the Palestinians are set apart, but there are other Sunni Muslim and Christian groups operating in the country to lessen the divisiveness of this trait. Moreover, there are no language or racial barriers with Lebanon as there are within Israel and the Occupied Territories. Differentiations between Palestinians and host country nationals in Syria and Jordan are extremely minor as religion, language, and racial characteristics are the same, and they all share Levantine cultural norms. Nonetheless, in both places the Palestinian communities are identified as being separate from the greater population and are frequently treated as outsiders.

Finally, demographic and ecological stresses combine to define the nature of this conflict, as it occurs in the Middle East where resource scarcity is a major issue. In the case of the refugee camps throughout all of the UNRWA areas, population density and building restrictions have resulted in dense communities of poorly constructed homes which often lack basic sanitation, setting these people apart from their non-refugee neighbors.

Taken together, the subordinate elements that define the strength of an ethnic group's identity in the case of the Palestinians can be judged as very significant in terms of political, economic, and demographic/ecological differentiations. When it comes to cultural differentiation, the indicators are weak in Syria and Jordan, more significant in

Lebanon, and all encompassing in Israel and the Occupied Territories themselves where they define everything that happens throughout a person's life.

Therefore, keeping in mind all three criteria being used, it can be said that in terms of strength of Palestinian identity,[12] the five population areas in UNRWA can be ranked from highest to lowest in the following order: Lebanon, Gaza Strip, West Bank, Syria and Jordan. The inclusive nature of the regimes in Syria and Jordan serve to lessen the Group identity in those places and are consistent with studies that show less desire for return to Palestine among Syrian and Jordanian refugees, particularly those living outside the camps.

Remember that the salience of group identity is the second factor contributing to the strength of an ethnic group, and attempts to measure how important the maintenance of that identity is to group members. Do the people living in the different UNRWA areas feel a kindred sense of struggle with their other group members whom they have never met? Do they view themselves as waging a common struggle? Commenting on the first Intifada, as reports of Israeli actions circulated through the outlying refugee communities in Jordan, Syria and Lebanon, Don Peretz writes, "Such reports tend to exacerbate militant attitudes toward Israel, the UN, the United States, and even Arab governments, which appear to be unable to ameliorate the plight of those under Israeli rule"(Peretz, 1993. p. 36). Indeed, the past actions by Israel for their role in causing the refugee problem, and the international community for allowing the injustice to continue, have left in the Palestinians a common notion that they must fend for themselves.

This is further reinforced by a deep sense of betrayal on the part of many Palestinians regarding the actions of their fellow Arabs. It was bad enough that

Westerners and Jews were pushing the Palestinians off of their land, but the discrimination and marginalization they have often felt from the other Arab countries despite their statements of support have left a bitter taste in their mouths to say the least. Researcher Nels Johnson describes the apt analogy of the Palestinians being "Uthmān's Shirt" for the other Muslims. Referring to Uthmān, one of the first four "rightly guided" Caliphs, who was murdered. The analogy is explained as follows:

> We are only Uthmān's Shirt. After the Caliph Uthmān was murdered, leaders would say, 'I do this in the name of Uthmān' when they wanted people to believe them. But they only used his name. They waved his bloody shirt. Today, we Palestinians are Uthmān's shirt...(Johnson, 1983 P. 60)

Therefore, the issue of group identity is salient to the conflict not only across the cultural lines of Islam and Judaism or Arab and Jew, but between Arab and Palestinian.

As demonstrated by the history of the PLO, Palestinians have had noteworthy success in energizing and sustaining resistance activities, which demonstrate a high level of group cohesion mobilizing ability. This supports the third pillar of identity strength by demonstrating that the identity and it's meaning is shared across camp boundaries. The only significant caveats to this cohesion are the Syrian influenced camps in Lebanon and organizations such as Hamas and Islamic Jihad in the territories, though it must be said that even these opposition groups are united in the desire to drive Israel out of the Occupied Territories—they differ largely in how far Israel should be pushed.

The final element determining strength of identity concerns the amount of repression meted out by the dominant groups. As stated earlier, the Israelis clearly dominate every facet of life for ethnic Palestinians living within the territories. In Lebanon, Palestinian refugees are pawns in political games between Syria, Lebanon, and

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[12] Determined here as how much it intrudes in their daily lives.

Israel, and have essentially no freedom outside of the camps (Sayigh, 2000. p. 1). In Syria, refugees are a small portion of the national economy and are not necessarily any worse off than most other Syrian communities, though certainly it can be said that the Alawi minority dominates the political spectrum over everyone, not just the Palestinians. Likewise, in Jordan, while Palestinians form a majority of the population and are the largest share of its business community, they are consistently underrepresented in the government and military.

The strong sense of ethnic identity in the Palestinian population is perhaps most important when viewed against the plans for resolution of the Israeli-Palestinian conflict. If a people have defined their very ethnic identity by a fifty-plus year struggle to regain their homeland, how likely are they to give it up and assimilate into the surrounding countries because leaders they never freely elected signed away their struggle for somebody else's definition of peace? Noted author and authority on Palestinian refugees in Lebanon, Rosemary Sayigh, feels that "post-settlement assimilation of the refugees might raise harder problems than did their post-*Nakba* [1948 war] reception" (Sayigh, 2000. p. 3)

C. PALESTINIAN IDENTITY ORIENTATIONS

Using the set of identity orientations developed by Asaad Azzi and detailed in Chapter II, it is necessary to incorporate everything discussed to this point to determine the likely answers of the Palestinian populations to the simple "yes/no" questions proposed within his matrix. This is important to determine, as solutions to the refugee issue that call for resettlement and/or integration into states other than the PA or Israel

force states to deal very directly with populations that may choose to pursue any one of these four identities with obvious implications.

It has been stated previously that a key determinant of assimilation is the degree of individual expression and decision making that is acceptable in a given society. How individualistic is the Palestinian society? Where do the different refugee populations fit into the assimilation mold? Truthfully, it is hard to come by specific research into the level of individualism possessed by an ethnic group; as a result, much of the following short discussion is based on cultural assumptions and survey data. In general, corporatist social structures like those of the Palestinians have not traditionally put a high value on individual freedoms. Furthermore, within the typical family structure of the Palestinian extended family, or *hamula,* it would not normally be permissible to make a decision that went against the general wishes of the family. However, there are many exceptions to this in Palestinian society, as evidenced by the plethora of political parties and movements, which would seem to show a willingness of individual Palestinians to split from the group (CPRS, Poll #48. p. 3).[13] The generalization can be made that Palestinians, on average, Palestinians are not highly individualistic and would not be prone to a high level of assimilation, especially considering the nature of their dispossession. It is hard to imagine someone living apart from a host culture for 50 years as a refugee and then turning their back on the goal that sustained them by fully joining the larger culture.

[13] Data in this poll shows a wide variety of political parties and candidates supported across the spectrum of Palestinian society with no candidate or party having over 39% of the vote. This would seem to show a relatively high degree of political individualism, though it must be remembered that this data is for the West Bank and Gaza only.

In terms of Palestinian refugees, marginalization is the most likely outcome for those left to assimilate in Lebanon, as that country's government has stated very clearly that it has no place for them on a permanent basis (Sayigh, 2000. p. 3). Additionally, upon conclusion of a peace deal it can be assumed from past experiences that those former refugees sent abroad to work throughout the Middle East are likely to find themselves marginalized as third country nationals living in relative poverty.

The two remaining types of Group identity to affect Palestinians are integration and separation, which are likely to be the two dominant forms to be adopted in the wake of a peace settlement. Integration is most likely in large sectors of the non-camp Palestinian refugee populations in Syria and Jordan, as people resign themselves to the fact that return to Palestine is simply not possible.

Relations with the outgroups in those two countries have been positive on the whole, with the exception of the "Black September" events of 1970 in Jordan where the PLO was forcibly expelled. Since that time in Jordan, Palestinians have become the dominant economic group, and though they retain their Palestinian identity, they are well integrated into the larger Jordanian population (USCR/Jor, 2001. p. 1). Likewise in Syria, Palestinians are treated as citizens in all but name, and with the exception of some minor economic disadvantages, large portions of their populations are also already part of the greater Syrian economy. Thus in both Syria and Jordan, refugees living outside of the camps have managed to succeed in the greater culture, but in succeeding, they have set themselves apart from the outgroup by running the private sector in Jordan and attaining higher educational standards and lower birth rates than the host population in Syria. (Zureik, 1996. p. 34)

In the above section on integration, a distinction was maintained between those Palestinians living in the camps and those living on the outside in the host society for a reason. Whether a refugee has lived in the camps makes a very large difference in terms of who pursues separatist agendas. In his study of the refugees in the peace process, Peretz makes a major point about the strength of Palestinian consciousness within the camps, which is constantly reinforced by teachers, parents, and school administrators, many of whom have never been to Palestine. Militant attitudes prevail among the rapidly growing populations throughout the UNRWA camps, as each year a larger percentage of the population comes of age that has never known anything but the struggle of the Intifadas, whether seen in person in Ramallah or heard on the radio or TV in Beirut. This is reinforced on a regular basis by patriotic songs and slogans in camp schools flying the Palestinian flag, so that generations have come of age believing that it is their duty to struggle and free the homeland. (Peretz, 1993. p. 27)

Refugees raised in such an environment are not likely to desire assimilation or integration, but with the limited numbers expected to receive approval to return to Israel and Palestine, many will be told to try. At this point, large segments of the young Palestinian population of former refugees will likely look for ways to carry on the struggle that "their" leadership abandoned, without extensive outside assistance. The main question then becomes mobilization to collective action for those refugees living outside of the occupied territories.

D. INFLUENCE OF EFFICACY BELIEFS ON COLLECTIVE ACTION

Efficacy beliefs form the cornerstone of mobilizing populations, or significant portions thereof, to collective action. As has been discussed previously, in Palestinian

society there is a strong corporatist social structure, resulting in a weak belief in individual self-efficacy. This is again why assimilation would not be expected to occur on a large scale among the refugee population. However, the mere belief that it is not acceptable to head out on your own is not sufficient to cause collective action.

In the case of the Palestinian refugees, and indeed the larger Palestinian population, the strong cultural identity detailed in previous chapters plays directly into the requirements of group mobilization. In Chapter II it was discussed that collective and participatory self-efficacy beliefs play a crucial role in this process, as they minimize the fear that any particular Palestinian is going to be the only one in the street protesting. Furthermore, in any conflict, boundaries of one's community group are tightened and solidarity increases (Johnson, 1983. P. 93). As the conflict increases, the identity becomes stronger, which then brings about stronger conflict. This cycle of anger and violence is reinforced by the cultural indoctrination environment in the camps which Peretz describes, which is specifically tailored to bring about collective action, whether that action is to rebuild the community in historic Palestine or to defend its rights against the outgroup. In the Palestinian case, this cycle of violence reinforcing the cultural identity has been continually reinforced for over 50 years now.

The plight of the refugee populations and their suffering is shared collectively across the community, but it is embodied on a personal level as well as inside each camp resident. Take for instance the words of Izzat, a young Palestinian man befriended by Norwegian researcher Dag Lønning, during the fall of 1996:

> ...you know, you can't sit curled up like a baby with your arms over your head your entire life just taking humiliation after humiliation...There is no way I can accept not getting my state and my capital (Lønning, 1998. p. 177).

Clearly in this case, the young man had a strong sense of identity, believing in the Palestinian right to a state and a capital. He possesses a well-developed concept of discrimination by those outside his group and a belief that by his participating, perhaps those goals could be realized.

E. MOBILIZATION UNDER AN ISLAMIC BANNER

In the past there has never been much question as to who was calling the plays for the Palestinians; it was always pretty certain that Yasir Arafat and his Fatah party were responsible for it in some way. But since the start of the first Intifada in 1987 and continuing past the signing of the Oslo Accords, there has been a changing of the leadership role played by Fatah, and a greater legitimacy and impact by parties such as the Islamic Resistance Movement (Hamas) and Islamic Jihad.[14] While such parties are, like Fatah, committed to the removal of Israel from the Occupied Territories, they are more concerned with the full removal of Israel itself.. The following passage is taken from the charter of Hamas:

> The last hour would not come until the Muslims fight against the Jews and the Muslims would kill them, and until the Jews would hide themselves behind a stone or a tree and a stone or a tree would say: Muslim or servant of Allah, there is a Jew behind me; come and kill him. (Hamas charter, 1988. p. 13)

In the arena of Palestinian politics, it has always been the secular doctrine of the PLO and its dominant Fatah faction that have stood at the forefront of the struggle, yet over the years Islamic and secular terms have been so completely intertwined that they are commonly used today by both "secular" Muslims and Christian Palestinians (Johnson, 1983. P. 65).

That religion has never been far from the surface in the Palestinian conflict seems obvious, but until the first Intifada there were no real political parties or organizations with an expressed Islamist framework of political action in the Palestinian camp. Ironically, it was Israel that introduced the overtly Islamic parties to the front lines of the conflict by encouraging their opposition to the PLO and allowing them much greater latitude in demonstrations than the secularists were allowed under Arafat. By introducing a religious element into the territories that was also opposed to the PLO and its nationalists, the Israelis hoped to heighten their social control over Palestinian society by keeping it fragmented. (Robinson, 1997. p. 155) Instead they created a monster. Moreover, once it became an established part of the political landscape, Hamas reconciled its position in relation to the PLO by declaring that they were partners in the fight against Israel like "a son towards his father" (Hamas Charter, 1988. p. 34).

Before discussing the role of Hamas in more detail, it is crucial to understand the ideology of Islamist movements and what constitutes their appeal to the Palestinians. By way of comparison, it is instructive to note that throughout much of the world a very high percentage of intellectuals plant their political and ideological foundations in either Marxism or Islamic Fundamentalism (Fischer, 1982. p. 113). In this sense, a more accurate term than Islamic Fundamentalists for these groups, is that of "Islamist," which denotes someone that sees in Islam a political ideology as much as a religion, a sort of romanticized return to a mythologized method of governance unseen since the infant days of Islam where 'justice and equality prevailed.' The Islamists seek above all, a unity of religious, legal, and political spheres (Roy, Olivier, 1994. p. 13). They do not seek a

[14] For the sake of simplicity and in deference to their dominating role in the Islamist movement I will heretofore simply refer to either "Hamas" or the "Islamists."

Palestine with Muslims in it, but rather a Palestine that is Muslim to its very core, in its structure, in its governance and in its adherence to Shari'a alone.

Islamist movements worldwide are normally caused by little more than a reaction to a failure of the established order or the westernized systems of governance. It is a movement comprised primarily of three groups: An elite–comprised of businessmen and professionals (normally from the sciences); frustrated intellectuals or underemployed and unemployed college graduates; and a mass base of unemployed semi-educated youth. Usually, it is frustration arising from economic depravations and the feeling that the state has not followed through on its obligations to provide a job and a house commensurate with one's education and status, and overall frustration with the existing system that drives people to these movements. While this explains their historically high levels of education, some research suggests there is a trend towards a lowering of the education level which would be consistent with a broadening of their base of support among the less-educated youth as the "struggle" continues. (Richards, 1995. pp. 3-4)

If there were such a thing as an "average" Islamist, it would be a young person with some education, most likely unemployed or underemployed, who has likely just undergone a large life change such as moving to the city. As stated by Ayubi:

> Theirs is a case of proverbial sour grapes: they hate modernity because they cannot get it! The Islamists are angry not because the aeroplane has replaced the camel; they are angry because they cannot get on the aeroplane (Ayubi, 1991. p. 177)

It is important to understand the real meaning of that passage, as it highlights the point that the religious aspect of the Islamist movements is largely secondary. In an interview in the book *After Oslo*, one young Palestinian man who had always been non-religious, and who had established a long relationship with the researcher, demonstrated how easily

religion can step in and fill a void of hope in exactly the way the Islamists promise. When asked by the interviewer why he suddenly used Koranic verse to justify the Intifada, (not surprisingly, the same Koranic verse that the passage from the HAMAS charter above is based on) he replied:

> You're right, I am not religious, but I'm still Moslem, and I believe what is written in the Koran...The Arabs will unite, and once again become spiritually clean and militarily strong. God is just, and he will not sit and watch us being humiliated forever. (Lønning, 1998. p. 177)

It is not necessarily a return to the mosque or to prayer that consumes the Islamists, but a desire to change the system and end the perceived injustice or humiliation.

It should be easy to see by this point why movements such as Hamas represent a real draw to elements of the Palestinian population, particularly the refugees. Refugees frequently live in squalid housing. The people have just enough education to know that they want and deserve a better life, but not enough education to actually get it. They live in neighborhoods of high unemployment and crumbling infrastructure, with flat incomes and an ecologically deteriorating environment. They feel that the system has failed them:

> We have a little autonomous piece of land here, and a couple of other pieces there. We have no state, and if we ever get one, it will not be the one we fought for. Our leaders have become dictators, the democratic ideals of the Intifada are crushed. (Lønning, 1998. p. 173)

Capitalizing on these perceptions of regime failure, the Islamists have abilities that the PA does not have, with which it can mobilize support. As the social services of the PA or the host states cease to function or function at a poor level due to lack of funds or a change in government priorities, the Islamists quickly fill the void with health care, day care, and schools that are often much better than those offered by the state (Richards, 1995. p. 16). In the wake of the ongoing Al-Aqsa Intifada for instance, the Islamic

charity organization "Salah," believed to be tied to Hamas, distributes $5,000 to the spouse or parents of those killed in the fighting and $2,500 to the families of those that are wounded. This is in addition to 200,000 food baskets distributed by the same organization during the current troubles (Orme, 2001. p. 1).

By providing such vital services, not only does Hamas mobilize support for its political goals, it also serves to eliminate the free rider problem by being able to deliver concrete benefits to its supporters, thus ensuring their political activity by tying it to receipt of benefits. The states are left with very little with which to counter these moves, and again the popularity of the Islamists rises. In a poll in the occupied territories taken last year, 75% of those Palestinians queried believed that Hamas and the other Islamist movements should be included in any PA government. Approximately 20% reported that they primarily identified themselves with an Islamist party, compared with only 35% supporting Arafat's Fatah. (CPRS, Poll #48. p. 2) As Said stated, "The emergence of Hamas and Islamic Jihad are part of the continuing protest and should be understood as that" (Said, 1996. p. 156).

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VII. MAKING SENSE OF IT ALL

A. PUSHING PEACE

The story of the modern Palestinian people is not a simple one. While some have been able to find success in the Arab world and beyond, many have lived in squalor, in the West Bank and Gaza Strip under military occupation, or both. They have been the subject of many speeches and resolutions by the international community, and have looked to their Arab brethren for assistance in bringing about their return to Palestine–to little avail. Across much of the world, beyond simply the Middle East, they truly have become "Uthmān's shirt." A fine symbol to be waved around when you want recognition for your case and provide legitimacy to actions, but deep down little more than that—a torn-up bloody shirt displayed when it is politically useful.

After years of hope and struggle, their fate may soon be signed away by a small group of men, devoid of legal background and experience, who have lived outside of the camps and the occupied territories for much of their lives, and whom the people did not elect. In a poll taken immediately after the announcement of the agreement, 81.2% of the people polled felt that they should have been consulted about the content of the agreement, but that did not happen (CPRS Poll #1, 1994. p. 3). Today, the PLO conducts further negotiations on the people's behalf with little regard for the refugees in the Diaspora, and Israel refuses to even include the refugee issue in official negotiations.

American presence in the Oslo Peace Process, while absent at the moment of creation, became a central focus of the Clinton administration as the talks evolved. But without the inclusion of the Palestinian refugees as part of a just and reasonable solution, the United States will have omitted a most critical part of the Palestinian population.

As demonstrated in this paper, the Palestinians have a very strong and well-developed sense of identity, formed and sustained through years of destitution and dispossession in the schools, songs, and symbols of their camps and communities. They are not likely to "forget" that they are Palestinian or what that means because of a peace deal that does not address their rightful concerns as defined by the United Nations.

The Palestinian refugee population has a proven record of being able and willing to organize and fight to defend its interests in the political and military arenas. Following a peace deal, that population will still exist, as will the wrongs committed against them. More importantly, these wrongs are not the idle claims of radical elements of an unhappy ethnic group; rather, they are the established rights of the Palestinians as defined by the international community that told the refugees that they had been wronged and that their grievances were legitimate. Telling refugees 50 years later that their sustaining and defining beliefs were unreasonable is sure to open a Pandora's box, regardless of the nationality of the men signing the rights away.

The majority of the Palestinian population has never known "Palestine" and has come of age since the first Intifada knowing nothing of peace. Many feel humiliated and abandoned by the governments of the PA and the other Arab nations that are their supposed protectors.[15] The governments of the West and of the East have failed them, and the system that is in place in the PA is not working. Should there be any surprise that they find broad appeal in the social services and promises of deliverance of the Islamists? In many camps and neighborhoods the Islamists provide the greatest prospects for hope,

[15] In 2000, 71% of the population in the PA felt that their government was corrupt, and 59% believed the worst corruption is yet to come (CPRS Poll #48c, 2000, p. 3).

and they seem to be able to deliver on their words. Most importantly, they promise what the Palestinians desire most–simple justice. If it happens to be dressed in Islamist garb, then so be it.

What would this continuing struggle look like? It would likely have much stronger Islamist and neofundamentalist tones than the current secular nationalist parties involved and would be younger, less educated, and likely more militant. This stands to reason, as the nationalist path that that they have followed for over 30 years has provided little improvement in their lives. Their anger would be directed against the West for its role in the original and subsequent dispossessions as well as the longevity (and legitimization) of the Diaspora; against the Arab nations for their lack of support and use of the Palestinians for political gain; and finally, against the Palestinian Authority itself for surrendering the struggle.

In short, the refugee communities that would be left abroad to assimilate, forcefully relocated to third countries, or left in the West Bank/Gaza without compensation for their hardships, are likely to become prime sites from which to continue the struggle against their dispossession. Regardless of the agreement made by Israel and the PA regarding the final status of the refugees, the right of an individual to press his claim in court cannot be denied. This is because the right of repatriation and compensation is an individual human right, and a State possesses the ability to relinquish only "collective rights for which it is responsible" (Rempel, 1999. p. 41). Because of this, a bilateral agreement between Israel and the PA cannot extinguish an individual's right to settle his claim if the agreement between the two states is inadequate. It could

therefore be expected that the countries accepting Palestinians refugees would also be accepting potentially destabilizing political activism within their borders.

B. UNITED STATES POLICY IMPLICATIONS

It is naïve to expect the words and deeds of the world's sole superpower to reflect each other perfectly at all times, as the realities of hegemony often call into conflict the notions of idealism and pragmatism. It would appear that much of the World is in fact naïve, and the image of the United States is suffering as a result. Our oft-proclaimed platform of human rights, rule of law, and respect for self-determination has its roots in Wilsonian idealism. While the United States has fought to uphold these tenets in places such as Kosovo, Bosnia, and Haiti, they do not appear, in the eyes of much of the world, to apply to Arabs, especially not when a major U.S. client state is involved.

"Wilsonian Idealism" with its notions of respect for international law, self-determination, and democracy, has become a prime American export. Perhaps it has taken hold too well, for the observers outside of the American body politic expect it to uniformly define the very way in which we conduct our dealings with all other nations. When this is seen to not be the reality, we are viewed as hypocrites and betrayers of various causes. Because of the Arab perception that the United States turns a blind eye to Israeli transgressions of international laws and treaties, our relations with the people, not necessarily the governments, of the Middle East has suffered greatly. Through our support, we become the great co-conspirators in every "Zionist" plot in the eyes of much of the Middle East.

Complicating the matter further in this case is the fact that observers easily perceive non-involvement of the United States in the negotiations as favoring Israel.

Because of the overwhelming strength of Israel, and the dominating nature of the economic and security relationships between the two parties, Palestinians are at an immediate disadvantage in bilateral negotiations. To be sure, the system of governance and administration that is in place in the PA currently is not the one envisioned by the United States or the PLO when the Declaration of Principles was signed, but we now must deal with the results of our shortsightedness. Continuing to postpone the issue of refugee resolution until final status negotiations is a recipe for further conflict. Many Palestinians already see the negotiations to this point as the final act in their dispossession (Said, 1996. p. 4).

Current solutions that call for the either/or approach to the right of return and compensation debate, the actual increase of Palestinians in the Diaspora (Table 4), and the decrease of Arabs in the West Bank and Gaza, are misguided. It is unrealistic to expect the Palestinians to settle for a small number of returnees to Palestine while most of them are absorbed into their host countries or once again forcibly resettled in third party states. Only strong support for legitimate[16] Palestinian concerns together with appropriate pressures on the Israeli government can hope to bring about lasting peace to the region. It is often said that the maximum Israel is willing to give does not meet the minimum the Palestinians are willing to accept. This must be understood as a factor of Israeli domestic politics. No Israeli Prime Minister can make the changes necessary to bring about real peace without paying for it dearly as Yitzhak Rabin found out in 1995.

This is one area where the interests of the United States and Israel clearly diverge. For most of the 20th century the United States was looked upon by the rest of the world as a champion of human rights, yet due largely to our perceived hypocrisy in regards to

Israel, for the first time in the history of the United Nations, America today does not hold a seat on the UN Human Rights commission (NYT, 5/4/01. p. 1). A continued stance of blind allegiance to Israel in the face of strong human rights condemnation by the rest of the world threatens our position of global leadership on anything but military and economic levels.

The United States must put pressure on the Israeli government to make the needed concessions in regards to refugees, if for nothing else, to give the Government of Israel the ability to say that they were forced to give in by the United States and that they had no other choice. If done correctly, without sacrificing the special relationship between the United States and Israel, such action could conceivably be enough to resolve the conflict for all parties.

That a large number of settlements would have to be abandoned seems to be a near certainty, and the system of interconnecting roads bisecting the Palestinian areas would have to largely disappear. As for refugee absorption, Israel has made plans on several occasions to absorb enormous numbers of Jewish settlers into the same territories the Palestinians are told cannot support their populations. It can be done with United States support. Not only would such actions bring an end to a long-standing conflict, they would do so while at the same time easing the leadership burden on regional allies whose populations would be robbed of their perennial demands for tougher action against Israel in the name of the Palestinians. For a modest cost domestically, the American government could improve the regional security situation throughout the Middle East and avoid the near certainty of continued conflict arising from the hasty conclusion of a peace deal.

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[16] As defined by United Nations resolutions and international treaties germane to the conflict.

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