

HPG Working Paper

Histories of humanitarian action in the Middle East and North Africa

Edited by Eleanor Davey and Eva Svoboda

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The keynote lecture at the Overseas Development Institute/Arab Thought Forum conference in Amman on 15 April 2013 was delivered by His Royal Highness Prince El Hassan Bin Talal.

1 Introduction

Eleanor Davey and Eva Svoboda

Knowledge is a treasure, but practice is the key to it.

Arabic proverb

The richness, power and variety of humanitarian cultures outside of Europe and North America are regularly overlooked and poorly understood in comparison to the formal humanitarian system, which is often perceived as being predominantly Western in its origins and values. The lack of a more genuinely global understanding is increasingly appearing as a limitation to the international system's conception of and engagement with its interlocutors and counterparts across the world. It is hoped that a better historical understanding of global cultures of humanitarianism will help shape more appropriate and effective responses to crises today.

This collection of papers offers an introduction to the history and concepts of humanitarian action in the Middle East and North Africa. It does not aim to be comprehensive or even representative, but rather to highlight themes and issues with a bearing on current concerns and to provide an example of the historical perspectives that might shed light on humanitarian action today. Based on a joint conference with the Arab Thought Forum (ATF) in Amman in April 2013, this Working Paper is part of HPG's project 'A Global History of Modern Humanitarian Action', which promotes the use of history to improve humanitarian policy and practice.

1.1 HPG's 'Global History of Modern Humanitarian Action'

This project is based on the belief that improved historical understanding will contribute to a sounder platform for dialogue across multiple communities and help to generate a more informed critical perspective on humanitarian policy, practice and innovation. Work on the global history of humanitarian action began in 2011, funded through HPG's Integrated Programme, and will continue until 2015.

Regional studies, of which this exploration of the Middle East and North Africa is one example, are an integral part of the Global History project. Others include the history of humanitarian action in East and Southeast Asia, in Latin America and in Africa. These regional studies recognise the importance of Southern actors both 'locally' and internationally, and seek to understand their role through an examination of the history of humanitarian action, cultures and concepts beyond the Western or Northern narrative. This approach does not exclude the role of Western/Northern actors in a range of settings, but sees them as only one part of a much larger landscape. The project recognises that contact between different cultures and groups is a two-way process, and reflects on the implications of this evolution over time.

Alongside these regional studies, HPG's work considers the history of the formal humanitarian system and the cultures that have informed it, and the evolution of the languages of humanitarianism. A series of questions were developed to serve the project's research:

- How has humanitarian action evolved and changed over the nineteenth and twentieth centuries? How has this evolution differed in different geographical regions? What key trends and issues can be identified?
- Is there a common understanding of the meaning, origins and composition of humanitarian action across different geographical regions? How do these relate to each other, if at all? How have they evolved and interacted over time?
- What analysis can be derived from historical trends and issues to inform current debates and discussions on humanitarian policy and practice? What critical perspectives can history bring to these debates?

In exploring these questions, HPG's work provides a forum for aid organisations and their staff, policy-makers and researchers (historians and others) to bring a historical perspective to responses to crisis. We hope to foster increased engagement between these groups and to encourage the exploration of history in order to shed light on humanitarianism in its many different forms.

1.2 HPG/ATF conference, Amman, April 2013

The conference on the history of humanitarian action in the Middle East and North Africa was held in Amman on 15–16 April 2013. A partnership between the Humanitarian Policy Group and the Arab Thought Forum, the conference explored aspects of the history of humanitarianism across the Middle East and North Africa, the key events creating humanitarian need and the type of responses and actors involved and how these have changed over time. Over two days, speakers and other participants explored this history and reflected on its implications for current practice. These discussions contributed to the shaping of the articles published in this Working Paper. A summary of the discussions is available online.¹

An introduction to the idea of humanitarianism, key institutional developments globally and ongoing challenges in the region was provided in the keynote address by His Royal Highness Prince El Hassan Bin Talal. This address, published in Chapter 2, highlights the need for better platforms to allow the experience and knowledge of the Middle East and North Africa to be represented internationally, reflecting and consolidating the region's expertise on humanitarian issues.

In 'An Anecdotal Prehistory of Humanitarian Action in the Middle East and North Africa', Tom Woerner-Powell explores humanitarian thinking in North Africa before the institutions that structure today's formal system were created (Chapter 3). The paper, delivered in the form of a lecture, focuses on the role of Amir Abd Al-Qadir, remembered in Algeria for his efforts to protect the innocent and to promote humane conduct during conflict. It challenges us to think about how humanitarian action can be totally independent of the organisations and frameworks that are often identified with it today.

In Chapter 4, Emanuel Schaeublin discusses how Islamic tradition has shaped the emergence of social institutions such as *zakat* committees. Schaeublin argues that these institutions developed apart from what is today called

the 'modern humanitarian system' even if contacts occurred between them. Considering displacement in the contemporary history of the Middle East and North Africa, Shaden Khallaf highlights the tension between strong traditions of asylum and weaker normative frameworks for dealing with displacement (Chapter 5). She traces changing meanings of the term 'refugee' and efforts to deal with displacement challenges in the region. Keith David Watenpugh examines relief efforts in Jerusalem, Beirut and Baghdad during the First World War (Chapter 6), using the idea of the 'humanitarian imagination' to explore why some groups are seen as the appropriate subject of aid efforts, while the needs of others receive less attention. Moving into the post-colonial era, Asher Orkaby analyses the internationalisation of the Yemeni civil war through the military involvement of Egypt and Saudi Arabia, as well as interventions by the United States and Britain, and the role of the UN Yemen Observer Mission (Chapter 7). He indicates how the nature of the conflict and the position of the international community presented obstacles to the effective functioning of the UN mission. Dima de Clerck sheds light on the aftermath of civil conflict, looking at the response of the Lebanese government to the displacement caused by the Lebanese civil war (Chapter 8). She focuses on the case of Southern Mount Lebanon, which saw heavy fighting between Druze and Christian militia and the displacement of almost the entire Christian population from the area.

These papers, and the idea of studying history as a way of understanding contemporary issues, raise a number of questions. They challenge us to think about the way we use language and ideas, and how we might need to think differently in the future. The term 'refugee' is a clear example of this: while displacement, flight and migration are truly worldwide phenomena, they have carried different cultural and political meanings in different parts of the world. The same could be said of how 'needs' are understood and prioritised, and the justifications given for action and inaction. These and other questions require continued reflection and an ability to compare and contrast the many, varied histories of humanitarian action in a range of times and places.

1.3 Using this collection

The history, cultures and concepts of humanitarianism in the Middle East and North Africa reach far beyond what has been possible to include here. Nonetheless, it

¹ See www.odi.org.uk/hpg. The summary note includes an account of the paper by Mohsen Ghafory-Ashtiany on Islam and disaster risk reduction, not featured in this collection but available in a similar format elsewhere (Ghafory-Ashtiany, 2009).

is hoped that this collection will provide an insight into key ideas, actors and events, as well as an introduction to some of the literature that is already available. A list of works cited is given at the end of each chapter, with archival sources indicated in footnotes throughout the texts. It should be noted that scholars working on relevant issues may not necessarily label their work as a study of 'humanitarianism', highlighting the importance of adopting flexible conceptual approaches to this topic.

Although one of the aims of the project was to explore perspectives from beyond the dominant Western/Northern narrative, it must be recognised that it is not possible to escape these influences entirely. Indeed, the very concept of the 'Middle East' reflects the European view of a region beyond its borders – further than the 'Near East' but distinct from the 'Far East' – and dates only from the beginning of the twentieth century (Tusan, 2012). Others have preferred the terminology of 'West Asia and North Africa' to reflect connections between countries in this region and its connections with the equally diverse region of North Africa, which was also included in this HPG study. The influence of outsiders has been felt to varying degrees depending on the country in question and at different times, notably during colonisation and the period of mandate rule. Humanitarianism has played a part in this history of external influence, but international humanitarian organisations have often also reflected the culture in which they work as well as other agendas or ways of thinking. The interaction has been two-way.

Many attempts to understand humanitarian action in the Middle East and North Africa focus on the question of Islamic charitable action. Scholarship on this issue is relatively well developed in comparison to other facets of humanitarian history in the region, although remains less extensive than literature on the formal system (see especially Ghandour, 1993; Benthall and Bellion-Jourdain, 2003; Alterman and von

Hippel, 2007). The relationship between Islamic law and international humanitarian law (IHL) has been another key area of study. The role of Islam in shaping cultures of care for others in the region is reflected in the papers that follow, though we have also chosen a range of other subjects to give a sense of diversity and complexity. Diversity has often meant cohabitation, not just proximity, with many different communities living alongside each other within territorial borders. This is most clearly visible in the period of the Ottoman Empire, which at the beginning of the twentieth century was home to some 20 million people and which had sophisticated systems for humanitarian work. It remains the case today thanks to the long and continued experience of displacement in the region (Chatty, 2010).

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2 Keynote lecture

**HRH Prince El Hassan Bin Talal, The Humanitarian Policy Group/
Overseas Development Institute. The Arab Thought Forum, Amman
Monday, 15 April 2013**

Ladies and Gentlemen, good morning. In terms of our early beginnings, the call for a new International Humanitarian Order was first made in the early 1980s and I would like to address this meeting at the outset by saying that as you know Henry Dunant in memory of Salferino called for the formation of a national voluntary relief organisation and I quote, ‘for the development of international treaties to guarantee the protection of neutral medics and field hospitals’.

The ICRC was founded in 1863 to protect the life and dignity of the victims of international and internal armed conflicts, and, if you will, this is a beautiful and sad remark, ‘to make war more humane’. In 1864 we see the first treaty of the Geneva Convention and then we slip to 1949, after two global wars, the so-called European wars, the fallout of which we are suffering in this part of the world, to the fourth Treaty of the Geneva Convention, for the protection of non-combatants in war. This is of course a point that had to be made the other day, conventions of 1899 and 1907 address weapons of war rather than people in war. The International Federation of Red Cross and Red Crescent Societies founded in 1919 was to go beyond the mission of the ICRC and provide relief in situations not caused by war, such as manmade and natural disasters. One of you told me that he represents OCHA, well it used to be the United Nations Development Relief Organisation, UNDRRO, and then became OCHA.

The centrality of human dignity to the correlation between sustainability and development is an issue that is basically overlooked in terms of, to be polite about it, the world in which we live. But I do feel that humanitarian behaviour is continual and not just in times of war. I remember having a long conversation with Leopold Senghor, who spoke better French than I would in several lifetimes, and he said, ‘Why don’t you call it *humaniste* not *humanitaire*’, and I said, ‘Why should we get into faith based issues’. Of course I agree with the view that even those among us who are

secular have faith if their faith is in the promotion of the common good, so we are here I assume to promote some degree of regional understanding, humanitarian rather than humanistic. I would like to avoid getting into hot water with the protagonists who now are employing yet again the title the rubric of religion in war, which of course to me is abhorrent and a major contradiction.

Chapter 6 and Chapter 8 of the UN Charter protect populations against genocide, war crimes, ethnic cleansing and crimes against humanity. I would like to bring your attention to an article I produced with Rolf Schwarz, a professor working with NATO on the need for an holistic approach when referring to R2P, the Right to Protection, by saying that human security and human rights are slogans, but I think what is important here is that the responsibility to protect represents an holistic approach to the challenges of international security and peace building and one that enables human rights violations to be conceived of as a security issue. Of course the definition of security in our region is basically weapons of mass destruction which we refer to as basic security, current security issues which range from GWOT – global war on terror – to drug smuggling. Of course we see the connection speaking of the MENA region, what I would prefer to call the WANA region, West Asia-North Africa, between drugs from Afghanistan to Mali and beyond, to Latin America. I want to make it very clear in seeing these violations as a security issue the international community, with current security issues and beyond, the international community can deal with these violations through existing mechanisms in international politics notably quasi measures in Chapter 6 or 7 of the Charter of the United Nations and even decide to forcefully implement them from abroad. Now of course this is somewhat alarming because the UN Security Council in March 2013 approved an Intervention Brigade to help root out extremists in the Democratic Republic of Congo, so I am asking, ‘Are we hot-housing the extremists we claim to fear?’

I would like to say that addressing issues through surgical mechanisms, and we all know what surgical strikes and the drone issues at the present time which is so much in the news today in the United States, by addressing security issues in purely security terms. I was speaking to a Congressman from an arms producing state the other day and he said, 'Folks like you are bad for business', and I said, 'maybe in the short term but what about the long term?'

What about winning the peace? I pay tribute to Sidney Bailey, the great Quaker, who wrote three books among others, on 'How Wars End'. My question here today is, 'How *do* Wars End?' If we are going to contribute to the Millennium Development Goals, which as I understand it is part of the objective of our gathering, I just want to bring to your attention, that we haven't been idle this year, or indeed last year. The Arab Thought Forum convened in November and produced a Social Charter which has been worked on for the best part of the last three years, among the prominent sections in that Social Charter is the proscription of all forms of discrimination. To promote citizenship it is felt by participants from all over the Arab world, and participants not of a certain age bracket. His Majesty The King of Jordan referred the other day to those over sixty years as dinosaurs, I wanted to point out as I have passed my sixty-fifth moon or maybe sixty-sixth, it doesn't really matter anymore, that I am a dinosaur in transition, but I do want to say that in terms of the participation of youth we started in 2004 listening to the youth of the Arab region. I don't want to say that the Arab Thought Forum actually predicted the Tahrir Square events because then we'll be accused of being party to some great conspiracy, but I do want to say that in terms of the absence of a Social Charter, the absence of an Economic Charter, we are painfully aware of the fact that there is also an absence of any regional, whether we are talking about MENA or WANA, constitutional capability that can present an authentic view from the region to the United Nations or indeed to the Bretton Woods institutions. I want to make it very clear that whether it is Dumbarton Oaks or Bretton Woods that I think that interventions in this part of the world have their limitations, both in terms of mandate and in terms of finance. In terms of water, which of course to most of us, is *the* issue when it comes to the current refugee question, we are talking about 20 million uprooted people in the West Asian region today, 26 million in the world and I think 20 million in the West Asian region, so the question

of a carrying capacity based on a Knowledge Base is vital. We have no Knowledge Base in this region, everything is happenstance. We need a Knowledge Base for human, physical and economic realities to be served up and used as a template for changing public opinion in this part of the world from petitioning and sloganeering and demonstrating to picking up the substantial issues and addressing them. I want to say that this country is holding a national census next year, but what use is a national census if up to 17% of your population by the end of the year may well be Syrian refugees, let alone Iraqi or Palestinian refugees. How long can we keep holding the refugee issue at arm's length, if we are to listen to the World Bank and the IMF, they are political economy. It's all very well for their bookkeeping exercise to talk about it as political economy, but I want to say the 'Uprooted' in their various categories, DPs, IDPs, stateless persons, all of these vulnerable groups, all of these issues were addressed during the struggle to develop a template for an International Humanitarian Order.

The word '*Hima*', some of you are addressing in Muslim concepts, in promoting human dignity and '*Hima*' is a combination of the environment, both physical and human environment. I want to make very clear that '*Hima*' is a concept and I thank you for speaking Arabic, Eva, Rabi'ah al-Adawiyah referred to my understanding of '*Hima*' in her lifetime, I am talking about the ninth century, end of the eighth century, she says, 'Oh, my Lord if I worship you for fear of Hell, burn me in Hell and if I worship you in hope of Paradise, exclude me from Paradise'. There is no bargaining with the Almighty. Religion has become a profession not a vocation. She concludes, 'But if I worship You for Your own sake, grudge me not Your everlasting beauty'.

Isn't it time that we worshipped truth for the sake of its everlasting beauty? I won't delve into religion but reflecting today on political Islam and the Muslim institutional non-discriminatory altruism I would like to put on the table, yet again, the issue of Zakat. I have asked our former Minister of Religious Affairs, Dr Abdul Salam Abadi, to participate and to interact with those of you who are directly concerned with Zakat. We have been at it for twenty-five years. The problem is not with Zakat, the problem is with the universalism of Zakat. How do you develop a Universal Zakat Institution? I was even speaking to Sheikh Qaradawi the other day and to my amazement he made exactly that point.

I want to get back to Zakat and say that in terms of Sudan, I had the privilege of working there in the early 1980s when we created the Hashemite Charitable Organisation. We were working with Lepers and I recall the value change it had on our doctors, that they were no longer working with cosmetics on obese ladies, they were working in the desert with people who genuinely needed them. I wonder whether with Zakat it wouldn't be possible, because Zakat is nondiscriminatory, to one day create an international non-denominational peace corps. Not blue helmets, I don't care what colour helmets or no helmets preferably, but men and women from different denominations working together and this is why I admire MSF so much. I came into contact with MSF in 1989 when they came over the border, with one and a half million of those fleeing from the Iraq-Kuwait theatre of war. It was MSF who did that job and left without seeking any praise or any publicity.

As far as the state, in this region what has gone wrong, to answer the questions that you put in your paper, and how the humanitarian issues affect decision-making I want you to know that it is my firm belief, after years of involvement, that the authoritarian state became responsible for humanitarian aid. Today we see a Russian field hospital being deployed in a Belgian town because a bus of Russian tourists turned over and fell down a ravine. It is quite extraordinary that you can make a political statement if you are an authoritarian state in this manner. So the military coups, starting with the Nasser era through Iraq and Syria etc., Libya of course, the one party ideology, whether it is Islamist, ideologist, acknowledges of the left, centre left, the Ba'ath, whether it is the ideology of kingship, because kingship is a big ideological commitment. I am important because I carry a title, I am handicapped because I carry a title. If anyone says, 'Your Royal Highness', I have to look over my shoulder to see who they are talking to, even at this age. Do they rule or do they reign? The question is, do they have accountable institutions or do they not? Do they collectively have an accountable presence? I would say no because we do not have a regional ECOSOC, an Economic and Social Council that meets every day of every week of every quarter that can present priorities as they are and as they change, as they evolve, we have no knowledge based criteria.

As far as Arab states are the creation of foreign interventions, I remember in the Trilateral Commission, Japan, the United States and Europe the other day

heading a group of eight Arabs from the WANA region, actually Arabs and non-Arabs, we had Turks and Iranians as well, we certainly do in other meetings and someone said, 'congratulations on joining the Arab League decision for considering Syria no longer a member of the Arab League'. I was the only Arab on the panel so I thought it was extremely embarrassing to be congratulated on something I really had nothing to do with apart from anything else. I said have you, all of you, three or four hundred people in the hall, ever asked yourselves how wars end? If the conditionality of joining is that we are expected to do something aggressive across the border then who is going to suffer the consequences? Is it the refugee camps, is it our villages, is it our towns? It is very difficult to theorise at long distance and then to my amazement and we are talking about historical antecedents, I said if you are intending to march to Damascus, we were marching to Damascus as Hashemites in 1916, calling for self-determination of peoples and the Spanish Ambassador who was the coordinator of the Mediterranean region, said, 'and who stopped you?' and I said, 'I think it was European intervention called the Sykes-Picot Agreement'. I just bring this to your attention because I just published an article in the Canadian Globe and Mail which might be interesting to revisit the Sykes-Picot Agreement which as I say carried the seeds of its own destruction I think and we are seeing the seeds of that destruction of the Sykes-Picot Agreement today.

But enough of history, I want to say that in circumstances where actors from within the region are neither willing nor able to provide humanitarian assistance themselves and Syria comes to mind, where despite attempts by the League of Arab States the situation has remained precarious and unstable then it might be conceivable for the international community to step in and shoulder some of the burden and some of the responsibility. I am amazed by the dwindling of funds for the case of Syrian human beings. Nobody looks at Syria in terms of human beings, we are all counted as sheep. I am appalled by the fact that the GCC and the League of Arab States have stepped up their efforts in crisis management, but if we look at previous efforts such as the League of Arab States intervention and Arab funds and bear in mind *that it was Arab funds*, they weren't called Arab funds in those days, but they were oil funds that funded the Marshall Plans of World War I and World War II, it was those petro-dollars that funded the Marshall Plans of World War I and World War II, after all what was World War I and II about?

Approaching the warm waters of this region where we are blighted by the fact that we are bestriding strategic waterways. My Iranian friend here might like to know that in Tehran the other day when I was invited to the Non Aligned Summit Conference, the Arabs were saying the Arab Gulf, the Iranians were saying the Iranian Gulf, the American fleet commander was saying the American Gulf and I said, 'Well why don't you call it the Indian Gulf?' If you look at the people on the ground who are working there, if we are talking about labour compensation, if we are talking about human beings, who is actually working? We sit in air conditioned splendour, look out of the window and see these people working at all hours of day and night.

And speaking of labour compensation, I want to remind you that in the 1970s I called for an International Labour Organisation, an initiative called ILCF, International Labour Compensatory Facility, so that we could tailor-make the requirements of the Gulf or anywhere else who were demanding our capital, our human capital. Today our greatest loss is our human capital. Today the ideologists stay at home and we are facing a challenge of dumbing down. Dumbing down how? In 2007 if you look at the decline in achievement, if you look at the TIM Study on mathematics and science, for example, teachers are not showing up at school until after 10 o'clock in the morning, children are not going to school and the dumbing down process is basically if you develop a certain apparel or a certain way of life, then you are protected by the safety net of certain parties. I said the other day openly at a prize giving on education 'The Almighty looks at your heart not at your appearance or your apparel'. So I wonder whether we are being regimented in a manner which is going to be difficult to reconcile with the basic zakat, hima, awqaf, institutions that can actually attend to the challenges of human dignity, over and above which, for those of you who dismiss Islamic institutions, I would add, what is wrong with a Regional Development Bank which focuses on developing a social cohesion fund?

One of the activities that your forum held was an Arab Thought Forum consultation last week with UNDP, Helen Clarke I believe attended and I am looking forward to following up with them. I am interested to see that in Bahrain where I was a few days ago a meeting was held under the auspices of the Bahraini government to develop ideas for a regional, they called it a Housing Bank, but it would be addressing Arabs in situations abroad where their funds are threatened,

but also addressing the victims, the most vulnerable victims of the Arab Spring as they put it.

In terms of the post-2015 development agenda, I would like you to know that we are working on a 2025 vision. My hope is that in 2025 we will be able to present to Arab decision makers, and to the Arab public and the world at large and our regional friends and neighbours, Turkey, Iran and with them a concept which forecasts – if we continue at the present rate of development, certainly as an Arab group in a situation which is worse than sub-Saharan Africa. If we improve then let us compare ourselves with the West Asian region or South Asian region. So there is this attempt at forecasting and to that effect in The Hague, this year I attended and participated in an invitation which was rather a tri-partite invitation of the Netherlands, Jordan and Liberia, World Water Day and in terms of life-giving water, we are talking about water and sanitation. Water and environment, but again going back to the basic issue of water, *where is water?* North Western Iran, North Eastern Iraq, North Eastern Syria, Southern Turkey the only remaining sources of water. Of course the other options are desalination everywhere, but these are only options if the region begins to stabilise. I also want to add that at the World Water Day meeting, the concept of contributing to human dignity as central to the MDGs was mooted and I am glad that we had both the Secretary General of the United Nations and the President of the General Assembly there but I had the feeling that we were still talking *at* each other and not *to* each other, which is why I hope that we can build through a roundtable of people.

Back in 1966 World Bank testimony emphasised the link between poverty and conflict bridging human dignity, what I call human dignity deficit. I've lived through the Pearson Commission, the Brandt Commission, the Brundtland Commission and then the Sadredin/Hassan Commission on humanitarian issues. How do we bring the topics and mandates closer to each other? How do we add some spirit to the words coming out of New York? The issue is not, when we come to human dignity and WANA or MENA, regional or Islamic, it is universal. When I went to visit the Cardinal of Sao Paulo, we created the term 'street children'. Cardinal Evaristo Arns in the seventies when the Latinos were talking about liberation theology, what is the difference between liberation theology and our own so-called liberation theologies, which is basically what they are.

As for developing a regional knowledge base, I would like once again to say that the motivation is the Social

Charter. A call for action on all Arab states to transform current tragedies that continue to spread throughout the region. Youth may be regarded as agents of change, they are vital in the process, 15 to 24 year olds comprise 25% of the population. I wish if we were organised enough and Dominic Hyde of UNICEF knows that if we sit down with those Syrians at the time they were crossing and introduce Jordanian youth, but the whole issue was so tense, it was almost impossible. We did not learn from our previous experiences. I was putting up tents in 1967 in Baqa'a where I was convinced it was not acceptable in the long term because this is a beautiful agricultural valley, now we come and put up a tent city on top of groundwater aquifers, we don't have to be told that, but somehow when there is a crisis the most officious of us get away with it.

I used to be effectively officious because in 1989 I was in office. Today I could only open my mouth and close it until you told me, Dominic, to pick up the telephone and speak to the then Prime Minister and say, 'there is going to be a flood here in winter', blinding flash of the obvious. The only people who took us seriously were the Germans. The German aid came to our assistance. Now those refugee camps are considered to be the domain of every foreign embassy who wants to show their Foreign Minister talking to poor people. What about the camps in Mauritania, what about the camps in Darfur, what about the camps in the whole of the MENA region? What about the human dignity issue? How do we recognise and practice equal citizenship in a social and cultural context?

I want to remind you that as Member States try to maintain some sense of their own rights as sovereign political entities, but increasingly the problems these states confront are regional and global in scope and cannot be dealt with on national terms alone. I want to tell you that the Syrian case is not a case of regional or global but regional and global commitment to oscillation, mutilation. Superpowers are now involved in how the local chieftains work. Today we hear that the fighting in Syria is between the Syrian opposition, and Hizbollah in Syria or in Lebanon. Of course collateral damage is going to affect a lot of people but I can't believe that this insanity is allowed to continue without at least a voice in the wilderness in the thinking international media.

Helen Clark said to us when she visited: 'What happens with conflict and the spillover of refugees effect is that it leads to a fallback in the development

progress'. Well, Hell with the development progress, reorganise the priorities of the development progress. If the development progress is just triumphalist hotels, bright lights and casinos or whatever it may be, why don't we focus on the priorities of human dignity. This is bureaucracy at its best Helen Clark says, the Syrian refugee crisis took its toll on Jordan's development.

I would conclude by telling you that the Commission that wrote the study, *Winning the Human Race*, which is available to all of you if you wish to see it and the members, thousands upon thousands of them, eye witnesses, we sat and listened to the eye witnesses of indigenous peoples, the Mothers of the Plaza de Mayo, eye witnesses from all over the world made us feel that we were not presenting in 1988 a call on behalf of the powerless, *we were the powerless lobby for the powerless* and aside from the conclusions, which apply today, I think you would agree with me that although considerable progress has been made in developing and codifying international humanitarian law flagrant disregard of humanitarian norms persists. The new humanitarian crises demonstrate the necessity of new perspectives and approaches in translating the short-term relief efforts of today into long-term strategies that safeguard the welfare of future generations.

Given that the Commission's work was limited in time and scope, it concentrated on the plight of only a few of the unprotected or vulnerable groups in specific situations of acute hardship. These include the stateless, the disappeared, refugees and displaced persons, indigenous populations, street children and the urban young.

So my concluding remark is basically let's do something about it. If we are going to exchange bureaucratic pleasantries then I don't think that this contribution is worthy of an authentic voice from the Middle East North Africa or the West Asia North Africa region.

I am sure that you are all here to do something more worthy than that. You know more about it, I should not be addressing you in this manner because I realise that each and every one of you has suffered on the ground and it's only out of a sense of anguish that I express myself in this manner which is not meant to be passionate for its own sake but for the sake of, at least waking us up at this hour of the morning and making this day a profitable one.

Thank you very much for listening.

3 An anecdotal prehistory of humanitarian action in the Middle East and North Africa

Tom Woerner-Powell

At the outset, I should like to give some account of why I have chosen to refer to an anecdotal prehistory of humanitarian action in the Middle East and North Africa in the title of the lecture I have been invited to deliver. That my talk should deal with the history of humanitarian action in the Middle East and North Africa is perfectly natural; this conference forms part of a series of regional conferences organised by the Humanitarian Policy Group at the Overseas Development Institute on the perennially significant topic of modern humanitarian action. It would be an impertinence to present myself here as encompassing all the deeply informed contributions which we are certain to hear over the coming two days. Rather, I shall attempt to confine myself to a more limited but nonetheless unmistakably human scale so as to set the stage for our speakers.

My framing anecdotes are drawn from the life of another: a man with whose actions, writing, reflection and reception I have concerned myself over much of the past decade: at Oxford, on behalf of the Fondation Ousseimi in Geneva, and in libraries and archives around the world. While hoping to expose some of the many moral, historiographical and ethical issues surrounding humanitarianism as a phenomenon of ideals and of practice, this address will take the life of another as its touchstone. It is from the life of the amīr ‘Abd al-Qādir bin Muhyī al-Dīn al-Jazā’irī (d. 1883), widely known as Abd-el-Kader and remembered as the symbolic father of Algeria and the leading opponent of the French conquest, that I shall draw my recollections. Despite the great renown which this figure still enjoys – commemorated from Damascus to Algiers to Paris, and even as far afield as a town in the Midwestern US state of Iowa which bears his name – I shall not assume that my audience is deeply familiar with the man.

All that remains before setting forth, then, is to elucidate the remaining (and perhaps most puzzling) term of my talk’s title. How and why do I propose to speak of ‘prehistory’? I freely admit at the outset that the word is intended to be taken ironically and perhaps as a gentle provocation. The episodes in ‘Abd al-Qādir’s life from which my anecdotes are drawn took place before the first crystallisation of the humanitarian bodies with which we are now so familiar. The events I shall discuss took place before the formation of the International Committee of the Red Cross (1863), before the first Geneva Humanitarian Convention (1864), before the Universal Declaration of Human Rights (1948) was agreed and before the Geneva Conventions were signed (1949). What is more, they include among their *dramatis personae* characters largely untouched by the European intellectual and legal traditions out of which so many humanitarian structures are typically seen as having grown. From certain kinds of historicist and genealogical perspectives, then, one might immediately declare the actions of an Arab-speaking, Malikite, Sufi Muslim in the nineteenth century Islamic world as a world *away* from the structures and discourses one might today recognise as emblematic of humanitarian action. My intention is to suggest that such structures and discourses, while perhaps emblematic of humanitarianism, are not necessarily exhaustively constitutive of it. If we listen to the music as well as the song, as I hope we shall do over the next hours and days, I would suggest that we may find many reasons to question the view that humanitarianism – particularly as a motive for persons actively involved in humanitarian activity – is to any significant degree a European preserve.

For my first anecdotal suggestion in such a direction, I turn to ‘Abd al-Qādir’s treatment of prisoners and non-combatants during his conflicts with France.

It is not my intention here to make any direct legal comparison between the regulations he laid down for his small standing army (see Berbrugger, 1864) and twentieth century military ethics and international conventions. Still less is the intention here to compare the relative merits of Islamic and secular formulations of *jus in bello*. Rather, a still more general account should prove more interesting, more informative and more supportive of the suggestions which will be made towards the close of this talk.

‘Abd al-Qādir is remembered in Algeria today for his role in uniting disparate tribes under a single banner, of centralising and regularising judicial systems (Shinar, 1965: 149), taxation (Julien, 1964: 184) and trade, and of his early regional attempt at an organised professional army (Danziger, 1977: 126). As well as being seen as the father of Algeria, he has been referred to as a modern Jugurtha – not only in honour of that Numidian ruler’s North African kingdom, largely co-extensive with modern Algeria, but because of his second-century conflict with the Romans. It was not imperial Rome ‘Abd al-Qādir held back from its ineluctable conquests, of course, but colonial France.

In his novel *Nedjmah*, published in 1956 in the midst of the Algerian Revolution, the novelist and playwright Kateb Yacine depicted dissidents passing the biography of ‘Abd al-Qādir (written, one might add, by an Englishman, Charles Henry Churchill, in 1867) among themselves as a sort of talisman. This totemic status was recognised after independence by ‘Abd al-Qādir’s re-interment in Algiers as symbolic father of national independence. He is also remembered, however, as a great Sufi, as a marabout or *murābit* – a teacher and devotee particularly inspired by the Murcian mystic Muhyī al-Dīn ibn al-‘Arabī (d. 1240), whom ‘Abd al-Qādir honoured with the sobriquet ‘*al-shaykh al-akbar*’, the greatest master. In this latter capacity in particular he has continued to win admirers and even converts among Westerners who see his Sufism as offering a peaceful path of mediation, meditation and resignation in a world scarred by inter-religious enmity – notably in the Guénonist¹ tradition via the modernist artist Ivan

1 René Guénon (d. 1951) was a French intellectual who argued that there exists a single, perennially re-occurring metaphysical doctrine to be located within ‘esoteric’ and initiatic strands of all religions – most particularly identified with an idiosyncratic reading of Hindu *advaita vedānta* (though he himself would ultimately convert to Islam).

Aguéli,² and syncretic New Religious Movements such as Beshara. Such devotees, indeed, find little difficulty in seeing ‘Abd al-Qādir as an inherently cosmopolitan figure, concerned for all mankind.

I am not here today, however, to discuss such representations, nor to attempt to pin down all the realities they reflect. Rather, I am concerned with his treatment of the imperilled weak, in both North Africa and Damascus. In both settings, responding both to what we might call international and civil or sectarian conflicts, his comportment amply justifies his inclusion in our discussions today. He repeatedly won fame and admiration throughout his lifetime – even among his opponents, with whom he shared neither language, nor law, nor culture, nor faith – for his protection of innocents and his urging of patience and forgiveness, even in the midst of battle and strife.

But first a little context. ‘Abd al-Qādir was born in the early years of the nineteenth century, in the town of al-Qaytanah (Guetna) near al-Mu‘askar (Mascara) in Algeria, where his father oversaw the local *Zāwīyah* (school, hostel and meeting place) of their Sufi *Tarīqah* (brotherhood), the *Qādirīyah*. He was buried in the Damascus district of Sālīhīyah, some eight decades later. Between these antipodes, he found himself both the greatest military opponent of French imperialism, and the proud recipient of the Grand Cordon of the Legion of Honour³ – the highest accolade his erstwhile foes could confer. He was portrayed as the fiercest adversary and as the staunchest ally of France.

During ‘Abd al-Qādir’s years in North Africa, many of his French contemporaries saw him as a religious fanatic, an implacable Islamist obsessed with *jihād*. His own followers saw his warfare as a pious project to restore peace and justice to a land riven by chaos, conflict, violence and uncertainty – a region increasingly threatened by distant and foreign powers and by the chaos spreading among its own native inhabitants. While ‘Abd al-Qādir signed treaties with the French – with generals Alexis Louis Desmichels in 1834 and with Thomas-Robert Bugeaud in 1837, none of which recognised the justice of French conquests

2 A Swedish Post-Impressionist painter, Aguéli’s (d. 1917) interests included political anarchism and (pan-)religious mysticism, culminating in conversion to Islam and an embrace of Sufism.

3 Outrey to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/11*, 22-10-1860.

or French sovereignty over them (de Tocqueville, 2001: 50) – it was warfare which most defined the relationship. This was of course an unequal war, fought between unequal combatants by unequal means. It would ultimately prove impossible for him to win.

While French power was overwhelming, however, it was increasingly seen as having met its moral match. Faced with asymmetric warfare, (literally) hit and run tactics of *karr wa farr* (raid and retreat), the French army, representing one of the most civilised, sophisticated and cosmopolitan cultures then to be found, resorted more and more to scorched-earth tactics, collective punishment and the slaughter of the innocent. Some incidents, such as the Dahra Caves massacre, were so horrific as to shock all of Europe and compel the French government to restrict the sale of foreign newspapers (e.g. Abdel-Jaouad, 1999: 196), so full were they with denunciation. Friedrich Engels, for instance, wrote of these events that '[t]hrough this barbaric approach to the waging of war, the French have taken a stand against all laws of Humanity, of Civilisation, and of Christianity' (quoted in Serauky, 1990: 56). What would later be called the *mission civilisatrice*, whatever its noble intentions may have been, took increasingly inhumane forms.

Meanwhile, 'Abd al-Qādir had set about making his armed followers more humane in their practice of war. He ended the Ottoman-era custom of paying bounties for enemy heads – 'he paid more', it was said at the time 'for whole bodies' (Scott, 2010: 29). Once these 'whole bodies' were in his power, moreover, he took great pains to treat his prisoners well. The years which followed saw the publication of numerous memoirs by European prisoners of 'Abd al-Qādir. These, like contemporary reports received by the French Foreign Ministry and Ministry of War, were unanimous in praising both his excellent physical treatment of them, as well as what one German captive called his 'great tolerance and freedom from prejudice with regard to those with beliefs which differed from his own' (Berndt, 1840: 63). As his position grew desperate, and French military strategies more destructive, he still made the effort to protect his prisoners, and to return them to French hands when he ran so low on supplies that he could no longer adequately care for them. Even as his position had become strategically untenable, he 'often interfered to prevent cruelties by the Arabs on the Christians, and when his army has taken any prisoners they were uniformly treated

with humanity' (*The Times*, 14/1/1846: 8). It speaks volumes of the esteem which greeted 'Abd al-Qādir's honourable comportment that it won him sympathy not only with his own people but also among distant European aristocrats and literary luminaries, including William Makepeace Thackeray, Victor Hugo, Viscount Maidstone, the Marquis of Londonderry and the Prince-President to-be himself, Louis-Napoleon (Napoleon III).⁴

'Abd al-Qādir's relatively humane practice had its counterpart in the theoretical realm; he was a keen scholar, said to have memorised the entire *Sahih* hadīth collection of al-Bukhārī (Al-Baytār, 1963: 887), and he dreamed of assembling a great library (Bellemare, 1863: 238), offering generous rewards to anyone who brought him manuscripts. To rule disinterestedly according to divine law was the goal he set himself, announced throughout his rule from the very moment he accepted the *Bay'ah* (allegiance) of the first tribes to pledge their support to him (Bellemare, 1863: 37; Julien, 1964: 179). Even while making his case for holy war, to encourage a great jihad against the invading French, 'Abd al-Qādir insisted that warfare could only be carried out subject to legal limitations – a matter on which he sought advice from the jurists of Fez and other centres of learning. Drawing on the Malikite jurisprudential legacy of the Spanish Reconquista, the so-called 're-conquest' of Muslim-ruled Andalusia in the name of Catholic monarchs, 'Abd al-Qādir took care to distinguish between combatants and non-combatants, and between willing and unwilling accomplices. Where the legal scholars and pious forebears disagreed, moreover, 'Abd al-Qādir noted that the merciful option was preferable 'as there is no gainsaying benevolence' (Woerner-Powell, 2011).

His war, of course, would founder, and France would indeed establish its colony – one which would endure well into the twentieth century. Breaking its promise to permit 'Abd al-Qādir safe passage towards the Hejaz, a French state caught up in the turmoil of 1848's Year of Revolutions imprisoned him in France, where it unsuccessfully attempted to induce him to settle in luxury. After his release, and following a stint in Bursa, near Istanbul, he finally settled in Damascus, where he would end his days.

4 All of these sympathisers are mentioned in the correspondence of the Marquis of (later Lord) Londonderry, held at the Durham County Records Office (under D/Lo) in the UK.

It is there, in Damascus, that a still more striking episode occurred. While his earlier strictures on the treatment of prisoners had won him praise even among his enemies, and in some ways prefigured the next century's conventions on the rights of prisoners of war, it was this latter episode which would propel him to the heights of celebrity as a champion of his fellow man. In 1860, a wave of sectarian violence swept through the Ottoman territories we now know as Lebanon and Syria. Christian, Muslim and Druze communities increasingly found themselves at one another's throats. 'There has never been a pure sectarianism', Makdisi notes, reminding us that this conflict was greatly exacerbated by a range of military, economic and cultural winds buffeting the region (Makdisi, 2000: 145–48). These included the just-concluded Crimean War against Russia, the raft of reforms the Ottoman government was introducing to reorder the relationship between confessional groups on a more Western model of equal citizenship (Ma'oz, 1969), economic shocks and commodity price collapses (Masters, 1990: 4) we might today describe as the results of globalisation and increasingly assertive European powers.

'Abd al-Qādir had long feared that the violence would ultimately make its way to Damascus. A multi-ethnic, multi-religious metropolis with international trading links, Damascus was a clear potential flashpoint. On several occasions he managed to stop local leaders from resorting to violence through persuasion and diplomacy.⁵ By the beginning of July 1860, however, violence had broken out in the Christian-majority quarter of Bab Tuma in the north-east of Damascus' old city. 'The events in Damascus took place in the immediate aftermath of sectarian violence in Mount Lebanon and were the culmination of a series of attacks on Christians across Greater Syria (*bilād al-shām*) – Aleppo in 1850, Nablus in 1856, and tensions in other towns that did not lead to bloodshed' (Rogan, 2004: 493). The city's Christians, unarmed civilians – men, women and children – were to be targeted and eradicated. The Ottoman authorities of the city, whether by accident or intention, found themselves unable or unwilling to protect their citizens, or as Muslim rulers to protect the protected religious minorities living among them. The stage was set for a most horrendous slaughter.

5 Lanusse to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/12*, 02-07-1860.

'Abd al-Qādir was ready, however. He drew on his immense prestige as a *mujāhid*⁶ and a scholar, as well as the significant patronage secured by his commercial arrangements and his generous stipends from the French and Ottoman governments, intended to keep him quiet and quiescent. He formed a militia. Composed primarily of emigres from the Maghreb, it was over 1,000-strong, and all were armed (thanks not least to a calculated risk taken by the acting French consul, Michel Lanusse, who trusted more in 'Abd al-Qādir than in the city's formal leadership).⁷

Over the course of several days, 'Abd al-Qādir and his men gathered the city's Christians together, both in 'Abd al-Qādir's own palatial home (which was repeatedly attacked by the rioters, who were each time beaten back), and in the city's citadel. Meanwhile, 'Abd al-Qādir enlisted the help of sympathetic religious scholars to preach among the city's Muslims that the innocent were to be protected. By the end of the week, as the dust was settling, the Ottoman authorities had begun to take severe action against the rioters and their ringleaders, with over 1,000 arrests and dozens of executions (Makdisi, 2000: 146). Contemporary sources agree, however, that had it not been for the swift and decisive actions of 'Abd al-Qādir and his followers, between 10,000 and 13,000 innocent lives would have been lost: 'it is a patent fact that thousands owe their lives to his liberality, energy and presence of mind',⁸ a British observer reported.

For his part, 'Abd al-Qādir's correspondence of the time focuses less on his own motivation – as a self-described 'man of action'⁹ he had no choice but to 'do his duty' (*The Times*, 13/11/1873: 5) – but rather condemns the wickedness of the rioters. As a result of his great feat of heroism on behalf of the weak, however, he was showered with accolades by the strong. The Ottomans awarded him the First

6 That is, a person engaged in jihād or religiously sanctioned warfare according to a range of Islamic ethico-legal principles (as well, he himself argued, as being motivated by piety and devotion to God's will (Al-Jazā'iri, 1967: 145)).

7 Lanusse to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/12*, 19-06-1860.

8 Brant to the Foreign Office, British National Archives, FO 78/1520, 24-07-1860.

9 Outrey to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/13*, 17-04-1861.

Class order of the Medjidiyyeh,¹⁰ while their hostile neighbours the Greeks made him a Chevalier of the Order of St. Saviour;¹¹ for its part, France awarded this man, among the greatest thorns in its colonial side, the Grand Cordon of the Legion of Honour;¹² the King of Sardinia awarded ‘Abd al-Qādir the Grand Cordon of Saints Martin and Lazarus;¹³ while the United States despatched a pair of silver mounted Colt pistols in an ornamented case bearing the inscription ‘From the President of the United States of America to his Excellency Said Abd el-Kader, 1860’.¹⁴ Not to be entirely outdone, the British sent a similar gift – an ornamental carbine¹⁵ – along with praise which seems particularly pertinent given our discussions here today. ‘Abd al-Qādir was praised for the ‘service he had rendered to the cause of humanity’.¹⁶ Whatever ‘Abd al-Qādir’s own understanding of his actions may have been, and whatever his intentions, it seems that his European contemporaries felt justified in characterising him in terms close to those which were beginning to coalesce in the modern coinage of ‘humanitarianism’. The degree to which mutually antagonistic powers with deeply differing ethical and moral traditions appeared to agree on this matter gives it, perhaps, still more of a ring of truth.

So why, in these two episodes, in Algeria and Damascus, did ‘Abd al-Qādir act as he did? In each of the vignettes depicted in this address, I have tried to describe a man choosing a particular path in the midst of chaos and upheaval. During his war with France in North Africa, and again during his action against the sectarian rioters of Damascus, he exerted himself for the good of the weak and the powerless, though no obvious material or strategic goal compelled him

10 Lavalette to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Constantinople/Ambassade/C/247*, 28-08-1860.

11 Wrench to the Foreign Office, British National Archives, FO 78/1520, 28-11-1860.

12 Outrey to the Ministry of Foreign Affairs, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/11*, 22-10-1860.

13 Outrey to Lavalette, Centre des Archives Diplomatiques de Nantes (CADN), *Damas/Consulat/11*, 01-10-1860.

14 Johnson to the State Department, US National Archives, A2 Cab. 40/9, 21-09-1860.

15 Brant to the Foreign Office, British National Archives, FO 78/1520, 20-11-1860.

16 Brant to the Foreign Office, British National Archives, FO 78/1520, 24-08-1860.

to do so. In each case, his actions arguably exposed him to greater difficulty and greater risk than inaction would have done. In each case, moreover, we see him comport himself in a manner closer to the ideals of humanitarianism than did his contemporaries. This is the case despite the fact that those contemporaries drank more deeply from the intellectual mainsprings of the modern humanitarian tradition as a formal phenomenon. Moreover, in each case, we see this fact reflected upon by them too: his actions were recognised as praiseworthy both by his followers and by his enemies, and were equally applauded by parties hostile to one another, but united in recognising the value of ‘Abd al-Qādir’s humanitarianism.

Yet if humanitarianism has its exclusive roots in European or American soil, in texts ‘Abd al-Qādir did not read written in languages he could not understand, in religions he did not practice, in social movements of which he was unaware, in legal philosophies he did not recognise, in conventions he did not sign, in organisations of which he was not a member, and in ideals which he did not necessarily share, we must ask ourselves whether the anecdotes related by this talk are part of the history of humanitarian action, part of its pre-history, or indicative of some parallel evolutionary alternative. Is this something quite different altogether, perhaps? If indeed it is something quite other than humanitarianism, however, how can we account for reactions to his deeds as humane and as humanitarian, both among his Western contemporaries and among so many of us who are alive today?

Was it the breadth and intellectual rigour of the jurisprudential traditions of Malikism, like the encyclopaedic *al-Mi’yār al-Mughrib* of al-Wansharīsi from which he preached and quoted (Woerner-Powell, 2011), which informed ‘Abd al-Qādir’s ethical impulses? Was it the depth and flexibility of the Sufism he practiced and taught, the *Futūhāt Makkīyah* and *Fusūs al-Hikam* of Ibn al-‘Arabī he discussed with his small circle of *murīds* (Al-Jazā’irī, 1967), which drove him to act? Or was it some innate human drive or characteristic, some basic ethical intuition or moral sense? And if so, was it such as we find described by David Hume or Adam Smith, or by Mencius and the Confucians? Might it be explained through the language of neuroscience as a hard-wired drive towards empathy (the existence of which has been argued by philosophers such as Marie-Christine Beisel (2012))? Was it perhaps some spiritual spark, something which ‘Abd al-Qādir himself, following

mainstream Islamic convention, would have called a *fitrah*, a fundamental spiritual predisposition inclining the human being towards *ih̄sān*, towards moral improvement? Was it any or all of these, or perhaps something else, which set him to choose the most humane path in the midst of warfare and civil strife? What, in short, moved him to embrace what we might today call humanitarian action? Would our answer, after all, qualify him as a ‘real’ humanitarian?

Such questions are certainly important; these different models and motivations are the very warp and weft through which the fabric of our lived experience is woven. These *are* important questions – indeed vital questions. But their context inspires a provocative question: faced with avoidable death and assuageable suffering, calamities which need not come to pass, are these the vital questions which really matter? It is certainly the case that the modern historian can usefully identify various developments between the later nineteenth century and the present day which suggest novel approaches to organised beneficence. This is as true with respect to new ideological departures as it is of the more obvious medical, technological and organisational forms humanitarian action has taken. Nowhere is this more obvious than in the development of increasingly self-consciously secular, transnational and cosmopolitan organisations, speaking in an ethico-legal language of universal human rights. It is the obligation of the scrupulous historian both to recognise these developments, and to point out their distinctness from the sorts of ideas one finds in the writing of ‘Abd al-Qādir and the moral traditions which informed his view of the world. Humanitarianism, on such a view, is not just exemplified or embodied by the collection of laws, discourses and organisations which came to use this new coinage in the late nineteenth and twentieth centuries. Rather, such a perspective views humanitarianism as essentially constituted by them, coterminous with them and identical to them. Humanitarians, such a view will have to conclude, clearly came after ‘Abd al-Qādir, worked differently and did so in different circumstances. His life – with all its ‘service to the cause of humanity’ – may according to this account be safely declared to be an irrelevance to the development of humanitarianism.

Correspondingly, however, it is incumbent upon the sympathetic observer to recognise the philosophical limits of such necessary analyses. While modern humanitarianisms may be conspicuously more

humanist than many of their predecessors (as indeed are their non-humanitarian contemporaries), it is unclear that we are justified in reducing humanitarian motivations to an endorsement of such substantive models of human nature and human flourishing. Rather, it seems that a more minimal but no less uncompromising moral universalism forms the beating heart of humanitarian action. Humanitarianism is surely a concern for all humanity, in opposition to all avoidable human suffering. Reducing humanitarianism to one sort of demographic preserve or another (be it Western, male, middle- or upper-class, Protestant, secular, humanist or anything else) risks doing an injustice to the universal aspirations of humanitarian actors and institutions, irrespective of the numerical preponderance of such actors or the particularities of their engagements. A humanitarianism which is not open to all of humanity is arguably no humanitarianism at all. The humanitarian – even the white, male, Western, humanist humanitarian who speaks the language of human rights focused on International Humanitarian Law and operates through institutions such as the International Committee of the Red Cross – is perfectly entitled to conceive of himself as working not on behalf of such parochial sub-groups of the human species, but rather ‘in the cause of humanity’ as such. Similarly, a doctor with *Médecins Sans Frontières* need not feel her commitment to humanitarianism lessened by her attachment to Lutheranism, Shinto or the teachings of the Buddha. It is as much the right of the humanitarian to try to transcend history as it is the historian’s duty to attempt to fix the humanitarian within it.

This tension goes beyond that inevitably to be found between the subjects and the objects of history-writing, or the more general human tendency to circumscribe our perceptions of one another within the boundaries of our own ideas. Rather, the humanitarian practice of moral action rather than moralising didacticism expresses itself in the very forms which it has taken over the past century. Part of the power of humanitarianism as a motive, and of humanitarian law as institution and as practice, is precisely its agnosticism and restraint with respect to psychological and metaphysical questions. The transnational institutions and legalistic rhetoric to which it has given rise seem at least as much a product of this approach as the other way around.

What communitarian philosophers like Alasdair MacIntyre (2004) might criticise as a defective ‘thin-ness’, a lack of sufficiently meaningful cultural

embedded-ness, is in the language and norms of humanitarianism and human rights more often a strength. Rather than merely lacking such undergirding context, it tries to avoid stipulating one possible alternative to the exclusion of another. Conceptualise the human being as you will, the humanitarian seems to say, so long as you agree not to butcher him. Like Jean-Henri Dunant's medics after the Battle of Solferino, the humanitarian does not factor support for Austria or for France into the demands of triage. Human suffering is the enemy of the humanitarian, not rival conceptions of the good life in themselves.

Related to this, criticisms of the focus of humanitarian action, and of so-called 'first generation' human rights discourse and legislation, on the grounds that it too negatively defines human beings (in Alain Badiou's words) as mere animals tending towards death (2001: 11–13) seems a similar misreading of humanitarianism's ambitions and the strengths of its institutions. Negative rights – *freedoms from* rather than *freedoms to* – play a central role in humanitarian law as a response to the most immediately and incontrovertibly horrible of historical situations, not as an attempt to lay logical first principles for a grand and totalising system of human meaning. Its scope may be more minimalist than this, but nonetheless remains fundamental

for reasons which may be as much logical as psychological. Nowhere is what John Rawls (1971) terms an 'overlapping consensus' easier to find than in the recognition that one's untimely death precludes one's living pursuit of the Good – however one may conceive of it. One can only direct the behaviour of the living, not the dead. Saving lives, for the humanitarian, must be prior to directing them.

On such understandings of the humanitarian calling we may find that our anecdotes of 'Abd al-Qādir become relevant once more. By including actions such as those he repeatedly took throughout his life to lessen the suffering of others, irrespective of their ethnic, national or religious affiliation, in the history of humanitarianism, we both win the humanitarian project a powerful ally and make a positive statement as to the nature of its ambitions. By actively resisting the ossification of humanitarianism as a social phenomenon through its over-specification we simultaneously broaden its potential base, widen its effective scope and minimise the likelihood of it resuscitating some imperialistic '*mission civilisatrice*'. Less is more, and patient restraint is the key to success (*al-sabru miftāh al-faraj*) ... or, as 'Abd al-Qādir reminded a fellow *mujāhid* after his Damascene heroism: '*al-sabru ajmal*' (Étienne, 2003: 321): 'patient forbearance is a most beautiful thing' indeed.

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4 *Zakat* practice in the Islamic tradition and its recent history in the context of Palestine

Emanuel Schaeublin

Zakat is the most prominent concept in the Islamic tradition commanding and authorising practices of giving. Commonly translated into English as ‘Islamic alms’, *zakat* is mentioned in the Quran on more than 30 occasions, often in verses praising the giving away of wealth, material or financial, in a virtuous act of renunciation and reliance. As such, *zakat* constitutes one of the five pillars of Islamic worship, and its non-payment is said to render prayer meaningless. Having said that, *zakat* is conceived elsewhere in the tradition as a contribution or a tax serving the purpose of an intervention in the public sphere. Given these two qualities, it is possible to speak of the ‘dualistic character’ of *zakat* (Hallaq, 2009: 231), which this paper sets out to explore in the historical context of the Palestine.

This paper argues that the notion of *zakat* is central to the Islamic tradition of applying Islamic scriptures to structure social life. As such, *zakat* practice takes on different forms according to changing contexts. In the nineteenth and early twentieth centuries *zakat* practice in Palestine was closely tied to mosques, which constituted spaces of teaching, hosting travellers, healing and collecting and distributing charitable funds. In the twentieth century, *zakat* practices in Palestine began to be institutionalised under the hierarchical administrative structures of various modern governments. Since the 1970s, the notion of *zakat* has inspired the rise of a heterogeneous Islamic charity sector connecting Muslim communities worldwide. Certain types of *zakat* practice have taken shape as institutions registered by the administrative apparatuses of modern states. Other types of *zakat* practice, however, have continued to operate on an informal, face-to-face basis in Palestinian villages and neighbourhoods.

After the collapse of the Ottoman state, Palestine came under British rule. In 1948 Israel was established on parts of its territory, and in 1967 Israel occupied the remaining

territories. A Palestinian authority was established in 1994 with the ambition of establishing a Palestinian nation-state. In Palestinian history, the absence of a nation-state is coupled with the presence of modern state administrations governing public affairs. The Palestinian refugees who lost their homes in 1948 and 1967 were scattered throughout the region and their public affairs have largely been governed by the United Nations and the ‘international humanitarian system’.

Modern states and humanitarianism are largely based on a secular-modern ‘discursive tradition’. As a result, Islamic practices of redistributing wealth became marginalised during the twentieth century. The dominant framing of formal and informal types of social welfare under the Ottomans in nineteenth century Palestine seems to have drawn on the Islamic tradition and concepts such as *waqf* (religious endowment) and *zakat*, although the latter did not constitute a formal tax. Throughout the twentieth century, orders structuring the distribution of Islamic alms were transformed. *Zakat* practices started to be classified as ‘Islamic forms of welfare’ *in contrast to* the much more publicised landscape of ‘secular or modern welfare and aid’ channelled through communist and nationalist Palestinian organisations, the United Nations and international and local NGOs. Even so, various forms of Islamic social welfare have continued, and have succeeded in maintaining a separate sphere of redistribution characterised as Islamic. In the Palestinian territories, as in many other countries, until recently this sphere of Islamic aid organisations went largely unnoticed by Western academics and aid workers (Benthall and Bellion-Jourdan, 2003).

The first section of this paper situates *zakat* within Islamic discourse. It describes the dual character of *zakat* – both as religious worship and virtue and as an instrument of public policy – as it has emerged within

the Islamic tradition. The second section discusses the emergence of different institutional forms of *zakat* in Palestine in the twentieth century. It argues that the quality of *zakat* as individual worship continues to play an important role in structuring the governance and social role of *zakat* institutions. The dimension of *zakat* as an instrument of public policy, however, increasingly led to controversy in the occupied Palestinian territories, especially after the Islamic movement Hamas seized power in the Gaza Strip in 2007. The paper concludes with a number of points relevant to understanding the contrast between secular-modern 'humanitarianism' and Islamic social institutions in a context where a welfare state does not exist, and the trajectory of governmental institutions remains highly uncertain.

4.1 *Zakat* as a category of Islamic discourse

The nineteenth century scholar Snouck Hurgronje (1957 [1882]) situates *zakat* within the discursive context of the Islamic revelation and the changing political context leading to its institutionalisation in the first Islamic polity. Mohammed, whose birth is placed at around 570 AD, received the first divine revelation on a hill near Mecca. His first followers formed the first community of believers. In 622 political tensions between Mohammed's community in Mecca and the Qoraish, the dominant merchant tribes of Mecca, led the first Muslim community to migrate to the neighbouring city of Medina, where Mohammed established the first Islamic polity. From there, he started to confront the Qoraish in Mecca militarily.¹ The move to Medina came to be known as the *hijra* (migration), and marks the beginning of the Islamic calendar. The verses of the Quran are classified according to whether they were revealed to the Prophet while he was in Mecca or in Medina. The verses revealed in Medina generally tend to concern more concrete matters of social organisation and political order.

Hurgronje's analysis of *zakat* rests on the distinction between revelations occurring in Mecca and those occurring in Medina. His argument is that *zakat* was slowly transformed from a virtuous gift into a justification used by the nascent Islamic polity led

by the Prophet to extract public contributions from Muslims. Looking at the Quranic verses on *zakat* revealed in Mecca, Hurgronje observes an intimate link between *zakat* and virtues such as justice and piety. He argues that the term was 'appropriated' by the Quranic revelation from the earlier Aramaic word *zekoth* (merit, justice), combined with *sawm* (fasting) and *salāh* (prayer), and placed among the pillars of Islamic worship. Once the first Muslim community had migrated to Medina, the Prophet was obliged to modify the social meaning of *zakat* and construe it as an obligation to contribute financially to the common projects of the Muslims. According to Hurgronje, the general meaning of *zakat*, in its relation to the exercise of Islamic virtues, ceded its place in favour of a more legalistic conception of *zakat* as a contribution. *Zakat* thus became an imposed obligation.

The question of who is to pay how much *zakat* led to disagreement among the first Muslims. Hurgronje (1957: 163) assumes that the only stable consensus was around the fact that *zakat* was a fundamental duty, and that all other aspects were subject to recurrent controversy. As Hurgronje discusses *zakat* extraction in the context of the Prophet's war expeditions, he emphasises the aspect of necessity and the ways in which the revelation was used to serve these necessities. He (1957: 166) argues that *zakat* became a legal duty in year nine after the *hijra*. Nonetheless, he mentions that informal distributions of *zakat* continued in the earlier shape of a virtue among other virtues. There was, therefore, no abrupt instalment of *zakat* as a tax, but a slow transformation (Hurgronje, 1957: 167). In practice, *zakat* was interpreted flexibly, and it continued to appear in its dual quality both as worship and as an imposed contribution. One has to assume that *zakat* continued as a practice of face-to-face giving among Muslims, even as it was turned into a mandatory contribution to the *bayt al-mal*,² a centralised *zakat* fund in the early Islamic polities.

In his book on Islamic law, Wael Hallaq (2009: 231) establishes the simultaneity of the two qualities of *zakat* in Islamic legal discourse even more explicitly:

Among all the 'branches' of the law, zakat is unique in that it has a dualistic character: on the one hand, it is an integral part of religious

1 'Muhammad.' *Encyclopaedia of Islam, Second Edition*, Brill Online, 2013, http://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/muhammad-COM_0780.

2 'Bayt al-Mal'. *Encyclopaedia of Islam, Second Edition*. Brill Online, 2013. 8 April 2013. http://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/bayt-al-mal-COM_0109.

ritual and one of the five ‘pillars’ of religion; on the other hand, it functions as a substantive legal sphere, constituting itself as a ‘tax law’.

and it is constrained by the terms of good conduct expected of humans in dispensing of God’s wealth.

4.1.1 *Zakat as worship of God*

Abu Hamid al-Ghazali, a Muslim Aristotelian intellectual living in late eleventh century Baghdad, provides an authoritative account of *zakat* practice which is still referred to in Islamic argument today. Ghazali (1966 [1097]: 30) views *zakat* as a form of ‘financial worship’ of God closely associated with prayer (*salāh*), to which it is frequently connected in the Quran:

The bodily acts of worship are man’s gratitude for the bodily blessings, which God has bestowed upon him, while the financial acts of worship are his gratitude for financial gifts.

Wealth and the wellbeing of the body are signs of God’s blessing that incite human responses of worship. These responses take the form both of bodily gestures, visible to the human eye, and inward signs of pure intention that are only visible to God and to the believer. In prayer the inward signs take the form of a silent, internal recitation of Quranic text, combined with the bodily movements of prostration. In the acts of *zakat* the material gesture of giving wealth away is only valid if it is complemented with purity of intention (*niyya*). Purity is central to the practice of *zakat*. With a view to prayer, Hallaq (2009: 231) relates *zakat* to the ritual purity (*ṭahāra*) rooted in the practice of ablution before prayer. By giving *zakat* one purifies oneself and one’s possessions. Traditional Islamic legal discourse, as noted by Hallaq (2009: 296–307), establishes a close connection between the way one deals with one’s possessions and an ethical concern for good conduct. Hallaq (2009: 296) observes that Islamic juristic categories are rooted in the:

theological conception that God is the sole and ultimate Owner (Mālik) of the universe ... [In fact, God is] the true Owner of everything, including human beings and all they possess. Strictly speaking, therefore, human beings own nothing. And so it is only by divine generosity that it becomes possible for human beings to claim, and only in a metaphorical (majāzī), not a real (ḥaqīqī), sense, rights of ownership over parts of the world ... human ownership, put in legal terms, is empowerment by agency (wakāla),

Good conduct is directly tied to the ways in which wealth is spent (*nafaqa*). According to Hallaq (2009: 296), the word *nafaqa*, ‘throughout centuries of legal discourse, consistently refers to spending in the way of care and charity’ which translates into a ‘duty to care for one’s own community’.

Alongside *zakat*, there is a second category of spending as a form of good conduct that needs mentioning here: *sadaqa*, which is conceived of as a form of *additional* and voluntary donation (Benthall and Bellion-Jourdan, 2009: 7–28; Singer, 2008: 30–65; Ghazali, 1966). *Sadaqa* includes the notion of *waqf* (endowment of property). Hallaq (2009: 142) holds that the ‘law of *waqf* ... represented the glue that could bind the human, physical, and monetary elements together. Essentially, *waqf* was a thoroughly religious and pious concept, and as a material institution it was meant to be a charitable act of the first order. One gave up one’s property “for the sake of God”. *Waqf* endowments led to the building of ‘mosques, Sufi *khanqahs*, hospitals, public fountains, soup kitchens, traveller’s lodges, and a variety of public works, notably bridges ... A typical *waqf* consisted of a mosque and rental property (e.g., shops), the rent from which supported the operation and maintenance of the mosque’ (Hallaq, 2009: 142).

The practice of *zakat* is first and foremost an act of renunciation and devotion to God entertaining a deeper connection, not only to prayer, but also to the Islamic virtues of *sabr* (patience, perseverance) and the practice of *sawm* (fasting). The intention guiding this act of renunciation is key to achieving a state of moral purity in the face of God. Moral purity, in turn, is a condition for one who wishes to expect salvation. *Zakat* in its quality as worship is perhaps best understood as a way of actualising one’s virtue as a good Muslim.

Practically, *zakat* is defined as a payment. It is due once per Islamic calendar year (usually in the month of Ramadan). Traditionally, it is calculated on five sources of wealth: animal husbandry, agricultural crops, gold and silver, mines and merchandise (Singer, 2008: 40). For *zakat* to be due on specific wealth, it needs to be held for a period of one calendar year, called *hawl* (see e.g. Ghazali, 1966: 5–13). Monetary

zakat is paid annually and corresponds to 2.5% of the owned gold and silver. A minimal amount of wealth is exempted from *zakat* payment. This threshold is called *nisāb* and is usually set at approximately 85 grams of gold and 593 grams of silver (Singer, 2008: 41).

4.1.2 *Zakat* as tax and an intervention in the public sphere

To the extent that *zakat* is based on the extraction and redistribution of wealth to defined categories of recipients, it constitutes an intervention in the public sphere. The Quran (9:60) outlines eight categories of beneficiaries:

*The alms are for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives and the debtors, and for the cause of God, and [for] the wayfarer; a duty imposed by God.*³

The interpretation of these categories is contentious. Issues include whether *zakat* can be given to non-Muslims, given the category of ‘the wayfarer’, or whether it can be used for military projects, given the category ‘in the way of God’. In the second case, Hegghammer (2010: 20) mentions that in 1968 the Grand Mufti of Saudi Arabia at the time, Muhammad bin Ibrahim, issued a *fatwā* saying that part of *zakat* could be used for the Palestinian resistance.

There is a general agreement in the Islamic tradition that *zakat* can either be given directly to the poor or to those who collect and distribute it. One can assume that *zakat* was continuously practiced as an informal and socially rooted practice, even if rulers in certain historical contexts used it as a justification to extract money from the people. In pre-modern history, mosques and their adjacent buildings often combined various functions, such as religious teaching, medical treatment and spiritual healing, mediation of conflicts, the hosting of travellers and care for the poor, orphans and the insane. These activities were made possible in part through *zakat*, *sadaqa* and *waqf*. In the Levant and the Arab peninsula, these practices often took

3 I follow Pickthall's translation (Pickthall, 1976), with the exception that I use ‘God’ instead of ‘Allah’. Benthall and Bellion-Jourdan (2003: 9–12) provide a detailed discussion of the different categories. On the link between *zakat* and military purposes, see Kuran (2003), Qaradawi (1994: 57–74); and Benthall and Bellion-Jourdan (2003: 69–84).

place under the aegis of Islamic scholars or wise men (sheikhs) whose authority rested on privileged access to the Islamic scriptures.⁴ They had memorised and studied religious texts under the guidance of a teacher who was known to be an example of virtue and piety in the neighbourhoods or villages where they lived.

Informal practices of *zakat* are difficult to trace historically. The environment of the mosque, however, seems to allow for a contiguous transition from the quality of *zakat* as worship and its quality as an intervention in the public sphere. As such, the practice of *zakat* in the Islamic tradition appears alien to the modern distinction between a society and a state, or to a clear separation between morality and the law. At the same time, Islamic discourse gives ethical precedence to the quality of worship over the quality of *zakat* as an intervention. Organised forms of *zakat* can be interpreted as the results or fruits of people's good conduct and their virtuousness as good Muslims. *Zakat* can thus be understood as a socially embodied virtue neither merely individual, nor entirely a matter of the polity. The next section considers how the Islamic discourse of *zakat* reacted to the rise of modern administrations and the emergence of state-registered Islamic social institutions in the Palestinian territories in the second half of the twentieth century.

4.2 The recent history of *zakat* practices in Palestine

In the second half of the nineteenth century Ottoman reforms led to the establishment of municipalities on the European model. In the West Bank city of Nablus, the first municipality was established in 1868. An archive documenting the expenses of the municipality between 1892 and 1917 shows that Nablus paid *sadaqa* to poor travellers (men and women) from the entire region and to individuals who were able to recite the entire Quran by heart, while also covering a range of other urgent needs. The municipality also collected *sadaqa* from the region of Nablus and sent it to Medina for the renovation of a mosque. The archive does not mention the term *zakat*.⁵

4 See e.g. Messick (1993).

5 A local researcher in Nablus is currently working on an article presenting and analysing the aid expenditures listed in this archive.

According to oral accounts by sheikhs in the city of Nablus, *zakat* in the late Ottoman period was often paid to local people who arranged its distribution through mosques. In certain cases, these men also seem to have administered the income of waqf real estate (religious endowments), using the revenues from these properties for the benefit of the community (Benthall, 2008: 9). How this worked exactly remains to be studied. A more extensive historical study should take into consideration various influences on the practices of *zakat* and *sadaqa*, such as the institutions set up by Christian missionaries in the nineteenth and twentieth centuries, as well as British influences on the legal structures of Transjordan from 1921 until the formulation of Jordan's *zakat* law in 1988.

Following the end of Ottoman rule in Palestine in 1920, various administrations (British, Jordanian, Egyptian, Israeli and the Palestinian Authority) have controlled *zakat* practice and other aspects of 'Islamic politics' in Palestine.⁶ The most prominent laws governing *zakat* pooling bodies were the Ottoman law of 1907, which was applied until the mid-1990s, and the Jordanian *zakat* law of 1988, which formalised a *zakat* committee model that had existed in the West Bank since the 1970s, granting a significant amount of local autonomy to bodies collecting and distributing *zakat*. Civil affairs in the West Bank were under Jordanian government oversight until 1988, despite the Israeli occupation from 1967. Jordanian oversight over *waqf* properties, *zakat* and religious affairs in the West Bank continued until 1994, when the *zakat* committees in the West Bank and the Gaza Strip moved under the oversight of the newly created Ministry of Awqaf (plural of *waqf*) of the Palestinian Authority. The *zakat* committees in Jerusalem, however, remained under the administrative control of the Jordanian Ministry of Awqaf and Religious Affairs. Even after the establishment of the Palestinian Authority in 1994, the Jordanian *zakat* law continued to be applied in the West Bank. A Palestinian *zakat* law was only ratified in 2008, under Hamas' rule in the Gaza Strip.

In the 1970s, there was a sharp rise in Islamic institutions in the context of the 'Islamic revival' that started during this period. The humanitarian challenges in the West Bank and the Gaza Strip led to the establishment of *zakat*-funded charitable organisations providing schooling, health insurance, medical services and a range of social welfare services including sponsoring children

who had lost their fathers. In the West Bank *zakat* committees were established according to the Jordanian model (Schaeublin, 2009). This was also the case in Jerusalem (Iwais and Schaeublin, 2011). In the Gaza Strip Islamic charitable societies according to the Ottoman law of 1907 constituted the most common form of institution established since the 1970s (Schaeublin, 2012).

The institutionalisation of *zakat* in the Palestinian territories during the twentieth century raises questions of authorisation both internal to the Islamic tradition, and related to the political context of foreign administrative control. Almost all local accounts of how *zakat* committee members are selected mention religious 'virtues' as criteria. A governance document for the Ramallah *zakat* committee (see Figure 1), for example, states that:

*Given the fact that the committee is competent in the important question of religion and that zakat is a very important pillar of Islam, there are the following obligatory conditions for membership to the administration board: fear of God (taqwā), religious culture, faith, and reliability. It is not admitted to make membership dependent on any [contradictory] consideration ... as this might harm or go against religion.*⁷

Among the reasons for excluding a member from the committee, the document lists 'the committing of an obvious and clear violation against Islamic principles of faith or Islamic ethics'.⁸

In a flyer, the Ramallah committee defines itself as:

*[a] space of affection and meeting, uniting the beauty of taking with the generosity of giving, based on and trusting in a scientific method, social research, transparency, independence, and God ... [It is] a charitable committee without any political, factional or clan colouring; insisting on the neutrality of the good (khayr) ... lowering the burden of the poor, the orphans, and the needy in honesty and equality; committed to the rule of law, the fear of God (taqwā) ... and the love for people; it represents the rich in bringing their zakat and sadaqa to the poor and the needy.*⁹

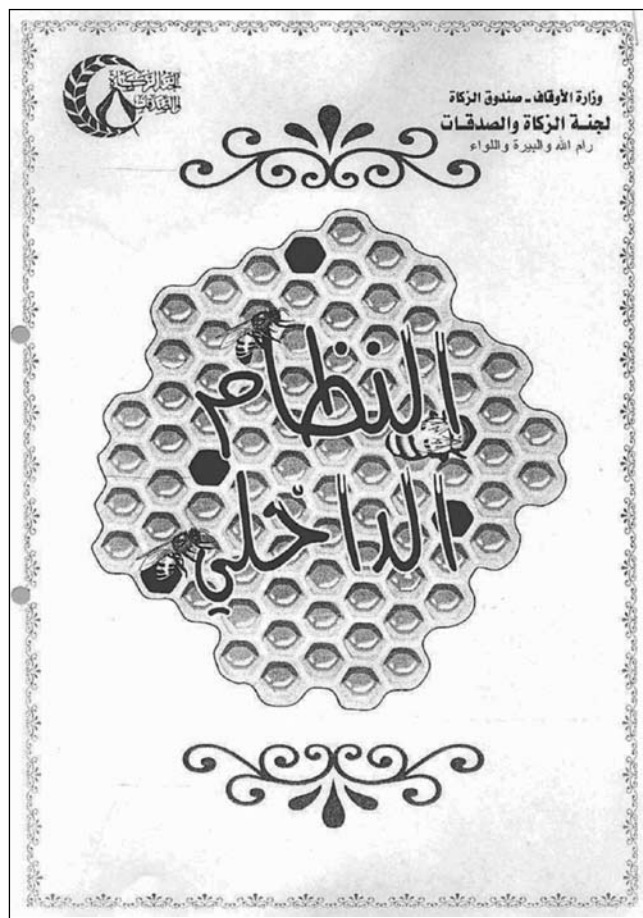
6 For details see Milton-Edwards (1996), and for an overview Schaeublin (2012: 15–19).

7 Quoted in Schaeublin (2009: 40).

8 *Ibid.*

9 The flyer, which gives information about the vision, programmes and activities of the Ramallah *zakat* committee, appears to have been printed between 1997 and 2003.

Figure 1: Coversheet of the ‘Internal system’ (al-nizām al-dākhilī) of the Ramallah *zakat* committee*



(*Probably published around 1988 and 1994).
Reprinted with permission.

A 1997 leaflet describes the role of the Ramallah *zakat* committee, stating that it:

gives to the beneficiaries without any form of discrimination between citizens; it monitors precisely that the distribution of charity ends in the hand of the beneficiaries only; it demands from everybody to be aware that zakat funds are the right of their beneficiaries who are powerless, and that zakat funds are not like other funds: whoever takes anything away from them in an illegal manner, acts as if he took from the [hell] fire, and whoever takes from [these funds] in this life, this will be a woe in the hereafter.

These accounts of *zakat* committees show how the attention given to administrative details is combined with a care for Islamic ethics, where the quality of *zakat* as a form of worship is central. The problem to which the documents of the Ramallah *zakat*

committee speak seems to lie in how to *combine* care for an ethical Muslim self with a form of social engagement within local communities through the practice of *zakat*. In the case of Palestine, the problem is exacerbated by the fact that the bulk of governing structures during the twentieth century belonged to foreign powers. The forms of institutional *zakat* established in Palestine in the latter part of the twentieth century appear to have responded to this challenge through a two-fold commitment. First, the committee as a whole needed to avoid ‘political colouring’. This was achieved by balancing different political views and by the fact that members needed to ignore their own political orientations when entering the facilities of a *zakat* committee. Second, they needed to commit to good governance and integrity when treating *zakat* funds.

Palestinians seem to have recognised this ethical dimension at play in institutional *zakat* practice, and popular trust in *zakat* committees was generally high. Surveys of public opinion in 2000 and 2004 attest that *zakat* committees enjoyed a great deal of popular confidence and legitimacy (see Schaeublin, 2009: 27–30), in part because their sources of finance were independent both of the state and of Western governments, giving them more scope to prioritise needs and deliver aid in line with the preferences of beneficiary groups (Hilal and Maliki, 1997: 62). *Zakat* committees arranged for the social support of children and adults in need in a way that was particularly sensitive to the needs of family structures. To be poor and to have to ask for help was seen as shameful (‘*ayb*’) by many Palestinians. Poverty was often hidden and prevented from appearing in the public sphere. Because *zakat* institutions were in close contact with the local population, they were in a good position to gain access to the ‘hidden’ poor, while avoiding embarrassing them publicly.

4.3 Zakat practice in a changing political context

The rise of Islamic political movements since the 1970s has affected the role of *zakat* institutions throughout the Middle East. As a result, the question of how Islamic social organisations or *zakat* institutions relate to political power comes up frequently, particularly in contexts of armed conflict or contested political systems. In Palestine, institutionalised *zakat* bodies

evolved under the close supervision of the state authorities, and have been significantly affected by changes in the political context in recent years (Schaeublin, 2009 and 2012). Following Hamas' victory in elections in 2005 and 2006 international funding into the Palestinian territories gradually became politicised. The subsequent political split between the West Bank and the Gaza Strip in 2007 entailed the implementation of two separate *zakat* policies.

In the West Bank Fatah launched a major restructuring of *zakat* committees: 92 were closed and replaced by 11 new ones under the centralised control of the government. These measures were partly a response to international pressure on the Fatah government in the West Bank to increase its control of institutional *zakat*. Local observers saw this as an attempt to cut Islamic institutions in the West Bank off from sources of funding in order to weaken Hamas. International and local donors to *zakat* committees perceived the new bodies as belonging to Fatah and as working in the shadow of its notorious corruption. The gap in service provision left by these closures was partly filled by an increase of European Commission funding to the Palestinian Authority's social welfare programmes. Meanwhile, local *zakat* flows continued informally, either via unregistered committees or respected individuals.

In the Gaza Strip, *zakat* committees moved under the administration of the Hamas-led governing authority and were heavily affected by the subsequent siege imposed by Israel, which prevented the committees from using international bank accounts. A few *zakat* committees were able to continue their work with local funding. Simultaneously, the Hamas authorities created a centralised Palestinian Zakat Commission in 2010 and turned *zakat* into a mandatory payment for businesses, while starting to impose *zakat* on the salaries of government employees. The Zakat Commission comprised 15 members elected by the Hamas majority in the Palestinian Legislative Council (PLC) and appointed by the Cabinet of the government in the Gaza Strip. Its aim was to start gradually extracting *zakat* from private individuals, and thereby to integrate *zakat* into the structure of government. These policies raised questions regarding the difference between *zakat* as worship and *zakat* as a public intervention. Many decisions taken by the Gaza government in this period seemed difficult to justify with reference to Islamic scriptures, as parts of the population perceived it as a break with tradition, while others welcomed these measures as proof that the Islamic tradition can keep up with modernity.

4.4 Conclusion

The rise of modern state administrations in the Middle East affected *zakat* practice in various ways. In the twentieth and early twenty-first century different attempts at the institutionalisation of *zakat* practice under modern state administrations were launched. Because of the politically volatile environment, however, *zakat* practice throughout this period continued to constitute an informal practice – especially at times when government control over the collection and distribution increased. *Zakat* was distributed within city neighbourhoods and villages by individuals directly or by respected elders and Islamic scholars acting as channels. This is because Palestinians tended to see government apparatuses as corrupt. The recent history of Palestine shows that the Islamic tradition as expressed through the practice of *zakat* is capable of adapting to changing historical circumstances. The Islamic tradition of interpreting and applying the scriptures determines not only *zakat* practice, but also how Islamic and non-Islamic social policies are perceived and publicly criticised.

As regards the relationship between *zakat* and humanitarianism, several points can be highlighted. *Zakat* and humanitarianism are rooted in different ethical traditions of authorising social interventions. A crucial question confronting both humanitarian and *zakat* practice is where the boundaries lie between aid serving social purposes and aid serving political and military purposes. In the case of *zakat* in the Islamic tradition one may ask whether *zakat* should be confined to social purposes (as in the Jordanian *zakat* law), or whether it should include direct support for insurgency and resistance policies. Similar problems arise in the practice of Western governments using humanitarian aid to gain political influence and control over recipient populations. Formal humanitarianism was conceived in a historical context where modern state administrations were already a significant feature of European societies. *Zakat* in contrast predates the rise of modern state administration. When *zakat* practice is applied in the context of modern techniques of governance, far-reaching tensions with the textual tradition emerge. The recent *zakat* reforms in the Gaza Strip expose the faultline between the Islamic tradition and the demands of modern state institutions. This friction suggests that organisational structures more attuned to the Islamic tradition – as well as to forms of political

organisation rooted in distinctions between different groups, such as clans and extended families – will continue to challenge or complement the authority

of modern state institutions as incorporated in the Palestinian Authority in the West Bank and the Hamas-led government in the Gaza Strip.

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5 Displacement in the Middle East: an overview

Shaden Khallaf¹

The Middle East and North Africa has been beset by volatility and turmoil for decades. It has also seen its fair share of displacement crises, including the world's largest and most protracted displacement, that of the Palestinians. Countries within the region have by and large received refugees seeking safety and protection with remarkable generosity. Many attribute this to the long-standing and well-established tradition of granting asylum in Arab and Islamic culture, which predates (and arguably lays the foundation for) modern international refugee law.

The concept of *hijra* (seeking refuge), *istijara* (plea for protection) and *aman* (safety) are central to the understanding of asylum in Islam. Within the Islamic tradition, being granted asylum entitles refugees to extensive protection from host states, including ensuring that their physical needs are met, family reunification, protection of property, diplomatic protection, education and healthcare for children, equality for Muslim and non-Muslim refugees and freedom from coercion (Abd al-Rahim, 2008). The Quran states that 'The Earth which God has created for all mankind is so spacious and furnished with such resources that all those who strive in conscious devotion to God and with intent to abide by divine guidance will be able to find other lands (or homes) in which they can then live in dignity and freedom – as they were meant to do by their Creator and Sustainer' (*ibid.*: 18). This passage of the Quran, verse 75 from *Surat al-Nisa*, suggests that human dignity should take precedence over geographical location and that human rights are, in principle, central to the structure of an Islamic state and to understanding how people seeking asylum are expected to be received. Another verse states that 'Those who believed and emigrated, and strove in the cause of God, as well as those who

hosted them and gave them refuge, and supported them, these are the true believers' (Surat al-Anfal, Chapter 8 verse 74).

Despite the rich Arab and Islamic tradition of hospitality and granting asylum to those in need, the magnitude and almost continuous nature of the flows of forcibly displaced people over time – not only Palestinians, but also Sudanese, Somalis, Western Saharans, Iraqis, Libyans and Syrians – has led to what could be described in many parts of the region as reactive systems for dealing with refugee issues. This reactive approach, as opposed to one in which existing structures are in place to deal with asylum, leads some analysts and practitioners to question the consistency, comprehensiveness and predictability of strategies adopted to provide protection and assistance for displaced people. This paper attempts to shed light on this question through an overview of the two key refugee crises in recent Middle Eastern history: Palestine and Iraq.

5.1 Legal context and framework for dealing with displacement

One of the most significant factors to address in dealing with asylum in the Middle East has been the widespread lack of accession to the principal relevant international legal instrument, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.² The United Nations High Commissioner for Refugees (UNHCR) has operated in the region based on memoranda of understanding with governments, which outline its

1 The views expressed in this paper do not necessarily reflect the official views of any organisation the author may be affiliated with.

2 Nine of the 22 member states of the Arab League have signed the 1951 Convention: Algeria, Djibouti, Egypt Morocco, Mauritania, Somalia, Sudan, Tunisia and Yemen.

responsibilities and functions. With some exceptions, such as in Syria or Iraq in relation to Palestinians, most Arab countries have not enacted domestic legislation on asylum or set up permanent, comprehensive structures for receiving, documenting, registering or determining the status of asylum seekers on their territory. The processes for dealing with refugees sometimes make it difficult to ensure predictability and sustainability, though given the volatile nature of the political environment in the region the preference for keeping displacement issues temporary is also unsurprising. In light of this, UNHCR has taken on the task of refugee status determination – a responsibility which generally falls on state parties to the 1951 Convention – in most Arab countries.

Attempts have been made to set regional standards for asylum determination and for dealing with refugees. The 1965 Protocol for the Treatment of Palestinians in Arab States, known as the Casablanca Protocol, is an important reference in terms of the rights and treatment accorded to Palestinian refugees, as signatories committed to granting Palestinians rights equivalent to those of their citizens.³ And although some countries, such as Syria before 2011, did grant Palestinians significant degrees of rights, other states expressed reservations, and some have effectively withdrawn from the Protocol (Shiblak, 2006). The 1992 Cairo Declaration on the Protection of Refugees and Displaced Persons in the Arab World and the 1994 League of Arab States Convention on Regulating Status of Refugees in Arab Countries have not entered into force or been put into practice (Almadmad, 1999).

Remarkable generosity has been shown by both people and governments in the region in receiving hundreds of thousands of refugees at heavy social, economic and political cost. Yet, the lack of accession to the international legal framework and the absence of national asylum legislation mean that the protection regime for refugees in the Middle East remains fragile. Asylum is a sensitive and generally politicised subject, and policies towards displacement have often been dependent on the political context. While this may allow for a degree of flexibility, it also leads to a degree of unpredictability and varying treatment among different refugee groups.

5.2 Main displacement patterns and movements

5.2.1 The Palestinian refugee problem

The Palestinian refugee problem is by far the most complex in recent Middle Eastern, and many would argue global, history. Today, 65 years after the *Nakba*,⁴ 5.5 million Palestine refugees remain in the region and in the occupied Palestinian territories. Another 5m refugees reside beyond the Middle East. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the main body mandated to assist Palestine refugees in its five areas of operation (Syria, Lebanon, Jordan, Gaza and the West Bank), has been described as a ‘surrogate state’ providing health, education, social services and relief. At its establishment, UNRWA was not given a protection mandate – the United Nations Conciliation Commission for Palestine (UNCCP), which was created by United Nations General Assembly Resolution 194 in 1948, was expected to carry out this function, partly through facilitating repatriation, rehabilitation and compensation for Palestine refugees. The role of the UNCCP has over the years decreased in significance and relevance, and as a result thousands of Palestine refugees remain in legal limbo.

Palestinian refugees receiving assistance from UNRWA are excluded from the 1951 Convention in line with Article 1 (D), which outlines UNHCR’s scope of responsibility for refugees receiving protection or assistance from other UN agencies. Elna Sondergaard elaborates on this:

Article 1D refers to Palestinians who became refugees (sui generis) following the creation of the State of Israel in 1948 or the subsequent 1967 Arab–Israeli war, as well as their descendants. Article 1D ... contains an exclusion clause (paragraph one) and an inclusion clause (paragraph two). The exclusion clause stipulates that as long as the refugees receive protection or assistance from agencies of the United Nations, they shall not fall within the scope of the 1951 Convention. Palestinian refugees who live in UNRWA’s

3 Protocol for the Treatment of Palestinians in Arab States. 1965, <http://www.refworld.org/docid/460a2b252.html>.

4 The Nakba refers to the displacement and dispossession of an estimated 750,000 Palestinians from their homes in May 1948 when the State of Israel was created.

area of operations and receive assistance from the Agency are therefore not entitled according to current UNHCR practice to the benefits of the 1951 Convention. The inclusion clause stipulates that once ‘such protection or assistance has ceased for any reason’, the refugees become entitled to those benefits provided that Article 1C, 1E and 1F (i.e., cessation clauses) are not applicable.

UNHCR has published guidelines on the proper interpretation of Article 1D.⁽¹⁾ The Refugee agency noted with regard to the inclusion clause that:

‘If, however, the person is outside UNRWA’s area of operations, he or she no longer enjoys the protection or assistance of UNRWA and therefore falls within paragraph 2 of Article 1D, providing of course that Article 1C, 1E and 1F do not apply. Such a person is automatically entitled to the benefits of the 1951 Convention and falls within the competence of UNHCR’ (paragraph 7) (Sondergaard, 2004).

The complex legal analysis required for many Palestinians to be eligible for UNHCR’s protection and the lack of proper application of Article 1(D) have resulted in many refugees falling into a legal lacuna that sets them outside the minimal international protection available to other refugee groups. At the same time, Arab governments have sought to keep the Palestine refugee problem apart from others to maintain the sanctity of return – hence the insistence on a separate United Nations agency for Palestine refugees.

This in turn has led to an overarching meta-narrative about who and what a refugee is in the Arab region. The word ‘refugee’ was for decades equated with being Palestinian, being dispossessed, being the victim of global power struggles. As Knudsen refers to Lex Takkenberg’s research on this issue as follows:

The 1951 Convention applies to all those who became refugees before 1 January 1951, yet the refugees fleeing Palestine in 1948 were excluded (Takkenberg 1998). The reason was that several Arab states feared that submerging Palestinian refugees within the 1951 Convention would weaken the ‘separate and special status’ accorded them (ibid.: 62). Moreover, Arab states

hosting refugees were concerned that if the Palestinian refugees were included in the 1951 Convention this would make them responsible for their upkeep. To this end, they proposed an amendment to the draft 1951 Convention that excluded refugees already supported by UNRWA. The amendment was approved and inserted as a separate exclusion clause (Article 1D) in the final version of the convention (Takkenberg 1998). Despite seeing the amendment approved, Arab states neither acceded to the 1951 Convention nor ratified it. Only Egypt, a country outside UNRWA’s area of operation, ratified the 1951 Convention’ (Knudsen, 2009). Palestinian refugees in most of the region have thus been governed by administrative policies that are continuously subject to change, without the guarantee of a rights based framework or legal status, as hoped for in the Protocol for the Treatment of Palestinians in Arab States (‘Casablanca Protocol’) of 1965, which stipulated that Palestinians were to receive treatment equal to that of citizens (Casablanca Protocol, 1965).

Another factor leading to the politicisation of the plight of the Palestinians was the strategic shift on the part of the Palestine Liberation Organisation (PLO) in the 1960s to ‘self-determination’ and independence from occupation as the main objective, thereby framing the Palestinian refugee problem as a collective one, in need of a collective political solution, as opposed to one requiring solutions for individual refugees. Resettlement, one of the three traditional durable solutions for refugees globally, was seen as weakening the sanctity of the right of return and the collective rights of Palestinians, and absolving Israel from its responsibility for the creation of the Palestinian refugee problem.

5.2.2 Iraqi displacement

Over many generations, Iraqis migrated as traders, workers, professionals, students, pilgrims and refugees throughout the Middle East, mainly settling in Amman and Damascus, while maintaining links and family in Iraq, generally crossing borders with relative ease. Under the Saddam Hussein regime from 1979 to 2003, however, waves of Iraqi displacement took place as a result of rampant human rights violations, particularly along ethnic and sectarian lines, repression of political dissent and successive wars under his rule. Conflicts including the 1980–88 Iran–Iraq War and the 1990 Iraqi invasion of Kuwait generated hundreds

of thousands of refugees. Incidents of repression and brutality have been widely documented, such as the use of chemical weapons in the attack on the Kurdish city of Halabja in March 1988, which killed up to 5,000 people, and the Anfal Campaign against Shiite Kurds, during which between 50,000 and 100,000 people disappeared or were killed. The comprehensive economic sanctions imposed by the United Nations Security Council against Iraq in 1990 caused still further suffering; according to one estimate, some 350,000 children died as a direct or indirect effect of the sanctions (Global Policy Forum, 2004).

The war that began in 2003 was a transformative event for the region and the world. Not condoned by the United Nations Security Council, it was considered illegal by the United Nations Secretary-General, and the United States and its allies were considered occupying powers under international law (MacAskill and Borger, 2004). The political ramifications of the war and the impact of the fall of Saddam Hussein have been widely analysed. In terms of humanitarian impact, the war did not lead to large-scale displacement outside of Iraq, despite contingency planning within the United Nations for an outflow of Iraqis into neighbouring countries. The UN role in Iraq was severely affected from the start with the attack on its headquarters in Baghdad on 19 August 2003, which left Special Representative Sergio Vieira de Mello and 21 other UN staff members dead. The magnitude and symbolism of the attack, in addition to general security conditions, meant that movement inside Iraq for staff members became restricted. New methods of operating were devised, including 'remote management' of local NGOs, which had more leeway to work with the small numbers of Iraqi refugees returning to the country.

From 2003 to 2006, under the rule of the Coalition Provisional Authority and then the Interim Iraqi Government, the security situation continued to deteriorate. Violence between Shia and Sunni factions spiralled out of control, and in February 2006 the attack on Al-Askariya Mosque in Samarra drove the country to the brink of civil war. The violence required a shift of focus from reintegration and rehabilitation activities for returning Iraqis towards providing protection, humanitarian assistance and seeking durable solutions for the most vulnerable among the (government-) estimated 2m Iraqi refugees crossing into Syria, Lebanon, Jordan and Egypt and further afield; non-Iraqi refugees inside the country (including an initial 42,500 Palestinians in dire need of protection

and assistance); and the 2m-plus Iraqi IDPs. While some Iraqis who fled to neighbouring countries were well off, others were destitute, living in appalling conditions, depending on charitable hand-outs and occasionally resorting to crime to survive.

Only a limited number of Iraqis approached UNHCR offices in Amman and Damascus to register at the initial phases of the exodus, as UNHCR was not able to meet all their needs in terms of protection, assistance or durable solutions. After a visit to Damascus in February 2008 by the United Nations High Commissioner for Refugees, Antonio Guterres, the numbers approaching UNHCR rose dramatically. Community and institutional support approaches were effective in reaching Iraqis and host communities, helping to alleviate the burden on the latter, but more resources were required in terms of staffing, and funds were initially limited. A major ministerial-level conference in Geneva in April 2007 sought to raise awareness of the humanitarian needs of displaced Iraqis and the need for broader burden-sharing with neighbouring countries. Following a massive sensitisation campaign, UNHCR's budget for the Iraq operation grew from \$75m in 2003 to almost \$400m in 2009 – an increase of 530%.

The Iraq operation was considered ground-breaking in its size, scope and pace, as well as the new protection challenges it raised. UNHCR had called for a Temporary Protection Regime to be applied in March 2003 to all Iraqis outside their country, entailing the suspension of refugee status determination and a freeze on forced returns. Governments in the region received Iraqis initially with great generosity and hospitality, in line with the traditions of asylum in Islam and the customary welcome to guests and people in need of protection, though over time the welcome mat started to wear thin, and stricter measures were implemented on duration of stay and visa extensions. Even so, despite not being signatories to the 1951 Convention, the essential protection requirements for entry, safe stay and access to basic services were in place. The High Commissioner welcomed this in 2007 in a statement made at the League of Arab States, in which he said:

At UNHCR, our actions and our mandate are grounded in international refugee law, particularly the 1951 Refugee Convention. What is really important, however, is not the label given to someone – whether he or she is called a refugee or not – but the tangible protection given to that person. Because they already espouse

these same values, I can say here with confidence that it is very easy for Arab countries to sign the 1951 Refugee Convention and its 1967 Protocol. Doing so, of course, remains your sovereign right (Guterres, 2007).

Another significant characteristic of the Iraqi refugee crisis was its urban nature, which made community-based assistance as relevant as individual support for people with specific needs, including victims of torture and trauma, women at risk, the physically handicapped and people with medical problems. Community surveys were essential in defining protection and assistance gaps, and helping to formulate the best strategy to address needs. Extensive information campaigns and outreach work in areas where refugees were living, the expansion of services in multiple locations for both host and refugee populations and partnerships at the grassroots level all comprised the community-based approach. (The revision of UNHCR's overall policy on dealing with urban asylum in 2009 was in large part attributed to the lessons of the Iraqi displacement crisis.) UNHCR devised mechanisms to reach the most vulnerable in ways that respected their dignity and pride, such as text message notifications regarding assistance and the provision of ATM cards for cash assistance. By June 2008, UNHCR had provided ATM cards to 28,800 Iraqi refugees in the region, the majority of them in Syria and Jordan. Together with partners, food vouchers were also introduced, and were found to be more applicable and relevant to the urban context than baskets of goods.

In Syria UNHCR developed a model for reaching vulnerable Iraqis through the recruitment of Iraqi refugee women volunteers to act as a link between the community and the agency. The model was based on the premise that beneficiaries were well-placed to contribute to UNHCR's programme planning by identifying vulnerabilities and proposing socially acceptable and feasible solutions. The involvement of refugee women had a remarkable effect on their sense of purpose, empowerment and self-esteem, especially for women who had been victims of gender-based violence and abuse. The information collected by the outreach workers was essential in tailoring responses to the needs of Iraqi refugees in a more efficient and participatory manner.

The Iraq operation also highlighted the need for stronger partnerships in the region and the importance of working with local civil society organisations and regional structures, such as the League of Arab States, the

Organisation of the Islamic Conference and Red Crescent Societies, in order to exchange lessons and best practice in terms of programming and coordination, as well as longer-term strategic planning. Recognising the burden borne by the region and acknowledging its key players as partners, not merely recipients of aid, was also important. Conscious efforts to increase the space to work with local groups where possible (and allowed by governments) were institutionalised and responses in the region started to rely more heavily on experienced national staff who were more familiar with the political and social context, and who could ensure sustainability in the response.

How have the Iraqi refugee crisis and the Palestinian refugee problem influenced the policies of governments in the region towards the 1951 Convention? In some countries, such as Egypt, where there are several refugee groups, including Palestinians, Sudanese, Iraqis and now Syrians, there are different applicable frameworks in terms of access to basic rights, ranging from access to basic services similar to that of nationals to restrictions on the freedom to form community-based associations. In other countries in the region political attitudes towards countries of origin or their leaders continue to influence positions towards refugees. In others, borders are open to any Arab, regardless of their status, yet are restrictive towards refugees from other parts of the world. The variations are many and the challenges in reconciling historic and intrinsic generosity based on cultural heritage and Islamic teaching with modern concepts of international refugee law and standards are thus likely to remain, particularly in light of the changes brought about by the uprisings in the Arab world that began in 2011. The transformations the region has been undergoing since then can only be fully understood when observed through the politico-economic lens of their contemporary history. The same applies to the impact on protection and asylum post-2011.

Predicting the general direction and results of the uprisings in the region has been challenging for experts on all levels; yet the case has been more acutely felt by researchers and practitioners in the field of asylum and refugee protection, who continue to struggle with a host of questions. Will the revolutions positively influence policies and laws on asylum and protection in the region? Have the post-Arab Spring displacement movements resulted in wider or more restricted asylum space in the Middle East and North Africa? How can governments' and communities' responses to the displacement crises emanating from Libya, Yemen and Syria be evaluated in terms of international and regional dynamics, norms and

expectations? Will the changes lead to wider space to advocate for human rights and dignity for all, including refugees, or will the latter group fall through the cracks due to a heightened – and potentially exclusionary – sense of nationalism? Will more democratic systems mean that international legal human and refugee rights-related obligations be better upheld? Will Islamist-dominated regimes have different perspectives on asylum and protection? How will gender dynamics fare, and what will be the impact on gender-related persecution and asylum? Will minority rights be guaranteed in the face of the new-found power of the masses? These questions and others will continue to require careful analysis of rapid developments and graduated policy responses which take into full account the transitional and fragile nature of the region in the current phase.

The road ahead remains a long and bumpy one. Yet previous challenges pale in comparison to the massive ones emerging as a result of the unprecedented humanitarian and displacement crisis in Syria and neighbouring countries, and the regional impact on Iraq, Lebanon, Jordan and other countries in the region. The Middle East is being transformed by the brutality of the conflict, the enormity of the needs arising from it, the difficulties of access, the flood of refugees, the destruction of homes and lives and the grim prospects for immediate solutions. In addition to learning the lessons from history, one hopes it remains possible to count on the empowerment and remarkable resilience of refugees and their host communities to weather the social, economic and political storm until greater stability and sustainability is reached, and human rights find their place at the core of a new Middle East.

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6 Modern humanitarianism and the Year of the Locust: US relief in Palestine and Lebanon 1914–18

Keith David Watenpaugh

As the Ottoman state stumbled into the global conflagration of the First World War, uncommonly late autumn rains watered the high steppe and desert at the edges of the settled regions of the Eastern Mediterranean. The rains set the stage for the metamorphosis the following year of indigenous grasshoppers into swarming locusts. Throughout the region 1915 is remembered as the *‘Am al-Jarrad* – the Year of the Locust. Locust plagues are not uncommon in the Eastern Mediterranean and occur at roughly 10–15-year intervals. This plague lasted from March until October and recurred the following year. Although the impact of the locusts was only incidental to the larger economic dislocations caused by the war, the loss of food and fodder helped push some communities, already on the edge of food scarcity because of rising prices and military requisitioning, into starvation (see Foster, 2012).

For the civilian population of the Middle East, the onset of the First World War came at the end of almost a generation of conflict between the Ottoman state, breakaway regions in the Balkans and the Arabian peninsula and European countries. Unlike those more limited wars, the Great War placed an immense burden on the peoples of the region – not just in terms of the loss of young men to mass conscription, but also through the seizure of property and food. Major trading partners Britain and France became enemies, and trade with neutral states was difficult in the face of a naval blockade in the Eastern Mediterranean. This affected food imports and had a devastating impact on trade, industry and exports of commodities from citrus fruits to tobacco, cotton and silk. Perhaps the greatest difference between the First World War and previous conflicts, however, was that the Ottoman elite was willing to make the equivalent of war on segments of its

own population, either through neglect or through the mechanism of genocide.

The outcome of the war would redraw the political map of the region as the Ottoman state was replaced by nation states and colonial occupations. But the war also served as the impetus for new kinds of international humanitarian action that on the one hand supplanted older forms of Western missionary-based charity, and on the other was interlaced with more secular but no less zealous missions to address suffering and instigate specific forms of social and institutional change. That change was, more often than not, implicated in various forms of the European colonial project and specific modes of American paternalism.

Moreover, the history of the various forms of US relief and humanitarian action during the war was a product of a specific consciousness of the nature of the ‘humanitarian emergency’, to borrow a contemporary concept. This consciousness, what I term the *humanitarian imagination*, influenced the choices and strategies adopted by ad hoc relief groups and emerging international institutions including Near East Relief (NER) and the American Red Cross (ARC) about whether to help or not, and the form that help would take. Put simply, during the Great War in the Middle East some humanitarian emergencies prompted a humanitarian response. Some did not.

Contemporary humanitarians would certainly agree that the possibilities for humanitarian action are limited, and may attribute the reason for choosing to help or not to a broad spectrum of factors, including the physical location of the emergency – is it hard to get there? – to interference by local governments or even the danger

posed to aid workers by militias and rebel groups. These conditions equally applied to humanitarian action in the Middle East during the First World War and its aftermath. Matters were further complicated by the fact that the state of war made it more difficult to provide aid to civilians, out of fear that it might make its way into the hands of belligerents; these worries were voiced early in the conflict by the French and British, who feared American food aid could be diverted to assist the Ottoman military. Similar concerns were raised in the European theatre of war and contributed to the style of humanitarian assistance developed through the work of the UK-based Save the Children Fund (SCF), which sought to provide food aid to children in occupied Western Europe, as well as in Germany and Austria-Hungary (Marshall, 2013).

These objective and even material explanations fall short of explaining why some groups received assistance during the war years, even those in similarly difficult relief environments, while others did not. Clearly, who was helped was as much about how the groups and individuals were transformed into objects of humanitarianism as it was about questions of logistics or safety.

The most critical feature is how the emergency is formulated and then understood as a problem for humanity because it is viewed as a problem of humanity. Reflecting on the history of organisations like SCF, Reiff (2002: 78) asks us to imagine how different it might have been if, instead of Save the Children, the organisation had been named ‘Save the People’: ‘The agency’s mandate of “helping children in emergencies” may be morally uncomplicated. But relief is not. It was morally ambiguous in the heyday of nineteenth-century European colonialism, it was morally ambiguous in 1919, it was morally ambiguous in Biafra in 1967, and it has been just as morally ambiguous in the aftermath of the Cold War.’ This ambiguity also extends to the earliest US forays into international humanitarianism in the Middle East.

This paper examines the way the human impact of natural disasters, famine, massacre or displacement were organised into problems for humanity (or not) by American humanitarian actors. These problems for humanity became the basis for the international humanitarian response during the First World War in the Middle East in the city of Baghdad, and more so in Jerusalem and Beirut and their hinterlands. Comparing the beginnings of humanitarian action, in particular in Beirut and Jerusalem, allows us to perceive the

humanitarian imagination writ large, but also in the making. This dual perspective challenges the assumption that humanitarianism is based upon helping ‘the stranger’ after the critical process of creating sentiment through narration; instead, the decision to engage in humanitarian assistance derives from a modern project of ‘un-strangering’ the object in a way that goes beyond the nominal concept of empathy. Put another way, the empathy expressed in humanitarian action is built on more than the simple acknowledgement of the humanity of the object. It is built through narrative, photographic imagery and formal identification in an act of class, social or religious solidarity. The work of humanitarianism relies upon closing the distance between the humanitarian actor and the humanitarian object, so much so that the latter becomes something not so strange after all, and is, in the imagination of the humanitarian actor, knowable, even to the point of being an extension of the self or community of that actor (see Laqueur, 2009: 37–38).

6.1 Baghdad: 29 November 1914

‘Red Cross does not feel justified attempting Bagdad flood relief at present’¹

The late autumn rains that caused the locusts to emerge also fell on the Iraqi highlands and triggered flooding of the Tigris and Euphrates rivers. Before a system of dams was established throughout Mesopotamia (modern-day Iraq, Syria and areas of Turkey and Iran), floods of that kind occurred frequently, though most often in the spring as the snow melted from the slopes of Anatolia’s Taurus Mountains. Over the course of the nineteenth century Ottoman reform and municipal planning projects had walled Baghdad off from the flooding. Like other modernising states, bringing wild rivers to heel behind dams and levees was a chief concern of the Ottomans in their Mesopotamian provinces. But in November 1914, despite telegraphed warnings of the river’s unexpected rise from the governor of the northern city of Mosul, the municipal authorities of Baghdad did little to prepare. As the Tigris flooded, people poured into Baghdad seeking shelter on the low levees surrounding the city. Crops that would have been harvested in anticipation of spring floods were lost, as was livestock. The innermost dyke that was the

1 USNA 867.48/24 Bryan (Washington DC) to Morgenthau (Constantinople) 31 December 1914.

last line of defence failed on the night of 1 December and the river washed into the city, destroying entire neighbourhoods; food stocks of wheat, sugar and animal fodder were ruined. Resident foreigners put at 12,000 the number left homeless.² The floods were followed by a cholera outbreak.

Alongside a detailed description of the flood from his consul in Baghdad, the American ambassador in Istanbul, Henry Morgenthau, sent an appeal for assistance to the US Secretary of State, William Jennings Bryan, and asked that the message be shared with the American Jewish Committee (AJC) and the American Red Cross. These two prominent US-based humanitarian organisations had already begun work in Europe and the Middle East on behalf of refugees and displaced populations. The appeal to the AJC was not coincidental; rather, it was a recognition that a third of Baghdad's population at the time were Arabic-speaking Jews – a fact well-known to Morgenthau, though perhaps not to the community of American Jews. Indeed Baghdad, like Salonica (Thessaloniki), now in Greece, and to a lesser extent Aleppo in today's Syria, was a city central to Ottoman Jewish life. Jews dominated much of Baghdad's economy and participated vigorously in its intellectual and cultural life (Sciarcon, 2009).

The reply from the chairman of the ARC, which had an office in Istanbul, was that no funds could be allocated to relief in Baghdad:

*The Red Cross funds at our disposal for relief are all designated by the givers for European war relief. No doubt the suffering at Bagdad is acute, but so it is on a colossal scale in the seven European nations at war. We are bending all our energies to meet the immeasurable demands for assistance that come to us from those countries and we know that our help, considerable though it may be in the aggregate, goes but a short way in effective relief of the misery ... we do not feel that we would be justified in attempting Bagdad flood relief, which would mean the assumption of another burden at a time when we know that the tasks already assumed are greater than our resources.*³

2 USNA 867.48/36 Brissel (Baghdad) to Morgenthau (Constantinople) 3 December 1914.

3 USNA 867.48/24 Davis (Washington, DC) to Secretary of State (Washington, DC) 26 December 1914.

Why was no assistance forthcoming for Baghdad when economic dislocation, famine and starvation did spur humanitarian action in the Eastern Mediterranean? Even then Baghdad was a major provincial capital with commercial connections to global trade networks; news of its devastation and Morgenthau's appeal appeared in the pages of the *New York Times* – but only once and then never again. The ARC did authorise Morgenthau to use funds in his own care from the organisation if he saw fit, but the archives are silent as to any further American assistance to the people of Baghdad.

This lack of compassion for the people of Baghdad is striking. In part it may have been just as indicated: the major donors to the ARC were committed to the war effort in Western Europe. But there was no sympathetic connection between the 12,000 homeless and soon-to-be starving inhabitants of Baghdad and those in the West who might have chosen to help them. That link did not exist and could not exist in the absence of the complex lattice of history, commercial and philanthropic relationships, and the essentialising effects of racial and religious thinking, which focused the humanitarian imagination and brought it to bear upon other emergencies. Perhaps also the fact that the flooding of the city was not an unforeseen act, and indeed may have been viewed (according to dominant attitudes) as a by-product of Ottoman ineptitude and corruption, inclined some to see the inhabitants of Baghdad as responsible for their own destitution.

6.2 Jerusalem: 26 December 1914

*I would say that the Red Cross would be glad to cooperate in meeting the needs in Palestine.*⁴

As the Ottoman state officially entered the First World War in November 1914, poor harvests and the mass requisitioning of food and livestock by the Ottoman authorities pushed the inhabitants of Jerusalem perilously close to starvation. The crisis was exacerbated by the fact that much of the Palestinian economy was centred on the export of agricultural commodities to European markets now closed off because of the war. Unlike news of the Baghdad flood, which spread slowly from the Ottoman provinces to the capital and then to the United States, information about

4 USNA 867.48/20 Davis (Washington DC) to Secretary of State (Washington DC) 7 December 1914

the conditions in Ottoman Palestine reached the West through multiple contacts and organisations, and with tremendous speed. For example, a rabbi in St. Louis sent a communication to the US State Department in late October claiming 'Received today cablegram from Central Committee of Jewish population of Palestine, that they are starving'. Communication of this nature inundated the offices of the Secretary of State. Within three weeks of the first indications of starvation in mid-November 1914 and at the urging of Stephen Samuel Wise, the activist rabbi of New York's Temple B'nai Jeshurun, several Jewish humanitarian organisations including the Provisional Executive Committee for General Zionist Affairs and the American Jewish Relief Committee had begun to work with the US government to secure safe passage of assistance.⁵

To the extent that relief supplies and money were allowed to enter Palestine by the Ottoman, French and British authorities, these efforts were successful. By March 1915, the American Jewish Relief Committee had secured the support of the US government to dispatch relief supplies on an American naval vessel, the *Vulcan*. The secretary of the Federated Jewish Charities of Baltimore, Louis Levin, was appointed to oversee the transfer and distribution of those supplies; *Vulcan* departed Philadelphia on 14 March 1915 and arrived in Alexandria in Egypt three weeks later. Once there, Levin purchased several tons of supplies, including 600 pounds of tea.

Through intense negotiations, customs fees at the port of entry at Jaffa were waived, but Levin faced the added difficulty of transporting the goods via camel and donkey, as the Jaffa to Jerusalem railway was out of service. In Jerusalem, a local committee to distribute the aid had been organised along sectarian lines; Jews received 55% of the total allotment, with the remainder being divided among Muslims and Christians (see Jacobson, 2013). Levin noted in his final report that, while 'The country is not without food, though some of the necessities of life are very high ... had food not advanced at all, there would have been great distress nevertheless'.⁶ He also observed that business and trade had come to a halt and medicine and fuel oil had to

be imported. Locusts had arrived that spring as well, though the full implications of that plague would not be felt for several months. Seemingly exhausted by the venture, Levin concluded his report with the advice that sending money to Palestine would be a better idea.

Why Jerusalem and not Baghdad? Despite the inherent difficulties in juxtaposing the forms of the humanitarian emergency in these two communities, the contrast in response is definitive, nonetheless, of how the humanitarian imagination worked. Compassion was extended to the Jews (and others) of Palestine and not the Jews (and others) of Baghdad because the problems of the former could more easily be understood and explained as an issue affecting humanity and those of the latter much less so. This link to humanity is an outcome of the political and cultural meaning of the demographic origins of many of the inhabitants of Jerusalem in 1914, but also of the larger value that the Jewish presence in Palestine had for American Jews and others at the time. By the outbreak of the war, the Jewish population of Ottoman Jerusalem was over 45,000 (Schmelz, 1990: 25). Much of this population was foreign in origin and had immigrated to Jerusalem or other parts of Palestine for various reasons, including escaping pogroms in Eastern and Central Europe and as an expression of Zionism. Palestine had also attracted Christians from the United States and Europe, a fact reflected in residual place and institution names like *Hamoshava Hagermanit*, the German Colony neighbourhood founded by Evangelical Lutherans in Haifa, or the American Colony Hotel north of Jerusalem's old city. In this sense, the victims were not so different from those promoting humanitarian assistance, or at least not as different as those in Baghdad. The occasional identification of the objects of humanitarianism in the first person plural ('we', 'us', 'our') in letters to the US State Department is an indication of the depth of cross-identification.

At the root of the alacrity and scale of assistance offered to communities in Palestine was also the status of Ottoman Palestine as the Biblical Holy Land (see Obenzinger, 1999). This association is seen as both a prefigurement of post-1948 American support for the creation of the state of Israel and as a manifestation of the way Americans of the nineteenth century understood their own historical experience with settler-colonialism, especially in the American West. By the end of the nineteenth century, this closeness was further reinforced by the relative ease with which Americans could travel to Palestine. Before the war, many elite

5 Wise, among the founders of the National Association for the Advancement of Colored Peoples (NAACP), was a leader of Progressive-era American Zionism and alongside other major Jewish figures of the day, including the jurist Louis Brandeis, would go on to work with various foundations to establish the outlines of the broader American relief project in the Middle East.

6 USNA 867.48/158 Levin (Baltimore) to Lansing (Washington DC) 23 July 1915.

Americans had been to Palestine; those who had not knew of it from their Bibles and Sunday school classes, where photographs and paintings of religious sites and scenes of daily life were common. It was a presence in their lives that a flooded Baghdad simply was not.

Beyond the fact of this closeness and the forms of empathy it could engender, the Jewish colonists of Palestine were also important to American Zionism's vision of social reform and modernisation, which saw in Zionism a central act in the 'recovery' of Israel, and also a very particular kind of civilising mission. Stephen Wise, the liberal rabbi who played such a prominent role in advocating for the relief of Jewish communities, and also Armenian relief, had travelled to Jerusalem via Egypt for the first time in the months before the outbreak of the First World War. At stake for Wise in the suffering of Jews in Palestine during the war was the entire Zionist project. For Wise and others, starvation and impoverishment amongst Palestine's Jews was a threat to the modernity that their presence represented. In this light, that threat had universal implications for civilisation and humanity itself and was all the more implicated in their plight.

Through his friendships with Morgenthau and with President Woodrow Wilson, Wise attempted to organise a return visit to Ottoman Palestine at the head of the investigative commission to assess the needs of Jewish communities, though the outbreak of the war forestalled such efforts and Wise instead undertook the beginnings of the kind of relief work that would lead to the sailing of *Vulcan*. In the early months of the war, he secured a loan of \$50,000 from donors in West Coast American cities including Seattle and Los Angeles to aid Jewish orange growers. Building on the success of that campaign Wise helped to organise the AJC. The committee's 'first task ... was to save as much as possible of what had been planted in the twenty or more colonies in Palestine, the work of the *chalutzim* – the pioneers' (Wise, 1949: 185). The AJC became the major Jewish civil society interlocutor with the US government during the war and in its aftermath, and attracted financial support from American luminaries, including the department store magnate Nathan Straus.

In Wise's view the relief work of the AJC was important because it brought prominent American Jews to the larger Zionist cause. Among these new supporters was Louis Brandeis, a leading American lawyer and later associate justice of the US Supreme Court, who became the committee's chair in 1914. In his autobiography,

published in 1949, Wise claims that the relief work of the committee brought Brandeis back to involvement with the Jewish community and 'he came, after a number of intervening years, to give a goodly part of his life, almost the best part, to the Zionist cause, as if in reparation for the years of neglect of the Jewish problem and the terrible needs it involved'. Relief of needy Jews in wartime Palestine was a cause that American Jews who had been reluctant to involve themselves in Zionism could embrace. Transforming the wartime suffering of Jewish colonists into a humanitarian emergency framed their condition as a cause worthy of attention; it was about humanity itself and not mere politics. Essential questions about the need for Zionism in an era of broader Jewish assimilation and even nascent concerns among some Progressive-Era Americans about involvement in overseas colonialism could be sublimated in the face of the humanitarian nature of the problem. As such, it was a problem *beyond the political* that simultaneously ennobled the humanitarian actor and alleviated the suffering of a knowable, modern and empathetic-worthy humanitarian object. Nevertheless, as Wise concludes of Brandeis' leadership of the AJC, which ended with his appointment to the US Supreme Court in 1916, 'His leadership in the early years of the war made possible the fulfilment of our major task – the political one' (*ibid.*: 186). As such, US humanitarianism in Ottoman Palestine shows the emergence of a uniquely American civilising mission in the region, where relief work had both a Providential meaning and functioned to demonstrate the transferability of American-style modernity to what Wise and others saw as a decrepit and decayed land.

This intent to civilise is recurrent in other early post-war accounts of humanitarian efforts mounted by transnational Jewish relief organisations. The British occupation of Ottoman Palestine in late 1917 removed many of the obstacles to the transfer of money and delivery of food aid that had so stymied American relief efforts. It also meant that nationals of formerly belligerent states, most notably the UK, and to a lesser extent France, could participate in that work. Established in Cairo, the Special Committee for the Relief of Jews in Palestine operated as the main agency for relief until 1918, when the work was transferred to the Relief Department of the Zionist Commission. The transfer of operations to the Zionist Commission was heralded as a major step forward in the form of relief in Palestine: 'progress from mere alms-giving to relief of a constructive character ... for productive purposes, and not merely to secure the hand-to-mouth existence of the indigent'

(Palestine Relief Board, 1918: 4). That constructive character translated into a 14-point plan for social improvement and the creation of permanent institutions for health care, education and moral discipline.

In this way, modern humanitarianism's emphasis on addressing the root causes of human suffering with the intent to eliminate those causes altogether provided the blueprint for humanitarian governance, in which structures established for relief work evolved into the social services and educational wings of a quasi-sovereign Zionist proto-state in Palestine. In the early months of its occupation of Palestine, the British had ceded to the Zionist movement almost exclusive control of humanitarian efforts directed towards the Jewish population. That it was intended solely for Jews indicates again the outline of the polity to be governed. Among the 'services' provided were traditional poor relief and the distribution of food, but also religious items and books and the establishment of hospitals, institutions for the aged, orphanages, job training and workshops, primarily for women, agricultural loans and the interdiction of prostitution and illegal wine sales (*ibid.*: 9–11). While the Zionists could not exert complete agency over all the fields of governance, in this sphere of modern humanitarianism-cum-social welfare the movement had exclusive control: it could act like a state and demonstrate its competency to be one.

This connection between humanitarianism and sub-national, perhaps even insurgent, governance has occurred in other contexts. The emphasis that the Muslim Brotherhood in Egypt placed on the provision of humanitarian assistance during its period of political exile from the 1980s to the early 2000s, for example during the 1992 Cairo earthquake, demonstrated its ability to provide relief – and its popular legitimacy – in ways the Egyptian state was unwilling or unable to. Similarly, Hizbollah in Lebanon exerts much of its state-within-a-state power through humanitarian assistance and social welfare programmes. During the Algerian war of independence (1954–62), Algerian nationalists formed the Algerian Red Crescent Society modelled on Red Crescent organisations in other Arab countries. This was a direct challenge to the French colonial state's monopoly on connections with international humanitarian assistance. The group's ability to address suffering, provide medical assistance in a way that complied with international standards and attract international aid demonstrated the modernity of the Algerian nation and its right to rule itself (Johnson Onyedum, 2012).

6.3 Beirut: 21 April 1915

Historians liken wartime Beirut to a city under siege (see Tanielian, 2012). With the beginning of the war, the Port of Beirut was blockaded by the French and British navies, which contributed to some food shortages, but the diversion of what the locusts did not eat to the Ottoman military effort and unregulated food speculation played a much more important role. Indeed, this was how it was understood by American diplomats in Beirut at the time, who attributed the starvation of Beirut's poor less to the effects of locusts than to a 'coal famine'.⁷ Fuel shortages prevented grain shipments by rail from the interior; as Beirut starved, wheat was still widely available in Aleppo and Damascus. In the spring of 1915, there was even some hope of diverting the *Vulcan* after it had delivered food to Palestine, so that it could bring coal to Beirut.⁸ Regardless of its origins, the famine caused unprecedented forms of misery and destitution, accompanied even by reports of the eating of human flesh. The social dislocation of the famine had far-reaching effects on the city's social and domestic life (Thompson, 2000: 25).

Yet what distinguished Beirut from other cities in the region hit hard by famine was that it attracted international humanitarian assistance. It was the site of large-scale relief work organised first by resident Americans, and later in coordination with local Muslim and non-Muslim members of the city's wealthy and upper-middle class. It also attracted massive support from philanthropic organisations in the United States. How the crisis in Beirut was understood and the form of response shaped the American humanitarian enterprise in the Middle East for the remainder of the interwar period and, to some extent, well into the 1950s. Driven by many of the same mechanisms and connections that transformed the cause of the Jews of Palestine into a cause of humanity, wartime relief in Beirut is broadly indicative of the way organised compassion is the outcome of institutional and individual *closeness*, and also how certain kinds of suffering and sufferers may matter more than others.

Posing the question why Beirut and not Baghdad is complicated by the fact that the emergency in Beirut unfolded over the course of almost the entire war. Still

7 USNA 867.48/126 Hollis (Beirut) to Bryan (Washington DC) 21 April 1915.

8 *Ibid.*

Beirut possessed historical, ideological and commercial connections with the centres of humanitarian organisation that Baghdad did not. It was home to a major American institution in the form of the Syrian Protestant College (SPC), renamed the American University in Beirut after the war and the creation of French Mandate Lebanon; it was also linked to the American presence in the Middle East through educational and missionary work in a way unrivalled in the rest of the Ottoman state, even in Istanbul. That presence extended back before the 1840s: generations of Ivy League-educated Americans had worked in mission schools and formed the faculty of the SPC. By the advent of the war, the SPC and its foreign faculty were woven deeply into the social and intellectual life of the city. Beirut also had a massive diaspora, primarily in the US but also in Egypt, Western Europe and South America. This diaspora population was in a position not just to help through transferring funds back 'home' to their extended families, but also to advocate on behalf of Beirut and its hinterland with governments and aid organisations.

Finally, unlike Baghdad, Beirut was home to a branch of the American Red Cross. The Beirut chapter was established in 1909 and was managed locally by US consular officials. By 1914 the ARC had been transformed into a prototypical modern humanitarian organisation and employed techniques consistent with contemporary social science research. In Beirut, the group developed programmes in coordination with the research faculty at the SPC, was scrupulous in its neutrality and non-sectarianism and fostered programmes that encouraged economic development rather than just charity. That said, it was still very much an effort mounted by a small expatriate community that focused on the city and the immediate countryside around it, and memoirs and letters convey a sense of deep paternalistic obligation.

The ARC's relief work unfolded in Beirut and Lebanon in several stages and was aided by the fact of American neutrality in the global war until 1917. Nonetheless it was hampered by political intrigue between the political leadership of the city of Beirut, which was separated from that which controlled the mountainous hinterland behind it. Among its earliest efforts was to send a field hospital to Palestine that was staffed by the faculty and students from the SPC's medical school and German missionary nurses to care for the soldiers wounded in fighting between Ottoman and British forces at the Suez Canal in February 1915. A similar mission was undertaken at the time of the British attack at Gallipoli,

after which medical students and faculty travelled on the *Vulcan* to administer medical assistance to Ottoman forces. Operating field hospitals was one of the established responsibilities of the ARC, but the choice of the Beirut chapter to participate in treating Ottoman wounded demonstrated fidelity to the Ottoman state, and at a time when the depth of their commitment would have been questioned. For the Americans in Beirut the neutral act of ministering to the wounded had the anticipated effect of gaining the support of the Ottoman military governor of Syria and Cemal pasha, one of the three members of the Young Turk ruling junta. While the ARC did not mount any other medical missions, many of its medical college graduates served in the Ottoman military's medical corps.

The bulk of the ARC's other early activities in and around Beirut took the form of soup kitchens/food distribution centres. Early in the war, the SPC faculty had developed a systematic application process that enrolled some 1,500 people a month, allowing for a more efficient network of feeding centres and providing a way to quantify the depth of need. The ARC organised the city into subunits overseen by Western, usually female, volunteers, and provided employment to men and boys to do road repair and rubbish removal; women in similar circumstances were put to work tating or doing needlework. While the arrival of the locusts exacerbated the emergency, accounts from AUB faculty and local ARC workers indicate that, for much of 1916, the worst effects of starvation were kept at bay in the city and nearby communities.⁹

The cause of the people of Beirut gained increasing attention in the US through a unique coalition that brought together diaspora civil society organisations with some of America's most important philanthropists and reformers. Similar to news of the crisis in Jerusalem, information about the humanitarian situation in Beirut travelled along religious and ethnic networks. For example, in May 1916 Michel Lutfallah, a prominent Arab nationalist, and Shuqayr pasha, both wealthy expatriates living in Cairo, joined several other leaders of the Syrian community in Egypt to approach the US consul to express their deep concerns about the conditions in Beirut and elsewhere. The appeal to humanity is striking in the petition they handed him:

9 Bayard Dodge 'Relief Work in Syria during the Period of the War: A Brief and Unofficial Account (1918), p. 4. Sent to C. H. Dodge, New York. AUBA [American University in Beirut Archive] – Folder AA:2.3.3.18.3 Howard Bliss Collection 1902–1920.

*We have no doubt that the US Government who, thanks to their privileged position as neutrals and as custodians of the laws of humanity, have so nobly contributed to the alleviation of the miseries of other people whose sad lot it was to suffer keenly from the War, will not hesitate, in the view of the urgent need for relief to render another such service in the cause of suffering humanity.*¹⁰

The poet Gibran Khalil Gibran, who served as secretary-general of the New York-based Syrian-Mount Lebanon Relief Committee, wrote to the recently appointed US Secretary of State Robert Lansing. ‘The people of Syria and Mt. Lebanon, Sir, are actually dying of starvation and the diseases resulting from lack of nourishment. Their distress is appalling, and they are to-day a helpless people doomed to extinction ... We appeal to you, Sir, we the Syrians of this country, thousands of whom are American citizens, in behalf of our stricken country and our starving people.’ The letter indicates that the Syrian-Mount Lebanon Relief Committee was ‘working in cooperation with the American [relief] Committee and we hope to raise enough funds soon to be able to send a shipload of food supplies ... to ward off, if possible the effects of the impending famine that threatens the extinction of a whole race’.¹¹ The appeal was accompanied by translations of anonymous first-hand accounts of the effects of the famine.

Responding to information from Beirut, the American Committee for Armenian and Syrian Relief, what Gibran called the ‘American Committee’, had also adopted the cause of the starving in Lebanon in addition to its increasing concern for the condition of Armenians in Ottoman Anatolia. Chaired by James L. Barton, Foreign Secretary of the American Board of Commissioners for Foreign Missions, who had extensive experience in the Middle East, the organisation included in its leadership and board members eminent religious and educational figures including Harvard University’s Charles W. Elliot, Rabbi Stephen Wise, the diplomat Oscar Strauss, the publisher George A. Plimpton and the philanthropist Cleveland H. Dodge, who was one of Wilson’s major campaign donors and whose son, Bayard, taught at the Syrian Protestant College. The

10 USNA 867.48/324 Knabeshue (Cairo) to Secretary of State (Washington DC) 7 July 1916.

11 USNA 867.48/306 Letter from Gibran Khalil Gibran (New York) to Robert Lansing (Washington DC) 17 June 1916.

American Committee evolved over time to become Near East Relief, the preeminent modern humanitarian institution in the Middle East.

In the summer of 1916, the American Committee began raising funds for a ‘Christmas Ship’ to bring supplies to Beirut in a plan similar to that which brought the *Vulcan* to Palestine a year earlier. The campaign, which attracted tremendous support amongst the American public, demonstrated to its organisers the efficacy of modern advertising for humanitarian fundraising, which would be replicated as the organisation evolved to assist Armenian genocide refugees during and after the war. The ship, like the *Vulcan* an American collier, *Caesar*, was loaded with \$700,000-worth of food and supplies but never reached Beirut. It languished for months at a dock in Alexandria without permission from the Ottoman authorities to proceed; eventually its cargo was sold and the funds were slated for use in Lebanon. For American relief workers this failure was deeply demoralising (McGilvary, 1920: 95).

The entry of the US into the war against Germany in April 1917 further hampered the work of foreign relief workers and the local ARC chapter ceased operations in the summer. Relief projects, soup kitchens and make-work programmes continued on an ad hoc basis or shifted to the faculty of the SPC, who distributed direct grants to needy families and assisted in the management of a large orphanage at Brumana in the mountains to the east of the city, which had been established to take in the increasing number of destitute children. Ottoman officials in Beirut and Mt. Lebanon implemented similar relief measures; local civil society groups, generally organised along sectarian lines, also implemented relief work (Tanielian, 2012: 309–21).

In the last year of the war Charles Dana, the former chairman of the Red Cross and director of the American Press, a publishing house established in the nineteenth century to produce Arabic translations of Protestant Christian missionary tracts, was interned in Istanbul with his wife and niece, Margaret McGilvary, who had served as the organisation’s secretary. Shortly after the war the pair returned to Beirut. McGilvary’s 1920 memoir *The Dawn of a New Era in Syria* is a compelling first-person account of the work of the Beirut chapter of the ARC, and documents the intense connection Americans in the city felt towards its inhabitants. Beyond detailing the scope of relief work, it constructs the humanitarian problem in Beirut and Lebanon as not just one of food distribution, but

rather as an outcome of alien rule and lack of social cohesion; the purpose of relief had been, not just to feed the poor, but also to help Beirut's middle class achieve independence and usher in the 'New Era' of her book's title (McGilvary, 1920: 268).

The white-collar middle class had been the constituency that the faculty of the SPC had looked to to implement the kinds of social reforms that could successfully translate modernity from America to the Middle East. Preserving that class, to whom the Americans in Beirut related in both paternalistic terms and as evidence of their own modernising impact, was seen as a humanitarian imperative and thus a problem of humanity at the centre of their humanitarian imagination. Equally, the collapse of Ottoman rule had created an opportunity to address, not just immediate suffering, but also its root causes; in other words, the work of the ARC and the American Committee for Relief had laid the groundwork for a broader, modern humanitarian enterprise. McGilvary (*ibid.*: 288) advocated both continued relief for the poor, and a focus on economic reconstruction that would aid the middle class and put Syria more firmly on the path to modernisation and regional leadership:

Syria has hardly begun to recover from the effects of the war and that she still needs all the sympathy cooperation and philanthropy which have been accorded her during the past four years. The most striking illustration of serious need which occurs to me is a simile that someone used recently in a discussion of this very problem. He was pleading for continued American relief support and he said 'as soon as a child learns to take his first step do we expect that it will henceforth be able to walk alone without further assistance from parents or nurse?'

In McGilvary's estimation, beyond continued assistance – understood here in the most paternalistic of terms – soup kitchens and orphanages were just the opening act in the broader humanitarian and political engagement of the US with Beirut, Lebanon and Syria. This engagement would be completed by placing the new state under direct American administration as a consequence of the post-war settlement (*ibid.*: 268). For her, the optimal situation would see the limited relief work of the war years translate into an American humanitarian government in Syria that would aid in reconstruction and help develop the country as a modern nation state. This meant creating a Syrian

nationalism, embracing a non-sectarian Syrian identity and defeating any efforts to divide the country along religious lines (*ibid.*: 293).

Bayard Dodge's assessment echoes McGilvary's in its paternalistic vision of America's role in rebuilding Syria. In comparing the late Ottoman period and the war years with the present moment, Dodge told his father: 'Liberty, reconstruction, and public service have replaced despotism, demoralization and misappropriation'.¹² For Dodge and the faculty of the SPC, their experience of relief had provided them with an opportunity to transform their broader mission in the Middle East into a permanent expression of American benevolence, rather than traditional evangelism. Indeed, the humanitarian disaster of the war opened up the prospect of the university fully transitioning away from a missionary-based enterprise to a more modern and secular vision of education and development. In the event, any hope of an American political presence faded in the face of French colonialism, which established Lebanon as separate from Syria. Still, the faculty of the SPC and their friends and relatives in New York played a critical role in defining the emergency for Americans and bringing it into the larger circle of philanthropy emerging from institutions led by the Rockefeller Foundation.

6.4 Conclusion

The transition that ad hoc US relief underwent during the war, from addressing the immediate needs of starving populations into a complex comprehensive programme for identifying and then addressing the root causes of human suffering, mirrors the evolution of modern humanitarianism. In practice, while this early project of relief embraced the semblance of neutrality and universal need it was still identifiably part of the civilising mission that informed the character of colonialism, even if it was not accompanied by a colonial occupation. For Americans – mostly Protestants and liberal Jews – humanitarianism was an ethical and moral vessel in which to place the politics of America's presence in the region. It allowed them to distinguish that presence from other colonialisms practiced by European imperialists and Middle Eastern despots: Ottoman, French and British. For the diaspora of Arabs in the US and elsewhere, advocating for relief provided a platform from which to

¹² Dodge 'Relief Work in Syria during the Period of the War'.

advocate for Arab independence from Ottoman rule, seen as the cause of suffering and in their estimation as bad as the locusts, if not worse. Nonetheless, in a very practical way these relief projects saved lives; each also worked to the extent that the ad hoc humanitarians could point to success and generate more support from governments and philanthropists to engage in more operations, and early American relief efforts were dwarfed by the programmes that followed the end of the war. These projects would extend the reach of humanitarianism beyond food relief and establish the basis for modern forms of international humanitarian development and international humanitarian law, in particular in the field of refugees. Beyond the way humanitarianism allowed for an expression of an American benevolence without the brutality of foreign rule, it also presaged the emergence of a philanthropic coalition that brought social scientific reformers together with old-school missionaries; the former had been searching for a way to expand idealism abroad and the latter a way to remain relevant in an environment in which the evangelical project was

impractical but a secular and educational role was not. Broadly conceived, these projects were part of a movement in the US to meet the global humanitarian challenges of world war, considered by some at the time as war's 'moral equivalence'. The American humanitarian project in the Eastern Mediterranean was motivated by this sentiment. The sense of mobilisation and urgency that made humanitarianism resemble war presents itself in the work of the faculty of the SPC and the AJC, but the ideological underpinnings and social and political goals of relief in the Middle East distinguished it from the European experience with humanitarianism during and after the First World War, and indeed was constructed in the humanitarian imagination quite differently. The problem in the Middle East was imagined within the framework of its holy geography, of the suffering of Christians at the hands of Muslims, of noble pioneers holding civilisation's line against barbarism. Ultimately, in the humanitarian imagination, the suffering of the peoples of the region demanded a unique kind of American humanitarian presence.

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7 The Yemeni civil war and the UN Yemen Observer Mission

Asher Orkaby

On 11 June 1963, the UN Security Council adopted Resolution 179 creating the UN Yemen Observer Mission (UNYOM). The purpose of the mission was not to bring an end to the Yemeni civil war that had broken out the previous September. Nor was it intended to enforce the withdrawal of the Egyptian and Saudi belligerents also involved in the conflict. Instead, it was mandated only to oversee the withdrawal of the Saudis and the Egyptians, thereby forestalling the possibility of a wider regional conflict.

UNYOM took place during a significant financial crisis in UN peacekeeping. The UN Operation in the Congo (ONUC) and the UN Emergency Force (UNEF) in Sinai had far exceeded their initial budgets. In protest, the Soviet Union and France withdrew their financial support for UN peacekeeping, presenting the newly appointed UN Secretary-General, U Thant, with a difficult problem in Yemen. UNYOM represented the first example of a significantly smaller mission ('tin-cup' peacekeeping), on a limited budget, and funded directly by the belligerent parties. The limited resources were accompanied by similarly limited goals. UNYOM was never intended as an actual peacekeeping mission and was limited in its mandate to merely 'observing' the withdrawal of Egyptian and Saudi parties to the Yemeni conflict. The very presence of UN personnel in Yemen, during one of the most volatile periods in the region's history, was a success in itself. The tenets of UNYOM and related agreements would form the cornerstone of Saudi–Egyptian reconciliation in 1967.

7.1 Historical background

Known to the geographers of antiquity as Arabia Felix, the southern region of Arabia was famous for its spices, coffee, trade and agricultural produce. The opening up of alternative trade routes and economic and political strife, however, saw this once prosperous region go into

decline in the seventeenth century. In 1839 the British captured the small fishing village of Aden, once a vast port city at the centre of Indian Ocean trade. British rule in Aden gradually spread to include the tribal hinterland surrounding the port, forming what would come to be known as the Federation of South Arabia.

Imam Yahya Hamid al-Din and his progeny ruled the northern half of Yemen from its independence from the Ottoman Empire in 1918 until the outbreak of the civil war in 1962. Intending to dominate the nation's law and political structure, Yahya ushered in a new era with religiously motivated political reforms. Consolidating what had been a conglomerate of tribes, Yahya centralised Yemen politically and legislatively, while declaring himself a divinely ordained monarch according to Zaydi religious doctrine.¹ He forced his country into diplomatic and economic isolation, and ruled according to traditional Zaydi laws and customs.

Yahya was assassinated in 1948, and his son Ahmad assumed power. Ahmad continued the repressive and religiously conservative rule of his father until his death on 19 September 1962. The Zaydi religious authorities met at Jama'a al-Kabir, the great mosque in Sana'a, and elected Ahmad's son Muhammad al-Badr as the successor Imam of Yemen. Al-Badr's rule lasted only seven days, when he was overthrown by Yemeni General Abdullah al-Sallal on 26 September 1962. Sallal founded the Yemen Arab Republic (YAR), supported by Egyptian President Gamal Abdel Nasser. Al-Badr fled to the northern Yemeni highlands to gather Zaydi tribal militias, and appealed to the Saudi monarchy for refuge and military aid. Within weeks, the conflict had been transformed into an arena for international conflict that would eventually involve

¹ The Zaydis are a conservative Shia sect of Islam most predominant in the northern highlands of Yemen. The lowlands consisted of tribes adhering to the Shafi'ite school of Sunni Islam.

the UK, Canada, Egypt, Iran, Israel, Jordan, Pakistan, Saudi Arabia, the US and the Soviet Union, in addition to a significant UN and International Committee of the Red Cross (ICRC) presence.

Fighting on the ground, between an Egyptian army numbering 70,000 and a loose coalition of royalist tribal militias, produced few decisive victories and settled into an intractable stalemate. In an effort to interrupt enemy supply lines and curtail Saudi aid to al-Badr, Nasser began a bombing campaign along the Saudi border, threatening to engulf the region in a broader and costlier war. The weakness of the YAR state left the door open for more substantial Soviet penetration into South Arabia, a serious threat to US interests in the Middle East.²

US policy objectives were to prevent the war from spreading into a fully-fledged Arab conflict, with the potential overt involvement of the US and the Soviet Union, and to protect America's Saudi allies 'from their own folly'.³ Between February and April 1963, Ellsworth Bunker, a seasoned mediator and President John F. Kennedy's special emissary, shuttled between Cairo, Riyadh and New York to negotiate a disengagement settlement. In what became known as Operation Hard Surface, Saudi Arabia was promised US military support, eventually amounting to a squadron of eight planes sent to Dhahran, in exchange for the secession of aid to royalist forces. Bunker made it clear to Saudi King Faisal Al-Saud that continued support for the royalists would only be to Egyptian and Soviet benefit, and would pose a serious threat to his regime.⁴ The US squadron at Dhahran, although under strict orders not to be used in combat, was meant to send a clear message to Nasser that the US would defend its allies in the Middle East.⁵ Meanwhile, Bunker secured a commitment from Nasser to withdraw the Egyptian military from Yemen, although Nasser insisted on retaining some 'military advisors' in the

2 Sherman Kent, CIA Civil War Summary, 2 July 1963. Box 208a, Folder 3, John F. Kennedy Library, Columbia Point, Boston, MA.

3 Komer to Kennedy, 2 July 1963. Box 208a, Folder 3, 23, JFK Library.

4 Brubeck to McGeorge Bundy, 28 February 1963. Box 209, Folder 5, 2, JFK Library.

5 Komer to Kennedy, 11 March 1963. Box 209, Folder 5, 9, JFK Library. Little (1988) – Operation Hard Surface was intended as a symbolic deterrent and was under strict orders from Kennedy to remain idle, lest the US be drawn into a large-scale military confrontation with Nasser.

country.⁶ Bunker reported the success of his diplomatic mission to U Thant, the UN Secretary-General, and stressed the importance of a UN mission to oversee the disengagement process.⁷

What was most revealing about Bunker's negotiations was not their content, but the fact that US officials spoke primarily with Faisal and Nasser, not with Sallal and his new regime in Yemen. The US perceived the Yemeni civil war as an arena for Saudi and Egyptian aggression rather than as an internal struggle for control.⁸ UNYOM was intended as the next stage in Bunker's Saudi–Egyptian agreements.

7.2 The UN Observer Mission

On 11 June 1963, the UN Security Council passed Resolution 179, calling for the formation of UNYOM, with the limited function of observing the disengagement of forces and reporting back to the UN Security Council via the Secretary-General. Saudi Arabia and Egypt agreed to split the cost of the initial two months of the observer mission, which would in the end cost a total of \$1.8 million over the duration of the mission.⁹ Under the terms of the US-brokered agreement, the Saudis were to cease aid to the royalists and the Egyptians were to begin withdrawing their forces from Yemen. A 20-kilometre demilitarised zone was to be established on either side of the border with Saudi Arabia, within which UN observers would be stationed to ensure that the Saudis honoured their part of the April agreement. Another group of observers were to keep track of the Egyptian military withdrawal.

The mission had no official peacekeeping role, and its functions would be much more restricted than previous peacekeeping missions, such as the UN Truce Supervision Organization (UNTSO) in Israel, the UN Military Observer Group in India and Pakistan (UNMOGIP), UNEF and ONUC. Its primary concern was with the Egyptians and the Saudis, rather than the

6 Badeau to Dept. of State. 3 April 1963. Box 209, Folder 6, 74, JFK Library.

7 Dept. of State: Bunker Mission Summary, 19 April 1963. Box 209, Folder 6, 102, JFK Library.

8 Jones (London) to Dept. of State, 18 September 1963. Box 209, Folder 1, 16. JFK Library.

9 See <http://www.un.org/en/peacekeeping/missions/past/unyomfacts.html>.

outcome of the local conflict in Yemen. It was widely believed that the YAR could not sustain its military effort without Egyptian support, and that the royalists could not fight the Nasser-supported revolutionaries without Saudi backing. In the absence of both, it was thought that the Yemenis could be brought to the table.

Swedish Lieutenant-General Carl von Horn, the Chief of Staff of UNTSO, was appointed to head UNYOM.¹⁰ One of his primary concerns, the safety of the mission's staff, was emphasised on 19 June 1963 during an overflight of Yemen, when General von Horn's aircraft sustained damage from ground fire. In the aftermath of the incident, Canadian pilots and UN officials suggested that reconnaissance flights remain above a certain altitude in order to stay clear of ground fire, and U Thant stipulated that UNYOM should only operate in areas where a ceasefire was in effect.¹¹ Given that there was no official 'ceasefire' between any of the belligerent parties, the area of UN observation would accordingly be limited primarily to the demilitarised zone between the YAR and Saudi Arabia.

At its maximum strength UNYOM had 189 military personnel, supported by international and local civilian staff. The majority were from Canada and Yugoslavia, with smaller contingents from Australia, Denmark, Ghana, India, Italy, the Netherlands, Norway, Pakistan and Sweden. The mission had a reconnaissance unit of 114 Yugoslav officers who had previously served as part of UNEF, and an air unit made up of 50 Canadian air force personnel flying Caribou and Otter aircraft and H-19 helicopters based in Sana'a, Jizan and Najran. Ground troops were deployed in Jizan, Najran and Sa'dah in Yemen and in Saudi Arabia. There was a small military headquarters staff in Sana'a and six military observers were stationed in Hodeidah and Sana'a.¹²

Von Horn quickly grew frustrated with the administrative arrangements for the mission and its inability to properly discharge its observer functions, and submitted his urgent resignation effective on 31 August 1963. He complained that he could not verify the Egyptian troop withdrawal because UNYOM personnel did not have access to Egyptian troop

transport facilities in the port city of Hodeidah or the Egyptian garrisons in Sana'a.¹³ Von Horn believed that apparent movements of Egyptian soldiers constituted troop rotations, not a withdrawal, and that Nasser was making a mockery of the mission. Egyptian aerial bombardments of royalist positions were continuing, and Egyptian troops were encroaching into the demilitarised zone along the Saudi border.¹⁴

The other major issue noted by von Horn concerned the difficulty of securing financial support for the mission. While the Saudis provided cash as per their agreement to finance the initial two months of the mission, Egypt offered mainly logistical support. However, von Horn refused to use Egyptian transports or facilities on the grounds that this would compromise the mission's neutrality.¹⁵ Meanwhile, von Horn's requests to have materials supplied by air were rejected in favour of the cheaper option of sea transport. His requests for additional leave for mission personnel were also rejected. There was a significant disparity between the salaries of headquarters personnel, who earned \$7 a day, and UNYOM troops, who received \$1.36. Medical care was lacking at the command headquarters, and staff complained that Sana'a's altitude meant that water could not be boiled properly, to purify it of its bacteria content.¹⁶

Following von Horn's departure Indian Lieutenant-General P. S. Gyani took command of the mission. In a report on 2 September, Gyani suggested that 'despite personal hardships, difficulties in supplying fresh rations and unavoidable lack of amenities, the morale of Mission personnel is very high'.¹⁷ In reality, morale continued to decline. Although the mission's complement of aircraft was insufficient and its H-19 helicopters were deemed unsuitable, no replacements were sent despite multiple requests for three additional Otter aircraft. Given its inadequate resources UNYOM could not verify whether Egyptian troops were withdrawing or whether Saudi aid to the royalists was being curtailed. The Saudis claimed that most of the

10 See <http://www.un.org/en/peacekeeping/missions/past/unyombackgr.html>.

11 RG 25 – Volume 21592, 19 June 1963. Library and Archives Canada, Ottawa.

12 RG 24 – Volume 21494, 4 September 1963. Library and Archives Canada.

13 RG 24 – Volume 21494, 23 July 1963. Library and Archives Canada.

14 RG 24 – Volume 21494, 26 August 1963. Library and Archives Canada.

15 *Ibid.*

16 RG 25 – Volume 6144, 2 July 1963. Library and Archives Canada.

17 RG 24 – Volume 21494, 4 September 1963. Library and Archives Canada.

trucks and caravans crossing the Saudi–Yemeni border were part of a centuries-old commercial and trade relationship, while Egypt maintained that withdrawal was impossible while the Saudis continued to supply the royalists. Making matters of communication even more difficult, the mission had limited contact with al-Badr and the royalists as the UN had formally recognised the YAR to the exclusion of the opposition.¹⁸

In November 1963, Gyani was replaced by Pier P. Spinelli, the acting Under-secretary and Director of the European Office of the UN, who was brought on to serve as the civilian Special Representative of the Secretary-General and Head of the Mission in Yemen. This was the first time a civilian had been appointed to head a UN mission, further testament to the broader goals of UNYOM, which went beyond the confines of ‘observation’. The presence of a UN official in Yemen facilitated Saudi–Egyptian dialogue and maintained a direct line of communication between the international community and the participants in the conflict.

Despite being unable to facilitate the withdrawal of Egyptian troops and bring an end to Saudi support for

the royalists, UNYOM was renewed for two-month terms up until its termination in September 1964. Following the end of the mission, representatives from Egypt and Saudi Arabia met during the second Arab Summit Conference in Alexandria to reiterate their desire for a mutual withdrawal from the Yemeni conflict. Bunker’s agreements and the goals of UNYOM would remain at the core of Saudi–Egyptian peace negotiations until a final reconciliation was reached in August 1967. UNYOM acted to reduce Arab tensions, forestall a regional conflict and lay the groundwork for further talks.

UNYOM was not unlike other peacekeeping missions in its recurring financial and logistical difficulties. What made the mission both unique and problematic was its lack of a peacekeeping agenda. The UN created the mission to observe the withdrawal of Egypt and Saudi Arabia from the conflict in Yemen. Although it was clear from the very beginning that Nasser would not withdraw his troops under the auspices of the UN, the mission was nonetheless continued. The lack of a defined goal undermined morale and left the core of the mission to a small contingent of Canadian pilots. Historians have been critical of UNYOM’s many shortcomings, including the continued hostilities following the mission, the reluctance to communicate with the royalists and the poor conditions afforded to UN personnel. Although new interpretations based on recently declassified UN and Canadian archival material challenge some of this criticism (Orkaby, 2014), this does not change the fact that ending the war was neither the mission’s intention nor its purpose. Rather, UNYOM was created in the hope that regional tensions could be mitigated and a broader war avoided. In this, it was a resounding success.

60 RG 24 – Volume 21494, 26 September 1963. Library and Archives Canada. US Secretary of State Dean Rusk justified UNYOM for reasons that had to do with the stability of the Saudi regime. According to Rusk, the UN mission gave the Saudi regime the time it needed to stabilise the monarchy. Saud had served as King of Saudi Arabia since November 1953 and was being pressed to give way to his brother Faisal. Although the actual transition of power did not occur until 1964, the relative calm fostered by the presence of the UN mission in Yemen allowed Faisal to assume many of the royal responsibilities from his brother without worrying about unrestrained Egyptian incursions into Saudi territory

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8 Government-sponsored resettlement and reconciliation in post-war Lebanon

Dima de Clerck

Historically, Christians in Lebanon enjoyed political and economic pre-eminence. However, the creation of the Israeli state in Palestine in 1948, the wars that resulted from it and the expulsion of Palestinian organisations from Jordan in September 1970 drove hundreds of thousands of Palestinians to seek refuge in Lebanon, shifting the demographic balance in favour of Muslims and preparing the ground for a shift in power in the country away from Christians. Fighting between Lebanese (mostly Christian) and Palestinian forces began in 1975. Lebanese leftist, Arabist and Muslim groups allied with the Palestinians. Both Israel and Syria became embroiled in the conflict, alongside other Arab and international forces.

The 16-year war came to an end in 1990 following a National Reconciliation Accord signed in Taif, Saudi Arabia. Some 100,000 people died in the fighting, almost a million fled the country and a third of the population (more than 800,000 people) were internally displaced (Feghali, 1999: 11). In Beirut, divided between east (Christian) and west (Muslim), families fled to escape fighting, shelling and the risk of abduction. Israeli aerial bombardments and military invasions in 1978 and 1982 forced hundreds of thousands of people to flee South Lebanon and settle in Beirut and its suburbs. In other cases people were expelled as sectarian militias cleared areas under their control of potential dissidents.

The National Reconciliation Accord was a recognition of the demographic shift to a Muslim majority. It was designed to reassert Lebanese authority in South Lebanon (then still occupied by Israel), and set a timeframe for Syrian withdrawal from the rest of the country. It affirmed the unity of Lebanese territory, people and institutions, the sovereignty of the Lebanese state over its territory, the right of all Lebanese to live anywhere in the country ‘under the protection of the law’ and the right of displaced Lebanese to return to

their homes. With the exception of Hezbollah in the south under Israeli occupation, the South Lebanon Army (an Israeli proxy) and Palestinian organisations in the camps, militias were disarmed and demobilised, and an Amnesty Law was passed covering all wartime crimes prior to 28 March 1991, except for assassinations of religious figures and political leaders.

This paper sheds light on how post-war Lebanese governments have tackled the issue of displacement in Lebanon. It explores the setting up of a general return structure and strategy, the initiation and execution of resettlement and the need for reconciliation in certain cases, and explains why reconciliation efforts have produced such meagre results.

8.1 The institutionalisation of return

On 12 October 1991, the government of Prime Minister Omar Karameh handed responsibility for dealing with displacement to Elie Hobeika, a Minister of State without portfolio and a former head of the Lebanese Forces Christian militia turned Syrian ally. Hobeika ordered a survey to be conducted among about 67,000 families, along with a damage assessment, and requested immediate assistance from the UN. In June 1992, Hobeika organised a National Congress on Internally Displaced Persons (IDPs) with the active participation of powerful political leaders and parties, government institutions, NGOs and representatives of the internally displaced. The recommendations of the Congress were endorsed on 7 July by the Council of Ministers, and the Lebanese army was deployed to allow the displaced to regain control over their property and homes in the very rare cases these were not destroyed, damaged or squatted.

The following October, State Minister Walid Junblat, a Druze leader and head of the Progressive Socialist Party (PSP), was entrusted with the IDP portfolio as part of an agreement dividing political spoils and benefits among Lebanon's various sectarian groups and warlords. A Ministry for the Affairs of the Displaced (MD) was officially established on 4 January 1993, alongside a Central Fund for the Displaced (CFD) to finance programmes developed by the Ministry. Although the MD was intended to ensure the repatriation and resettlement of all displaced people in Lebanon, returns to the South were managed from 1994 by the Council of South Lebanon, created as part of the political spoils for Shiite leader Nabih Berri, head of the Lebanese parliament since 1992 and leader of the Amal Movement and militia during the war. In July 1994, with the UN Development Programme (UNDP) and UN Volunteers, the MD launched a programme to support return entitled 'Socio-economic reintegration and rehabilitation of the displaced' (in Arabic 'Aidûn (*Returnees*)), financed by UNDP, the UN Educational, Scientific and Cultural Organisation (UNESCO) and the Lebanese Council of Development and Reconstruction (CDR).

8.2 The national return strategy

In May 1993, along with a national policy for reconstruction and development, the Council of Ministers adopted a national return strategy (NRS), with a set of five targets to be coordinated by the MD:

1. Clearing ruins and developing the land.
2. Rehabilitating infrastructure (electricity, water, roads and telecommunications).
3. Rehabilitating housing. A compensation scheme would address three cases:
 - i. Evacuation and surrendering of illegally occupied dwellings to their owners: \$5,000 was allocated per family for evacuation even if the occupants were not themselves displaced. In case of a displaced family, the discharge mechanism was blocked until the family returned to its original home. In cases where a premises was occupied by several families, each was entitled to compensation.
 - ii. Repair of damaged houses: \$12,000 was allocated to returning displaced families per damaged premises.
 - iii. Reconstruction of destroyed houses: \$22,500 was allocated to each returning displaced family for reconstructing a house on the site of the original home. Where there was more than one heir, each heir that had attained their majority was entitled to the entire compensation amount in order to construct a dwelling on the destroyed premises of their forebear. Compensation was paid in three instalments per family or per person, depending on the progress of construction.
4. Rehabilitation and development of local education and social services (social centres, health services, cultural and sports clubs).
5. Rehabilitation of the local economy (credit for agriculture, industry, handicrafts, tourism, trade).

Two acts of reprisal between Druze and Christians after the ratification of the Taif Agreement – the killing of two elderly Christians returning to their home village of Kfarmatta and the killing of eight Druze by a Christian in retaliation for the murder of 13 members of his family in 1983 – convinced the MD to include a reconciliation process as a sixth target in the NRS. This was intended for villages where tensions were likely between residents and returnees deriving from the sectarian confrontations and massacres during the conflict. Almost all of these villages were in the mixed Druze–Christian region of southern Mount Lebanon, a mountainous rural area in the centre of the country and site of the 'War of the Mountain' between the Lebanese Forces Christian militia and the Progressive Socialist Party Druze militia, supported by their Palestinian and Syrian allies. The fighting left around 2,500 civilians dead, most of them Christians (Abou Rjeily and Labaki, 1993). It ended in the siege of the Christian town of Dayr al-Qamar and the forced transfer of nearly the entire Christian population out of southern Mount Lebanon (around 165,000 people left 'Aley and the upper Chouf and 70,000 left the coastal Chouf later in 1985). Houses and symbols of religious identity (sanctuaries, monasteries and churches) were plundered, burnt and destroyed, cemeteries profaned and fields devastated, and the demographic make-up of the area, which had been predominantly Christian before the war, changed utterly. After the end of the war, IDPs could not return because of fears of revenge attacks and reprisals. Prior to repatriation and resettlement, the MD sought to provide sufficient pacification and a favourable social climate for these 'reconciliation villages', contributing to reconstruction and infrastructure development only after reconciliation agreements had been reached between Druze and Christians.

8.3 Initiation and execution of the first phase of the NRS

The magnitude and complexity of the displacement problem, the violence that had driven it and the limited means available to the state to address it did not allow for the immediate return of all displaced people. It was thus decided to proceed in stages. In September 1993 the Council of Ministries adopted a programme for a first phase of resettlement. For this first stage of the return process, villages were selected based on four criteria (Palmer Harik, 1999):

1. Political (localities that had escaped massacres or conflicts with neighbouring villages during the war, and which did not require a reconciliation process).
2. Security conditions during resettlement.
3. Financial (localities with the potential for rapid economic revival and with minimal compensation needs).
4. Geographical (localities where the rehabilitation of infrastructure and services was easy, as opposed to remote and mountainous areas that were difficult to access).

On 18 May 1994 the Lebanese parliament passed Law No. 333 releasing funds (the equivalent of \$543 million) for the first phase of resettlement, over a period of three years. Resettlement was carried out village by village, covering 40,000 families (approximately 200,000 people) over 192 villages, a third of which were completely destroyed and half partially so. After payment of compensation, the MD was to determine the villages' infrastructure needs (roads, water and drainage ducts, electricity, sewerage), resolve disputes around reconstruction, tackle obstacles facing returnees and help them use their compensation payments productively, determine returnees entitled to second and third tranches of payment and help resolve problems related to insufficient compensation.

A number of international institutions and organisations, in addition to local committees and NGOs, provided financial and in-kind assistance to displaced people and supported the return operation. This included contributing to construction activities (rubble removal, the repair of electric wires and cables, providing water pipes, building roads), restoring and equipping schools, setting up agricultural projects, providing medical assistance and equipment for hospitals and dispensaries and the provision of welfare for poor families. The Lebanese army

also helped with removing rubble, demining, clearing rainwater ducts, repairing damaged bridges, cleaning up tourist areas and rehabilitating or constructing sports grounds.

The MD worked jointly with other ministries, including Public Works, Water and Electricity, Post and Telecoms, Education, Youth and Sports, Public Health, Housing and Cooperatives, Agriculture, Interior, Rural and Municipal Affairs, Defence, Justice, Tourism and Information (to ensure media coverage of the return operation). International agencies and funds that participated included Caritas, Mercy Corps, World Vision International, the Pontifical Mission, Operation Mercy, the YMCA, the European Union, the Saudi Development Fund, the state of Qatar, the Ordre des Chevaliers de Malte, the Catholic Relief Organisation, Médecins Sans Frontières, USAID, Save the Children, the Middle East Council of Churches, Terre des Hommes and Arc En Ciel. The Lebanese Red Cross was also involved.

UN agencies worked jointly with the government, Lebanese NGOs, funding agencies and donors to provide for assistance in reconstruction, infrastructure, agriculture, health, education and other social, cultural, environmental and economic services to revitalise villages and encourage return. This included creating jobs, providing loans, enhancing women's social role and promoting local institutions, clubs and cultural associations. Both the MD and 'Aidûn ran training sessions and workshops on conflict resolution techniques. A series of educational and recreational activities with young people were designed to encourage residents and returnees to meet and to better understand each other, to create new social bonds and to translate these bonds into a joint effort towards successful return. Importance was also attached to rehabilitating places of worship and cemeteries. The presence of basic utilities, schools, churches, mosques and religious markers, and the capacity to earn a decent living, were thought to be key in encouraging IDPs to relocate.

8.4 The special case of southern Mount Lebanon

The MD distinguished between two situations in the Druze-Christian region in southern Mount Lebanon.

The first was exclusively Christian villages and mixed villages which had not experienced heavy fighting or

massacres. IDPs started returning to these localities on an individual basis in late 1992 after the publication of the Taif legislation guaranteeing the right of return, and after re-establishing more or less formal relations with Druze in neighbouring villages through old personal ties. Formal resettlement started during the first phase of the NRS, with seven villages in the Harf region. The seven villages were chosen because they were located in a fertile area where market crops could quickly provide an income for returnees. They were also entirely Christian and had limited access, two aspects which made them easier to protect. The MD assumed that displaced villagers would be eager to return to the Mountain and anticipated full and rapid return, but the reality did not meet these expectations. Christians had other considerations: if the costs of resettlement in terms of perceived security risks outweighed the benefits of regaining homes and land, they did not return.

The second case concerned mixed villages or neighbouring Druze and Christian villages that had suffered fierce fighting or massacres of civilians. For these villages, a selective and localised reconciliation process of mediation and compensation was designed. These villages became known as the ‘villages of reconciliation’. Security was vital in preparing the ground for reconciliation, because it implied the presence of a legal authority to reassure the population. Furthermore, to outweigh perceived security risks and feelings of frustration and grief, families of victims were entitled to extra compensation of \$10,000 per victim; over \$500m was paid in compensation for victims of sectarian violence.

8.5 The Lebanese reconciliation process (LRP) as part of the NRS

The Lebanese reconciliation process (LRP) was inspired by deeply rooted Arab customs, where the *Sheikh al-Sulh* or arbitrator/mediator would sponsor reconciliation between families/clans according to specific tribal codes (*‘Awdat al-muhajjarîn fî al-Lubnan*, 1996: 24). These provided a comprehensive framework of regulation to achieve reconciliation ‘in a way that embodied the political will for pacification, unity of territory and religious pluralism’ (Kanafani, 2012).¹

1 Traditional reconciliation inspired by Arab customs involves ‘identification of the aggressor; acknowledgement of the wrong; and the aggressor’s request for forgiveness’.

To achieve reconciliation within a specific village or between two neighbouring villages, one Druze and one Christian, several steps were involved. For every locality, a Druze committee of ‘residents’ and a Christian committee of ‘returnees’ were formed to represent the villagers. Members were officially invested by the authorities to represent the villagers and to speak in their name. Representatives generally had not suffered directly from the violence and were thus able to communicate with members of the other sectarian group. At the beginning of the mediation process, the MD organised separate meetings with each committee (residents and displaced). In these meetings, sensitive issues such as individual responsibility for massacres were addressed, preparing the ground for meeting the other committee. MD officials listened to all points of view and sought common ground, interests and goals for both parties. They also encouraged displaced people to get involved at all stages of the return operation.

A meeting then took place between the two committees in the presence of MD officials, who acted as mediators. Representatives were encouraged to speak openly and frankly (*musâraha*) about problems and conflicts before seeking solutions. When a solution was proposed, the family concerned submitted it to its representative. Finding collaborative solutions could take months. Discussions on litigious issues ended in the signing of an ‘agreement of reconciliation’ (*‘aqd musâlaha*) by all parties precluding recourse to the courts. Only then would the MD and CFD begin infrastructure and reconstruction work. The two committees worked with MD officials to implement work plans and address difficulties pertaining to return. To finalise resettlement the two committees merged into one, helping to create a social climate conducive to successful return and the resolution of disputes. The reconciliation process continued once villagers entitled to compensation provided the CFD with the necessary certificates to receive payment, and when violations of Christian property carried out during the displacement period had been dealt with by the MD. The reconciliation process symbolically ended in a formal ceremony attended by government officials and political, social, economic and religious figures, where Christian returnees were welcomed by Druze residents in the village square in front of the Municipal building (a state symbol). The ceremony acted as a rite of passage in that it helped the displaced to feel confident that return had become a reality.

While the MD could not resolve all the conflicts and problems surrounding return, it did address what it considered to be the fundamental issues. Work

geared up slowly over several months. Given the wide range of litigation and arbitration issues, solutions were customised. The MD sought intercession from influential political or religious authorities (political parties, sectarian leaders, village notables) to enhance the reconciliation process. Arguments based on national allegiance and personal responsibility to preserve the peace were used to encourage villagers to reconcile – Christians to agree to return and Druze to accept their return. Linking reconciliation to infrastructure and public service enhancements in certain cases obliged Druze to accept the return of Christians, even though many Druze were unhappy over the loss of homes or land to returning Christians, despite receiving compensation. The Minister of the Displaced worked as mediator, arbitrator and confessor, smoothing out difficulties and mediating not only between the two committees but also at times between members of the same committee.

To date, all problematic localities in southern Mount Lebanon have officially undergone the reconciliation process, except for Kfarsilwân in the Ba'abda district, where disputes had been brought to the courts before the blanket amnesty was proclaimed at the end of the fighting. To achieve reconciliation, plaintiffs will have to drop their cases. Abandoning efforts to seek legal redress was made a condition of reconciliation because lawsuits were believed to threaten the process.

8.6 The limitations of the LRP

The LRP has failed to achieve many of its goals. In the 'villages of reconciliation', in general Christians used their compensation to rebuild, but they did not move into their new homes, preferring instead to return to predominantly Christian areas before nightfall (de Clerck, 2008). The official reason behind the limited resettlement was a lack of funds, but the real problem was the failure of the LRP and continued strained relations between Christians and Druze. For many Christians, the reconciliation process has not provided justice, and return still involves security risks. Christians doubt the extent to which the Druze have disarmed, and there is ill-feeling on both sides. Even in the Harf, where villages suffered fewer civilian killings and where reconciliation was not necessary, very few of the 9,000 people displaced took possession of their homes during the first phase of resettlement.

Power relationships at the national level have governed the reconciliation process from the beginning. During

the 1990s, friction between former Prime Minister Rafiq al-Hariri, who had authority over the compensation fund, and Walid Junblatt, the Druze leader and Minister of the Displaced, led to the suspension of payments (Îd, 2008). Resources were misused for political and electoral purposes. While the housing evacuation mechanism has helped to restore thousands of homes to their rightful owners, many compensation payments were made to Druze families who were not living in squatted premises. Families that benefited from these payments received double or more the official evacuation compensation, and the sums paid on evacuation far outweighed the funds allotted to the rehabilitation and reconstruction of damaged or destroyed premises. According to an employee in the Ministry of the Displaced, Junblatt wanted Druze to feel the benefits of reconciliation, thereby ensuring the safety of Christian returnees (de Clerck, 2008).

Today, coexistence on the Mountain is conditional and subject to discrimination. In many parts of the Mountain, Christians believe that they are made to feel that they do not belong. War memorials celebrating the 'bravery' of Druze fighters act as intimidating territorial markers for Christian returnees (de Clerck, 2010), whose land, businesses and homes were exploited during their absence. In a situation where victims and perpetrators sometimes live literally next door to each other, it can be very difficult to heal old wounds and move on. People tolerate each other, though there is still open resentment. For their part, many displaced Christians became urbanised during their displacement, alienating them from the traditions still dear to the Druze. The Druze see Christians as arrogant; the Christians see Druze as touchy and clinging to old ways (de Clerck, 2008). Short-lived reconciliation initiatives were generally seen as failures by residents and returnees alike, and the social ties they tried to create artificial and temporary.

Living close to other groups does not necessarily mean liking them, and coexistence leaves individuals free to feel a wide range of emotions. It only requires proximity and the sharing of space. It is the first stage in the process towards reconciliation, with the second being confidence- and trust-building, and the third a move towards empathy (Huysse, 2003: 19–21; Mosler, 2010: 25). For victims it is much easier to agree to coexist with former enemies than it is to reconcile with them (Bloomfield, 2006: 14). The basis for coexistence is accommodation, whereas reconciliation requires an emotional convergence (Mosler, 2010: 26). Arguably the failure of the LRP is down to the fact that forgiveness

is a necessary condition to achieve true reconciliation: reconciliation does not necessarily imply the need for forgiveness, but may lead to it.

8.7 Comparisons with Morocco, South Africa and former Yugoslavia

This section compares the reconciliation process in Lebanon with similar processes in Morocco, South Africa and the former Yugoslavia.

The Equity and Reconciliation Commission (ERC) in Morocco, created in January 2004 by King Mohamed VI, was designed to ‘evaluate, investigate, mediate and make recommendations on the serious human rights violations resulting from State violence between 1956 and 1999’. Victims were identified and reparations paid. The ERC has been criticised because it did not bring to justice the perpetrators of human rights violations; instead, it functioned as a kind of *mea culpa* from the state to the Moroccan people. Even so, over 23 months eight public hearings were organised, 742 cases of enforced disappearances were documented and cases of torture and confinement were identified (Kanafani, 2010: 104). This did not happen in Lebanon. Missing people in southern Mount Lebanon were not located. Except for the village of Ma’âsir al-Chouf, no mass graves were disclosed. Because traditional justice would lead to lengthy litigation, the restorative justice towards which the LRP tended seemed coherent and legitimate, even though it might be precarious in the case of serious injustice and failed to disclose important information (the identity of perpetrators, the location of bodies) (Kiss, 2000: 70). However, in a political context and system where the official credo remains ‘no winners, no losers’, and where the former militia leaders who ordered sectarian cleansing constitute the core of the post-war administration, divulging evidence of crime would stigmatise a group as perpetrators. This explains the state’s deliberate decision not to install punitive justice and to avoid seeking the truth in the reconciliation process.

As in Lebanon, the ERC in Morocco explicitly chose not to identify perpetrators. In South Africa, by contrast, the Truth and Reconciliation Commission named individuals, institutions, organisations and political parties responsible for serious violations of

human rights. Established in December 1995, the TRC introduced a special amnesty for individual perpetrators in exchange for information regarding human rights violations. The TRC was a restorative justice mechanism that promoted remembrance instead of amnesia and forgiveness instead of prosecutions and trials. It addressed the concerns of victims and survivors, while seeking to reintegrate perpetrators into the community. Truth as acknowledgment and justice as recognition are both closely associated with the notion of victim. The sacrifice of positive law guaranteeing a fair trial is the price for restoring a political space and a new political pact of coexistence. While this was the declared aim of reconciliation in Lebanon, the policy adopted left no chance of achieving this objective. The perpetrators were not identified and the victims were not necessarily included in the reconciliation process. The solution was not a victim-centred arrangement as in South Africa, where injustice was commemorated through the stories and testimony of the victims. In the Lebanese reconciliation process, villagers who endured suffering and loss were replaced by others who did not endure as much. Although the victims expressed a strong need to remember and make testimony, their presence was viewed by MD officials as delaying reconciliation and was not encouraged. Little room was left for personal grieving as justice and truth were exchanged for material compensation and the recovery of land and property.

Created in May 1993 by the UN Security Council, the International Criminal Tribunal for the former Yugoslavia (ICTY), despite its slow proceedings, has proved useful in dispensing justice, providing an account of events (establishing facts, recognising and acknowledging crimes) and establishing individual criminal responsibility, even if only for some higher-ranking perpetrators (up to 2007, 161 top-ranking officials had been found guilty). The ICTY recognised rape as a war crime under certain circumstances. It had limitations, however: judging the political and moral responsibility of all those who were part of the system was not one of its functions. Victims testifying risked retribution from perpetrators’ supporters and waited a long time to receive compensation. The ICTY lacked credibility and trust in the country, especially among Serbs, who believed it to be ‘anti-Serb’.

A Truth and Reconciliation Commission (TRC) was established in March 2001 as a complement to the ICTY with a view to producing an account

of the factors that led to the war and human rights violations, to recommend legislative and practical reforms to prevent a recurrence and to compensate victims. The TRC emphasised the victims and the truth (reparative justice) as a complement to the emphasis placed on the criminals and on positive justice by the tribunal. The concept of promoting truth also carries the idea of making the suffering of the victim public and acknowledged. After ten years, however, the TRC has disappeared, having failed to achieve its stated purpose. The commission did not get closer to the truth, nor did it achieve any reconciliation. Very little has been heard about its work and no public hearing has ever been held. Mainly composed of Serbs, it had a hidden agenda to exonerate Serb excesses during the war (Dimitrijevic, 2012). There was no effort to study specific traumatic incidents. In terms of transitional justice the burden of confronting the past has been left to the ICTY and, more recently, to national and hybrid courts in Serbia, Croatia and Bosnia-Herzegovina. Because the courts are not familiar with the circumstances of the crimes and offences

and cannot look into the deeper causes of conflict, an association of NGOs led by the Humanitarian Law Fund in Belgrade intends to organise a Regional Truth and Reconciliation Commission, though the project faces practical difficulties (Dimitrijevic, 2012).

Other truth commissions have been conducted in Argentina and Chile, and prosecutions followed based on information obtained by the commissions (Kritz, 1996). The processes ensured that there was no blanket amnesty. In Lebanon, reconciliation had to follow a specific rationale in accordance and in accommodation with the blanket amnesty (Kanafani, 2012). For a TRC in Lebanon to be accepted as an impartial and independent authority, its membership would have to be balanced, representing all political and sectarian actors, and its work publicised. It would have to conduct professional, systematic investigations, have the power to subpoena witnesses and guarantee their rights and safety and be given the financial resources and staff it needs to be effective (Albon, 1995: 290–91).

The ‘villages of reconciliation’ in southern Mount Lebanon

Village	District	Date of reconciliation
Kfar Qatrâ	Chouf	4 July 1993
Al-Barûk	Chouf	9 September 1994
Ma'âsir al-Chouf	Chouf	25 October 1995
Mazra'at al-Chouf	Chouf	4 August 1996
Kfar Nabrah	Chouf	16 February 1997
'Ayn Ksûr	'Aley	26 November 1999
Salîmâ	Baabda	4 April 2000
Abâdiyyeh	Baabda	18 May 2000
Bmaryam	Baabda	22 May 2000
Arsûn	Baabda	23 May 2000
Dfûn	'Aley	18 July 2000
Ra's Al Matn	Baabda	03 August 2000
Majdlaya	'Aley	17 August 2000
Rimhâla - Qabrichmûn	'Aley	21 December 2000
Chwîl	Baabda	12 July 2001
'Ayn 'Unûb	'Aley	08 May 2001
Qubbay'	Baabda	15 May 2001
'Aramûn	'Aley	01 August 2001
Al-Ghabûn	'Aley	14 November 2001
Daqqûn-Ba'wîrta	'Aley	16 June 2005
Kfar Matta-Klayliyyeh	'Aley – Chouf	08 September 2007
'Ubay-Al-Binnây- 'Ayn Drâfil	'Aley	12 October 2010
Brîh	Chouf	31 May 2014
Kfar Silwân	Baabda	Unsettled

Source: Lebanese government, February 2013.

8.8 Conclusion

A deep and ancient divide persists between Druze and Christians, fed by past troubled relations dating from the nineteenth century and the memories each community carries. The LRP, fuelled by the political circumstances and interests of the moment, was designed to enforce sociability between conflicting groups and treat the symptoms of the conflict (large-scale displacement), while disregarding its causes. Sectarian rather than individual rationales stimulated further sectarianism and fed into national power struggles. Druze and Christians think in terms of the other group being, as a whole, responsible for human rights violations. The whole community pays for the individual crime, and the individual pays for the group. An individual is considered guilty not because of something he or she has done, but because they are associated with a particular (kinship) group.

True reconciliation can take place in southern Mount Lebanon only when both parties recognise the atrocities each has committed. The current situation shows that the Druze are still either in denial of the atrocities that took place, or need to justify them by putting the blame on others.

Lebanon's state reconciliation policy has failed to accomplish unconditional resettlement, enhance stricken regions economically or promote a durable peace. Things are slowly evolving, especially in villages where there was violence during the war. Coexistence is returning, albeit cautiously, and reconciliation is more rapid among the young. Self-control is required, as well as the presence of the state as a guarantor of safety. Any collapse of the state would undermine coexistence and enable the resumption of vindictive violence in a context of persistent memories of antagonism, fear and resentment.

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