POLITICS OF THE UNGOVERNED: ACCOUNTABILITY STRUCTURES FOR THE PALESTINIAN REFUGEES IN LEBANON

Silvia Masiero

Abstract

In this work, we focus on the accountability structures that link Palestinian refugees in Lebanon to the authorities supervising them, namely UNRWA and the Lebanese government. For this purpose, we use the theoretical lens of the "politics of the governed", characterized by the dichotomy of civil versus political-society; while civil-society is constituted by legally recognized groups of citizens, and predicated on the recognition of the right to citizenship, political society is inhabited by those individuals that are not entitled with this right, and are therefore regarded as illegal. The argument that we develop here is three-pronged: firstly, accountability structures for Palestinian refugees in Lebanon are predicated on a twofold vision, informed by the idea of civil-society in the case of UNRWA, and by that of political society in the case of the Lebanese government. Secondly, the accountability combination of UNRWA and the host government is incomplete: indeed, an accountability gap affects the areas of secondary services, intra-camp security, and local governance, and needs to be filled by the Palestinians by themselves. Thirdly, delving in the politics of the "ungoverned", i.e. being forced to face the accountability gap on their own, is problematic for Palestinian refugees: this is because of the systematic capture of developmental benefits by political factions, and of the increased dependency of Palestinian organizations on the bureaucracy of international donors. In this complex political situation, the way forward should look not only at the consequences of the accountability gap, but also at its root causes, ascribable to the unsustainable financing scheme of UNRWA and to the legal discrimination perpetrated by the Lebanese government towards refugees.

Keywords: *Palestine, Lebanon, accountability, refugee camps, UNRWA*

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Introduction

Originated with the *Naqba*, i.e. the creation of the state of Israel in May 1948, the massive displacement affecting the Palestinian population in Western Asia has been going on for more than 60 years, while a durable solution – which was called for in the immediate aftermath of the *Naqba* itself – seems now as far away as ever. In this work, we focus on one of the countries of the Palestinian diaspora, namely Lebanon, and observe the accountability structures that link Palestinian refugees in this nation to their service providers. Our choice of looking at accountability structures, by which we mean, with Brett (2003, 1999), the principal-agent relations that connect beneficiaries to their service providers, is motivated primarily by the *sui generis* setting of governance, to which the population constituted by Palestinian refugees is subjected. Indeed, in the absence of a Palestinian state, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) takes care of the entire framework of service provision to refugees, whereas host governments should guarantee the preservation of their human and civil rights.

To analyze accountability structures, we use the theoretical lens of the "politics of the governed", elaborated by Chatterjee (2004, 2001) with reference to modern developmental states. Chatterjee's paradigm, focused on the way in which governments view their citizens, is characterized by the dichotomy of *civil* versus *political* society: on the one hand, *civil society* is constituted by legally recognized groups of citizens, whose interaction with the government is predicated on a system of formal rights, stemming directly from the attribution of citizenship with which individuals are entitled. On the other hand, *political society* comprehends all those individuals that are not regarded as proper citizens, as they are not entitled with citizenship in a legal form: as a result, these individuals are conceptualized through the prism of particular groups, defined by specific characteristics and approached in force of them. Implications of this dichotomy in terms of accountability structures, enacted by governmental or quasi-governmental service providers, are deep, because accountability is predicated, first and foremost, on the way in which the state conceptualizes its citizens (Corbridge et al. 2005).

This piece results in a three-pronged argument: firstly, accountability structures for Palestinian refugees in Lebanon are rooted on a twofold vision, informed by the idea of *civil society* in the case of UNRWA, and by that of *political society* in the case of the Lebanese government. Secondly, the accountability combination of UNRWA and the host government

is incomplete: indeed, an *accountability gap* affects the areas of secondary services, intra-camp security, and governance of the camps, and this gap needs to be filled by the Palestinians themselves. Thirdly, delving in the politics of the "ungoverned", i.e. being left to their own forces in filling the accountability gap, is problematic for the Palestinians: not only in terms of the limited resources available to them, but also, and perhaps primarily, due to the capture of developmental benefits by political factions, and to the ever-increasing dependency of Palestinian organizations on international donors.

It is important to note, before proceeding, that the *sui generis* setting of governance, to which the Palestinians in the diaspora are subjected, implies that terms of common usage, whose meaning does not normally require explanation, need to be reconstructed with specific reference to context. This is the reason why "government", in this piece, does not necessarily refer to power exerted by the state: indeed, as a Palestinian state is not in place, "government" on the refugee community is exerted by UNRWA, complemented by camp-level organizations in the fields that the Agency does not cover. Similarly, the very notion of "internal displacement", that informs the articles collected in this journal, is to be reconstructed when referred to Palestinian refugees: in its mainstream usage, this notion indicates people who have been forcedly displaced, but "have not crossed an internationally recognized country border" (UNOCHA: 2004). As a result of lacking recognition of a Palestinian state, refugees in the diaspora do not physically inhabit a nation, to which their displacement can be "internal": indeed, not all of them have crossed international borders, as many are displaced in the Occupied Territories of the West Bank and Gaza Strip, which do not constitute a state in legal terms. As the idea of "internal displacement" presupposes the existence of a state, to which the displaced belong, this notion needs to be re-built for the Palestinian case, bearing in mind the difference from mainstream usage – dictated by lack of a Palestinian state – but also the conformity to it, as the Palestinians definitely "have been forced or obliged to flee or to leave their homes", with the *Naqba* and the waves of conflict hat followed.

This piece is structured as follows. First, we focus on the context provided by the refugee crisis, and justify our choice of the "politics of the governed" as a paradigm for analysis, as it re-politicizes a problem that is all too often reduced to its humanitarian features. Second, we look at the case provided by Palestinian refugees in Lebanon, whose condition of statelessness is made more difficult by systematic legal discrimination, carried out by the Lebanese government since the first, *Naqba*-induced wave of displacement. Third, we analyze the accountability structures to which refugees are subjected, through the lens of the "politics of the governed" that dichotomizes civil from political society: as we do so, we acknowledge a situation of politics of the "ungoverned", due to lacking management of secondary services, security, and camp governance, so that the refugees need to face the resulting accountability gap on their own. In this situation of hardship, the way forward should be inspired by tackling not only the consequences of the accountability gap, but also its root causes, which are to be sought in the unsustainable financing scheme of UNRWA and in the hostility of Lebanese authorities towards the Palestinian refugee community.

Re-Politicizing the Refugee Crisis
The primary legal problem affecting Palestinian refugees, conceptualized by Knudsen (2009, 2005) in terms of a "protection gap", refers to protection in terms of individual rights. In normal conditions of statehood, indeed, protection is guaranteed to populations by their national governments: yet, for refugee communities lacking governmental protection, this is normally provided by the United Nations High Commission for Refugees (UNHCR), which acts, in this respect, as a surrogate of the state. The point here is that Palestinian refugees, as they are subjected to the specific patronage of UNRWA, are subtracted to the general domain of action of UNHCR:[1] this is problematic in the sense that, whereas the mandate of the latter comprises both humanitarian assistance and individual legal protection, UNRWA's terms of office are limited to assistance to refugees as a *collective* category, rather than as single individuals. Hence, no general toolkit exists for the individual defense of Palestinian refugees, and their legal protection should be guaranteed by the legal frameworks of the countries hosting them.

As a result of the protection gap, no common legal matrix exists for clearly and univocally defining the situation of Palestinian refugees in Western Asia. This legal vacuum results in high vulnerability of refugee communities across the fields of the diaspora, which is shown, in the most remarkable way, by the defenselessness of refugee communities faced with dramatic humanitarian crises, such as those determined by Operation Cast Lead in the Gaza Strip, or by the destruction of Nahr-El-Bared refugee camp in northern Lebanon. From this, it follows that vulnerability is higher in fields where hostility is more pronounced, such as the militarily oppressed Occupied Palestinian Territory (OPT) or Lebanon, whose legal system *per se* does not recognize Palestinian refugees. Combined with the poverty trap in which they are endemically caught, this protection gap delineates the defenselessness implicit in the situation of displaced Palestinians, and the political nature that pervades their plight for return to the homeland.

It is our view that he primary conceptual problem, when dealing with the issue of Palestinian refugees in the diaspora, lies in the fact that the matter of the issue is systematically reduced to its humanitarian factor, while little or no attention is paid to the intrinsically political nature of the problem itself, its causes, and its implications. Therefore, our starting point here consists in openly recognizing the political matrix of the issue, and dealing with it in the context provided by the Palestinian refugee camps in Lebanon. Indeed, Palestinian refugees in this field openly advocate a political consideration of their plight (Weighill 1997: 294-295), given, firstly, the political cause of their displacement, originated with the *Naqba* in 1948 and continued across several waves of forced eviction, most remarkably the one following the Six-Day War in 1967. Secondly, political analysis is advocated as the adverse conditions of Palestinians in Lebanon are determined not only by the endogenous factor of poverty, but also, perhaps most relevantly, by the proactive

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[1] This is because an amendment, included in the 1951 Convention Relating to the Status of Refugees, explicitly states that registration with UNRWA is incompatible with protection by UNHCR, given the multiple areas of overlapping between the functions carried out by the two agencies (Knudsen 2009: 53).

hostility displayed by the Lebanese government, whose policy of legal discrimination has made its way to institutionalization with the 1992 amendment to the Casablanca protocol.[2]

To pursue our objective in terms of re-politicizing the problem, we use an analytical lens that was devised for development management, and we engage in a process of theory innovation by applying it, for the first time as we know it, to the domain of refugee studies. We start from the conceptualization of accountability structures deployed by Brett (2003, 1999), according to which *accountability* is identified with a healthy principal-agent relationship between recipients and service providers, in which a continuous feedback ring exists between a principal – namely, the recipients of the system of services – and an agent – namely, the provider enacting service provision. For such an interaction to be smooth and satisfactory, citizens need to be able to proactively exert decisional leverage on institutions, which, in modern nations, means to *see the state* in a proper way (Corbridge et al. 2005): conversely, the state needs to put in place appropriate technologies of rule, which result in appropriate *encounters* of state representatives with the citizenry (Srinivasan 2010: 3). As we engage with the condition of Palestinian refugees, however, terminology and observational schemes need to be reconstructed, due to the absence of a proper nation-state and its substitution with host governments and a community-specific service provider.

Technologies of rule, viewed from the lens adopted here, are located in the domain of the "politics of the governed", elaborated by Chatterjee (2004, 2001): this theoretical perspective has been designed, in its original formulation, for analyzing the functioning of modern governmental systems, in societies lying outside the boundaries of the modern capitalist democracy. Chatterjee's paradigm, focused on the way in which the government of a developmental state views and treats its citizens, is characterized by the dichotomy of *civil* versus *political* society: on the one hand, civil society is formed by legally recognized groups of citizens, which interact with the government in force of their full entitlement to the right of citizenship, on the basis of an unspelled social contract between them and the state. On the other hand, political society comprehends all those individuals that are not regarded as proper citizens, as their entitlement to residency is flawed or non-existent altogether: as a result, these individuals are conceptualized through the prism of particular groups, defined by specific characteristics and approached in force of them. Having devised this paradigm, Chatterjee uses it for analyzing the modern Indian society, in which, on the one hand, urban elites are regarded as civil society actors, whereas, on the other hand, the masses of illegal slum dwellers inhabit the uncertain world of political society.

Two major differences arise between Chatterjee's application of the "politics of the governed" to contemporary India, and our use of this paradigm when considering the

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[2] Nations in the Arab League, in 1965, ratified obligation to the Casablanca protocol, which disciplined a common matrix of rights for displaced Palestinians. But resolution 5093, adopted by the League in 1992, resulted in a radical amendment of the protocol, stating that refugee policies, instead of being collectively disciplined, are only subjected to the priorities of member states. As a result, after 1992, host country governments enjoy, *de facto*, unlimited discretionary power in disciplining the legal status of Palestinian refugees, which is why the Lebanese policy of discrimination remains unsanctioned.

conditions of Palestinian refugees in Lebanon. Firstly, as mentioned above, a setting of standard statehood, such as that of India, clashes against a context, such as that of displaced Palestinians, where governmental authority is substituted by the combination of an *ad hoc* humanitarian body, namely UNRWA, and the authority of host countries, exerting *de facto* unlimited discretionary power in dealing with Palestinian refugees. Secondly, whereas India is identifiable with a developmental state, as it is constitutionally based on welfare provision for citizens of all social strata (Corbridge et al. 2005), the Lebanese government does not provide a function of protection to Palestinian refugees, whose condition of "foreign stateless" leaves them outside the shelter of legal coverage (Al-Natour 1997, Shiblak 1997). As a result, the Lebanese government views refugees as members of an extra-legal political society: its view of refugees de-personalizes their individuality, conceiving them only through the status of refugee, which is assigned to them by their common origin.

In spite of the differences with Chatterjee's application of his own paradigm to contemporary India, it is our view that the lens of the "politics of the governed" helps us conceptualizing the problem of Palestinian refugees in Lebanon, because it reflects the twofold vision that institutions in charge of their protection display about the refugee community as a whole. On the one hand, UNRWA views Palestinian refugees as civil society, as they are entitled to precise individual rights in force of registration with the Agency, which acts as a surrogate of citizenship in the quasi-governmental framework of UNRWA's operations. On the other hand, the Lebanese government displays a vision of them as political society, which is contingently activated in the domain of extra-legality: in this framework, refugees are sighted as a collective category rather than as individuals, and interaction with them is based on group pressure rather than on recognition of any civil or political rights.

Our analysis here will show these accountability structures, conceived through Chatterjee's paradigm, in action in the field provided by the Palestinian camps in Lebanon. On-field research for this work has been led over the month of April 2011, in the refugee camps of Al-Buss (southern Lebanon), Beddawi (northern Lebanon), Burj-Al-Barajneh, Mar Elias, and Shatila (bordering the capital city of Beirut). Two caveats need to be brought to attention on our results: first, the rootedness and depth of friction between organizations at the camp level may have induced some of the respondents to give a partial, if not remarkably distorted, representation of the reality when interviewed. Also, cooperation of some camp-level organizations has not been achieved by us, exactly because respondents tended to construct us as "associated" with bodies that are in a relationship of "rivalry" to themselves within the camps. Second, the history of refugees within the camps in Lebanon, especially after the Israeli invasion in 1982, has been troubled and traumatic for those who lived it, and may have induced respondents to omit considerations and details related to that period, or to avoid mentioning it altogether. We have engaged in data interpretation with awareness of these biases, and tried to extrapolate relevant information from interviews accordingly to the implicit caveats entailed by these distortions, which are, after all, the direct consequences of doing research in an area plagued by cyclical warfare and persistent political tension.

Palestinian Refugees in Lebanon: an Overview

Combined with a history of violence and social exclusion, the legal status of Palestinian refugees in Lebanon constitutes a tangible mark of the hostility displayed by the Lebanese government. Palestinians displaced on the Lebanese land, independently from their status in terms of registration with UNRWA, are constructed as "foreign stateless", in a country where rights accorded to strangers are based on the principle of reciprocity: which means, foreigners are treated in the same way in which Lebanese citizens are treated, in the country of origin of the strangers in point (Al-Natour 1997). This principle is obviously inapplicable to populations without a state, and, as a result, legal discrimination of the Palestinians is systematic: basic rights such as having a job, owning property, and moving freely within the nation are severely curtailed. Coupled with the problematic, politically complex history of the Lebanese nation, legal discrimination places a heavy burden on the shoulders of Palestinian refugees in Lebanon.

Discrimination in lawmaking occurs on practically all the horizons that apply to refugee communities, displaced and hosted in a foreign country. Palestinians in Lebanon are forbidden to exert 72 different jobs, as a result of decree 38/11, adopted in 1983 – during the peak of hostilities related to the Lebanese civil war – and never abrogated or amended. Even the few jobs available to refugees require a work permit to be obtained, a practice that is left to the discretion of street-level officials, and that all too often results in a negative outcome (El Sayed-Ali 2006): as a result, Palestinians massively end up exerting low-skilled jobs in construction or agriculture, or are systematically exploited on the flourishing black market of the nation (Brynen 1990). Moreover, Palestinians who have a legally recognized job are subjected to taxation, with the same parameters as Lebanese citizens: yet, due to the inapplicability of the principle of reciprocity to themselves, they are not entitled to benefit from the social security system, to which they contribute through taxpaying (Al-Natour 1997: 366). Finally, refugees have no right of owning property outside the camps, whose land therefore constitutes the only possible location for them to set up a business: also, freedom of movement is severely limited, given that the entrance of most camps is controlled by military forces, and access and exit are regulated at the total discretion of Lebanese army soldiers.

Furthermore, it is our contention that a purposeful impoverishment of the refugee community is carried out both directly, through the abovementioned laws – which curtail refugees' incomes by excluding them from work and asset owning – and indirectly, through systematic omissions in the legal frameworks involving the Palestinians. One major example, in this respect, is provided by the fact that refugee camps are systematically excluded from all urban masterplans, and from post-war plans of economic recovery (Rueff and Viairo 2009): this, combined with the denial of permits for expanding camp areas, results in extremely precarious conditions of housing structures, and in a dramatic situation in terms of sanitary facilities and hygiene. Also, a law explicitly prevents the importation of building materials within the camps in the South, which is making reconstruction after the bombings of 2006 extremely difficult, if not impossible altogether. These laws, and the several strategic omissions in the legal system with reference to refugees, have a direct impact on the livelihood of Palestinians, who are encouraged, whenever possible, to leave the country in search of better life settings.

Out of the five UNRWA fields of operation, Lebanon is the one where most refugees – 49% of the total amount as of 2010 – are concentrated into refugee camps (UNRWA 2010). Indeed, refugees registered with UNRWA are not forced to live in the camps in order to benefit from the Agency's facilities: yet, in a national setting where ownership of property outside the camps is denied to refugees, the pressure to remain settled into camp areas is notably high. Moreover, some camps are configured as a natural continuation of urban settings, so that boundaries with the neighboring cities are undefined and blurring (Dorai 2010: 3): also, UNRWA facilities are located predominantly inside the camps, or in the informal gatherings that have developed around Palestinian areas during the civil war (Halabi 2004: 43). Therefore, refugee camp settings constitute a central element in the daily life of most Palestinians in Lebanon, and living conditions in these areas are therefore extremely consequential for the quality of their life standards.

This situation makes the conditions of the camps, which verge on the boundaries of total misery, extremely incisive on the daily life of refugees. As a result of the destruction of the infrastructure set up by the Palestinian Liberation Organization (PLO),[3] and of the constraints implicit in UNRWA's budget due to donor-based funding,[4] the resources needed for recovery of camp areas lie largely behind the needed amount, and result in a life setting where poverty and strain are dominant. The provision of service water is scarce and faulty, and drinking water needs to be bought from outside: sewage channels flow predominantly in open air, which, coupled with high humidity and lacking ventilation inside housing structures, aggravates the health-related risks implicit in the misery of refugee life (Besson 1997: 339). In Lebanon, refugees' mobility is smoother than in the OPT, where the Israeli occupation systematically curtails the freedom of movement of individuals, both inside and outside the camps (Masiero 2010): but still, militarization of camp entrances frequently results in denial of exit permits, even when related to emergency needs. Unemployment in the camps has reached 56% in 2010 (UNRWA 2010), largely as a result of the discriminating policies enacted by the Lebanese government: economic competition, due to the prevention from owning property outside the camps, is confined within their boundaries, and sometimes result in open communal violence (Halabi 2004, Abbas et al. 1997).

To sum up, life conditions in the Palestinian refugee camps in Lebanon are extremely difficult, and the Lebanese government keeps refusing to incorporate camp areas in its own masterplans. This problem results from the combination of a troubled history, marked by cyclical episodes of war, and a systematically adverse system of legal provisions. In what

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[3] As a result of the rights guaranteed to Palestinians in Lebanon by the Cairo Agreements in 1969, the Palestinian Liberation Organization (PLO) was able to set up a para-state in Lebanon, by setting up a capillary system of social infrastructure within the refugee camps: this resulted in a system of services which, beside providing a quasi-governmental set of primary services, was able to create 20000 new work posts in the refugee camps alone (Shiblak 1997). Yet, such a system was put into danger by the outbreak of the Lebanese civil war in 1975, and, in the following decade, and more deeply undermined by the Israeli invasion of Lebanon in 1982, which resulted in the progressive, total deletion of the PLO system of services. That was also the time when the PLO leadership was forced into exile, its headquarter being transferred from Beirut to Tunis.

[4] As of Bartholomeusz (2009: 454), donor-based funding is at the basis of all UNRWA's facilities and operations, with the exception of 119 international staff posts: these are financed, indeed, by the General Assembly through assessed contributions.

follows, we analyze the deployment of accountability structures in this setting, which is *per se* extremely problematic for those who take the consequences of the defenselessness that it entails.

Analysis: the Politics of the Ungoverned
Having reviewed the legal and physical settings of Palestinian refugees in Lebanon, we now focus on the analysis of the accountability structures to which they are subjected. It is worth to restate, here, that our notion of *accountability structure* starts from the conceptualization of Brett (2003, 1999), in terms of the principal-agent relationship that links beneficiaries to their service providers. In this respect, accountability is grounded on both the capacity of providers to satisfy the demands of their recipients, and the capacity of beneficiaries to exert direct decisional leverage on the supply system enacted by providers.

As mentioned above, to work with the "politics of the governed" in the context of Lebanon, we need to reconstruct both the terminology that we utilize, and the theoretical paradigm of reference: this is because, differently from the Indian case to which Chatterjee applies his theory, Lebanon is not a developmental state, and could even be described, with an *ad hoc* neologism, as an "anti-developmental" one towards Palestinian refugees, who, rather than being served by the host government, are systematically discriminated by it. As a result, here, we engage in exporting the paradigm of the "politics of the governed" outside its original domain of application, and, for the first time as we know it, from the sphere of development management to that of refugee studies.

As we apply this paradigm to the displacement of Palestinians on Lebanese land, we are, in a way, subverting the paradigm with respect to its original formula. Indeed, on the one hand, Chatterjee looks at a single provider – namely, the Indian government – which dichotomizes the population that it serves, according to the categories of civil society, identified with local elites, and political society, populated by masses of rural peasants and urban slum dwellers. On the other hand, in the case of Lebanon, we have a situation that is, at the same time, symmetric and opposite: rather than a single provider and two population segments, we are faced with *one* single refugee community and *two* providers. More specifically, the very same community – that of Palestinian refugees – is sighted as civil society by UNRWA, and as political society by the Lebanese governmental authority.

Refugees vs. UNRWA: Civil Society
As noted by Chatterjee (2004), the term "civil society", as conceived within the sphere of political theory, is used preeminently to refer to modern institutions of associational life, which are based on notions of autonomy, equality, and recognized civil rights. Indeed, in the "politics of the governed", the prism of civil society is based on the sighting of people as legally empowered individuals, who enjoy rights of association and self-determination, and use them to interface with the government, on the basis of the unspelled social contract underlying modern nations. Yet, in cases of state absence such as that of Palestine, the governmental counterpart is so poorly institutionalized that it needs to be substituted by *ad hoc* supranational entities, which is the role played by UNRWA towards refugees in its areas of operation. As a result it is not the state, but UNRWA, that conceives Palestinian refugees in Lebanon as members of the civil society, in three different respects.

Firstly, refugees are viewed by UNRWA through the prism of legal recognition, as they are entitled to obtain primary services from the Agency – exactly *because* of their stateless situation, rather than in spite of it. As noted above, the Agency was originally conceived as a temporary coping mechanism, for managing the *Naqba*-induced massive displacement of Palestinians while a long-term solution would be found: and yet, 63 years later, a solution is still not in sight, and statelessness constitutes the common denominator of refugees in the nations of the diaspora. Therefore, their existence lies outside the boundaries of legality, as it is interpreted by state-based institutions: in substitution of this, UNRWA endows them with a legal position, as beneficiaries of a dedicated system of services. On the one hand, this formal recognition changes the situation on paper, endowing refugees with a surrogate for statehood: yet, on the other hand, the importance of this change is substantial rather than formal, especially as far as the Lebanese field, largely ravaged by war and poverty, is concerned. This is because service provision by UNRWA constitutes a primary toolkit for overcoming roadblocks to development: in Lebanon alone, according to the Agency's estimates, removing UNRWA would result in overall poverty increasing by 14%, and in extreme poverty being multiplied by three (UNRWA 2010).

Secondly, refugees are sighted by UNRWA through the institutional mechanism of *registration*, which constitutes the non-governmental equivalent of the right of citizenship in nation states. Registration with the Agency, predicated on fulfillment of the requisites dictated by UNRWA's definition of refugee, acts indeed in a parallel fashion if compared to citizenship: it is, in effect, a gateway to the right of service provision, based on the condition of statelessness that the refugee status entails. Yet, registration with the Agency differs from citizenship, in that its reach is limited to service provision and does not extend to other rights, such as security protection and active aid in governance, that governments normally guarantee in force of the social contract with their citizens. Furthermore, the non-political nature of UNRWA's mandate has deeply shaped the role of the Agency on the Lebanese soil, by preventing it from acting on the root causes of conflict: as of Besson (1997: 341), the Agency is contended between the struggle to remain neutral, as of its mandate, and the necessity of actually protecting its registered refugees, which involves entering the sensitive sphere of community politics.

Third, Palestinian refugees in Lebanon need to interface with UNRWA, in order to exert the decisional leverage that is needed for a sound accountability structure: to do so, they are encouraged to group themselves in associations, which discipline community-based communication and interlocution with the Agency. Historically, formal associations of Palestinians have been paramount for notifying refugees' needs to UNRWA: by doing so, they aim to enforce the mechanism through which direct influence of the refugees on their service provider is maximized. The key instance, in this respect, are the so-called popular committees, which were set up at the time of the PLO leadership as communal managers of resources and security in the camps: these groups are recognized by UNRWA as the collective voice of refugees, which informs service provision by detailing communal necessities. In Lebanon, participation of refugee groups to service provision is extremely important, for the principal-agent relation with UNRWA to work well: therefore, interaction with popular committees is predicated on the recognition of these groups as the voice of camp dwellers (Hanafi and Long 2010, Suleiman 1999).

Hence, UNRWA conceives its refugees in Lebanon as the members of a civil society, in the sense that it acknowledges their position as legally entitled with a precise system of rights. On the one hand, refugees are therefore viewed as beneficiaries of a system of services, in a way that mirrors the Indian elites observed in the work of Chatterjee (2004). Yet, on the other hand, the Agency operates in the sheer domain of services, on the basis of refugee registration, and it is exempted from the use of military force that is normally made by national governments in war situations.

Refugees vs. Lebanese Government: Political Society
Whereas the term "civil society" has been widely utilized in political theory over the last two centuries, "political society" is a neologism coined by Chatterjee, as he deals with the masses of urban slum dwellers that the state does not consider as entitled to interact with it. The uncertain world of political society, inhabited by poor people in most of the world, is characterized by several features, which arise in opposition to those of civil society: in the first place, people belonging to this sphere are *illegal*, i.e. their condition is ignored or marginalized by the laws of the nation. Furthermore, these individuals are excluded from the right of citizenship, and this, by subtracting them from the benefits that this entails under normal statehood, makes them highly vulnerable to the problems implicit in power asymmetry versus the government. As a consequence, the right of free association does not pertain to these people, so that they need to gather into frameworks that transcend the boundaries of disciplined organizations: hence, interfaces between political society and the government are not legally disciplined, but emerge from well-organized and proactive group pressure on the side of refugees. It is our contention, here, that people in the Palestinian refugee camps of Lebanon are viewed as "political society" by the government, and their purposefully maintained illegality denies them to enjoy a sound and reciprocal accountability structure, in three respects mirroring those previously examined for UNRWA.

Firstly, refugees in Lebanon are in a position of illegality, as a result of the institutionalized legal discrimination that affects virtually every aspect of their lives. As noted above, indeed, Palestinian refugees are not recognized by the state, which is largely due to the problem rooted in the confessional nature of the Lebanese power equilibrium: as a result, refugees are banned from exerting 72 different jobs, owning property outside the camps, and moving freely across the boundaries of camp settings. In the camps, the phenomenic aspect of illegality can be found in the hardship of people's daily lives, pervading several fields – from high unemployment rates affecting also those with full education, to competition for limited business space, and the communal and intercommunal violence that stems directly from it (Halabi 2004). Illegality is also the basis on which segregation of camp dwellers is predicated: on its basis, camps are excluded from economic recovery plans, and their internal policing is left outside the domain of Lebanese security and police intervention.

Secondly, as mentioned above, refugees in Lebanon have no right to citizenship, because the Lebanese government does not accord it to Palestinians:[5] refugees are, indeed, a "special" group of foreigners, whose statelessness results in the denial of all legal provisions, due to inapplicability of the principle of reciprocity. Since dealing with this group implies the acknowledgement of various illegal practices, governmental agencies treat the Palestinians as an exception, so that the structures of general rules is not compromised by their existence: hence, interaction between the government and refugees occurs according to the guidelines of the "state of exception", i.e. a sub-system of the law that treats Palestinians as the exception rather than the rule (Agamben 2005). Hence, "contracts" between the Lebanese government and Palestinian refugee communities are regulated by specific decrees, not by universally applicable laws: water provision to the camps is regulated on a case-by-case basis, connection of camps to national electricity grids is occasioned rather than legalized, and people interact with the government outside any conventional legal framework, in a condition that entails an intrinsically deep asymmetry in the balance of power.

Thirdly, Palestinians in Lebanon are denied the right of association. Normally, free expression of dissent results in arrest or arbitrary detention, which is very hardly contestable by refugees, due to the "protection gap" on individual rights that we have illustrated above. This implication is problematic especially because, as it will be analyzed later, associations in the camps are extremely important, in order to fill the accountability gap left by the inaction of UNRWA and the Lebanese government in several sectors, including security and governance. A major implication here is that, in the framework for service provisions, NGOs cannot be registered as "Palestinian" NGOs: to achieve legality, they need to have at least some Lebanese member in the board, and to be registered as Lebanese organizations in force of that (Suleiman 1997: 401). These organizations, as we will see below, are extremely consequential for self-sufficiency of the population in the camps, and the lacking recognition by the government results not only in absence of communication with the administrative sphere, but also in the proactive obstruction of service delivery in a plethora of fields.

Hence, the Lebanese government views Palestinians as the members of a political society, in the sense that it systematically denies them legality, and the ensuing rights of freedom and association. This results, in effect, in the negation of accountability, because Palestinians are deprived from recognition in basic terms, and hence from protection as normal citizens: as a result, the illegal interactive forms of political society are the only way to achieve reaction, and to enact that capacity of resistance that distinguishes the Palestinian community in exile as a whole (UNDP/PAPP 2004: 14-16).

The outcome of the situation is as follows: on the one hand, UNRWA is a quasi-state, which provides humanitarian assistance, but remains inactive in terms of security and

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[5] The historical exception, here, is constituted by the sub-group of Christian refugees that were accorded the right of citizenship in the decade after the *Naqba*, by the Maronite leadership of the nation, in line with the fact that the confessional identity of such refugees would not be detrimental to Maronites, in altering the confessional – and political – balance of the nation.

governance; and is also limited in that it is confined to providing primary services – not secondary ones – due to its limited budget. On the other hand, the Lebanese government does not show any willingness to provide accountability structures for its Palestinian communities: as a result, an accountability gap arises in the fields of secondary services, security within the camps, and governance. Therefore, there are several coping strategies that are used by the Palestinians in order to fill this gap, and to continue their struggle for resistance by doing so. Hence, the "politics of the ungoverned" affecting the Palestinians are filled by the people through self-government, and a community-oriented discipline to guarantee human and civil rights.

Coping Strategies in the Accountability Gap
As noted above the accountability gap, resulting from incompleteness of the structure linking Palestinian refugees with both UNRWA and the Lebanese government, can be constructed as covering three areas, namely secondary services, intra-camp security, and governance in the camps. On the one hand, secondary services, by which we mean all those services that exceed the basic-needs provision of health, education, and livelihoods in general, should be covered by UNRWA in order for the framework of service provision to be complete: the primary reason, why this is not the case, can be ascribed, once again, to the fiscal constraints of the Agency, caused primarily by cyclical emergencies and the lack of an autonomous source of financing (Rosenfeld 2009, Aql 1995). On the other hand, security and local governance are not covered by the mandate of UNRWA, nor are they extended by the Lebanese government to the "islands of insecurity" inside the camps: as a result, Palestinian refugees are compelled to look after them, a task which they engage through several kinds of associational modes. These modes ascribe to different organizational types, operating in each of the three areas within the gap.

Secondary services, which UNRWA provides in a very limited fashion, are taken care of by popular committees, based within the refugee camps, and by dedicated NGOs. Popular committees are quasi-official bodies, established in the years of the PLO leadership, concerned with the daily running of the camps, as well as with conflict resolution and arbitration: they are formed by one member for each political faction, among those present within a given camp, which is appointed by the leadership of the faction itself. In this respect, the "popular" nature of these bodies is at best debatable, given the lack of popular consultations in the process of their elections: yet, it must be noted that these committees act as a "popular" gateway to services, as they convey resources to refugees in the fields that UNRWA is unable to address. For example, secondary and tertiary care – which is unavailable in UNRWA clinics – is provided in Lebanese hospitals, with which popular committees are in charge of communicating for setting up contracts finalized to serving refugees (Knudsen 2005). NGOs, in a similar fashion, engage in the provision of those services in which UNRWA is weak or inactive: preeminently, schooling integration (i.e. pre-schooling and afternoon workshops), emergency healthcare, microfinance, and the establishment of vocational centres for job training. NGOs, as mentioned above, need to display a Lebanese board to achieve legality; but still, most of them are Palestinian in both management and target, and work autonomously within camp areas.

Security in the camps is managed by the Palestinian Armed Struggle Committee (PASC), an *ad hoc* organism also created during the PLO leadership in Lebanon. According to organizational norms, the PASC should be represented in every camp by a specific security committee, which falls under the supervision of the PLO ambassador: yet, after the departure of the PLO leadership from Beirut, the ambassador has lost practically all its power in terms of supervision, and committees act, by and large, in an independent and autonomous fashion. The task of security committees focuses on guaranteeing the continuity of police services inside the camps, in substitution of the Lebanese police: for doing so, coordination must be achieved with popular committees, UNRWA, and the plethora of political factions operating on the field. Here is, most commonly, where problematic situations arise, because security committees, as most organizations, are linked to some specific political factions, and consequently tend to deploy communal tensions with other ones: contrasts can, moreover, end up configuring limit-case situations, such as that of Ayn-Al-Hilwa camp, where two blocs – one secular and one Islamist – have both created their own popular and secular committees, due to the perceived impossibility of achieving conciliation (Hanafi and Long 2010: 140).

Local governance, at the refugee camp level, falls under the duties of the popular committees, complemented by the *tanzimat* – namely, popular organizations centred on work-related issues, that mirror the constituency of the Western trade unions. On the one hand, popular committees handle decision-making processes at the camp level, and are recognized by UNRWA as the key interlocutor within the camps: coordination with the *tanzimat*, and with other camp-level bodies, is disciplined on a case-by-case basis, depending on priorities among the present issues and on the specific peculiarities of each camp setting. On the other hand, the non-elective nature of popular committees – combined with their predominance, over all other bodies, in voicing the needs of camp-based refugees – makes it problematic to identify them as a "legitimate" structure of governance, and many refugees complain about the voicelessness resulting from a faction-based organization of local politics (Halabi 2004, Aql 1995). This results in skewed distribution of the decisional power among factions, and, in limit-cases such as that of Ayn-Al-Hilwa, in the lack of a single referential authority, ending up in costly duplication of camp-based leadership and governance structures.

Filling the Accountability Gap: Open Problems
As they need to cope with the accountability gap, relying solely on their own resources, refugees find themselves facing two main problems, which are to be added to an already critical situation, determined by the legal discrimination and widespread poverty among Palestinian communities on field. The first problem is represented, indeed, by the high degree of factionalism pervading politics in the refugee camps, ascribable to the legacy of a history where diverse political strata have been forced to coexist in the military segregation of camp life (Knudsen 2009). As of the analysis of Rougier (2009), the problems of factionalist politics are not only due to decisional paralyses, that are cyclically induced by internal clashes among power groups: instead, the major issue lies in the fact that factions have, by and large, lost sight of community-wide problems, such as the Palestinian cause for return to the homeland, or the plight for achieving better living conditions in exile. Hence, hospitals and social services tend to hire people from the faction that patrons them, which

reinforces people's grievances related to forcedly induced unemployment: moreover, with the strengthening of grievances, falangist groups – most relevantly, extreme Islamist factions – are facilitated in achieving power, as they are, more and more, perceived as the only source of actual protection on the field. In effect extreme poverty, coupled with the PLO withdrawal from Lebanon, has arisen as a key factor in the proliferation of Islamist movements in Palestinian society, which tend not to share the secular principles of impartiality and equality of all citizens before the law.

The second problem, arising from the Palestinian community's self-management of the accountability gap, is constituted by financial dependency, that affects not only UNRWA, but also the plethora of NGOs and informal organizations, complementing service provision in the camps. As far as NGOs are concerned, some 80% of their funding comes from international donors (Suleiman 1997: 401): the point, with NGOs, is that they are not only quasi-governmental service providers, but non-neutral actors that actively compete in the political arena. As reflected in the work of Roberts (2010), their high dependency on donors has a deeply negative effect on the community, because, while engaging in short-term relief to refugees, dependency makes the policies of NGOs increasingly conditional to what donors demand, rather than what refugee beneficiaries actually need and require This problem is conceptualized by Challand (2008) in the terms of a situation of *heteronomy*, i.e. an attitude in which NGOs are so much influenced by donors, that they lose, *de facto*, their autonomy in determining their own policy agendas. Western donors, in other words, are engaging in the promotion of institutional isomorphism rather than freedom of action, and are creating a situation of intrinsical turmoil enacted by competition for external funding.

Hence, the accountability gap leaves a high rate of vulnerability among Palestinian refugees, who, in terms of secondary services, intra-camp security and local governance, are forced to act completely on their own. This leaves them prone to factionalism on the internal side, and, on the external one, to heteronomic dependency on donors. Intra-camp crises of legitimacy, it may well be argued, have not happened in a vacuum, but they have been proactively induced by international donors, who dismantled Palestinian governance structures and replaced them with the bureaucracy of aid agencies. If our objective is that of analyzing the Lebanese situation in order to suggest some concretely achievable changes, it is our point here that these two issues are the key ones to be deconstructed, analyzed and resolved.

Conclusion: the Way Forward
The general picture elaborated here, with respect to accountability structures for Palestinian refugees in Lebanon, can be summarized as follows. First, Palestinian refugees in Lebanon are the object of a twofold viewing, as they are conceived of by UNRWA in the legal terms of civil society, and by the government of Lebanon in the framework of illegality that political society yields. Second, failure of both entities to address secondary services, intra-camp security, and local governance of the camps results in the formation of an accountability gap, that refugee communities have to face on their own through popular committees, security organizations, NGOs, and the *tanzimat*. Third, as they are forced into a politics of the "ungoverned" that leaves them with a heavy burden in terms of self-organization, Palestinian refugees are faced with the problems of internal factionalism,

leading to decisional paralysis and clientelism, and excessive heteronomic dependency on foreign donors. In order for a better future to be built for refugees in the diaspora, we suggest a few points to be addressed, when dealing with the polymorphous difficulties of the Palestinian refugee community in Lebanon.

First, the consequences of the accountability gap, that refugees face with respect to secondary services, security and local governance, should be addressed by the international community, due to their impact that this gap yields on the economic and social fabric of the Palestinian society. Political factionalism, which reduces intra-camp politics to clientelism and competition over limited resources, results in the paralysis of local decision-making, and in the increasing frustration of refugee communities – which feel, by and large, unrepresented by those "popular" committees that should be voicing their needs. Furthermore, high dependency of local organizations on foreign donors, stemming from limited autonomous resources and from a largely heteronomic pattern of organization, results in diminished participation at the local level, as decisional power rests increasingly with the donors. To deal with dependency, long-term development schemes – aimed at the empowerment of local communities, and at the participation of recipients to service delivery – should be preferred, in principle, to one-off relief interventions, which may actually perpetuate dependency on foreign bodies, rather than creating the conditions for the independence of beneficiary communities.

Second, while the consequences of the accountability gap should be faced, little can be done in terms of problem solving, if the international community does not address the gap itself in its root causes. On the one hand, intra-camp security and local governance are not covered by the mandate of UNRWA: hence, the path towards addressing them passes through reinforcement of Palestinian organizations, grounded on the minimization of dependency as suggested above. But on the other hand, in terms of the framework for service provision – and more specifically, for all those services that camp dwellers need to set up by themselves, conditions should be created for UNRWA to work properly, and fulfil its mandate as a quasi-governmental provider of all services to refugees. The donor-funded nature of UNRWA, coupled with the cyclical humanitarian crises calling for its emergency assistance and intervention, limits the Agency's resources and makes them hardly sufficient.

Third, an important conclusive observation is that, when dealing with the plight of Palestinian refugees, a first-best option would of course be that of return to the homeland, as established and prescribed by Resolution 194 in December 1948. However, until the conditions for a long-term solution – be it return, permanent settlement, or the creation of a Palestinian state – are not created, humanitarians need to focus on the conditions of life in exile, and make them as favourable as possible to improving the quality of life of refugee communities. Researching life conditions in the diaspora, and using research outcomes to set up policy suggestions, should not be interpreted as renunciation to the objectives of the Palestinian cause: rather, it is a mechanism for maximizing the welfare of refugees in the diaspora, while a long-term solution is proactively sought. Refugee camps are now areas of permanent settlement, rather than temporary shelters, and, as such, life conditions in these quasi-urban settings need to be optimized for the well-being of refugees.

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