

Tobias Kelly
Edinburgh University

Returning Home? Law, Violence, and Displacement among West Bank Palestinians

The stranger is the person who renews his Residence Permit. He fills out forms and buys stamps for them. He has to constantly come up with evidence and proofs. . . . He is the one whose relationship with place is distorted, he gets attached to them and repulsed by them at the same time. [Mourid Bargouti 2000:3]

Introduction

Subhi was bored. He had not been able to leave the West Bank Palestinian village where he had been living for the last six months, and his world had shrunk to the few square kilometers between the river that ran past the village to the west and the hills to the east. In a vain attempt to ease his boredom, he would often stroll along the dried-out riverbed, but come to a stop after a few hundred meters as he neared the crossroads and a potential Israeli checkpoint. He would then turn around and walk back to the other edge of the village before retracing his steps all over again. Whereas before the start of the second *intifada* in September 2000 Subhi had made regular trips to Ramallah, Jerusalem, and Tel Aviv for work, to visit friends, or go shopping, over the last few months he had seen nothing but the grey buildings and olive trees of his village.

Subhi was born in the mid-1960s in a village called Bayt Hajjar, which lay next to the Armistice Line between the Hashemite Kingdom of Jordan and Israel. In 1967, when the Israeli army invaded the West Bank, Subhi's family was forced to flee along with many other people from the surrounding villages, and ended up in one of the refugee camps outside the Jordanian capital of Amman. Then, in the mid-1990s, the governments of Jordan and Israel signed a peace treaty making it possible for Jordanian citizens to enter Israel and the West Bank relatively easily. With a three-month tourist visa in his Jordanian passport, Subhi returned to the West Bank for the first time in over twenty-five years. He quickly found a job on a building site in Israel and, overstaying his visa, decided to settle in Bayt Hajjar. Soon he was renting a small apartment on the edge of the village and had married one of his distant cousins. However, in late September 2000, clashes broke out between Israeli soldiers and Palestinian demonstrators, as frustrations over the failures of the Oslo Peace Process spilled over into the start of the second *intifada*. The roads around Bayt Hajjar became increasingly full of Israeli military patrols and checkpoints, and as a result Subhi was often too afraid to

leave the village. He was worried that the Israeli soldiers would find out that he had overstayed his tourist visa and deport him back to Jordan.

Displacement is one of the defining features of Palestinian experience (Bisharat 1997). However, for Subhi his initial displacement was combined with an experience of confinement. Although as a child he had fled Bayt Hajjar, he was now stuck there, unable to move for fear of arrest. By focusing on the lives of Palestinians such as Subhi, this essay explores the ways in which experiences of displacement are formed in the tensions between the processes that make people mobile and those that keep them in place (Shamir in press). In particular, I will focus on the ways in which displacement is never simply a physical movement over space, but is also a transformation in the legal practices through which people are related to place. This essay argues that the relationship between person and place and the related limitations on mobility produced by historically developing forms of legal status are far from stable. For many Palestinians, the ad hoc interventions of the Israeli state have meant that their presence in any place is always contingent, yet they also face severe restrictions on moving elsewhere. This has produced a situation where displacement and return, absence and presence, movement and confinement are entwined with one another. People are caught in the often violent spaces in between, unable to feel secure if they stay still, but too afraid to move on.

The specific focus here is on the experiences of the residents of a group of villages in the Latrun area of the West Bank. From the summer of 2000 to the spring of 2002, I conducted ethnographic fieldwork in one of the villages on the eastern fringe of this area, which I have called Bayt Hajjar.

Law, Place, and Displacement

In contrast to those who might see "late modernity" simply in terms of the flows of people and things (cf. Appadurai 1996), Ronen Shamir has urged an examination of the processes of closure, entrapment, and containment, which make mobility a scarce resource (Shamir in press; see also Bauman 2002:83; Torpey 1998). In a separate but related line of argument, Deleuze and Guattari write that modern politics should be understood in terms of processes that simultaneously seek to de-territorialize and then re-territorialize social and political relations (Deleuze and Guattari 1977). These processes of re-territorialization do not mean returning to original forms of territoriality, but instead see the recombining of new configurations of social and political relationships (Deleuze and Guattari 1977:218). Deleuze and Guattari's argument appears at times to ignore the ways in which movement is itself the product of state intervention. However, placing their work alongside Shamir's demonstrates that an understanding of the process that makes people mobile can only be attempted alongside an analysis of the processes that would try and keep them in place. Such an approach seems particularly instructive in understanding the experiences of displaced persons. A

focus on the relationship between movement and confinement highlights the ways in which displacement does not only involve movement in space but can also produce experiences of restriction. Subhi's problem was not simply that he had fled across the Jordan River in 1967, but also that since that time his ability to move freely had been severely curtailed. The issue confronting displaced persons is not so much that they have moved, but rather that they are unable to move unproblematically back to where they have come from.

Legal practices play a particular role in attempting to define the places where people do and do not belong, and where they can and cannot move to. Law has been central to the production of the idea of distinct peoples bound to specific territories (Darian-Smith 1999). Notions and practices such as citizenship, residence, and jurisdiction have played a key role in defining the status of persons within particular places and controlling their movement through and within space. Work permits, visas, passports, and border patrols create "legal" and "illegal" migration, and legal treaties define who is a refugee, who is a migrant, and who is an "illegal" alien. In this context, the particular experiences of displaced persons are often inherently bound up with legal processes (cf. Arendt 1968; Malkki 1995:497).

Critical approaches to refugee and migration law have quite rightly highlighted the ways in which the rigid determinism of legal categories distorts the complex processes through which people are forced to move (Chimni 1998; Harney 1999). However, sensitivity to the arbitrary determinism of the claims of refugee and migration law should not blind us to how legal processes play a central role in shaping many people's experiences of displacement. As Bill Maurer argues, although legal actors may claim to act on the basis of seemingly self-evident categories, legal practices are often constitutive of these very categories in the first place (Maurer 2000). Law is not a neutral framework that describes experiences of displacement, but is instead involved in their very production. Displacements do not just happen; they are made. For Subhi's family, as well as for people elsewhere in the world, it is not just their initial flight from their homes, but also the processes of citizenship legislation, peace agreements, identity cards, censuses, and border controls that fundamentally altered their relationships with place, and in turn shaped the economic, social, and political directions of their lives.

Crucially, the attempts of legal regimes to keep people in or out of place can never be assured of their realization. Rather than being coherent and objective, attempts at regulating movement and place are formed through the various *ad hoc* interventions of states (De Genova 2002). Not only are international and national legal boundaries problematically enforced, but also the categories of persons who are allowed to cross through these boundaries are constantly shifting and indeterminate. The legal processes that produce experiences of displacement are not given once and for all but rather are inherently historical and incomplete.

The "incompleteness" of the practices that attempt to relate people to place means that they simultaneously act as a source of constraint and open up spaces for movement. Yet, it also means that while these indeterminacies open up spaces for movement, they can also close them down again. As Susan Coutin notes in her work on Salvadoran migrants in the U.S., "migrant illegality can create new conditions of living," and in doing so open up spaces for legalization (Coutin in press). However, the very instability of the legal foundations upon which these conditions are built means that they are always potentially undermined. In this way, while legal practices can block flows of people, they may open up spaces for movement and close them down again in unpredictable ways. These tensions mean that displaced persons are often caught between the legal categories of absence and presence (cf. Coutin in press), never completely secure in any given place, but never completely able to make themselves absent. In particular, the position of many Palestinians as stateless persons has meant that their legal status in any given place is never guaranteed. Yet, these same conditions of statelessness have meant that many have also found it difficult to move across borders, frontiers, and checkpoints. In this context, Palestinian experiences of displacement are simultaneously marked by being forced to move by changing legal, political, and economic circumstances, and great difficulties in traveling freely. It is this tension that creates much of the frustration, fear, and uncertainty of their everyday lives.

The Politics of Legal Status in the West Bank

Before examining the history of the displacement of the residents of Latrun, it is useful to look briefly at the wider political context within which legal status has been produced in the West Bank.

Since the 1967 Israeli occupation of the West Bank there have been intense debates over its implications for the boundaries of the Israeli state (cf. Kimmerling 1983; Rabinowitz 2003). The settlement movement *Gush Emunim* has argued that the West Bank should be treated as "liberated Israeli territory" (Lustick 1988) while sections of the Zionist left have urged a return of the Israeli military to its 1967 borders (cf. Beilin 1998). In the context of these wider debates, hundreds of thousands of Israeli citizens have settled in the West Bank.¹ These settlements are motivated by a mixture of perceived security consideration, a desire for a messianic return to the land, and the availability of cheap housing (Chazan 2000). At the same time, there has been pressure from various sections of the Israeli military, as well as from some sectors of Israeli capital, to incorporate the Palestinian population of the West Bank into the Israeli economy (Bornstein 2002). This integration serves two purposes. Not only would dependence on the Israeli economy make the cost of Palestinian resistance to the Israeli occupation that much higher, but also Palestinians could provide a source of readily available, cheap, semi-skilled and unskilled labor for the Israeli economy.

These territorial and economic claims to the West Bank have also had to face the local Palestinian residents in the area. Although parts of the Israeli state have been keen to integrate the Palestinian residents into the Israeli economy, full annexation of the West Bank would also mean the legal incorporation of the Palestinian population into the political institutions of the Israeli state, and therefore potentially undermining the Jewish majority in Israel. Israeli politicians have been increasingly fearful of demographic projections predicting that Palestinians would form the majority of the combined populations of Israel—the West Bank and the Gaza Strip—by the year 2035. Many Israelis increasingly see Palestinians as a "security" threat to both the safety of Israeli citizens and the existence of Israel as a Jewish state. In this context, there has been intense pressure not to fully integrate West Bank Palestinians into the Israeli legal sphere.

In the face of these tensions between claims to territory and populations, the territorial boundaries of the Israeli state in the West Bank have not been defined. This means that while the West Bank may not have been formally annexed, there has also been a refusal on behalf of successive Israeli governments to recognize the 1949 Armistice Line between Israel and Jordan as an international frontier. The Israeli population of the West Bank has been integrated into the protective orbit of the Israeli state, while Palestinian residents of the area have effectively been treated by the Israeli state as "foreign non-residents." While the signing of the Oslo Accords and the creation of the Palestinian National Authority (PNA) in the 1990s saw some changes in the bureaucratic structures through which legal status was granted, Israeli officials still retained the ultimate power over the granting and taking away of legal status, control over all borders in and out of the West Bank, and a substantial presence throughout the area. In this context, forms of legal status have been produced and given meaning at the intersection of tensions between Israeli territorial claims to the West Bank, the desire to maintain Israel as a Jewish state, and perceived security fears. As a result, the Palestinian residents of the West Bank have largely contingent and shifting forms of legal status.

The History of Displacement from Latrun

The Latrun area of the West Bank sits in the center of historical Palestine, at the point where the hills meet the plain of Israel. The region is made up of several villages such as Imwas, Bayt Nuba, and Yallu, built around the Abbey of Latrun. Bayt Hajjar, where I conducted fieldwork, stands on the area's eastern fringes. According to the Israeli historian Benny Morris, the area was the scene of several fierce battles during the war of 1948 between the Zionist *Haganah* and the Trans-Jordanian Arab Legion, as it overlooked the strategically important Tel Aviv-Jerusalem road (cf. Morris 1999). When the Jordanian–Israeli Armistice was signed in 1949, the area remained under Jordanian control and stuck out like a thumb into the center of Israel. The new Armistice Line lay just a few kilometers to the west and south of Latrun, and due to a dispute over the exact position

of the opposing forces on the date the Armistice was signed, much of the area was declared no-man's land.

The creation of the Armistice Line would have profound implications for the residents of the region. Although the villages of Latrun were not occupied by the Israeli Army, Palestinians from the villages to the south and west passed through the area as they were forced to flee. Under Israeli law those Palestinians who had fled the territory that was declared part of the new State of Israel were categorized as "absentees" and denied Israeli citizenship, residence, or entry, irrespective of the location of their former residence (Davis 1997:55-59). Those who tried to return to their homes found that they were unable to do so, as a newly militarized border had been created behind them through the middle of what had been Mandate Palestine.² Most of the residents of the villages in the Latrun area had not fled their homes and were eventually granted Jordanian citizenship when the West Bank was annexed to the Hashemite Kingdom of Jordan in 1950.

However, the creation of the Armistice Line meant that many of the villagers of Latrun were separated from their families and their land. The newly created Armistice Line ran through many of their social and economic relationships. Subhi's mother, for example, who was from one of the villages to the west of Latrun, was cut off from the rest of her family, as she had followed her husband to live in Bayt Hajjar. Much of the farmland belonging to the villagers was also either lost to Israeli-controlled territory or to no-man's land. In the first few years after the signing of the Armistice, some of the villagers would often try to sneak across into the new state of Israel in order to harvest their crops or visit relatives. Subhi remembers that his mother tried several times to make return visits to her family on the other side, but found the way blocked by Israeli soldiers, and several people trying to make the trip were shot dead. In the late 1950s there was a series of raids from villagers from the Latrun area into Israel, and from Israeli troops into the West Bank that left scores of people dead. During one famous incident that Subhi told me about, the local civil defense force apparently repulsed a raid by Israeli soldiers. One woman was killed, and her son, who later grew up to be a teacher in the village school, still displays the scar that he received as a result of a bullet wound. As they were cut off from much of their land, and due to the recurring violence, the period after the 1948 war is remembered by people in the area as one of the most difficult they had ever faced. Many people migrated either to the Jordanian capital of Amman, or farther afield to the Gulf or South America, in order to find work.

In June 1967, during the first few hours of the land war, troops from the Israeli army took control of Latrun. One of Subhi's distant cousins served in the Jordanian army as a cook, and Subhi would often tell me with great amusement how he had awakened on the morning of the invasion to find that the other Jordanian soldiers had fled, leaving him surrounded by Israeli troops. On the second night of the invasion, Israeli military jeeps drove through the villages of

Yallu, Imwas, and Bayt Nuba and ordered the residents to leave their homes. Over the next few hours all 12,000 villagers packed up the few belongings they could carry and began to walk east. These people were joined by the residents of neighboring villages, fearful that their villages would be next.

In the days after the war, the Israeli military announced on the radio that people across the West Bank should return to their homes. However, the former residents of Yallu, Imwas, and Bayt Nuba were forbidden to do so, and the area was declared a closed military zone. Those who tried to return were met by Israeli army checkpoints and several people were shot at by Israeli patrols. From the nearby hills, they could see that all the buildings in Imwas, Bayt Nuba, and Yallu had been blown up by Israeli military engineers, and all traces of the village completely destroyed. Unable to return home, some of these people sought shelter in nearby villages. As not all of the land of Bayt Nuba had been declared a closed military zone, a few of its former residents rented homes in Bayt Hajjar, while farming what remained of their land.³ Others from the destroyed villages, as well as from places such as Bayt Hajjar, Subhi's family being an example, had fled all the way across the Jordan River to Amman.⁴ These people, as well as the villagers who had migrated to Amman in the previous years, were now cut off from Latrun by the newly militarized Cease Fire Line along the Jordan valley.⁵

Immediately after the 1967 occupation, the Israeli military conducted a census, which was then used to create a new population registry for the West Bank. Some of Subhi's aunts and uncles, after arguing with Subhi's father over the threat represented by the Israeli Army, had decided to stay in their homes as the Israeli tanks rolled by. As a result, they were included on the new census, and were issued West Bank identity cards and given West Bank residency rights. However, these residency rights were contingent, and could be taken away by the Israeli military if the holders were deemed to have moved their "center of life" away from the West Bank or if they were declared a perceived "security threat."⁶ One of Subhi's cousins went to study medicine in Hungary on a scholarship from the Palestinian Communist Party, and was prevented from returning after an Israeli official at the border post between the West Bank and Jordan told him that he had been out of the area for too long and was no longer considered a "resident." Those, like Subhi's immediate family, who were absent from the West Bank during this census were not put on the population registry at all and were therefore forced to remain on the East Bank of the Jordan.

Importantly, the West Bank was not formally annexed to the Israeli state and the Hashemite Kingdom of Jordan still claimed it as Jordanian territory. As a result, those Palestinians who were resident in the West Bank, such as Subhi's aunts and uncles, also had residency rights in Jordan. Even if Subhi could not make the trip to the West Bank, his cousins could come and visit him. However, in 1988 the Jordanian government, partly as a result of its recognition of the PLO's declaration of independence that year, renounced its claim to the West Bank. West Bank

Palestinians, such as those who lived in Bayt Hajjar, stopped being considered Jordanian citizens and lost their residency rights in Jordan. Although they were issued with Jordanian passports as travel documents, these were issued for two-year periods, making them easily distinguishable from the passports held by Jordanian citizens.

Rosemary Sayigh has argued that many of the Palestinians who fled the violence of the 1948 war had no sense that they were crossing legal frontiers (Sayigh 1988:12). This was also the case in the Latrun area in 1967. When they crossed the River Jordan, the people who fled from Latrun did not cross an international border, but one was as effectively created behind them in the form of the 1967 Cease Fire Line. Even those who stayed in the West Bank were prevented from returning to their villages due to the creation by the Israeli military of a closed military zone around their former homes. Although initially the villagers of Latrun fled because of the fear of violence, legal processes had tried to regularize their displacement. Armistice lines, military orders, international agreements, and citizenship legislation created legal boundaries and shifted the ways in which they related to place. Subhi's family went from being Jordanian citizens, resident on Jordanian territory, to being defined as non-residents, denied West Bank identity cards and therefore unable to pass through the newly established border posts over the River Jordan.

The Palestinian population who had been resident in the West Bank were divided in two by the 1967 occupation. Those who had stayed in the West Bank during the 1967 war became stateless persons with contingent residency rights in the West Bank, while those who were on the East Bank of the River Jordan immediately after the 1967 war remained Jordanian citizens but had no de facto right of entry or residency in the West Bank. It was these new forms of legal status created by the Israeli occupation that had profoundly disrupted the social and economic relationships of the people of Latrun. While they had initially fled their homes temporarily, it was the legal processes that forced them to remain out of place.

The Israeli Occupation and "Return"

After 1967, the vast majority of those displaced from Latrun in 1967 continued to live outside the West Bank. In the 1990s, however, some of the villagers, Subhi being among them, were able to "return" to the area around their villages. The next section of the essay will examine how and under what conditions they were able to do so.

Through the 1960s and 1970s the area around the 1949 Armistice Line became increasingly incorporated into the Israeli economy, as many Palestinians went to work in Israel. At the same time, the Israeli government began to build new settlements across the West Bank. In 1970, a religious *moshav*, or collective farm, known as Mevo Horon, was established directly over the site of the village of

Bayt Nuba. In the mid-1970s, with the help of the Canadian Jewish National Fund, a public park was founded on the land of the village of Imwas, and many of its olive and fruit trees were incorporated into the new forests planted in the area. The land that had previously belonged to the residents of Yallu was incorporated into surrounding Israeli cattle farms.

Those former residents of Yallu, Bayt Nuba, and Imwas who had remained in the West Bank joined the other Palestinians in the area who went to work in the Israeli economy. Usually they found work within the 1948 borders of Israel, but often they were employed in the newly built Israeli settlements in the West Bank. One family, originally from Bayt Nuba, but who now lived in the same building as Subhi and me, worked along with about ten other Palestinians in the settlement of Mevo Horon. The eldest brother had started work milking cows in the early 1980s and had eventually recruited his brothers and brothers-in-law. In total, five members of the same family worked in the moshav. Some of the family looked after the cattle while others took care of the *moshav's* turkey sheds. The work had the advantage that it did not require the work permits that were needed to go to work in Israel, as the area around the moshav was not legally incorporated into Israel. While the work was paid the relatively high wages of the Israeli economy, it was just a few kilometers walk across the fields from where they were currently living in the West Bank.

In the mid-1990s the Israeli state signed peace agreements in quick succession with the PLO and the Hashemite Kingdom of Jordan. As a result, by the mid-1990s the issuing of identity cards and the maintenance of the West Bank population registry, and thereby Palestinian residency rights in the West Bank, had been taken over by the Palestinian National Authority (PNA). However, although the population registry was maintained by the PNA, the Israeli government retained the power to vet and veto any new entries. This meant, in practice, that Israeli officials maintained the ability to grant or take away residency rights. At the same time, although no formal arrangements were made for the return of those displaced by the 1967 war, the Oslo Peace Agreements created several new routes for some to "return" to the West Bank. First, it became possible for people with Jordanian passports to enter the West Bank and Israel on tourist visas. Second, the Oslo Agreements stipulated that several thousand Palestinians who had previously been denied access to the West Bank were allowed to "return" as nominated employees of the PNA. People from the villages of Latrun were among both sets of people.

Most of the people who "returned" did so using Jordanian passports and tourist visas. Subhi is a typical example, and I estimated that there were several dozen men, and perhaps up to 50 women, who had "returned" to the Latrun area in this manner. Attracted by the relative prosperity in the West Bank, they either married local Palestinians, or simply overstayed their visas. Those who married people with West Bank identity cards, often relatives who had remained in the West

Bank in 1967, then applied for residency status under family reunification programs. Although this process could take years, and often was not successful at all, these people would remain in the West Bank on their Jordanian passports. It was even said that Israeli soldiers at checkpoints gave people who had Jordanian passports less attention than those who held Palestinian identity cards.

A close friend of Subhi, a man called Obeida, offers an example of the people who "returned as PNA employees. Obeida was born in Yallu in 1965 and his family fled during the 1967 war, first to Ramallah and eventually to Amman. While in Jordan, his father became active in *Fatah*, and in September 1970, when the PLO clashed with the Jordanian army, his family left once again, this time to Syria. Partly because of his father's contacts in the PLO, Obeida eventually won a scholarship in the early 1980s to study law in Yemen. In the late 1980s Obeida returned to Jordan, where tension between the PLO and the Jordanian state had cooled considerably, and set up his own legal practice. Throughout his time in Yemen, Syria, and Jordan, Obeida remained active in the PLO. With the creation of the PNA in 1994, he returned to the West Bank with his father, wife, and children, and rented a flat in Bayt Hajjar. Obeida chose Bayt Hajjar, he told me, because he still had family who lived nearby. Furthermore, rent in the village was much cheaper than it would have been in Ramallah, where he would commute every day. Initially, Obeida worked as a judge in the PNA military court before being transferred to the civilian police to work as a lawyer in their enforcement division. Those people like Obeida who had come to the West Bank were popularly referred to as the *a' idun* (returnees) and dominated many of the powerful and highly paid jobs in the PNA.

If legal practices had been used to regularize the displacement of the people from the destroyed villages of Latrun, these same processes were simultaneously used by some people to "return" (Calavita 2000:27). Whereas in Obeida's case, his "return" was facilitated by the international legal agreement between the PLO and the Israeli state, Subhi was able to come back to the West Bank because of the seemingly more mundane processes of tourist visas and family reunification programs. The issuing of tourist visas opened up ways for people to "return" to the West Bank, even if they were not legally classified as being "residents." However, these people "returned" to the West Bank under very different legal conditions from those under which they had left. During the second intifada, these changed legal conditions were to have profound effects on their lives, and their legal presence would become increasingly questioned.

Fear and the Uncertainties of "Return"

After the start of the second intifada in late September 2000, the roads around Latrun became covered with Israeli checkpoints.

In early 2001, a high fence was built around the settlement of Mevo Horon, which, as well as being the place of employment of several former residents of

Bayt Nuba, was also a favored route used by Palestinians in order to bypass the checkpoints and try and get to work in Israel. At the same time the permanent checkpoint that was used to control movement across the Armistice Line was moved several kilometers farther east and now stood between Mevo Horon and the rest of the West Bank. This caused major problems for the Palestinians who worked in the settlement. Although Mevo Horon had not been legally annexed into Israel, the Palestinians who worked there had to pass through this permanent checkpoint in order to get to work. As it was the last checkpoint before Israel, the soldiers usually asked the workers for their Israeli work permits. However, as the settlement was not "legally" inside Israel, the workers could not apply for one. This left them in something of a Catch 22. Sometimes an informal agreement was made between the settlers of Mevo Horon and the soldiers, whereby the settlers would come and pick up the workers at the checkpoint and then escort them back at the end of the day. However, this agreement was completely contingent on the soldiers, and as the soldiers were routinely rotated, it failed to work more often than it did. Sometimes the soldiers on the checkpoint in the morning would let the workers through, but when the workers tried to return in the afternoon, they were detained for being in Israel "illegally." Some of the workers decided that they would risk jumping over the fence that surrounded the settlement in order to go to work. However, while the settlers did not seem to mind this and in many senses encouraged it, the Israeli soldiers patrolling the area often reacted violently. Several people were shot at while attempting to climb the fence, and as a result many of the people who worked in the settlement were too afraid to go to work at all.

The workers at Mevo Horon were not the only people who became afraid. Movement around the West Bank was severely restricted for many Palestinians. Where previously Obeida's job with the PNA had meant that he found it relatively easy to move around the West Bank, this all changed during the second intifada. The Israeli military accused the PNA security forces of being involved in attacks on Israeli soldiers and civilians. As a result, the Israeli Air Force bombed several Palestinian police stations, including the office where Obeida worked, and detained hundreds if not thousands of Palestinian security officials. In May 2001, another member of the PNA police force, who lived next door to Obeida, was detained at an Israeli military checkpoint. He only returned to the village four months later, much quieter and thinner. Obeida was therefore increasingly apprehensive when moving around the West Bank, in case the Israeli soldiers who patrolled the roads discovered that he worked for the PNA. Often he would only travel once he had checked with the bus and taxi drivers that there were no checkpoints on the roads he intended to use that day.

Subhi was increasingly scared that the increase in checkpoints would mean he **would** be discovered for having **overstayed** his tourist visa and he would be deported back to Jordan, separating **him** from his young family. As a result, he

remained in the village and hardly moved, too afraid to go to work. By the time I left the West Bank in the spring of 2002, he was becoming increasingly frustrated. Not only did he not have a job and a way of feeding his children, but he was also stuck in a small, two-bedroom flat, with his wife's family constantly coming by. Like many of the men in the village, he used to wander aimlessly around the village, sitting in the front of shops for a cup of tea, or watching the news from various Arab satellite TV channels. Subhi and Obeida would often come around to my flat and just switch channels for hour after hour, saying it was better than "staying at home like a woman." The various satellite news channels being broadcast from Qatar, Lebanon, or Dubai were often their only way of connecting with the events happening in Ramallah, just a few miles away over the hills. They would ask me enviously about my trips to the nearby Ben-Gurion Airport, out of which I had to fly every three months in order to renew my visa, usually making the short trip to Cyprus. Although they could see the planes taking off from the roofs of their homes, getting the permits to cross the Armistice Line and enter the airport was virtually impossible. Given their boredom and frustration at not being able to leave the village, my complaints about not being able to get a research visa and therefore having to pay for a return flight every three months fell on deaf ears. They would talk longingly about the trips they had previously made with families and friends to the beaches and restaurants of Israel, and how this compared to the current boredom of their everyday lives. They would often also ask me, and each other, how long the *wada'a* (situation) would continue, and how soon they might be able to return to work. Obeida used to get very angry with Subhi every time he suggested that sitting at home was now *'adi* (normal). Obeida was adamant that his enforced confinement to the village was just a temporary interruption.⁷

Although Subhi, Obeida, and the workers of Mevo Horon had physically "returned," they had done so under deeply ambiguous legal conditions, meaning that their legal right to be present was always in question. The legal practices that regulated their displacement and confinement were often indeterminate. It was unclear whether they were legally entitled to be in the places where they found themselves, marking their encounters with Israeli soldiers with considerable fear. Obeida, Subhi, and many others were often uncertain whether their visas, identity cards, or permits would enable them to move freely around the West Bank. Given broader political transformations, including the Oslo Peace Process and the second intifada, the meanings and implications of their legal status were constantly shifting. The fact that the "returnees" had come back to the West Bank through legal processes, rather than operating outside them, meant that they were still subject to the force of legal categorization, turning their original displacement into an experience of confinement. Crucially, this confinement did not operate merely through determinate legal boundaries but rather through anxiety created out of the indeterminacy of their legal status. Ironically, the boredom faced by people such as Obeida and Subhi was produced by their fear.

Concluding Remarks

This essay argues that legal practices are crucial in producing the ways in which displacement alters how people relate to place (cf. Malkki 1995:496). The displacement of the villagers of Latrun was not simply a physical movement over space, but it was also a transformation in the legal practices through which they were related to place.

For the people of Latrun, however, the ways in which legal processes related them to place were far from stable, creating particular configurations of movement and confinement. The shifting forms of legal status created by the various ad hoc interventions of the Israeli state meant not only that many Palestinian residents of the West Bank had a contingent presence in any given place, but that they also faced great difficulty in moving elsewhere. People like Subhi and Obeida were caught in a double bind. Since their initial displacement, they had lacked secure citizenship and their presence in any place was contingent on economic and political conditions. At the same time, their movement from place to place was deeply restricted by their status as stateless Palestinians. Obeida's family had fled to Jordan, and then after a few years had to flee to Syria, only to return to the West Bank under the Oslo Peace Process. Subhi fled to Jordan, only to return to Jordan and the West Bank to marry and find work. As well as being forced to be constantly on the move, both men also faced great difficulty in moving around the West Bank and across borders more generally. Their lives were shot through with the simultaneous experience of displacement and confinement. Although Subhi and Obeida had "returned," they did so under very different legal conditions from those under which they had left. While they or their families had previously been Jordanian citizens living on Jordanian territory, they now had the contingent status of "tourist" or "temporary resident." It was their very lack of a secure legal status that would have attached them to a place that meant they were unable to move. In this context, displacement and "return," presence and absence, movement and confinement are not simply opposed conditions, but are deeply entwined with one another.

Although the "returnees" of Latrun represent but a tiny fraction of all displaced Palestinians, their experiences are perhaps illustrative of a wider Palestinian experience of tensions between absence and presence, movement and restriction. After 1948, thousands of Palestinians who had remained in what became Israel but who had fled their homes were defined by the seemingly rather tautological category of "present absentees." This effectively meant that they were prevented from returning to their property, which was requisitioned by the state (Davis 1997:48). The Israeli anthropologist Smadar Lavie has described the Palestinian citizens of Israel as being "refugees in their own land" (Lavie 1996:61). Palestinians in the Arab world face a similarly precarious situation, although in a very different political context. Palestinian refugees in Lebanon, for example, have no clear legal status and are often treated under the same laws that define

the status of foreigners in general, and are therefore prevented from working in many jobs or having access to public services (Sayigh 1988:17).

The question remains, of course, whether this relationship between confinement and movement is a distinctly Palestinian phenomenon. While the history of Zionist colonialism, Palestinian statelessness, and economic instability across the Middle East may be very particular, many people across the world face similar tensions between contingent presence and restrictions on movement. As Shamir argues, the ability to move is one of the major sources of global inequality (Shamir in press). The seemingly overwhelming flow of people and things across borders is not a politically neutral process, nor is it equally distributed. Transnational movements of capital and military force have made people's presence in any given place contingent, and have forced them to move in order to find work or security. At the same time, their ability to move is severely restricted by processes that attempt to distinguish between "legitimate" and "illegitimate" movement (cf. Torpey 1998). The task is to explore the historical contexts within which some displacements are made temporary and others permanent, through which some movements are made "legal" and others "illegal," and some presences are deemed legitimate and others not. In these processes, the supposed de-territorialization of many political, economic, and cultural relationships do not entail the de-territorialization of techniques of power and governance. Far more people stay in place than ever move, and those who do move are forced to travel across spaces that, as Nicos Poulantzas noted several decades ago, are, "composed of gaps, breaks, successive fracturings, closures and frontiers," that, "everywhere fixes . . . inside and outside" (Poulantzas 1978:103-104).

Notes

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1. The existence of the settlements has also been condemned by Palestinians and many others as illegal under international law (cf. PLO 2004).
2. In addition, those who could not return to their homes in Israeli-controlled territory, or were separated from their means of livelihood, were put under the care of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Importantly, the 1951 UN Refugee Convention explicitly excluded from its protection those people who were deemed to be receiving help from a specifically created UN refugee **organi-**

sation (Article 1d). As Palestinian refugees were nominally under the care of UNRWA they were therefore usually excluded from the protection of the Convention.

3. By the late 1990s they numbered about 300 people.
4. According to some estimates about 200,000 people, or one-fifth of the West Bank's population, fled onto the East Bank of the Jordan during the 1967 war, with the highest concentration being from border villages such as in the Latrun area (Dodd and Barakat 1968:5).
5. In the short term the displaced of 1967 were put under the care of UNWRA (Dale 1974:585). However, in the long run they were not given the status of UNWRA registered refugees. In part this was because the issue of whether they had crossed an international frontier was highly contentious. In July 1967 the Israeli government announced that it was prepared to hear applications from those displaced by the 1967 war to return to the West Bank through a process organized by the International Red Cross (Dodd and Barakat 1968:57). Over 170,000 people applied, and 14,000 were allowed to return to the West Bank before the process was suspended, never to be continued, in August of that year.
6. According to some estimates more than 150,000 Palestinians have lost their residency rights since 1967 (Dodd and Barakat 1968).
7. For an interesting discussion of the role of boredom and constraint see Reed 2003.

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