

THE NEVER-ENDING PALESTINE TRAGEDY

Refugees from the 1948 War Have Remained Resilient and Steadfast:
Giving Them Justice Is an Essential Requirement for Middle East Peace.

By Karen Koning AbuZayd

As a consequence of the 1948 Arab-Israeli conflict, 750,000 Palestinians were forced to flee Mandate Palestine, leaving behind their homes, their property, and their land. Many expected to return within weeks. The events and the exodus came to be known among Palestinians as the *Nakba* or Catastrophe. Today, sixty-five years later, five and a half million Palestine¹ refugees remain in the neighboring countries of Jordan, Syria, and Lebanon and the occupied State of Palestine.² They are assisted by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), whose 30,000 refugee staff run its primary education, primary health care, social services, and micro-enterprise programs.³ Another estimated five million refugees reside in the wider diaspora. None accept that that they are not entitled to the “right of return and/or compensation,” as guaranteed to them by United Nations General Assembly Resolution 194 adopted on December 11, 1948.⁴

Refugee law and practice, which applies to refugees all around the world, sets forth three ‘durable solutions’: repatriation (the first choice of refugees and usually of both the asylum country and the country of origin); integration in the country of asylum (offered by only a few host countries); or resettlement to a third country (available to a small number of refugees each year). Each refugee must make a voluntary choice among these three solutions. The first two solutions become viable only when the root cause of the original flight is resolved in a manner acceptable to the refugees, the host country, and the country of origin. The United Nations High Commissioner for Refugees (UNHCR) frequently facilitates this agreement process.

Applying these practices to Palestine refugees reveals an obvious dilemma. For more than six decades, Palestinians have watched Israel whittle away the land which was once home. Israel enjoys the support of major powers that tolerate and sometimes promote the takeover of

▷ Palestine refugees
fleeing Haifa, May 1, 1948.
*John Phillips/Time-Life
Pictures/Getty Images*



Palestinian territory, itself already reduced by 78 percent in the aftermath of the *Nakba*. The influx of a population believing that they have a biblical right to what had been Palestine meant that the ‘country of origin,’ to which the refugees demand the right to return, had no interest in, and in fact was strongly averse to, allowing that return. The durable solution of choice is unavailable to Palestine refugees, given that more and more of their former homeland is being taken over by Israelis. Their ‘country of origin’ is no longer ‘theirs,’ since it is populated by a people and run by a government who see them as a threat and are firmly—and actively—opposed to their ‘right of return.’

The shrinking of Mandate Palestine over time was accelerated after the 1967 Arab-Israeli war, when the territory of the West Bank and Gaza Strip became occupied by Israel. The pace accelerated further still following the (infamous) 1993 Declaration of Principles on Interim Self-Government Arrangements, and the 1995 Interim Agreement on the West Bank and the Gaza Strip, more commonly known as the Oslo accords. This divided the West Bank territory⁵ of the occupied Palestinian lands into three parts: Area A, under Palestinian control, would cover 3 percent of the territory, subsequently increased to 18 percent; Area B, under joint Palestinian and Israeli control originally 21 percent, later 25 percent; and Area C, under full Israeli control, originally 72 percent, reduced to 61 percent. Jerusalem was relegated to further negotiations (along with refugees, settlements, agreed borders, security, and other contentious “final status” issues). Today, there are 300,000 Israeli settlers among 2.5 million Palestinians in the West Bank,⁶ mainly in Area C,⁷ and another 200,000 in East Jerusalem.⁸ Settler-only roads, security zones and restricted military zones protect the Israelis, leaving the Palestinians living in a series of enclaves disconnected by onerous, and unfriendly checkpoints, fences, and walls controlled by the Israel Defense Forces (IDF).

Twenty years after the first Oslo agreement proposed a step-by-step handover of the West Bank to the Palestinians, only 21 percent of the territory is under any semblance of Palestinian sovereignty. It remains closely monitored and often violated by the misleadingly titled Israeli Civil Administration, under the IDF’s Coordinator of Government Activities in the Territories.

What are the prospects for Palestinians, and more specifically, for Palestine refugees? What of the 1.2 million refugees among the 1.6 million Gazans, the two million in Jordan, the 450,000 in Lebanon, and the 500,000 who have not yet fled war-torn Syria?⁹ The majority of refugees are self-reliant. Only one-third live in the fifty-eight UNRWA ‘camps’ (usually urban neighborhoods in existing towns) and only 6 percent are considered vulnerable and benefit from social services.¹⁰ Still, the dream of returning ‘home’ and the related wish to control their own destinies in a genuinely independent Palestinian state are ever present in the minds and hearts

of refugees of all ages. While subscribing to this common determination, however, Palestine refugees get on with their lives, in many ways influenced by the different locations in which they are hosted.

Refugee Geography

The 1948 refugees in Jordan enjoy most of the benefits of citizenship—passports, employment in all but some sensitive security jobs, property ownership, health, education, and other state services. Refugees from the 1967 war (and thereafter, including the thousands of recent arrivals from Syria, now twice displaced) are not accorded the same privileges and are known as the Gazan or Jerash refugees (the latter term associated with the Jordanian camp where 24,000 Palestinians from Gaza live.) This group depends heavily on UNRWA services.

Refugees in Lebanon fare less well, given the sectarian nature and political organization of the country and the contribution, either actual or feared, Palestinians may make (or have made) to demographic and other conflicts, past and present. Unlike in the other host nations, some of the camps in Lebanon are tightly controlled by the Lebanese army. Palestinians cannot own land, property, or businesses and cannot get work permits for other than manual labor. Students find difficulty continuing their education beyond UNRWA's elementary schools.

In many ways, Syria has been the 'best' place to be hosted as a Palestine refugee. Refugees were treated as 'brothers and sisters'. Although not given nationality (or passports), they enjoyed most other privileges of citizens. They were not discriminated against in employment, education, or property ownership and often participated fully in the social and political life of the country.

For the first eighteen months of the current internal conflict in Syria, they managed to maintain neutrality that left them mostly unaffected by the violence, especially those in the large Yarmouk camp that houses 150,000 refugees on the periphery of Damascus. Eventually, what has become a non-international armed conflict (or civil war) began to intrude on the camp by the warring parties, as fighters and others took refuge in the camp, which then became a target for shelling and air strikes.¹¹ Statements supporting the Syrian opposition by Palestinian officials (representing the main Fatah and Hamas parties) were not well received by the government and some refugees themselves began to take sides in the struggle. Thousands of refugees affected by attacks on the camps or the towns and villages where they lived have now sought refuge in Jordan and Lebanon along with tens of thousands of Syrian refugees in each country. These numbers continue to grow, creating a humanitarian emergency and prompting worries about destabilizing the neighborhood more generally. In such an atmosphere, the Palestinians from Syria face additional difficulties in crossing these borders.

Difficulties for Palestine refugees in the occupied Palestinian territory (the West Bank and Gaza) are compounded by the Israeli occupation, including an exercise of complete control in and out of the territory as well as wherever settlements, military installations and security roads are present inside the West Bank.¹² The West Bank, although highly aid dependent, has managed at least to establish a growing economy and to function under a Palestinian National Authority.¹³ The Authority's efforts at legitimization were arguably rewarded in November 2012 when Palestine achieved United Nations recognition as a non-member observer state, since December known officially as the State of Palestine.

Gaza's suffering as a result of seven years of blockade is well known. Movement of both people and goods is minutely presided over by the Israeli Civil Administration. The refugees in the West Bank and Gaza are full participants in the Palestinian polity, but suffer along with all others from living under occupation—the stifling and humiliating characteristics of which are difficult to convey unless experienced firsthand.

Adding to the vagaries of living and growing apart for more than six decades there is more recently the serious rift between the West Bank and Gaza in terms of the party politics of Fatah and Hamas, with each controlling a separate government although trying repeatedly to reconcile and unify. Bringing the leaders and supporters of the two groups together is a necessary condition for holding national elections and being able to resume negotiations on the long dormant 'peace process.' Internal strife is driven by opposing approaches to basic issues such as a secular state versus one based on Shari'a law and the methods for confronting or relating to the occupying power, as well as by plain old power politics. Such serious differences have been one of the excuses for external parties to retreat, at best, into a benign neglect of the Palestinian struggle for independence and justice. The divisions also allow, even justify, the unchallenged power of those, as in all conflicts, who benefit from the status quo. 'Muddling on' suits some stakeholders who fear losing power, position, or resources should there be a significant move toward resolving the conflict.

A Complimentary Narrative

Is there a way for Palestine refugees to escape their plight? Can new, different, better directions be devised or leaders found to engage in serious talks instead of endless, pointless, one-sided, make-believe 'negotiations'? When will discussions begin that offer justice to Palestinians, including an economically and politically viable state with its capital in Jerusalem; fair, secure, and contiguous borders; and a solution to refugee exile acceptable to Palestinians and their hosts alike? Why is international law not referenced and not brought to bear on vital issues such as the illegal settlements and human rights violations that are condemned when they occur in other parts of the world?

There are few grounds for optimism and many reasons for frustration and fury at the persistent injustice. These emotions are also felt by many non-Palestinians who live and work among Palestine refugees with UNRWA and other organizations, especially those based in Gaza. My own presence there from 2000–10 and during the past three years of observing the region from both near and far, however, prompt me to share an additional, contrasting narrative.

My dry and depressing sketch of the Palestine refugee condition (and that of Palestinians more generally) is a political description of what Palestinians have endured over the past sixty-five years. It is intended as a partial summary of some of the ‘facts on the ground’ that are widely covered by analysts, academics, and journalists, some appreciative of the grievances borne by the Palestinians, others nuanced or skeptical about who is to blame. In any case, this rendering reflects what I observed myself, and heard repeatedly from Palestinian interlocutors.

It was there and then, while watching conditions deteriorate day by day, that I learned to appreciate the character, capabilities, and achievements of the Palestinians, refugee and non-refugee alike. While dealing with the setbacks of their recent history, Palestinians continue to believe in the future they have so long desired and deserved, and they are determined to carry on the struggle to achieve their rights. Those who believe in, and advocate adhering to international law, and who are, therefore, on the side of justice, freedom, and equality (as well as the thirty rights listed in the Universal Declaration of Human Rights, none of which is enjoyed by Palestine refugees), should also be willing and ready to support and help them work toward that future.¹⁴

Despite the grim rendition of obstacles and prospects that might discourage the hardiest of human beings, Palestine refugees, like so many other refugees facing oppression and deprivation, refuse to give up on their attempts to improve their immediate circumstances. And in this, they excel.

Steadfastness and resilience, two adjectives often used to describe Palestine refugees, are qualities that serve them well in their environment. While never losing sight of their political goals, they make every effort to live their lives as normally as possible. From the blockaded Gazans to the threatened population in Syria, five million Palestine refugees face their surroundings with strength, creativity, adaptability—and good nature. They are quite capable of voicing their complaints—and they do so often and vociferously—yet at the same time they get on with what life offers them.

Rarely is such widespread and fulsome generosity, hospitality, and sharing of available resources, however meager, on offer to strangers elsewhere, or the willingness to exchange thoughts and feelings to help outsiders understand their longings, their hopes, and their predicaments.

Also exceptional is the constant pushing back against impediments that appear in a new and more burdensome form each time the last one is overcome. When there is no vehicle fuel, sesame oil will do. When entry is blocked for everyday essentials, tunnels are dug. When year after year UN resolutions are blocked in the Security Council, move on to the General Assembly. If property ownership is denied, establish a partnership with a local citizen. Unfairly imprisoned by the occupying power? Go on hunger strike. Movement of goods complicated by rules, roadblocks, fences, and walls? Create your own internal self-sufficiency. Your land taken over by settlers and used for exports? Start a peaceful boycott, divestment, and sanctions movement. Too little land left for the two-state solution? Advocate living together in one, pluralistic, democratic state. Bombing of your tiny, fourteen-by-twenty-six kilometer strip of undefended land by the neighbor's well-armed, sophisticated army? Show the world the devastation, show that you have survived and become stronger, shake your fist, and rebuild.¹⁵

Prizes and Pride

Examples are many of Palestinian ingenuity in addressing a gamut of issues from small inconveniences to the most consequential political proposals. It is enlightening to cite the non-violent means Palestinians have chosen to confront the constant undermining of their everyday lives. Quite simply, the majority of refugees use peaceful resistance to fight the denial of their rights in contrast to what captures the headlines, namely, the periodic eruptions of violent resistance when provocations become too much to bear. There are many more illustrations on the 'human' side of how Palestinians interact within their families, with their neighbors, and with the wider world.

One of their main preoccupations is to ensure a brighter future for their children. Therefore, crucial attention is given to education. Parents and children alike thirst for learning and opportunities to advance their knowledge and abilities. Proof abounds of refugee children excelling in nationwide exams in each of the countries hosting them, despite a comparative lack of resources and poorer living conditions. Last January, a fourteen-year-old student, Areej El Madhoun, from Jabalia camp in Gaza, won first prize among 2,500 contestants from ten countries in the Intelligent Mental-Arithmetic Competition, held in Malaysia every two years. Four other young Palestinians received awards in the competition.¹⁶ Three Gaza female students participating in an UNRWA after-school program, Yara, 14, Nadeen, 13, and Rahaf, 11, gained places on the Palestine National and Olympic chess teams. Yara was the youngest participant in the 2012 World Chess Olympiad in Turkey, and Rahaf won first prize in an Arab World Chess Competition in Yemen, also in 2012.¹⁷

One of my early experiences in Gaza was accepting an invitation to attend the 'virtual' graduation of Gaza engineering students from the West Bank's Birzeit University

in 2001. Virtual, as there were no travel permissions granted for families to witness the graduation in person.¹⁸ The viewing auditorium was packed with whole families, from grandparents to infants. All the graduates and their family members were given a chance to take the microphone to speak. The room was awash in tears as, in that pre-Skype and Facetime era, none had seen each other for at least a year. Every person, young and old, in Gaza not only congratulated the graduate, but also wished that she or he would go on to get a master's degree and a doctorate.¹⁹

In Syria today, displaced refugee medical staff are doing their utmost to keep twenty-three UNRWA clinics working, serving not only refugees, but also many other displaced persons in need of care. Two displaced nurses are caring for 1,500 displaced Syrians who have taken refuge in UNRWA's Damascus Training Centre. A Palestinian midwife from the Khan Eshieh refugee camp received a midnight call in January this year to help deliver the baby of a Syrian woman who had taken refuge from fighting in Daraya (a strategic suburb of Damascus) in a camp shelter housing fifteen people. Fadia, the midwife, managed to deliver a healthy baby boy by candlelight—the electricity had gone out, and kerosene for the only lamp ran out as well.²⁰

In 2011, engineering students from UNRWA's Khan Younis Training Centre overcame enormous odds and obstacles imposed by the Israeli Civil Administration to enter a European technical universities' competition to build a single-seat race car to be judged at the Silverstone Circuit in the United Kingdom. Their business plan won third prize and their financial report took ninth prize. And this despite the fact the blockade on Gaza prevented specialty parts arriving from Italy, meaning they lost points on their design and specification report. Their car had to be built using old-fashioned tools from parts salvaged from old cars and machinery. Those running the competition called the work of the Gaza students 'remarkable' and 'inspirational.'²¹

These are but a few anecdotes to demonstrate achievements based on the values, abilities, creativity, generosity, and bravery of the Palestinian people and the refugees among them. They are examples of the strength of Palestinian determination and resilience. These traits move them to overcome past and present hurdles to excel in extraordinary ways.

Possibilities appear less bleak when one takes account of how innovative both young and old Palestinians are, how much they crave learning about the outside world, how they yearn for freedom—of movement and of thought, and for a future that does not circumscribe them physically or mentally. One of the most hopeful signs today is the current (though long planned) campaign for inclusive elections to the Palestinian National Council.²² Palestinian refugee communities all over the world are demanding to participate in the national elections now being planned—with the aim

of realizing their dreams of return, liberation, and national independence, and a viable, unified, and independent state.

If the international community or individual states and groups garner the political will to begin or continue to engage with the Palestinian-Israeli conflict by addressing the root cause, they must acknowledge and respond to the much battered but still healthy humanity of the Palestinians and their just demands. There is a pressing need to restore a long-lost balance by giving equal credit and respect to the positions of both parties to this conflict.

Equally essential is for those who presume to address the Middle East ‘peace process,’ both internally and externally, to consult the largest Palestinian constituency—the refugees. Only if the refugees are involved in planning for the future will there be a chance to move beyond claims and counter claims, recriminations and blame, and references to competing histories and definitions, to resolve this too-long, too-noxious conflict in a way that will be accepted by all sides. The welcome consequence will be to eliminate perhaps the key factor affecting stability in the region, and beyond.

-
- 1 ‘Palestine’ is the designation for refugees from the 1948 exodus, as there were ‘nationalities’ other than Palestinian who also fled.
 - 2 The United Nations General Assembly voted overwhelmingly to declare Palestine a ‘Non-member Observer State’ in November 2012. In response to a request from President Abbas, the UN recognized the ‘State of Palestine’ in December. Still, the state lacks many of the usual components attributed to an independent state, *inter alia*, sovereignty over a defined territory with secure borders, an economy where foreign and domestic trade is regulated, and a single national government.
 - 3 As a ‘works’ agency, UNRWA implements its programs through its own 30,000 refugee teachers, health workers, administrators, and other experts, with a minimum complement of around 150 international staff.
 - 4 Article 11 of Resolution 194 reads in part, ‘*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 of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible; *Instructs* the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation...’
 - 5 ‘Territory’ in the singular is the official/UN designation for West Bank and Gaza.
 - 6 730,000 of these 2.5 million are refugees; 212,000 are in camps.
 - 7 There are 150,000 Palestinian Bedouin facing constant harassment from the settlers.

- 8 Among 225,000 Palestinians, 50,000 of them refugees.
- 9 By mid-February, approximately 20,000 Palestine refugees had fled Syria to Lebanon with another 4,000 to Jordan.
- 10 The camp population in Jordan is 360,000 (10 camps); in Lebanon 234,000 (12 camps); in Syria 486,000 (9 camps); in the West Bank 212,000 (19 camps) and in Gaza 530,000 (8 camps). UNRWA statistics, 2012.
- 11 Thirty Palestine refugees were killed in the first week of February alone.
- 12 Despite the newly acquired State designation, since 1967 the territory of the West Bank and Gaza has been continually ‘occupied’ (not ‘disputed’ as some would have it), since movement through land, air, and sea borders is controlled by a ‘hostile’ army, which also asserts precedence in security matters. Additionally, many normal state functions, such as the collection of import duties, are carried out by the Israeli government ‘on behalf of’ the Palestinian entity.
- 13 Termed the Palestinian Authority by the UN.
- 14 Promulgated on December 10, 1948, the day before UNGA Resolution 194 was passed.
- 15 Rebuilding houses, factories, farms, and government buildings damaged or destroyed during the 2008 to 2009 and the 2010 Israeli military operations in Gaza has barely begun, given the restrictions placed on the entry of building materials.
- 16 See <http://www.unrwa.org/etemplate.php?id=1592> (January 14, 2013)
- 17 United Nations Relief and Works Agency for Palestine Refugees in the Near East Press Releases, *Lebanese minister tours refugee camp, discusses cooperation with UNRWA*, <http://www.unrwa.org/etemplate.php?id=1229> (January 24, 2012).
- 18 It is difficult (usually impossible) for most Gaza students to get permission from the Israeli authorities to leave Gaza to take up places in West Bank institutions—or any other universities outside Gaza.
- 19 Since university graduates in Gaza often cannot find employment, many do go on to get advanced degrees (after which they still may find no jobs). The number of PhD holders per capita in Gaza surpasses that of most countries.
- 20 See <http://www.unrwa.org/etemplate.php?id=1599> (January 18, 2013); <http://www.unrwa.org/etemplate.php?id=1610> (January 31, 2013)
- 21 Stuart Littlewood, *Bring Gaza Race-car Students in from the Cold*, *The Palestine Chronicle*, <http://palestinechronicle.com/bring-gaza-race-car-students-in-from-the-cold/#.UWwD-cpvKis> (June 5, 2012).
- 22 Success in this campaign would contribute to Palestinian unity and the reform and revival of the Palestine Liberation Organization (PLO).