

The Status of Palestinians in Jordan and the Anomaly of Holding a Jordanian Passport

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Abstract

The shared history of Palestinians and Jordanians has been an amalgamation of triumphs and failures, peace and violence. Forces both internal and external, have contributed to keep the two groups in a paradoxical state somewhere between dependence and resentment. Currently, and since 1988 when Jordan disengaged from the West Bank, these tensions have resulted in the disenfranchisement of many of Jordan's citizens who are of Palestinian origin. In this paper I explore both the harsh new realities that face those Palestinians who have been stripped of their Jordanian citizenship, as well as the tumultuous history between Palestinians and Jordanians that has led to the current state of affairs between them. On the practical level this paper attempts to explain the anomaly—a counterintuitive result whereby the holders of a National Passport without a national number on it have no rights compared to the holder of a mere Jordanian Identity Card, which includes a national number. As this paper will highlight, this seemingly minute distinction between the two documents allows for significant differences in the application of basic legal rights between the holders of these two documents and for the violation of certain basic legal rights for one of them.

Keywords: Jordan; Palestinians; Jordanian passport; Palestinian passport; Jordanian citizenship

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What constitutes Jordanian citizenship has shifted dramatically since Jordan's 1988 disengagement from the West Bank. Prior to 1988 all Palestinian refugees entering Jordan, with the exception of 1967 refugees from Gaza, were granted full Jordanian citizenship. This designation entitled them to the rights and responsibilities enjoyed by all Jordanians. However, this practice has since changed and thousands of Palestinian-Jordanians have been rendered stateless—losing all civil and political rights virtually overnight. According to Sarah Leah Whitson, Middle-East director at Human Rights Watch (HRW) “Jordan is playing politics with the basic rights of thousands of its citizens. Officials are denying entire families the ability to lead normal lives with a sense of security that most citizens of a country take for granted [1].

The harsh reality that faces Palestinian-Jordanians who lose their citizenship status is that once again they have no country to call home. “Without nationality, individuals and families find it difficult to exercise their citizenship rights, including obtaining health care; finding work; owning property; traveling; and sending their children to public school and universities” [2]. Basically stated, although the Palestinian Diaspora is dispersed worldwide, “legally the Palestinians are nowhere [3].

Another serious concern is that the revocation of Jordanian citizenship appears to be a random and arbitrary process. In February of 2010 Human Rights Watch released an in-depth study pertaining to this issue, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*. This report documented that in four of the eleven cases they reviewed; one person's nationality was revoked, while that of a sibling in identical circumstances was not. The random and fickle nature of who is allowed to retain citizenship holds Jordanians of Palestinian origin in a perpetual state of uncertainty. At particular risk are people who resided in the West Bank prior to 1988 and those who were forced to leave Kuwait in 1990-91, following the first Gulf War. This potentially includes hundreds of thousands of current Jordanians citizens of Palestinian origin.

Jordanian Citizenship

The act of stripping of one's citizenship in Jordan is primarily achieved through depriving an individual of a national number. Every citizen of Jordan is issued a number which serves as proof of Jordanian nationality. This number allows citizens to enjoy basic rights, and is needed for a myriad of day-to-day necessities. For example, the national number is required to acquire a driver's license, to buy and sell property (including stocks and bonds), vote, and open a bank account. This number is also the distinguishing factor of what a Jordanian passport means for its holder.

In Jordan, not all passports grant the same privileges. Following the 1988 judicial and administrative disengagement from the occupied territories, new regulations were enacted that rendered the passports of Palestinians living in the West Bank temporary [4]. In practical terms, this designation meant that the new temporary passports were now only valid as a travel document—it no longer conferred citizenship and it no longer had a national number. This situation created an anomaly, “a counterintuitive result whereby the holders of a Passport [with no national number] have far fewer rights (in fact none) compared to the holder of a mere [Jordanian] Identity Card, which includes a national number” [4]. To better understand the difference between a Jordanian holding a passport with a national number and one that possesses a temporary passport without a number, it is important to examine a few key instances in which basic rights are violated.

To begin, the right to an education is guaranteed by the Universal

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Declaration of Human Rights (UDHR); Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory [5]. According to the Convention on the Rights of the Child (CRC), State Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available free to all [6]. Moreover, the International Covenant on Economic, Social and Cultural Rights (ICESCR) states, “The State Parties to the present Covenant recognize the right of everyone to education”.

Jordan is a signatory on all of these documents. Yet, the Hashemite Kingdom prohibits non-citizen children from attending state run elementary and secondary schools. This means that children without a national number can be barred entrance to, or expelled from, public schools. This holds true even if the student attended a school prior to losing citizenship. Additionally, in regards to higher education, Jordan doubles the fees per credit hour for non-citizen students. This places advanced degrees out of economic reach for those who do not have a national number and cannot pay the increased tuition [1].

As for the right to work, Palestinians without a national number are not eligible for state employment. This means that they are barred from entering the public sector, and can be fired from current employment no matter the length of time or status in such a position. Additionally, restrictions are placed on non-citizens with regard to the private sector, such as obtaining permits or requiring membership in professional organizations to practice certain professions such as law or engineering [2]. These memberships are open only to Jordanians with a national number, and have rendered lifetimes of work and experience irrelevant.

With regard to healthcare, Jordanians possessing a national number “can obtain certain medical treatment free or at low cost at public health facilities. Stateless Palestinians are excluded from those benefits” [2]. Furthermore, there are no exceptions for children in this policy, even though this right is explicitly stated in the CRC, “State Parties recognize the right of the child to the enjoyment of the highest attainable standard of health” [6,7].

Making matters worse for Jordanians without a national number, the temporary passports create the perception of Jordanian citizenship. This confusion surrounding nationality can become a serious hindrance to those Palestinians seeking asylum in other parts of the world. Moreover, the decision to revoke Jordanian nationality is not shared with the unfortunate person(s) until after the fact. “No official informs those whose nationality has been withdrawn of that decision; rather they are told that they are no longer Jordanian nationals during routine interactions with the bureaucracy such as renewing passports, registering a child’s birth, renewing a driver’s license, or trying to sell shares”. This makes it impossible for the affected party to begin the appeals process until citizenship has already been revoked.

This secrecy only adds to the already convoluted and arbitrary process of regaining Jordanian citizenship. HRW found that successful appeals for reinstatement involved utilizing influential political connections, which many Palestinian-origin Jordanians do not have. This method leaves those without government ties at the mercy of low ranking public officials to decide their fate. The National Center for Human Rights in Jordan (NCHR) has come out against this practice.

The withdrawal of these documents [attesting to one’s nationality] and the deprivation of a citizen’s nationality that is associated with them are, without an initial verdict, arbitrary and a fundamental violation of

a right that forms the basis for the enjoyment of other rights in this country [2].

Despite this stand, the NCHR remains highly ineffectual on the matter; leaving many Palestinians in the dark and uninformed about the precise legal decision that revoked their citizenship.

As noted by HRW, the most common official reason provided for the loss of citizenship status was the failure of a Palestinian Jordanian holding a yellow card to obtain or renew an Israeli residency permit, or to obtain an Israeli family unification permit or a Palestinian identity document. ¹While the affected person(s) were given the lack of these documents as justifications for Jordanian citizenship revocation, none of the aforementioned permits are necessary under Jordanian law to acquire or maintain Jordanian citizenship. “The fact that obtaining these documents is dependent on the actions of another sovereign state calls into question whether these requirements should be properly among the conditions for holding Jordanian nationality”. Moreover, the acquisition of these documents creates a proverbial catch-22 for many Palestinians, due to the fact that holding one of these documents, is in many cases, a requirement to travel to the place in which one physically needs to be present to obtain the permit in question.

Jordan’s continuing revocation of citizenship status also contradicts its own 1954 Law on Nationality. Under articles 9 and 10 “The children of a Jordanian man shall be Jordanian wherever they are born,” and “A minor child whose father has acquired a foreign nationality shall retain his Jordanian nationality” [8]. However, as reported by Human Rights Watch, children frequently lose their status in cases where their father has been deprived his citizenship:

The loss of nationality in the 11 cases described here also extends to several dozen of their family members. For example, the loss of a father’s nationality automatically entailed the loss of his children’s nationality, regardless of whether they are minors or adults and whether they had ever lived in the West Bank, and despite the fact that they had acquired Jordanian nationality by birth.

Keeping this statement in mind, it is important to revisit the loss of rights associated with citizenship revocation. When children lose their citizenship they can be legally barred from attending public and even some private schools, the rates for university tuition rise to the levels of non-nationals, their access to health care can be cut, and most disturbing of all they may not be permitted to legally reside in Jordan. These actions have led to the separation of family members, which can be particularly problematic regarding female children.

Considering the harmful repercussions for its citizens, and the direct violation of numerous international and domestic laws, why would Jordan develop a controversial system that disenfranchises many of its Palestinian citizens? Unfortunately, there is no simple way to answer this extremely complicated question.

Official reports have said “they [the Jordanian government] are doing so in order to forestall supposed Israeli designs to colonize the West Bank, by maintaining the birthright of Palestinians to live in the West Bank” [1]. Others cite “Jordan’s poverty of resources, and the need for a ‘demographic balance’ as an added factor behind the governments desire to reduce its population” [2]. Yet while these explanations address the Jordanian Government’s nightmare scenario of becoming an alternate homeland for the Palestinians, which is

¹In 1983 Jordan introduced a color coded card system to facilitate travel in and out of the West Bank. Green for West Bank residents, and a yellow one for West Bankers who moved to the East Bank. HRW notes that this system in practice created three tiers of citizenship rights.

encapsulated by Israeli claims that “Jordan is Palestine,” they do not fully convey the complexity of the problem. Therefore, it is essential to review the historical record in order to gain a better sense of the underlying tensions and events that are responsible for creating the current state of affairs for Palestinian origin Jordanians with regard to their Jordanian citizenship status.

New Borders

The question of who is considered a Jordanian has been an issue of contention for decades. As noted by Lawrence Tal, of Oxford University, “Jordan is not a nation-state in the sense that France or Germany are nation-states. There is no single ethnic or nativist group associated throughout history with the piece of territory created in 1921 by imperial Britain” [9]. Rather, Jordan’s borders, and thus population, were “penciled in” by colonial powers which had begun to divide the Middle East according to their own interests.

In 1916, as World War I continued to ravage the European continent, Britain and France set their sights on apportioning the lands of the crumbling Ottoman Empire. Their imperialist attempts to divide the Middle East along British and French spheres of influence led to a series of broken and contradictory promises. These unfulfilled pledges resulted in confusion, deep feelings of betrayal, violence and lay at the heart of some of the Middle East’s most intractable issues.

Perhaps the most controversial and damaging of these promises can be found in the now infamous Balfour Declaration. “In an effort to appeal to US, Russian, and German Jewry and also to secure control over the territory adjacent to the Suez Canal, Britain agreed to favor the establishment of a Jewish national home in Palestine” [9]. However, the central flaw of the Balfour Declaration is that all parties named in it interpreted its meaning and intent differently. For many Jews, “national home” meant a Jewish State, and they expected British assistance in order to create such a state. Yet, the Balfour Declaration also protected the rights of non-Jewish communities in Palestine, which constituted over 85 percent of the population of Palestine at this time. “This was the duty of equal obligation, and it became the insoluble contradiction in the Balfour Declaration” [9]. Simply stated, colonial powers made disingenuous promises to native populations and disregarded existing social boundaries when dividing Middle Eastern territories. These actions resulted in the promising of the same land to two groups (Arabs and Jews); each with strong historical ties to the land, and each with intense desires to establish themselves in the nascent age of the Middle East nation-state.

This was the climate in which Transjordan was established in 1921. Seeking stability, and also to appease Amir Abdullah (later Jordan’s King Abdullah), Transjordan was set up as a British protectorate within the Palestine Mandate, but outside the stipulations of the Balfour Declaration. Yet despite its British patronage, Jordan has always held a tenuous position in the Middle East. It has, nevertheless survived by remaining relevant. Jordan served as a broker between conflicting agendas and ideologies within the Arab world, or between the Arab countries and the West [10]. Achieving this delicate balance was, and is, a remarkable achievement, made possible by a combination of military power and political skill.

However, Abdullah’s decision to so closely align himself with the British was not without consequence. Many in the Arab world viewed Abdullah as a British co-conspirator, willing to betray other Arabs to remain in and/or expand his power. Additionally, in the years leading up to the escalation of conflict between Palestinians and Jews,

Abdullah’s willingness to work with Zionist leaders made him suspect in Arab eyes [11]. These perceptions would come back to haunt the newly minted prince in the years to come.

Shifting Demographics

The events of 1948, which established the State of Israel, proved disastrous for Palestinians, as well as for the prestige of newly formed independent Arab countries. As Stephen Humphreys, professor of Islamic studies at UC Santa Barbara states, “the bravado of May soon became the bitter humiliation of July” [10]. The reasons behind such a crushing defeat at the hands of Israeli forces are many, and beyond the scope of this paper, but what is essential to note is that 1948, marked a defining moment between Jordanians and Palestinians. Their relationship, and fate, became inextricably linked as 70,000 to 100,000 Palestinian refugees fled to Jordan.

Jordan’s demographic balance shifted again in 1950 following King Abdullah’s annexation of the West Bank. In his controversial move to unite the East and West Banks, Abdullah granted all West Bank residents full Jordanian citizenship – numerous estimates place this number at one-third to one-half of the estimated 700,000 Palestinians who fled Israeli forces in 1948. These influxes tripled Transjordan’s population in two years, while at the same time only increased the arable land of the country by one-third [12].

Abu-Odeh-Odeh, Jordan’s permanent representative to the United Nations and advisor to King Abdullah, offered four challenges that needed to be met by these massive spikes in population. The first was to establish security along border lines with Israel, as well as internal security in order to prevent insurrection. Abdullah was able to meet this first challenge on his own. Although for Abu-Odeh-Odeh’s second challenge of refugee integration, he required international assistance.

To provide this needed assistance and relief, the UN established the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) [13]. This organization was developed specifically “to carry out direct relief and works programmes for Palestine refugees. Services encompass education, health care, relief, camp infrastructure and improvement, community support, microfinance and emergency response, including in times of armed conflict” (Office of the High Commissioner for Human Rights) [14]. While this organization has been instrumental in the betterment of countless of Palestinian lives, the cruel catch to having a UN body devoted exclusively to one group (the Palestinians) leaves them unprotected by the numerous UN statutes that could improve their situation, such as the 1951 Convention Relating to the Status of Refugees [4].

Abu-Odeh’s third challenge was to achieve a smooth integration of Palestinians into official Jordanian institutions. To accomplish this, “right after the official annexation in April 1950, a commission was established to integrate the legal systems of the East and West Bank. Members of the Palestinian elite were appointed to senior posts in the government [12]. These efforts were meant not only to integrate Palestinians into Jordanian government bodies, but also help meet the fourth challenge of integrating the two peoples under a common Pan-Jordanian identity. Abu-Odeh’s final challenge remains elusive and relations between the two groups have fluctuated dramatically over the years. Yet, given the circumstances of scarce resources, endemic poverty, and regional insecurity created by the Palestinian refugee crisis and Israel’s expansion; this phenomenon is hardly surprising.

In 1951, tensions came to violent culmination when King Abdullah was assassinated by a Palestinian gunman. This act changed

the sympathetic outlook many Jordanians had for Palestinians, and transformed it instead into one of apprehension and wariness [4]. However, Abu-Odeh states “though the assassination of King Abdullah was a dreadful and ominous prologue to the process of integrating Transjordanians and Palestinians, it ironically helped the process to go more smoothly than it would under King Abdullah’s rule” [4]. This morbid actuality was due to the controversy surrounding the late king, as well as the astute leadership skills of Abdullah’s successors—King Talal and King Hussein.

Talal was well respected in both the Transjordanian and Palestinian communities and quickly enacted a series of aggressive reforms aimed at unifying East and West Bankers. Under Talal “the notion of Palestinians and Transjordanians as two branches of the same family [became] a hallmark of official speeches and media presentations” [15]. Additionally, he dissolved the upper house and constituted it with more Palestinians, drafted a new constitution focused on basic rights, maintained good relations with the Arab League, and placated both the United States and Britain by abandoning Abdullah’s Greater Syria scheme, as well as ending efforts to forge a separate peace with Israel—which could have further destabilized the region [12].

King Hussein, on the other hand, was an unknown figure in Jordanian politics when he assumed the throne in 1953, at the age of seventeen. Yet, this ambiguity proved useful as it granted him a grace period in which to establish his own approach to governance without any serious distractions [12]. Educated at Harrow and at Sandhurst, Hussein quickly became adept at bridging cultural divides. “[Hussein] communicated to Western audiences in impeccable English. But he also spoke eloquent Arabic and possessed skills as a pilot, horseman, and marksman – all virtues that appealed to the tribally recruited Jordanian army [11]. As noted by Humphreys; despite a volatile population, coup attempts and assassination plots, King Hussein “built a viable state and a considerable amount of loyalty among his people. King Hussein’s achievements reflect uncommon, indeed uncanny, political skill [10].

Hussein’s adept political maneuvering was evident when he managed to save face, and maintain power, even after backing Egypt’s President Gamal Nasser in the Six-Day War against Israel. However, politics aside, the results of this brief war significantly changed Palestinian sentiment towards Pan-Arabism. Moreover, relations between Palestinians and Jordanians would drastically change following the ignominious defeat of the Arabs at the hands of the Israeli forces in 1967.

Firstly, Jordan’s surrender of the West Bank territory to Israel was devastating. When Jordan lost its claim over the West Bank it gave up “a large portion of its settled Palestinian population, but at the same time received 300,000 new refugees fleeing the West Bank and Gaza Strip” [11]. Just as important to the relations between Palestinians and Jordanians were the crushing psychological effects of the defeat. As William Cleveland remarks in his *History of the Modern Middle East*, that;

Not only had the Arab states failed to liberate Palestine, they had managed to lose additional areas of Palestinian territory to Israel. Disillusioned with the Arab leadership groups of Palestinian activists concluded that Palestinians themselves would have to assume the responsibility for liberating their homeland. The Arab defeat in 1967 was the catalyst that transformed the PLO [Palestinian Liberation Organization] from a body of Cairo based bureaucratic notables into an independent resistance organization devoted to armed struggle against Israel [11].

This disillusionment with Arab competence and the dashing of Palestinian hopes following Nasser’s failures, led to a sharp rise in armed insurrection against Israel.

Rising Tensions

Immediately following the Arab military defeat in 1967, frustrated Palestinians worked to keep their cause alive by taking matters into their own hands. Many looked to the successful historical model employed against the French in Algeria, yet the circumstances between the two liberation movements varied greatly. Primarily, Palestinians were external to the land they hoped to liberate [11]. This dilemma forced the guerillas to carry out operations in areas adjacent to Israel, and had severe repercussions to relations between Jordanians and Palestinians.

It is important to note here that relations between the armed Palestinian groups, such as Fatah and the PLO, did not begin as inimical to Jordan’s sovereignty. Abu-Odeh notes that the guerillas were wary of considering the East Bank a safe haven, but once they began “to establish bases along the cease-fire line, they were friendly with the Jordanian officers and soldiers...The Jordanian army reciprocated with sympathy and assistance” [12]. In fact the Jordanian army fought alongside the PLO for a short period of time. However, this encouragement emboldened the guerilla movement. “By 1970 the commandos were operating independently of the king’s authority, establishing their own administrative networks in refugee camps, conducting raids into Israel that provoked the usual Israeli reprisals, and generally behaving as though their organizations were exempt from the jurisdiction of the Jordanian state” [11].

The situation finally “reached breaking point in September [1970], when the PFLP [Popular Front for the Liberation of Palestine] hijacked four civilian airliners and landed three of them in a portion of Jordan that it defined as liberated territory” [11]. In an effort to restore order, King Hussein ordered an all-out military offensive to expel guerilla forces from Jordan. During the hostilities the Jordanian army made no distinction between combatant and civilian, and when the ten-day carnage known as Black September was over, thousands of Jordanians and Palestinians had been killed [11].

As noted by Tal, this was a watershed historical moment. More than any other event, Black September deeply divided the Hashemite Kingdom’s population along Jordanian and Palestinian ethnic lines. Jordanians felt betrayed, believing that the Palestinians had bitten the hand that had fed [9]. Yet, for the Palestinians, this event only solidified “the extent of their isolation in the Middle East; Israel was not the only state in which they were unwanted” [11].

These resentments fostered a Jordanian nationalistic movement which became known as “East Banker First.” Abu-Odeh-Odeh, describes the fervor that some of the Transjordanian nationalists felt after the military confrontation in 1970. “They considered this [Black September] as phase one; phase two would consist of excluding the Palestinians at large from Jordan’s public sector and political life” [12]. To achieve this wide-spread exclusion, the Jordanian government expanded its “policy of preferential recruitment of Transjordanians into the bureaucracy. This, of course, was in addition to the fact that the upper, if not the lower, levels of the army had long been a largely Transjordanian preserve” [15]. These moves exacerbated an already wide gap between control of the public and private sectors, and while Transjordanians dominated the workings of the government, Palestinians remained strong in the public sector.

This economic balance presented an interesting paradox. In his

examination of Palestinian-Transjordanian relations, Yitzhak Reiter, Hebrew University of Jerusalem, notes that, "In most ethnic conflicts, the minority group is weaker socio-economically" [16]. Yet, Jordan was an anomaly. Reiter elaborates that, "In the case of Jordan, the fact that the Palestinians constitute a demographic threat and also wield economic strength is a source of heightened inter-communal tensions...and makes the Jordanian-Palestinian rift a factor that threatens the kingdom's internal stability" [16].

However, as polarizing as this rift had become inside Jordan, it was also a serious external concern. Relations between King Hussein and PLO leader Yasser Arafat deteriorated as they fought over whom would represent Palestinian interests. Hussein's intransigence towards the PLO on this issue was due to at least two significant factors. First, Hussein had a deep sense of personal responsibility for the loss of the West Bank and did not want to be remembered as the descendant of the Prophet Mohammed who lost Jerusalem to the Jews. Secondly, Hussein understood that foreign aid was dependent on Jordan's continued efforts in resolving the refugee crisis, thus cutting ties with the Palestinians could sever the economic lifeline the kingdom so desperately needed for its existence [9].

Despite Hussein's wishes, Arafat and the PLO wrested sole legitimacy for Palestinian representation following the 1974 Arab League Rabat Resolution. This decision significantly undermined King Hussein's claim to the West Bank, but was extremely well received by many sectors of the Palestinian population. For Palestinian refugees and Fatah,

The resolution boosted their moral, which had ebbed tremendously after the September showdown. In November 1974, Arafat addressed the UN General Assembly in New York. The PLO was allowed to have an observer delegation at the United Nations, and the General Assembly endorsed the Rabat Resolution. All these developments gave hope to the Palestinians that a Palestinian state was imminent [12].

In spite of this, Hussein continued efforts towards soliciting a partnership with the Palestinians. However, as the Palestinian intifada of 1987 gained momentum, the pressure for King Hussein to relinquish his claim on the West Bank became too great to ignore. On March 11, 1988, the Palestinian organization, the United Command of the Uprising issued a communiqué, calling on Palestinians to;

Intensify the mass pressure against the occupation army and the settlers and against the collaborators and personnel of the Jordanian regime. We are proud of our people for punishing them to desist from their ways...We also call upon the [Palestinian] deputies in the Jordanian Parliament to resign their seats and align with the people. Otherwise, there will be no room for them on our land [12].

The king was outraged at this betrayal, and began to seriously contemplate disengaging from the West Bank entirely.

While this turn of events obviously elated Jordanian nationalists, the king was more cautious. According to Abu-Odeh, Hussein had to act under five constraints – four rational and one emotional. First, this act must not jeopardize Jordan's national security; second, the disengagement must not provide the oil-producing Arab countries with a pretext to cut off financial aid; third, the disengagement must not be viewed by Israel as a warrant to annex the West Bank; fourth, national unity between Palestinians and Jordanians should be maintained; and finally, the disengagement must not endanger Arab status in Jerusalem [12].

Operating under these maxims, and at perhaps the lowest point

in post-1970 Palestinian-Jordanian relations, Hussein disengaged from the West Bank on July 31, 1988. This decision resulted in both positive and negative consequences. By "letting go of the West Bank, the king had finally renounced his claim to the loyalty of the West Bank Palestinians and opened the way for the eventual establishment of a Palestinian political entity" [15]. This pleased many in the PLO, as the question of who would represent the West Bank had been a source of contention since 1967. The severance of control over the West Bank also soothed many fears held by Jordan's more nationalistic citizens.

Although by appeasing some, King Hussein left many out in the cold. Citizenship status of West Bankers was revoked. They were issued temporary two-year (now five-year) Jordanian passports for travel, but all the rights they previously enjoyed as Jordanian citizens were nullified. Article 2 of Jordan's disengagement instructions reads "Every person residing in the West Bank before the date of 31/7/1988 will be considered as [a] Palestinian citizen and not as a Jordanian" [2]. This article contains one glaring contradiction – there is no legal state of Palestine. Consequently, these former Jordanian citizens were instantly relegated to the status of stateless Palestinians under Israeli occupation, even though they continued to hold a Jordanian passport.

Relations between Jordanians and Palestinians would deteriorate further in the wake of the first Gulf War. As noted by Cleveland "In an attempt to limit Arab condemnation of its military intervention in Arabia, the United States sought to persuade Arab countries outside the Gulf to support Operation Desert Shield. The Arab response to US diplomatic initiatives was divided [11]. Countries such as Egypt and Syria were persuaded, and handsomely rewarded to, support US military action against Saddam Hussein. However, Jordan, a typically reliable ally to the United States, condemned the military intervention due in large part to pressure from the Palestinian community. In fact many Palestinians in the West Bank and Gaza Strip openly sided with Saddam's defiance of the United States, Israel's most important ally, and his claim to be their liberator [11].

Yet, Saddam was unable to deliver on his grand promises, and following his defeat, 200,000 – 300,000 Jordanians were expelled from Kuwait as a result of Jordan's support for Iraq. This third mass influx of refugees worried many Transjordanians that the shifting demographic would move power further away from the tribal elite and into the hands of Palestinians. Therefore, many groups of Transjordanian nationalists viewed;

The Madrid Peace Conference of 1991, followed by the signing of the Declaration of Principles (Oslo Accords) between Israel and the PLO (September 1993) and by the peace treaty between Israel and Jordan (October 1994) as an opportunity to reorganize the internal Jordanian structure: to construct a clear and separate Jordanian territorial nation and identity...and to stipulate that political rights and Jordanian citizenship would accrue only to those Palestinians who would renounce their Palestinian identity and accept political assimilation [16].

These renewed fears that Jordan would be "swallowed up" by Palestinians did much to harm inter-communal relations. Demanding obedience to the Jordanian status quo or renouncing Palestinian identity was a policy bound to cause division. As Laurie Brand, Professor of international relations at the University of California, notes in her study, *Palestinians and Jordanians: A Crisis of Identity*, "Palestinian identity in general, is attachment to the village or town of origin, a sense of loss of a homeland and of gross injustice at the hands of the international community, and the centrality of the notion of return" [15].

These core tenets are deeply imbedded in generations of Palestinians. They are sources of Palestinian hope, strength and pride, and thus not subject to ephemeral policy changes by nationalistic Transjordanians. Furthermore, from a legal standpoint, forcing Palestinians to choose between Jordanian assimilation and Palestinian identity was destined for controversy based on its dubious legal foundation. A 1969 decision by the Arab League prohibited dual citizenship in Arab nations, but explicitly stated this condition does not apply to Palestinians [1].

However, perhaps the most salient factor discouraging Transjordanian/Palestinian solidarity, and the common thread running through all the historical events touched upon in this paper, is the forces of geopolitics. In addition to satisfying the shifting desires of Western Powers and other Arab nations in the Middle East, “the Transjordanian-Palestinian dynamic has always operated within the triangular interaction of Jordan, Israel, and Palestine” [12].

This problematic, and often violent, relationship plagues the Middle East peace process and inter-communal relations. Jordanians and Palestinians have difficult multi-faceted issues to resolve amongst themselves; such as Jordan’s ambiguous stewardship of Jerusalem’s holy sites, the future political border between Palestine and Jordan, and core existential issues such as identity. Finding acceptable solutions to these, as well as, a myriad of other contentious issues is exceedingly difficult. Especially when viewed through the lens of Abu-Odeh-Odeh’s byzantine “triangular interaction” [17]. Transjordanians, Palestinians and Israelis “have become like three people locked in a room with only two seats. One of the three – the Palestinians – has been left without a seat. And, until the third secures his own seat, the adverse interactions among the three are bound to continue” [12].

Conclusion

The brief review of the historical record provided in this paper makes it apparent that each community, Palestinian and Jordanian, has concrete reasons to be wary of one another. Yet, as turbulent as their shared history has been, a survey conducted in 1994, by the Center for Strategic Studies of Jordan University “indicated that strong affinities still exist between Palestinian-Jordanians and Transjordanians. Among a nationwide sample, 64.9 percent of Transjordanians and 72.3 percent of Palestinian-Jordanians believed that the interaction between the two communities had molded them into one people [12]. This study appears to imply that despite numerous differences between the two groups, Palestinians have come to call Jordan home—albeit not their homeland.

Despite these positive indications, the Jordanian government defends its position of citizenship withdrawal and has, in recent years, stepped up efforts to purge more Palestinians from its population demographic. As noted by HRW “2,372 Jordanians had their nationality withdrawn based on the disengagement instructions between 2004 and 2008 (no statistics available before 2004)” [2].

This trend is disturbing for several reasons. However, the most detrimental aspect of withdrawing Jordanian citizenship from Palestinians is the basic fact that Palestine is not a sovereign state, nor has it been one at any time since Transjordan was carved out of the British Palestine Mandate by the British.

Therefore, depriving Palestinians of their Jordanian nationality violates numerous declarations, covenants and legal precedents. The Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, and the Arab Charter for Human Rights, all of which the Hashemite

Kingdom has endorsed, guarantee every person a right to a nationality, as well as providing protections against statelessness. Moreover, “in one of the leading cases on the right to a nationality, *The Yean and Bosico Children v. Dominican Republic*, the international American court of Human Rights recognized the ‘inherent right’ of all human beings to a nationality”.

Nationality is in and of itself a basic right, but it is also the basis for the enjoyment of other rights. When Palestinians are deprived of their nationality they lose all the social, political, and economic rights that being a Jordanian citizen bestows. Additionally, they lose the institutions and mechanisms to ensure basic human rights. Because while human rights are stateless, meaning they are entitled to all regardless of citizenship status, they remain heavily dependent on a functioning government for their actualization.

Palestinians who lose Jordanian nationality become “stateless people in a world of borders, passports, and parochial forms of nationalism” [4]. And as Abbas Shiblak, the former senior researcher in the Refugee Study Program at Oxford University and director of the Palestinian Diaspora Refugee Center, warns “without a collective and regional approach and a thorough-going revision of present legislation on citizenship and residency rights, there can be little hope for the economic development, openness, and democratization that alone can create a truly peaceful Middle East” [4].

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