

Once Resolved, Stay Resolved? The Refuge Policy of Jordan toward Palestinian Refugees*

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It has been widely believed that Jordan was generous to refugees from Palestine by pursuing assimilative policies that help refugees integrate into society while accepting as many refugees as possible. It seems regrettable that Palestinian refugees are no more welcomed nor treated fairly by the Jordanian government. This study argues that this commonly held belief is limited to cases of early settlers in the mid-twentieth century, and that the Jordanian government has had different policies for different refugee groups. This study further explores the political aspects of Jordan's selective policies and concludes that Jordan's refugee policies can best be explained through the existence of external security threats.

Keywords: *Refugee, Jordan, Palestine, Adaptation, External Security Threat, Middle East*

1. INTRODUCTION

The establishment of the State of Israel in 1948 generated large Palestinian refugee flows. According to the United Nations (UN) and The United Nations Relief and Works Agency (UNRWA), the total number of Palestinian refugees is approximately more than 4.3 million as of 2010 (UNRWA, 2010). The size of refugee population has been a concern, but the more serious problem lies with the attitude of neighboring countries. They have been unwilling to accept them without the guarantee that Palestinian refugees would leave soon. Under the international refugee protection regime, there are three durable solutions: repatriation, resettlement (in a third country), and integration (in the first asylum country). In case of Palestinian refugees, the first two solutions are difficult to be implemented for the following reasons. First, Israel has not followed the UN General Assembly (GA) Resolution 194 which asks Israel to embrace Palestinian refugees. Sending Palestinians back to Israeli territory may be an impractical option unless Israel alters its stand on the issue. Second, resettlement is not a viable alternative, given the magnitude of the problem. Only 73,000 individuals out of 11.5 million refugees worldwide, who were acknowledged by international society, were transferred to resettlement countries in 2014 (UNHCR, 2015). Like other large-scale refugee crises, therefore, local integration of Palestinian refugees appears to be the only workable solution.

Jordan has accepted Palestinian refugees since 1948, although it was not a member country of the 1951 Refugee Convention. As of 2010, Jordan has almost two million Palestinian refugees, about 30% of the total population of approximately six million (UNRWA, 2010). It is the highest portion-to-population of Palestinian refugees worldwide. Along with it, Jordan has also pursued the policy to integrate them into its society. As a

* This work was supported by the Korea University Grant and the National Research Foundation of Korea Grant funded by the Korean Government (NRF-2013S1A3A2055081).

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result, about 40 percent of UNRWA-registered Palestinian refugees have obtained the same rights as Jordanian nationals (Brynen, 2006). In this respect, it is argued that Jordan guarantees the rights of Palestinian refugees much better than other neighboring countries (Shiblak, 1996; Achilli, 2014).

However, it is notable that this appraisal mainly focuses on how Palestinian refugees are treated *after* they get citizenship. Researchers do not seem to have paid sufficient attention to the treatment of asylum seekers¹ or *de facto refugees*² who are not granted with their Jordanian citizenship yet. In fact, Jordan has not taken reasonable efforts on local integration among refugees and asylum seekers. Rather, it has pursued contradictory policies for Palestinians in the West Bank area, and went so far as to deprive the West Bank residents of Jordanian citizenship, not to mention that the Jordan government stopped granting citizenship in 1970s.

With the common knowledge that Jordan has been a generous integrating country since 1948, this sudden turn-down, which has left thousands of refugees without receiving protection of human rights, cannot be clearly understood. To understand the real state of refugees who have originated in the Middle East, it is crucial to analyze how Jordan has changed its refugee policies, what policies have affected the lives of refugees, and who have been affected, and why the Jordanian government has taken such policies. Therefore, it is useful to look at the Jordan's refugee policies that show the considerable gap between Palestinians who entered Jordan between 1948 and 1950 and those who came recently.

In this regard, this article analyzes the Jordanian refugee policy toward Palestinian refugees in terms of the types of rights that the Jordanian government endowed to different groups of refugees. We investigate what rights are allowed to each particular group and assess what has been aimed at in Jordan's refugee policy. We classify refugee policies into four categories which are generally acknowledged in the literature of multiculturalism: integration, assimilation, separation, and marginalization. Instead of analyzing how minority groups psychologically and socially adapt themselves to the host country, we take rights-based approach based on the Universal Declaration of Human Rights (UDHR), focusing on the legal framework as one of the outer conditions that determine refugees' adaptation to society. For instance, a country's refugee policy will be evaluated as integration policy when refugees are granted the same rights, which are enjoyed by the host country citizens, as well as minority rights. On the other hand, a country's refugee policy will be considered as assimilation policy if all the rights of citizens but rights of minority identity are allowed.

This study further asks why the Jordanian government has treated Palestinian refugees differently according to their origins and analyzes the political background of Jordan's different refugee policies. Focusing on Jordan's relationship with its neighbor countries, this study explains the changes in Jordan's refugee policies as a response to the external security threats. This study contributes to an understanding of refugee policy as it provides a

¹ People who have applied for refugee grants but have not yet been informed of results are called "asylum seeker," while those who have gotten refugee grant are "refugee." But, practically, the term 'refugee' often includes 'asylum seeker' as well.

² According to 1951 Refugee Convention, those who are persecuted because of five reasons; race; religion; nationality; members of specific social group; and political opinions deserve to be refugees. Those who do not fit into these reasons but should be considered as refugees in a humanitarian perspective are categorized as "*de facto*" refugees. The guidelines and standards for these *de facto refugees* derive from UNHCR.

perspective for comparative research on other refugee cases.

2. THE PALESTINIAN REFUGEE PROBLEM

The emergence of large flows of Palestinian refugees³ since 1948 has become a great concern of international community. In response to it, a remarkable decision, the UNGA Resolution 194 was adopted. However, “the governments or authorities responsible” – Israel – in this resolution has not allowed Palestinian refugees to return to their home or compensated for loss of property (UNGA Resolution 194, 1948). Consequently, the burdens of Palestinian refugees have been imposed on other neighboring countries. In this case, local integration, which means settling down of refugees in the first-asylum country, has been crucial to the Palestinian refugee issue because there is virtually no other choice both for Palestinian refugees and for neighbor countries. When local integration is considered and attempted, adaptation of refugees to the host society is a key issue determining the lives of individuals and the social integration (and consequent stability) of the host society.⁴

As this article analyzes a country’s refugee policy, Palestinian refugees in this study are confined to those who live in the current Jordanian territory excluding the West Bank. Currently, the West Bank does not belong to the Jordanian territory any more. In this article, three types in Jordan will be analyzed. Levels of rights differ between the types, indeed. Three types are 1) Palestinian refugees from 1948 War; 2) descendants of Palestinian refugees from 1948 War; and 3) Palestinian refugees from Syria (PRS).

Palestinian refugees from 1948 War are the first recognized Palestinian refugees. Due to the Partition Plan, UNGA Resolution 181, two-thirds of the Palestinian population had to flee their homes. In the same year, King Abdullah of Jordan seized the West Bank and it

³ The 1951 Geneva Refugee Convention is the most widely-implemented legal framework in terms of status of refugees. In the Convention, however, even with fulfilling all categories of reasons of refugee, those who have a certain organization or institution to protect them cannot fall into the status of the 1951 Convention (UNHCR, 2009). This is how Palestinian refugees are protected usually not by UNHCR but by UNRWA (Akram, 2002). UNHCR was established to operationalize the 1951 Convention, and UNRWA was set up to protect specifically Palestinian refugees. To define Palestinian refugee, therefore, it is necessary to look at UNRWA’s definition. According to UNRWA, Palestinian refugees are defined as “persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict (UNRWA)”. This means Palestinians from 1967 war are not specifically defined as ‘refugees’ under UNRWA. This is why those from 1967 war are called ‘displaced persons.’ UNRWA is a specific organization which deals with only Palestinian refugees. Therefore, once within UNRWA’s protection, those can be called Palestinian refugees. Also, the descendants of Palestinian refugees, especially in male line, are recognized as Palestinian refugees.

⁴ The UN Refugee Agency (UNHCR) argues that “local integration is a complex and gradual process which comprises distinct but related legal, economic, social and cultural dimensions and imposes considerable demands on both the individual and the receiving society (UNHCR).” According to Del Valle and Trickett and Birman, the adaptation failure has an effect to negative school performance of refugee children (Del Valle, 2002; Trickett and Birman, 2005). Especially, Kilic argues that due to adaptation problem, Syrian refugees are alienated, and their status is volatile in Turkey (Kilic, 2014). This is seriously derived from the government’s unwilling policy to care refugees, as he argues.

became Transjordan including the West Bank. In the following year, it was recognized by the United States, so the West Bank belonged to Jordan until 1967. Palestinian refugees soon became the Jordanian population. According to the Article 3 of the 1954 Jordanian Citizenship Law, Jordanian citizens are supposed to be “any person with previous Palestinian nationality except the Jews before the date of May 15, 1948 residing in the Kingdom during the period from December 20, 1949 and February 16, 1954 (Al Abed, 2004).” Afterwards, Jordan deprived citizenship of West Bankers when the King Hussein felt the severance between the West Bank and Jordan necessary due to the emergence of the Palestine Liberation Organization (PLO). As the 1948 War broke out more than a half century ago, the Palestinian refugee issue is becoming a multi-generation issue. This article looks more into the descendants of the Palestinian refugees as well. They are given automatically the citizen status according to the Family Book of Jordanian Law.

Not only acceptance of refugees but policies of refugee treatment related to adaptation (or social integration) are important.⁵ The degree of adaptation can be a significant factor affecting whether refugees raise political voice for or against the host country’s government (Achilli, 2014). In other words, if they are assimilated into the host society – they do not have home country’s (Palestinian) identity–, they are likely to participate in host country’s (Jordanian) political process. On the contrary, when they are marginalized – they have neither home country’s (Palestinian) identity nor host country’s (Jordanian) identity–, they do not participate in host country’s political events and it is possible for them to participate against the host country, being left more vulnerable to political manipulation from other marginalized groups. Eventually, the important thing is not only ‘adaptation’ itself but the ‘degree of adaptation’ which significantly influences on stability both of refugees and the host society. In other words, Jordan’s refugee policy needs to be analyzed in terms of the degree of adaptation, which is the main purpose of this research.

The importance of immigration policy in terms of assimilation has been emphasized (Zimmermann, Bauer, and Lofstrom, 2000). Furthermore, when a policy accepts immigrants in need of labor market, the local views toward them are more in favor. Zimmermann *et al.*’s article gives justification to this research which deals with government policy and shows what implication of an immigrant policy is. However, their approach only focuses on economic assimilation. As the social, political, and economic all aspects are important, this article focuses more on various aspects. Also, their study focuses on the relationship between policy and assimilation, this research will treat the characteristics of policy itself.

Shiblak (1996) shows Jordan is the only exception while other Arab neighboring countries do not treat Palestinian refugees like their own citizens. Based on a rights-based approach, he argues that Jordan’s refugee policy is assimilative when categories such as freedom of movement and right to work considered and further analyzes how the Palestinian refugees are treated within the legal framework. Our study also uses this rights-based approach but, unlike Shiblak’s analysis, examines the Jordanian policy on the refugees without citizenship.

⁵ In the literature of immigration and multiculturalism, four degrees of adaptation, assimilation, integration, separation, and marginalization are generally defined by what identity(ies) individuals pursue (e.g. Berry, 2005). The same terms and definitions are used in this article, but it should be noted that the authors think that ‘social integration’ could be a better term to describe the objective of government policies toward refugees because adaptation is understood as a psychological process at individual level in the literature.

In 1949, Jordan gave a citizenship to all Palestinian residents⁶ and created a new term “the refugee-citizen.” This ‘refugee-citizen’ does not mean ‘permanent’ but ‘temporary’ citizen. With this status, they were allowed to choose to assert “right to return” or to stay as a citizen in Jordan. While this status was being challenged as the PLO emerged, Jordan used naturalization policy (Al Hussein and Bocco, 2010). According to the Adaptation theory, however, as long as the Palestinian refugees retain Palestinian identity, the case cannot be categorized into ‘assimilation.’ In other words, when the Palestinian refugees have an option to go back to their home country, it can be recognized as that they have Palestinian identity. Also, protection of rights through implementation of policy is more important than policy itself. This article analyzes whether the right to return is well protected or not.

From a different viewpoint, Palestinian refugees in Jordan are not assimilated but integrated into Jordan society as they have both Palestinian and Jordanian identity (Achilli, 2014).⁷ As Palestinian refugees are trying to be disengaged from politics, they neither fully belong to Palestine nor to Jordan. Similarly, the efforts of UNRWA to protect Palestinian refugees caused the formation of Palestinian identity among them (Shabaneh, 2010).⁸ To protect the refugees under one umbrella, UNRWA put them in camps. This caused separation from the major host society and, eventually, formation of Palestine identity. However, Achilli’s and Shabaneh’s papers do not focus on the importance of the host state’s behavior.

In general, it is debatable whether Jordan took an assimilative refugee policy or not. Many studies do not analyze the Jordanian government’s policy itself within the framework of the degree of adaptation, that is, integration, assimilation, separation and marginalization, taking the term assimilation for granted. The other topics such as international rule of law and integration into the host country (Reeds, 2006) or the impact of refugee inflows on social integration in the economic dimension (Castles et al., 2002) have been studied, but studies do not seriously analyze the degree of integration(or adaptation). This article tries to overcome what is missing in those previous studies. Once the framework of adaptation levels is applied, the levels of social integration of Jordan as the host country in relation to the Palestinian refugee problem are reviewed and assessed.

3. THEORETICAL PERSPECTIVE: ASSIMILATION OR MARGINALIZATION?

It is frequently suggested in the literature of multiculturalism that there are four categories which distinguish the degrees of adaptation; assimilation, integration, separation, and marginalization (Berry, 2005). The conceptual framework of adaptation is meaningful to this article in that it analyzes government refugee policies as an outer condition that determines degree of adaptation of Palestinian refugees to a society. ‘Assimilation’ happens when immigrants or refugees do not want to retain their old identity and pursue a new

⁶ Al Hussein and Bocco argue that while other Arab neighboring countries take on discriminative policies toward Palestinian refugees, Jordan is an exception for the trend (Al Hussein and Bocco, 2010).

⁷ He analyzes the stage of Palestinian refugees’ adaptation as integration with an indicator of political participation. As he uses a first-hand experience and anthropologic perspective, this research turned out to be more rigorous.

⁸ These papers of Achilli’s and Shabaneh’s deal with only people’s perspectives at an individual level. According to Hein, the role of host state is important to adaptation of refugees (Hein, 1993).

identity within the host community. ‘Integration’ happens when people keep both home and host identities while still interacting with the host community. ‘Separation’ occurs when people do not want to absorb a new identity but keep their original identity. Lastly, ‘marginalization’ is observed when people neither have home nor host country identity.

The framework of adaptation level can be applied to rights-based understanding of refugee policies in the sense that grant and protection of rights constitute a basic or outer condition of psychological adaptation of individuals. If Palestinian refugees’ rights are guaranteed exactly the same as Jordanian citizens and do not include minority rights, it can be defined as assimilation. If the Jordanian government policies provide both Jordanian citizens’ rights and minority rights, this can be understood as integration. If policies toward Palestinian refugees not only keep the refugees from accessing to host community’s rights but also deprive them of their rights as Palestinian, this is marginalization.

In order to analyze refugee policy from the perspective of grant and protection of basic rights, this article examines whether basic rights including right to work, right to access to public services are granted and protected or not. As a standard to set the indicators, this article uses a rights-based approach proposed by Alqasis along with the Universal Declaration of Human Rights (UDHR). The basic rights, which have been considered as what cannot be missed out in human lives, can be included as indicators of adaptation levels. “A rights-based approach should integrate norms, standard, and principles of international rights system... (Alqasis, 2015).” UDHR is the most well-known and advanced human rights-related framework in the world. Our study categorizes the refugee policy indicators⁹ based on this Declaration and analyze the degree of adaptation through the rights-based approach.

Every article of UDHR deals with rights of human beings. For example, according to Article 14, everyone has the right to seek asylum in other countries. This is a basis of asylum seeking in a first host country. While all are human rights-related articles, following articles-based rights will be analyzed as they are specifically related to daily lives.

- Article 9. *No one shall be subjected to arbitrary arrest, detention or exile.*
- Article 13 (1). *Everyone has the right to freedom of movement.*
- Article 17. *Everyone has the right to own property.*
- Article 23 (1). *Everyone has the right to work to just and favorable conditions of work and to protection against unemployment.*
- Article 23 (2). *Everyone, without any discrimination, has the right to equal pay for equal work.*
- Article 26. *Everyone has the right to education.*

Through these, in this article, governmental policy toward refugees will be defined into certain categories. And this categorization will be applied on Jordanian refugee policy toward Palestinian refugees. The co-variation among refugee policy including the status of refugees and the categories will be verified to confirm this theoretical explanation.

⁹ For example, right to work, right to education, right to move, etc. will be analyzed.

4. ANALYSIS OF JORDAN'S REFUGEE POLICY

It is not easy to adapt refugees to the host society and to change their social identity. To modify and fix their social identity into the community, the government plays a key role with policy. As Jordan has not signed the 1951 Refugee Convention and its Protocol in 1967, Jordan does not have legal obligations to protect refugees. However, according to UDHR, Article 14 states that everyone has the right to seek asylum, and *non-refoulement*¹⁰ principle has become international customary law. This can be also found in the Jordanian Constitution. Article 21 of the Constitution does not allow refugees to be extradited (The Hashemite Kingdom of Jordan, 1952). In addition, Jordan's policy toward refugees is generally based on Memorandum of Understanding, signed between the Government of Jordan and UNHCR.

According to the Memorandum, freedom to practice religion and freedom to religious education of the children without discrimination as to race, religion or nationality are guaranteed in Article 6. Article 7 states that refugees have the right to access to courts of law and of litigation same as Jordanian citizens. However, right to work is not guaranteed. Article 8 infers that refugees need certain permits to work. According to Article 9, there are variations of right to work liberal professions between refugee groups. In case of large influx such as current Syrian refugees or PRS, joint emergency mechanism is supposed to be made to provide refugees' needs. Also, refugees are not allowed to give free opinions to media.

The policy toward refugees can be found in Jordanian Alien Act as well. This Act shows that working permits are valid for one year and can be extended. Due to this, in many regions outside Amman, refugees work illegally or get a less pay than Jordanian citizen workers. Refugee children work as well. In terms of health system, refugees can get access equally, but they get only basic offers. Even a few hospitals have refused to treat refugees. While there are rules to protect refugees, there is lack of implementation of rules.

4.1 Adaptation Analysis

The degree of adaptation is very different between types of Palestinian refugees in Jordan. The Jordanian policy toward Palestinian refugees has been regarded as assimilative since 1948 War. Once immigrants' or refugees' rights are guaranteed and protected the same as the host community members, it will be easier for them to adapt themselves to the host society because grant and protection of rights can be one of the outer conditions of individual life and, in particular, for adaptation to a new society. As for Palestinian refugees from 1948 War, they have Jordanian identity as all their rights are same with Jordanian nationals.

Jordanian citizens' rights are well embedded into the Constitutional Law of Jordan. According to Article 6, work and education is possibly provided to all Jordanians. Article 9 does not allow any Jordanian to be deported from the country. The citizens have freedom of speech according to Article 15. Article 20 shows the elementary education is compulsory for all Jordanians (UNODC, 2009). This is consistent with UDHR. Furthermore, this Article guarantees the free fee of government schools. According to Article 22, every Jordanian national, including Palestine-origin Jordanian citizens (Forced Migration Online, 2011), can

¹⁰ This is a principle that a country cannot deport an asylum seeker to which they are threatened by torture, persecution, or any inhuman activities.

Table 1. The Comparison between the types of Palestinian Refugees

Type	Jordanian Identity	Palestinian Identity
1) Palestinian refugees from 1948 War	All rights are same with Jordanian citizens	(No) Right of return
2) Descendants of Palestinian refugees from 1948 War	All rights are same as above	No Right of return
3) Palestinian Refugees from Syria (PRS)	No Right to seek asylum No Right to move No Right to work No Right to education No Right to own property	Poor human rights based on UDHR (No) Right of return

be a representative to public sector. Finally, Article 23 guarantees the right to work and work fairly with a good working environment. As the Palestinian refugees from 1948 War were granted a full citizenship from the Jordanian government, these people enjoy the exactly same rights according to the Constitutional Law. They have national ID number and full access to public services. They have permanent residency in Jordan, and their children automatically become a citizen of Jordan. This citizenship was never deprived by the Jordanian government, and for over 60 years, the status was solid even when the West Bankers' citizenship was deprived.

As for their Palestinian identity, "Jordanian citizenship has not cancelled the Palestinian right of return or their status as refugees (Al Abed, 2004)." This is clearly embedded into the Article 11 of the UNGA Resolution 194 that Palestinian refugees have a right to return. As these people have a home place to return in Palestine, some argue that they have the right of return, which means Palestinian identity. However, the most important thing in policy setting is implementation. Their right of return is never implemented as Israel does not allow them to live within the territory. When Israel obtained a membership to UN, Israel announced it would accept 100,000 refugees, but soon after, the Prime Minister David Ben-Gurion withdrew that offer. Without implementation of the right, it cannot be said that they are actually protected. Thus, taking into consideration that Palestinian refugees from 1948 War do not have a Palestinian identity but a full Jordanian identity, the Jordanian policy toward these people can be interpreted as assimilative.

The Jordanian policy toward descendants is also assimilative. Descendants of Palestinian refugees are automatically given citizenship as their parents are refugee-citizens of Jordan. Along with that, they can get a full access to public services. They have all the same rights with Jordanian citizens, so they have the Jordanian identity. In terms of right of return, they have been treated differently from those who fled from the 1948 War. While the Resolution 194 guarantees the right of return, there is no stipulation about 'descendant' in the Resolution. In other countries the non-existence of the rules about descendants does not cause any serious problem because descendants are also under the UNRWA protection as descendants of refugees. In Jordan, on the contrary, descendants are the descendants of citizenship-granted people. This is the fundamental difference between Palestinian refugees from 1948 War and their descendants. They are born as a Jordanian citizen such as a hyphenated identity like a Palestinian-Jordanian. Thus, the governmental policy dealing with this type of

people is assimilation-based.

The policy toward the PRS can be interpreted as marginalization. Their rights are not protected in the same way with the Jordanian nationals. As the rights are not the same as the Jordanians, they are least likely to have a Jordanian identity. In terms of Palestinian identity, they have no right of return to Palestine with the same reason with the Palestinian refugees from 1948 War. They have neither Jordanian identity nor Palestinian identity.

To apply for asylum, a person should enter into the border. In terms of PRS, it is even difficult to enter as the Jordanian government does not welcome them (Toameh, 2012). In 2013, Jordan has closed the border so as to keep PRS from entering. Jordan's policy toward PRS significantly changed in 2013. Before 2012, Jordan had accepted 1,300 PRS (Asylum Access, 2015), and they were allowed to work with permissions. However, the Jordanian Prime Minister Abdullah Ensour, in 2012, delivered a speech that they would not allow PRS to enter into the country. PRS have been deported to Syria again. This is not only against the Jordanian refugee law but against UDHR. Especially, Jordan generally denies single men from Syria (Human Rights Watch, 2013). This is because in the conflict of Black September from 1970 to 1971, Syria provided assistance the Palestinian resistance group (Medhurst, 2007), and the Jordanian government is still threatened by any straw to fuel civil conflict.

PRS do not have any clear right to work (ILO, 2015). First, it is difficult to get a work permit (SNAP, 2013). If they are caught while working without documents, they would be deported to Syria or detained in the facilities. Otherwise, PRS holding falsified Syrian identities work at a less pay and in a bad working condition as their employers know their identities are fake. This is more serious in terms of detained PRS in camps, especially in CyberCity. As of 2015, 180 PRS have been detaining in the camp in CyberCity for over two years without legal permission to work. As a result, the PRS choose to work illegally under the worst conditions.

In case of camp dwellers, they cannot attend public schools in part because they have not been registered and in part because they are detained. Refugees simply do not register themselves to UNHCR or UNRWA because they do not feel any advantage from the registration to those organizations. In that case, they have to be educated in camps through the institutions provided by UNRWA and other NGOs. When PRS enter across the Jordanian border, they are generally detained in facilities such as CyberCity refugee camp of Amman. They can only leave the camp to leave for Syria. Before 2012, the Palestinians in CyberCity camp were able to be bailed out if there was a Jordanian sponsor.

If the Jordanian citizens support them, they can get out of the facilities. Once Palestinian refugees are "bailed out," they can enroll a university. However, they are treated as foreigners, so they should pay high enrollment fee to attend a university. In 2006, the Ministry of Education announced that foreign children could attend private schools only. Refugee children are recognized as foreigners because Jordan does not have a specific law about refugee. For refugee families, to attend private schools was economically burdensome. According to the recommendations from the Ministry of Interior, from 2007, they allowed registered refugee children to attend public schools as well. Since 2012, the bail-out has not been allowed, however. As they are detained in the camp, they cannot enroll in usual schools out of the camp. To avoid this detention, PRS can get registration under UNHCR unofficially. Once they get registered to UNHCR, they can get usual protection like other refugees. For that, however, they need falsified Syrian identified documents. This is already a burden for them. Lastly, PRS have no right to own property. When they want to own, they should ask Jordanian citizens to be a local partner of the property and get a permit from the competent

Jordanian authorities such as a ministerial council.

4.2 Political Background

Since the Arab Spring began, a large number of Palestinian refugees who had settled in Syria have moved to Jordan. Unlike the previous situation of Palestinian refugees who had stayed in Jordan from 1948 to 1950, this group has been marginalized by the Jordanian government. As political turmoils in the Arab world¹¹ occurred repetitively, the gap between the refugee groups has widened. When faced conflicts, competition, and realignment among its neighbors over the issues related to Palestine or Israel, Jordan often felt threatened and recognized the political changes among countries as an external threat.

In 1950s, when Jordan annexed the West Bank to the Jordanian territory as a result of the First 1948 Arab-Israeli War,¹² Jordan tried to include the West Bankers as its population. To legalize and consolidate the annexation of the West Bank as a unified territory (Forced Migration Online, 2011), Jordan had a policy of ‘Jordanization’ toward the Palestinian refugees, which aims at inclusion of Palestinian refugees into the Jordanian nation (Eshnaiwer, 2015). In 1954, right after the annexation, the Jordanian government passed the Nationality Law, called Jordanian Citizenship Law, which included the article to grant full citizenship to those who were in Jordanian territory between 1948 and 1950. The common knowledge that Jordan took favorable policies toward Palestinian refugees has been built based on the treatment of the early settlers.

When the West Bank became the Israeli territory as a result of the Six-Day War,¹³ Jordan did not change its refugee policies right away. Over 20 years later, in 1988, however, Jordan deprived all West Bankers of citizenship with modifying the Jordanian Citizenship Law, due to the uneasy relationship between Jordan and the PLO in the West Bank. In December 1987, in particular, the first Intifada¹⁴ raised by the PLO broke out in Palestine. Jordan worried about the rise of the PLO more than Israeli control of the West Bank. In this sense, it could be concluded that Jordan welcomed refugees to unify the new Kingdom and did not welcome them when its territory was taken away.

Since the independence of Israel, the Palestinian people had expected that the Arab world would take an action to return the Palestinian land back to them. However, while going through the wars in 1948, 1956, and 1967, the Palestinians recognized that they could not rely on the Arab brotherhood as they had anticipated. Regarding the lessons learned through these experiences, they started to join the PLO which was established in 1964 (Kim, 2005). They began to bolster its organization large enough to threaten a country systematically. In 1988, the following year of Intifada, the PLO declared the independence of Palestine, including the West Bank. This declaration was supported by the international society and finally drove Jordan to give up any political intervention in the West Bank. In response to

¹¹ “The Jordanian policies towards Palestinian refugees in general fluctuated between inclusion and exclusion, based on the situation and Arab political polarization.” (Eshnaiwer, 2015)

¹² The Arab nations including Jordan, Egypt, Lebanon, Syria, Iraq, and so on invaded Israel on the following day of the Israeli independence announcement in 1948 (Chun, 2003).

¹³ The other name is ‘the Third 1967 Arab-Israeli War.’ Israel attacked Egypt first on the issue of Straits of Tiran. Jordan joined this war, and 4 days after the war began, Israel took the West Bank again (Chun, 2003).

¹⁴ Intifada is an independence movement by the use of arms.

this, Jordan deprived the whole Palestinian population who had lived in the West Bank of their citizenship.

This political challenge dates back to 1970 when Black September incident happened in Jordan. The PLO, as Jordan-based organization, had expanded its power over the Palestinian population so that they could establish their own community and take advantage of Jordan's hospitality. One of the largest militant groups forming the PLO hijacked several airplanes to Jordanian territory in September 1970. Jordan was perplexed with their hostile actions, and, in turn, started to suppress the PLO and deported the Palestinian refugees related to the PLO to other countries. The PLO moved its headquarters to Lebanon, and subsequently a lot of the Palestinian refugees in Jordan followed them. In retaliation for the deportation, the PLO assassinated the prime minister of Jordan in November. This highly volatile situation incurred a civil war in Jordan at last, and the civil war imposed a serious challenge to the Jordanian government. Along with the aggravating relationship between Jordan and the PLO, the Jordanians began to perceive Palestinian refugees as a potential threat. Since that Jordanian civil war, the perspectives of the Jordanians towards Palestinian refugees had changed. In the 1970s, the newly announced policy did not allow Palestine-origin people, who did not have a national number (Gabbay, 2014), to work for a public sector. This recognition is still going on until now, so the current Jordanian government is still worried about Palestinian single men's entering from Syria.¹⁵

In 1991, because of the Gulf War, many Palestinian refugees who had lived in Saudi Arabia had to return to Jordan. This unexpected migration was also considered as an external threat by Jordan because it caused an economic stagnancy, and the repercussion of Jordanian people forced the Jordanian government to confine Palestinians from Saudi Arabia to refugee camps. In addition to this, the reason behind not welcoming PRS was the concern and fear that the mass influx of PRS would increase job competitions with locals and eventually lead to their job losses.¹⁶ Throughout history, refugees' rights and status have always been determined by political factors such as the public worries of job loss or national security.

Similarly, right after Westgate shopping mall attack in 2013¹⁷, Kenya took securitization of refugee policy toward Somali refugees (Song, 2014). Since 2001, the trend of the U.S. refugee acceptance rate has been decreasing (UNHCR, 2016). Song also argues that 9.11 significantly affected the U.S. refugee policy. The U.S. began to thoroughly enforce counter-terrorism policies right after 9.11. More recently, Paris attack in 2015 swept across the public opinions all over the world. After the event, France has tightly controlled the border (Hewitt, 2015) to defuse the public fury. Likewise, the threat to national security and social safety has changed European countries' perception on refugees. When crimes happen, the public thinks those are committed by refugees even before arresting real criminals (Clamur, 2016). According to the explanation provided by Mueller (2005), when the public feels feared from security threats, this has a strong influence on policy decisions.¹⁸ For instance, the murder of

¹⁵ As of 2012, 83.5 percent of the refugees from Syria were males (MPC Team, 2013).

¹⁶ However, according to IMF, there has been no significant evidence that explains PRS negatively affects unemployment of Jordanian nationals (IMF, 2016).

¹⁷ A Somali militants group Al-Shabaab attacked a shopping mall in Nairobi, Kenya (NYPD, 2013).

¹⁸ Mueller (2005) deals with how important American Alarmism toward external threats has been related to its policy decision. He raises an interesting point that the correlation between international threats and presidential approval ratings is considerable. It could be implied that external threat affects people's perception, and it affects refugee policy. Song (2014) directly points that since 9.11, the U.S.

a social worker at a refuge center in Sweden brought a huge antipathy toward refugees and made the government reconsider their generous refuge policy.

The same thing happened in Germany. The public felt threatened by crimes as well as huge refugee inflows. In December, 2015, massive sexual assaults happened in Germany (Connolly, 2016). Even though the police said there was no evidence that refugees joined that crime, people believed that refugees were involved in. This shows the hostility toward refugees is quite high among the public. However, this threat has not significantly impacted on the refugee policy of Germany. There should be complex reasons behind, but according to Ceccorulli, one reason could be that Germany believes regional cooperation on the refugee issue could offset the German burdens (Ceccorulli, 2009). Without the expectation of the regional buffer, the threat to Germany itself could have influenced on the German refugee policy. This situation is very different with Jordan. Jordan has no neighbors to cooperate with. The neighbors such as Syria and Palestine are home countries of refugees. Furthermore, in Jordan, the external threat would affect the refugee policy directly.

In Jordan, the same kind of anti-sentiments toward Palestinian refugees took place right after Black September and Munich Massacre. After the year 1972, people's perception toward terrorism; security threat has been formed. People's perception toward Palestinian refugees who are potential members to Black September which is a terrorist liberation group has been negatively settled. The negative public sentiment toward refugees cannot help the Jordanian government respond productively to the refugee issues (Human Rights Watch, 2014). When a security threat happens, it forms negative sentiments in public opinion. This public opinion pressures the policy decision of the government, and it lastly affects the country's refugee policy. Therefore, the background of Jordan's refugee policy based on security threat effect on refugee policy can prove the previous reviews.

The big threat since the year 1948 is the massive inflow of PRS including those who might be likely to raise guns against the Jordanian government or be a threat to the Jordanian economy. In 1967 and in 1973, there were wars between Israel and Arab nations, but as Jordan thought the West Bank as a part of its nation, the West Bankers did not have to sign up for a refugee status in Jordan. They moved to Jordan with the Jordanian citizenship. They were defined as 'displaced persons,' not 'refugees.' However, since 2011, as the whole Syrian territory has been the land of wars, the significant number which is enough to threat Jordan has been crossing the Jordanian border. Consequently, in 2012, Jordan blocked its border, and in 2013, the prime minister gave a speech that Jordan would not be the homeland to PRS. The Jordanian refugee policy toward PRS has significantly changed since 2011. This massive inflow of PRS, which derived from the emergence of IS and Arab Spring, thus, can be called the most recent big 'external threat' to Jordan.

5. CONCLUSION

The Jordanian government adopted an assimilative policy toward Palestinian refugees who came to Jordan in the mid-20th century. It granted full access to public services to the refugee-citizens from Palestine and their descendants. They have enjoyed a full range of

has not been willing to accept refugee applicants especially from the conflict regions, and some counter-terrorism policies such as the Patriot Act and Real ID Act were enacted. The Jordan's case also confirms the explanation given by Mueller and by Song.

rights embedded in the constitution and international standards such as UDHR. In contrast, due to the lack of supportive actions and policies as well as for the political reasons, Palestinian refugees from Syria remain in poverty and their basic rights have not been granted and fully protected. As King Abdullah was very active on the Palestinian issues, the assimilative refugee policy was enacted for political reasons. The problem is that the Jordanian government sets an arbitrary standard for the implementation of policy. In particular, PRS are severely marginalized in the Jordanian society. It is said that the majority of Palestinian refugees live in a better situation than those in other neighboring countries. That is only partly true. Jordan's policies toward Palestinian refugees have varied substantially for political reasons. The Palestinian refugee issue has a long history unlike other large groups of refugees generated by sporadic conflicts. In this research, the degree of adaptation to the host society and the political background behind the difference of degrees has been analyzed. The adaptation is critical in terms of refugee issue. This study can be utilized in another case studies dealing with refugees and immigrants. Also, with the unique characteristics of Palestinian refugees, other multi-generational refugee cases can be analyzed based on this analysis.

Today, Palestinian refugees face a 'protection gap' (Khalil, 2010) between the host countries' and the home country's rights. Refugee policies lack (a) relevant enforcement mechanism(s). As the policies is differentiated between the types of refugees, approaches centered on the diversity are needed. It is necessary to have a clear legal enforcement mechanism for each refugee-type at the international, regional, and national level. According to the Memorandum agreed in 1998 (Sadek, 2013), refugees' rights are guaranteed, but the problem is that the relevant policies are not self-sufficient. In this context, 'self-sufficient' means that the rules are well operationalized and implemented. Without implementation, the policies cannot be translated as real rules. Even though there is a refugee policy included in the Memorandum, PRS's rights are not so progressive. Also, there are ghetto-like refugee camps such as CyberCity. When PRS keep getting marginalized, they are vulnerable to radicalization or mobilization against Jordan, which is called 'political manipulation' (Lischer, 2008). In other words, this marginalization can be another threat to Jordan. Only can the 'self-sufficient' operationalization cut the vicious cycle between marginalization and threat.

Article Received: 04-30-2016 Revised: 05-30-2016 Accepted: 06-15-2016

REFERENCES

- Achilli, Luigi. 2014. "Disengagement from Politics: Nationalism, Political Identity, and the Everyday in a Palestinian Refugee Camp in Jordan." *Critique of Anthropology* 34(2):234–257.
- Akram, Susan M. 2002. "Palestinian Refugees and Their Legal Status." *Journal of Palestine Studies* 31(3):36–51.
- Al Abed, Oroub. 2004. "Palestinian Refugees in Jordan." Forced Migration Online. Accessed June 4, 2015. <http://www.forcedmigration.org/research-resources/expert-guides/palestinian-refugees-in-jordan/fmo025.pdf>.
- Al Hussein, Jalal and Riccardo Bocco. 2010. "The Status of the Palestinian Refugees in the Near East: The Right of Return and UNRWA in Perspective." *Refugee Survey Quarterly* 28(2-3):260–285.
- Alqasis, Amjad. 2015. "Israel's Colonial Regime: 67th Commemoration of the Ongoing Palestinian

- Nakba.” Palestine News Network. Accessed June 4, 2015. <http://english.pnn.ps/2015/05/31/israels-colonial-regime-67th-commemoration-of-the-ongoing-palestinian-nakba/>.
- Asylum Access. 2015. “Palestine Refugees from Syria: Are Jordan’s Policies and the Right to Work Mutually Exclusive?” Refugee Work Rights. Accessed June 21, 2015. <https://rtwasylumaccess.wordpress.com/2015/06/09/palestine-refugees-from-syria-are-jordans-policies-and-the-right-to-work-mutually-exclusive/>.
- Berry, John W. 2005. “Acculturation: Living Successfully in Two Cultures.” *International Journal of Intercultural Relations* 29(6 SPEC. ISS.):697–712.
- Brynen, Rex. 2006. “Perspectives on Palestinian Repatriation.” In *Palestinian Refugee Repatriation: Global Perspectives*, edited by Michael Dumper, 63–86. New York: Routledge.
- Castles, Stephen, Maja Korac, Ellie Vasta, and Steven Vertovec. 2002. “Integration: Mapping the Field.” *Home Office Online Report* 29(3):105–331.
- Ceccorulli, Michela. 2009. “Migration as a Security Threat: Internal and External Dynamics in the European Union.” GARNET Working Paper 65/09. Accessed June 21, 2015. <http://www2.warwick.ac.uk/fac/soc/pais/research/researchcentres/csgr/garnet/workingpapers/6509.pdf>.
- Chun, Hongchan. 2003. *Yesterday and Today of the Palestinian Conflict (Palestain Bunjaengeui Eojewa Oneul)*. Busan: Busandaehakgyochulpanbu.
- Clamur, Krishnadev. 2016. “Sexual Assaults in Germany and the Debate Over Refugees.” *The Atlantic News*, January 5. Accessed January 15, 2016. <http://www.theatlantic.com/international/archive/2016/01/germany-refugees-sexual-assaults/422697/>.
- Connolly, Kate. 2016. “Tensions Rise in Germany over Handling of Mass Sexual Assaults in Cologne.” *The Guardian*, January 7. Accessed January 15, 2016. <http://www.theguardian.com/world/2016/jan/06/tensions-rise-in-germany-over-handling-of-mass-sexual-assaults-in-cologne>.
- Del Valle, Patricia. 2002. “Traumatized Refugee Children.” *Best Practices in School Crisis Prevention and Intervention*. Accessed June 21, 2015. <http://docplayer.net/825784-Traumatized-refugee-children.html>.
- Eshnaiwer, Raed. 2015. “Palestinian Refugees from Syria (PRS) in Jordan: The State of Exclusivism.” Robert Schuman Centre for Advanced Studies Research EUI Working Paper RSCAS 2015/91.
- FMO (Forced Migration Online). 2011. “Palestinian Refugees in Jordan.” Accessed March 29, 2016. <http://www.forcedmigration.org/research-resources/expert-guides/palestinian-refugees-in-jordan/palestinian-refugees-in-jordan>.
- Gabbay, Shaul M. 2014. “The Status of Palestinians in Jordan and the Anomaly of Holding a Jordanian Passport.” *Political Sciences & Public Affairs* 2(113):1–6.
- Hein, Jeremy. 1993. “Refugees, Immigrants, and the State.” *Annual Review of Sociology* 19:43–59.
- Hewitt, Gavin. 2015. “Paris Attacks: Impact on Border and Refugee Policy.” *BBC News*, November 15. Accessed January 16, 2016. <http://www.bbc.com/news/world-europe-34826438>.
- Human Rights Watch. 2013. “Jordan: Obama Should Press King on Asylum Seeker Pushbacks.” Accessed June 20, 2015. <http://www.hrw.org/news/2013/03/21/jordan-obama-should-press-king-asylum-seeker-pushbacks>.
- Human Rights Watch. 2014. “Not Welcome.” Accessed January 16, 2016. <https://www.hrw.org/report/2014/08/07/not-welcome/jordans-treatment-palestinians-escaping-syria>.
- ILO (International Labour Organization) Regional Office for Arab States. 2015. “Access to Work for Syrian Refugees in Jordan: A Discussion Paper on Labour and Refugee Laws and Policies.” ILO Regional Office for Arab States Working Paper. Accessed April 16, 2015. http://www.ilo.org/beirut/publications/WCMS_357950/lang--en/index.htm.
- IMF (International Monetary Fund). 2014. “Jordan.” *IMF Country Report* 14(153): 1–28.
- Khalil, Asem. 2010. “Socioeconomic Rights of Refugees.” *Center for Migration and Refugee Studies*

- Regional Research. Accessed April 16, 2015. <http://schools.aucegypt.edu/GAPP/cmrs/reports/Documents/KHALIL.pdf>.
- Kilic, Taner. 2014. "Adaptation Problems for Syrian Refugees in Turkey." *Today's Zaman*. Accessed April 15, 2015. http://www.todayszaman.com/op-ed_adaptation-problems-for-syrian-refugees-in-turkey_355919.html.
- Kim, Jongwee. 2005. *History of the Middle East (Jungdongsa)*. Seoul: Daehangyogwaseo.
- Lischer, Sarah K. 2008. "Security and Displacement in Iraq: Responding to the Forced Migration Crisis." *International Security* 33(2):95–119.
- Medhurst, Paul. 2007. "The Black September Attacks at the 1972 Munich Olympics." CDR Ward Reed. Accessed March 29, 2016. <https://www.apus.edu/content/dam/online-library/student-papers/Reed-2007.pdf>.
- MPC (Migration Policy Centre) Team. 2013. "MPC-Migration Profile: Jordan." Migration Policy Centre Report. Accessed March 30, 2016. http://www.migrationpolicycentre.eu/docs/migration_profiles/Jordan.pdf.
- Mueller, John. 2005. "Simplicity and Spook: Terrorism and the Dynamics of Threat Exaggeration." *International Studies Perspectives* 6(2):208–234.
- NYPD (New York City Police Department). 2013. "Analysis of Al-Shabaab's Attack at the Westgate Mall in Nairobi, Kenya." Accessed January 16, 2016. <https://assets.documentcloud.org/documents/894158/westgate-report-for-shield-website.pdf>.
- Reeds, Laura A. 2006. "Sixty Years in Limbo: The Duty of Host States to Integrate Palestinian Refugees under Customary International Law." *New York University Law Review* 81: 351–384.
- Sadek, George. 2013. "Legal Status of Refugees: Egypt, Jordan, Lebanon, and Iraq." The Law Library of Congress. Accessed March 30, 2016. <https://www.loc.gov/law/help/refugees/legal-status-refugees.php>.
- Shabaneh, Ghassan. 2010. "Refugees, International Organizations, and National Identity: The Case of Palestine." *New Political Science* 32(2):215–236.
- Shiblak, Abbas. 1996. "Residency Status and Civil Rights of Palestinian Refugees in Arab Countries." *Journal of Palestine Studies* 25(3):36–45.
- SNAP (Syria Needs Analysis Project). 2013. "Legal Status of Individuals Fleeing Syria." Accessed March 30, 2016. http://reliefweb.int/sites/reliefweb.int/files/resources/legal_status_of_individuals_fleeing_syria.pdf.
- Song, Younghoon. 2014. "Terrorism and Securitization of Refugee Migration: A Case Study of the Kenyan Government's Refugee Policy (Tereoriyeumgwa Nanminmunjeui Anbohwa: Kenyaui Nanminjeongchaekul jungsimeuro)." *Gukjejeongchinonchong* 54(1):195–230.
- Toameh, Khaled A. 2012. "Why Is Jordan Keeping Out Palestinian Refugees?" Gatestone Institute. Accessed March 28, 2016. <http://www.gatestoneinstitute.org/3019/jordan-palestinian-refugees>.
- Trickett, Edison J., and Dina Birman. 2005. "Acculturation, School Context, and School Outcomes: Adaptation of Refugee Adolescents from the Former Soviet Union." *Psychology in the Schools* 42(1):27–38.
- UN (United Nations). 1948. "The Universal Declaration of Human Rights (UDHR)." Accessed March 29, 2016. <http://www.un.org/en/universal-declaration-human-rights/index.html>.
- UNGA (United Nations General Assembly). 1948. "Resolution 194." U.N. Doc. A/RES/194. Accessed April 27, 2016. <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/IP%20ARES%20194.pdf>.
- UNHCR (Office of the United Nations High Commissioner for Refugees). 2009. "Revised Note on the Applicability of Article 1D of the 1951 Convention Relating to the Status of Refugees to Palestinian Refugees." Accessed March 31, 2016. <http://www.refworld.org/pdfid/4add77d42>.

- pdf.
- UNHCR. 2015. "UNHCR Refugee Resettlement: Trend 2015." Accessed March 31, 2016. <http://www.unhcr.org/559e43ac9.pdf>.
- UNHCR. 2016. "Population Statistics." Accessed January 16, 2016. http://popstats.unhcr.org/en/persons_of_concern.
- UNODC (United Nations Office on Drugs and Crime). 2009. "The Constitution of the Hashemite Kingdom of Jordan." Accessed July 4, 2015. https://www.unodc.org/tldb/pdf/Jordan_const_1952.pdf.
- UNRWA (United Nations Relief and Works Agency for Palestine Refugees). 2010. "The United Nations and Palestinian Refugees." Accessed March 28, 2016. <http://www.unrwa.org/userfiles/2010011791015.pdf>.
- Zimmermann, Klaus F., Thomas K Bauer, and Magnus Lofstrom. 2000. "Immigration Policy, Assimilation of Immigrants and Natives' Sentiments towards Immigrants: Evidence from 12 OECD-Countries." Center for Comparative Immigration Studies Discussion Paper 187.

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