

BEING A REFUGEE: HUMANITARIANISM AND THE PALESTINIAN EXPERIENCE

by Ilana Feldman



"Someone put a piece of cheese in my pocket and sweets in the other pocket . . . At that time, I felt myself as a strange beggar. I was 12 years old and I was crying. . . The people there brought food to us like beggars. . . Can you imagine how a man who lived in a great city such as Yaffa and then came to live in a tent and had nothing would feel? . . . It was humiliation and misery of the most horrible kind . . . We lost everything, and we had never imagined we would experience such conditions."

[Daoud Ahmed, retired civil servant in Gaza, describing in 1999 his experience as a displaced Palestinian refugee in 1948 and his consternation and sense of degradation when, as a person used to caring for himself, he first received food aid. Both displacement and the humanitarian response to it have profound and long-lasting effects on the people who go through this experience.]

In 1948 approximately 750,000 Palestinians were displaced from their homes during the first Arab-Israeli war. Today, several generations later, there are 4.6 million Palestinian refugees registered with the United Nations Relief and Works Agency for Palestinian Refugees [UNRWA], the agency charged with providing assistance to Palestinians across the Middle East. The original refugees, displaced by war and its aftermath, traveled both to neighboring countries such as Jordan, Syria, and Lebanon, and to the parts of Mandate Palestine that became the West Bank and the Gaza Strip. The conditions in which these refugees live differ dramatically, depending on the laws that regulate possibilities for refugees (Lebanon is particularly restrictive), as well as the countries' political conditions (Iraq is a prime example of how changes in political circumstances can dramatically affect the Palestinian refugees' status). Yet, despite the different conditions and the length of time since the 1948 displacement, there is an undeniable feeling of community among this dispersed Palestinian population.

As an anthropologist, I am studying how communities and individuals create and maintain both identity and a sense of community in these conditions. A number of factors—social practices, family ties, religious convictions, and political organizing—have shaped the Palestinian community-in-exile. Humanitarianism also has shaped the Palestinians' sense of themselves and their community. Humanitarianism refers both to the provision of relief aid (food, clothing, housing, medical care, and education) and to the institutional mechanisms that make such delivery possible (administrative structures, ration card systems,

population categories, and international legal systems).

From the first months after the 1948 war, humanitarian agencies made decisions that have had long-term impacts on Palestinian society such as deciding who counted as a refugee and who did not, who got aid and who did not, how eligibility for refugee registration was passed down through generations, and what sorts of records were used to track people's status. At the same time, both the material artifacts of humanitarianism (rations and ration cards, tents, and clothing) and its discursive elements (the language of victims and compassion) provided tools through which Palestinians have sought to engage politically and to exert some influence over their lives.

The longevity of the Palestinian relief regime is distinctive, but the forms of humanitarian aid that this refugee population has received have been fairly typical and have influenced humanitarian practice in general during the post-World War II era. It is precisely because of the unusual length of their experience living within a humanitarian order that Palestinians offer an excellent window into understanding humanitarian practice over the past sixty years.

This paper focuses on one aspect of the Palestinian experience: the condition of being a refugee. There is no simple answer to the question: what is a refugee? A refugee is, variously, a legal/institutional category, an affective experience of displacement and loss, and a discursive creation. Understanding the refugee experience requires attention to each of these three facets.

Refugee Law and Humanitarian Institutions

Displacement—the loss of home—is not a new feature of human experience. The existence of an internationally recognized category of persons called “refugees” and the international institutions that provide aid and protection for them are more recent phenomena. The first efforts to develop an international refugee regime occurred during the period between the two world wars when the League of Nations (precursor to the United Nations) established an office of High Commissioner for Refugees and issued travel documents known as “Nansen passports” (named after the first High Commissioner for Refugees who created them). During this period, refugee conventions were established to respond to particular displacements: Russians fleeing the aftermath of their country’s revolution, Armenian survivors of Turkish massacres, and other displaced European minority communities. Agreements extending protections to displaced persons defined refugees as a group of persons, specifically an ethnic group. To gain access to protections, an individual needed to prove that he or she was a member of a specific group. In this inter-war period, refugees became a subject of international concern, but there was not yet a universal definition of a refugee.

In the aftermath of World War II, and in the framework of the new United Nations, efforts were made to develop a more general definition of a refugee. These efforts culminated in the 1951 Convention on the Status of Refugees. This Convention defined a refugee *as a person who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.*

Despite the move from particular to general in refugee law, the Convention was, in fact, far from universal. Faced with the threat of limitless obligations to accept displaced persons, the drafters developed clearly specified parameters for acquiring refugee status (persecution on the basis of race, religion, nationality, membership in a particular social group) and limited the Convention’s applica-



Palestinian refugees. Photo courtesy American Friends Service Committee [AFSC] Archives.

bility to those who left their countries “as a result of events occurring before 1 January 1951,” with individual signatories given the option of interpreting that clause to be limited to events in Europe or to include events elsewhere. It was not until the convention was amended in 1967 that temporal and geographic restrictions were removed. Even if the 1951 Convention was not immediately universal, it did mark a shift from identifying refugees as members of groups to identifying refugees as individuals (even if the cause of their persecution was their membership in a group).

The office of the United Nations High Commissioner for Refugees (the successor to the League of Nations’ office) is charged with responding to refugee crises worldwide. In many countries it adjudicates whether persons qualify for refugee status under the terms of the refugee conventions, though some countries, such as the United States, manage the adjudication process themselves. The UNHCR mission includes protection and assistance. Protection entails advocacy on behalf of displaced persons, working with states to strengthen laws on asylum and refugee status, and training for persons and institutions charged with these tasks. Assistance involves both emergency aid and longer-term projects such as infrastructure support and income generation (www.unhcr.org).

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The Palestinian Refugees

Aid to Palestinians displaced in 1948 was shaped by the same principles that defined the new international refugee regime, particularly the crucial distinction between “refugee” and “citizen” that underpinned aid delivery. But it is important to note that Palestinians have an awkward place in this regime. After protracted discussions about the importance of acknowledging special UN responsibility for the Palestinian refugee problem, as well as concerns about extending the convention beyond European populations, the 1951 Convention “temporarily” excluded Palestinian refugees. They did not come under the authority or protection of the UNHCR, but rather received aid from the separate United Nations Relief and Works Agency for Palestine Refugees in the Near East [UNRWA], which was established in 1950 (www.unrwa.org). To the extent that Palestinians receive legal protection, and it is a very limited extent, this protection is derived from UN resolution 194 and its demand for a resolution of the Palestinian refugee condition.

Furthermore, there is no legal definition of a Palestinian refugee, just the working definition formalized by UNRWA in 1952 to determine eligibility for relief. The definition states that: “A Palestine refugee is a person whose normal residence was Palestine for a minimum of two years preceding the outbreak of the conflict in 1948 and who, as a result of this conflict, has lost both his home and his means of livelihood.” This definition of eligibility for relief does not, and was not intended to, cover all those who were displaced from their homes and who might qualify for return. It did not, for instance, include those persons who either left the area of UNRWA operations or who were not in need. Rather, it was an instrumental definition, intended to assist UNRWA in responding to the enormous humanitarian crisis among displaced Palestinians. In the absence of anything else though, it has served *de facto* to define Palestinian refugee status. The longevity of what might seem like a stopgap measure is a common feature of the Palestinian experience.

When UNRWA and the UNHCR were established and their respective jurisdictions defined, there was nowhere near the number of international humanitarian organizations as there are today. The International Committee for the Red Cross [ICRC] has existed since 1863, but the pro-

liferation in Non-Governmental Organizations [NGOs] that are part of what is often called the “new humanitarianism” (to distinguish its practice from the old humanitarianism of the ICRC) is a product of the latter part of the twentieth-century. These organizations, of which Doctors Without Borders is arguably the most prominent, do not have the same jurisdictional constraints as UN-affiliated bodies. So, while refugee law and UN institutions may distinguish Palestinians from other refugees and populations in need, these new humanitarian organizations need not. Indeed, one finds a vast array of these organizations at work with Palestinians, particularly in the West Bank, but also in other places where Palestinians live.

The experience of being a Palestinian refugee in relation to international legal systems and institutions has been one of both inclusion and exclusion. It has been at once distinctive, even exceptional, and exemplary. There is, of course, no such thing as a generic refugee – no single experience that can stand for all others – but the Palestinian experience sheds enormous light on the broader system in which it holds an awkward place.

Experiences of Displacement and Loss

Legal systems and institutional structures create the conditions for recognition as a refugee. The experience of being a refugee (whether recognized or not) is, among other things, one of loss and instability. Although we may think about the experience of becoming a refugee as a singular, dramatic event – the sudden destruction of homes in a natural disaster, the quick flight in the face of war – for many people becoming and being a refugee is a process. And part of that process is learning to live without one’s home. For one window into the experience of being a refugee, we can turn to the stories of loss and dispossession that Palestinian refugees in the Gaza Strip shared during my research there in the late 1990s. Their experiences are, of course, uniquely theirs, but they also shed a broader light on the dynamics of becoming a refugee.

When Palestinians became refugees in Gaza, it happened almost without awareness. To get to Gaza, they crossed no international border; they simply went down the road. This crossing was temporal, rather than spatial, as a border was established *ex post facto* between this territory and the rest of Mandate Palestine. Further, even as



Palestinian children. Photo courtesy American Friends Service Committee [AFSC] Archives.

they left their homes, few people imagined they would be gone for longer than a few days or weeks. Some people left their homes and then went back only to be expelled later, as happened in Majdal (now Ashkelon), which was not entirely emptied of its native inhabitants until 1950, when Israel ordered their removal. More commonly, people left their villages and moved through many places—from Gaza to Rafah into Egypt and back—before finally “settling” into one of the many refugee camps springing up on Gaza’s landscape. In these camps, often former British military bases transformed for a new purpose, refugees were housed in tents and given aid, first by the American Friends Service Committee and then by UNRWA. This modicum of stability took time, however, and the first few months of people’s displacement were chaotic.

The chaos of the *hijra*—as this experience is known—is reflected in the stories that people tell about their experiences. Fear, danger, hunger—these are the dominant tropes in all the stories of the *hijra* I heard in Gaza. In these narratives of flight and confusion, as people express their loss and define what was lost in the loss of their home, the idea of home itself is given shape. While these stories form part of a broader national narrative, they are profoundly personal. The idea of home that they articulate is both communal and individual. People tell stories about

their displacement for many reasons: to pass on that knowledge to their children, to stake claims to their lands left behind, and to maintain a connection, even if only in memory, to their lost homes.

Im ‘Amir, now living in Khan Yunis, told me the story of her family’s *hijra* experience one afternoon when I, along with her grandson and another friend of mine, visited her at home. She told the story as much to her grandson as to me, often addressing him directly as she narrated. Im ‘Amir’s story of repeated departures and of frequent moving around trying to escape bad conditions and looking for better ones is typical of other *hijra* stories I heard in Gaza.

Her tale began in her hometown of Yibna, a destroyed village in what is now Israel, where security was disrupted. As she remembers it, Yibna was the last village in the area occupied by Zionist forces: “We were sleeping at sunset time when we heard shooting and asked what was going on. They said that the Jews had taken al-Qubayba....The people of al-Qubayba had fled.” She went on to name each of the villages that had been depopulated before Yibna. Then, she said, “we heard from a megaphone a call that people of Yibna should leave the village and go to the orchards, so we slept there...we did not take a mattress or a quilt, only a blanket on my husband’s shoul-

der.” Just as destruction was a process that went through several villages, so too was escape, and Im ‘Amir named each of the villages she and her family passed through.

At repeated moments in this narrative of movement, Im ‘Amir and others like her were faced with difficult choices about what to take and what to leave, whether to stay put or to move on. Sometimes a “choice”—to move again—was imposed, as when native Gazans demanded rent for further use of their property. Then those from elsewhere, having no money, had to leave. At other times it was internally driven, as when Im ‘Amir objected to one stopping point: “I told my husband that I do not want to stay.” Each “choice,” each movement reconfigured people’s relationships to their homes. Objects that might have been equally significant, or insignificant, acquired new and distinct value when they were left behind or taken with them. Having to pay rent for the first time, or not being able to do so, introduced a new factor into thinking about home. And every time people had to move again, to seek another space of refuge, their original homes were that much further away.

Im ‘Amir’s description of how she and her family lived when they first came to Gaza further shows how people adjusted to displacement and began to attempt to make a semblance of home in exile:

The Egyptian army brought tents for us – the tent was like a room with pillars. Each family had a part of a tent.... It was raining heavily.... They moved us to a camp, which was full of lice. When we slept, lice, bedbugs and fleas crawled on us. Then they sprayed us with disinfectant. We left for Rafah. I said that I wanted to remain in Rafah and I told my husband that we shouldn’t stay in an open tent. We made bricks of clay and put the bricks together and surrounded the tent with them.

This stop in Rafah was only one of many before her family eventually settled in Khan Yunis. No food, no privacy, no house—these were the living conditions in Gaza in the aftermath of the Palestinians’ removal from their homes. While food relief began relatively quickly (within a few months), people lived in tents for several years until UNRWA (the United Nations Relief and Works Agency) replaced them with more permanent structures. Im ‘Amir’s recollections of the discomforts of this time were not con-

trasted with an idealized view of life at home. She spoke quite soberly about the conditions of life in Yibna, recalling an absence of services and a lack of amenities in the home. The security of life at home was not, then, that of a presumed perfection. This security was derived both from the fact of some predictability in life—that one could make judgments based on past experience and have a reasonable expectation that they would have some relevance for future conditions—and from the capacity to have influence over one’s life.

From Im ‘Amir’s description of making and putting bricks around their tent, it is clear that she did attempt to exert some control over their living conditions—to make the refuge more like a home. That her family did not stay long in Rafah is a reminder of the tenuous nature of these efforts. As for many other Palestinians (and displaced persons elsewhere), displacement was a process for Im ‘Amir’s family. Part of this process was coming to recognize themselves as refugees. This recognition involved a relationship with both the legal and institutional frameworks described above and the different ideas to which I turn next.

Refugee Discourse

Images of refugees circulate widely in the media, in fundraising appeals, among humanitarian personnel, and within refugee communities themselves. In humanitarian discourse refugees appear primarily as victims. For communities such as the Palestinians, where refugees make up a majority of the population, the figure of the refugee figures prominently in a nationalist idiom.

Refugees as Victims

The concept of victimhood is, of course, central to legal and institutional definitions of refugees. It is a key part of what distinguishes refugees from other kinds of migrants. Even as refugee conventions may appear to have relatively clear statements about what constitutes a victim, in practice discerning victimhood is often extremely challenging and is influenced both by political considerations and by ideas about victims that circulate in broader discourse. Humanitarian aid relies on the identification of vulnerability to determine who needs assistance and to compel people to donate to this assistance. In doing this kind of identification work, though, it also introduces new sorts of vulnerability, as the victim category is a relatively narrow one.

People risk losing their identification as victims—and therefore their position as proper objects of compassion—if they do not appear “innocent” enough, or if they otherwise do not conform to the narrative demands of this category. To express this idea bluntly, in order to qualify as a victim in popular opinion, and sometimes to gain formal recognition, people need to appear as largely passive objects of compassion.

This narrow conception of the refugee victim has sometimes created problems for Palestinians, who are often deemed too politically active (in ways that make people uncomfortable) to appear as victims. A lot of the discussion about the meaning of and proper response to both the Israeli imposed blockade of the Gaza Strip and the military assault on Gaza in January 2009 focused on the question of whether Gazans, having voted for Hamas in parliamentary elections, forfeited their right to be considered victims deserving humanitarian assistance and concern. Even though humanitarian principles suggest that aid should be distributed with no consideration of politics – that aid should be impartial and the humanitarian actors neutral – in practice it is often the victims who are required to be apolitical.

That the status of victims is a general problem in humanitarian giving became dramatically apparent in the response, or lack thereof, to devastating floods in Pakistan in the summer 2010. As news organizations puzzled over the possible causes of extremely low giving rates, *The Washington Post* ran a poll asking readers if they had or planned to donate. As of the end of August, 66% of respondents indicated that they did not intend to give anything, and the comments illuminate why. In a fairly typical comment one person said: “I would not lift a finger to help these people. Our government has been wasting billions of our tax dollars on these ingrates for years. Let their fellow muslims send them some of the millions of dollars they get for their oil. Besides, that part of the world is terribly overpopulated anyway. If a million or so die, the remaining survivors will be better off.” Another commentor addressed the compassion question directly: “Pakistan should have played nice long ago in order to have sympathy credit it needs today.” One or two commentors expressed shock at the vitriol on the electronic bulletin board, but the overwhelming sentiment was that these Pakistani Muslims were not deserving of sympathy. The reliance of the humanitar-

ian industry on the generation of compassion means that its capacity to act is limited by the vagaries of public sentiment. For displaced persons, being named as a victim can provide access to crucial assistance and recognition, but the need to retain that label can also limit options for acting in the world.

Refugees as National Subjects

If the victim label can be a double-edged sword, so too can the centrality of the figure of the refugee in national discourse. Given that a sizable majority of the Palestinian population is displaced, it is not surprising that the figure of the refugee has come to play a large role in Palestinian national identification, but it is not a simple role. To a certain extent Palestinian and refugee have become synonymous in Palestinian political discourse. Many of the symbols of Palestinian national identity reference the refugee experience—such as replicas of keys to Palestinian homes in pre-1948 Palestine or the figure of the barefooted refugee child, Handala, created by cartoonist Naji Al-Ali.

The emergence of the figure of the refugee as crucial to the idea of the Palestinian national subject was



Dispensing aid. Photo courtesy American Friends Service Committee [AFSC] Archives.

directly connected to humanitarian practice. Given the absence of a political resolution to the problem of displacement, being registered as a refugee became one of the key forms of international recognition of Palestinian losses. The material artifacts of the humanitarian system, particularly ration cards, came to be not only bureaucratic tools for managing relief distribution, but also symbols of national belonging. As important as these papers have been, they fit somewhat uncomfortably within the field of national iconography. Unlike other images of Palestine and Palestinians that speak either about a longed-for past—the Dome of the Rock in Jerusalem and smaller-scale icons such the olive tree or the prickly pear (sabr) plant or the heroic fight for the future, whether the feda'i (guerilla) and his rifle or the shabab (young men) and their stones—ration cards evoke Palestinian dependence. Even as people have fought to retain their cards and with them their rights, they also have been discomfited by their need for them. In some ways, to be a refugee, to be in need of a ration card, has come to symbolize Palestinian failure.

Given this complex symbolic field, it is not surprising that even as refugees are often valorized as quintessential Palestinian subjects, other ideas circulate among Palestinians. Refugees are thought of as poor (which they often but not always are), as lower-class, as less sophisticated. Especially in the early years after displacement, refugees were sometimes charged with having betrayed the nation by leaving their homes. Im 'Amir described how native Gazans sometimes reminded refugees that they did not belong: "They made us sleep under the olive trees. In the morning we told them that we wanted water to wash and drink, but they told us that we had to leave them—that we were the Palestinians who had left our villages and had come here, and that we had to leave them." And another refugee in Gaza told me how natives sometimes used the word "refugee" as an insult: "They used to say to the donkey, 'your face is like the refugee's.'"

Just as humanitarianism played a role in making refugees so central to Palestinian national identity, so too did it play a role in creating these tensions. Not all Palestinians who suffered losses were eligible for UNRWA recognition and for its ration cards. The grounds for eligibility were not only related to 'need' (the avowed purpose of

humanitarianism), but to 'kind' (native Gazans, for example, no matter how destitute, were not eligible for relief). Some Palestinians more than others carried 'proof' of the loss they all had suffered. It is no surprise that these humanitarian distinctions have led to tensions within the Palestinian community.

Conclusion

So what can we conclude about what it is to be a refugee? It is certainly not one-dimensional. It is in some ways to live a constrained life: to be deprived of home, to be politically and physically vulnerable, to be in need. But this is not all it is. People who find themselves displaced continue to influence the direction of their lives, to care for their children, and to advance their communities.

Anthropological research and perspectives on humanitarian practice and refugee experiences bring the multiple facets of the refugee condition to light. They also help the outside world better understand the complexities and contradictions inherent in being a refugee in the world today.

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