

Introduction

My dissertation is a study of the way in which land defense has taken shape in the highlands of the West Bank. Land defense is a specifically Palestinian formulation of what I think is a broader indigenous territorial politics, and this dissertation seeks to move between the particular historical context of the post-1967 West Bank and a longer history of land struggle in British settler colonies. As a starting point, critical historical scholarship of Australia and North America (Banner 2009, 2005; Gitlin 2010; Hinderaker 1997; McMichael 1984; Povinelli 2002) make clear the contradictory role of private property in settler capitalism and governance. For a social formation with designs toward exclusive territorial domination (Wolfe 1999), this is crucial: private property subjects land to the contradictory forces of individual market relations and collective territorial ambitions. Land defense, in effect, names the practices and tactics that indigenous people draw on to deal this contradiction at a given historical conjuncture.

Each chapter of my dissertation focuses on how different iterations of land defense takes shape at the intersection of changes in agrarian political economy on the one hand, and transformations of property relations, on the other.¹ The former, which is the story of longer processes of agrarian change, dictates who can do what with land. The latter, which is the story of how different governments, companies, and groups transformed property regimes, sets the terrain for political battles over ownership.

¹ Which breakdown as follows: 1) Efforts by political activists and technical experts to persuade/enable villagers who had gone to work in Israel in the 1970s to return and cultivate their land; 2) the formation of the 'land defense expert' in the 1980s and the practices and forms of knowledge involved in establishing private property claims in Israeli courts; 3) the battles against private settlement movement and fabricated land sales in the 1980s; 4) the Palestinian Authority's decade long attempt to title land in the West Bank; 5) and contemporary real estate projects and market-driven land defense.

Neither are necessarily shaped by one another, but together they constitute the grounds upon which land struggles unfold.

For this workshop I would like to focus on my final chapter, which begins with a Palestinian real estate company that began buying up land in the Beni Zayd region of the West Bank in 2007. Its aims were both commercial and political: through developing private ownership and real estate markets in these areas, it sought to provide safe investment opportunities for its clients while also defending land from Israeli confiscation. By 2010, the company was the largest landowner in these villages. No land war, however, ensued. Instead, villagers were integrated as investors, speculators, and brokers as the real estate market spread beyond the borders of the company's land project. How, especially given common representations of peasant rootedness, did such large-scale land alienation occur so quickly? How do we explain the integration of villagers into the property market? And what might the consequences be?

My argument is as follows: four decades of settler-colonial rule and uneven integration into Israel's labor market effectively rendered rain-fed agriculture incapable of value production while preserving the smallholder as the owner of greatly devalued land. This in turn created the conditions of possibility for real estate development, and spread of markets generated new classes, projects, and activities in rural areas. It also galvanized an entrepreneurial ethos that drew both on contemporary energy as well as practices and dispositions that had taken shape over the past decades. While market based land defense does create its own material and political contradictions, it may ultimately prove to be more durable and wider-ranging in its consequences than it first appears.

The Ramallah real estate boom

Ramallah, 2007. The 2nd Intifada is burning out and a newly constituted Palestinian Authority, backed by donor money, is being rebuilt by former World Bank economist Salam Fayyad. Over the next decade, a revived, neoliberal state building project would unfold, at its height creating the conditions in which returnee Palestinian capital could flourish (Hanieh 2011, Sobhi and Samour 2011). Among other developments, this state-building project fostered a booming real estate market in Ramallah, with urban land prices reaching record levels and capital moving out of the city and into land and housing development projects in surrounding rural areas.

Union Construction and Investment (UCI) was one such company, and in 2007 it began to buy up thousands of dunums of untitled, formerly agricultural land in and around the Beni Zayd region. In 2010, it put some of this land on the market through the TABO project. Most TABO lands are located between a cluster of villages – Farkha, Qarawa, Bruqin, and Kufr ‘Ayn – some 20 miles north of the city (around a 40 minute drive, assuming no closures), quite far beyond the edges of the urban real estate frontier. TABO works thus: by taking on the work of land tilting, building roads, and servicing the land with water and electricity, it hopes to facilitate Palestinian ownership and investment in areas where murky property relations and a lack of infrastructure previously prevented the emergence of a land market. It offers other services as well, and buyers are encouraged to build a home, plant trees, or landscape their newly acquired property. Aimed primarily at the wealthier segments of the Palestinian diaspora, TABO simplifies property acquisition, allowing those with means to return and acquire property in the homeland.

TABO is not simply a commercial venture, but an explicitly political land defense project as well. In this regard, its main innovation has been to premise land defense on market expansion, powered by real estate profit and secured by private

property. Land titling is key to this equation, and part of TABO's pitch is that the company shoulders the burdens – and there are many – of creating clear title. Through securing clear private property rights, the story goes, TABO empowers its buyers to build homes or cultivate trees, thus establishing Palestinian 'facts on the ground' and protecting land from expropriation. These buyers – as they appear in company discourse – are middle-class, responsible political subjects who (unlike the villagers) will not neglect the land and be willing to defend it in a court of law.² But who are the irresponsible rural denizens who *have* neglected their land?

Agrarian change in the Beni Zayd region: 1949 - 2007

The next part of our story begins in 1949 in the highland villages of the Beni Zayd region.³ Following the Nakba, the highlands remained intact but cut off from the markets and labor opportunities of the coastal cities. During the 1950s and 1960s villagers relied heavily on rain-fed agriculture, specifically the cultivation of olives and cereals.⁴ Highland agriculture was mainly consumed by the farmer or sold on local markets. The market was more of an option than a compulsion (Wood 2002): land prices were low, and land market was limited to local transactions.

² As a result of my own research interests, the way the TABO project has developed, and a less-than-friendly reception from the company, I will not provide any analysis of the buyers of TABO lands. TABO claims that 30% of the buyers are from the Diaspora, and it must be said that the individuals whom I met that had purchased land in Farkha felt that the TABO project allowed them to return, if not to Jaffa, than at least to Palestine.

³ The main site of the TABO project lies in a mountainous area bordered by Bruqin to the north, Qarawa (and to a lesser extent, Kufir 'Ayn) to the south, and Farkha to the east. While the story I tell is about this region, I take Qarawa, and to a lesser extent Farkha, as my two case studies. The reason for this choice is a question of available sources: the PA completed land titling for Qarawa in 2008 and began land titling in Farkha in 2016, and this provided important information on land ownership as well as extensive opportunities for participant observation that were not available elsewhere.

⁴ Research on this region (Tamari 1982, Lutfiyya 1966) indicate that for some villages during Jordanian rule, migration and remittances were key factors in peasant differentiation. In Qarawa and Farkha, however, it seems that migration only took off in the 1970s.

Olive and grains were the central crops at the time, olives being the most important; land was valued by the productivity of its olive trees and not abstract surface area. Property relations were more fluid in the highlands; there, trees could be sold, put up as collateral, or used for a dowery separate from the land they grew on, and *mugharasa* share-cropping contracts could allow cultivators to obtain land through the planting and tending of trees to maturity. Olive trees were a visual manifestation of prosperity, and term for cultivating (*ta'mir*) implied not only caring for trees, but the difficult, years long labor that went into remaking and maintaining the landscape. Wheat, and to a lesser extent barely, were a smaller portion of household income and grown in marginal lands, hilly and hard to reach. A good deal of the labor was women's work, and cultivation did not create property rights. But wheat was a vital crop, especially for the poor, and owners who were forced to sell or mortgage olive trees would still have the right to sow wheat on other parts of the land. Archival documents show how in the 1950s and 1960s villagers in the Beni Zayd region frequently called upon the Jordanian government to provide wheat and other forms of assistance in years when drought or disease affected the grain harvest. Bad harvests could also lead to land being lost to local creditors or Nablus merchants who had provided grain; in the 1950s, for instance, a powerful Nablus family took control of some two-thirds of Farkha's agricultural land after a number of villagers failed to repay loans.

From 1967 until the 1990s, the integration into the Israeli labor market combined with agricultural policies and a freezing of land titling diminished the importance of rain-fed agriculture, while at the same time preserving the smallholder. The transformation of peasants into wage laborers whose income was supplemented by agriculture (Tamari 1983, Farsakh 2005) transformed the role of rain-fed agriculture. In the initial decades of occupation, olive production remained stable (Awartani 1981) while cultivation of wheat and other grains on marginal lands nearly disappeared. At

the same time, new sources of cash for villagers allowed some to purchase additional agricultural land in their villages, or to finally free themselves of debt. At the same time, the lack of clear title in many Beni Zayd-area villages, combined with Israeli policies that discouraged agricultural development, prevented the rise of any sort of agrarian land market that might take advantage of cheap land prices.

As the economic possibilities of agriculture changed, so did villagers' relationship to the land. Agricultural land no longer served as a marker or generator of wealth. Many people looked down on agricultural labor, with wealthy villagers working to purchase commercial property in Ramallah in order to live off the rent (Tamari 1983). For those that continued farming, the differentials in wealth and time spent on the land created by labor migration and remittances meant that cultivators would eschew joint labor with extended families, and instead focus their energies on their individual plots (Tamari 1983). Immigration further abroad, which intensified during this period, set up another difference as well: those that stayed behind might, in some cases, take charge of cultivating their land as well as the land of their brothers. The labor they invested produced a sense of ownership that, given the value of land and commercial potential of agriculture, would be unlikely to be challenged.

The closure regime, import-export restrictions, high rates of unemployment in the 1990s, followed by the violence of the 2nd Intifada in the 2000s, led not only a further collapse in the importance of rain-fed agriculture, but a general deterioration of economic conditions. In light of the the closures of the 1990s, the decades of direct military rule are remembered, by many people, as a time of prosperity and possibility. The crisis of rain-fed agriculture was perhaps best expressed by the term *kherab* (ruin), which comes up often when people speak of the state of the land. It is a term that encompasses the long, interconnected processes of slow decline and includes the rocky hills formerly planted with grain along with the olive orchards, still standing but

increasingly overgrown and neglected. By the end of the 2nd Intifada, the Israeli occupation had in effect preserved an agrarian regime of value and generated the conditions under which rain-fed agriculture ceased to offer a viable way of life.

A new real estate frontier: 2007 - 2010

In many ways village lands were, from the point of view of urban real estate, an unmapped, unregulated capitalist frontier (Tsing 2005). Brokers working for UCI purchased these devalued agricultural lands on the cheap, and initially tried to keep the extent of the project hidden. In 2016, current and former village council representatives estimated that UCI owned around 1,000 dunums in Farkha and 650 dunums in Qarawa, one-sixth and one-tenth of total village lands, respectively. In addition to purchase, UCI also instituted a new regime of property value. Alongside titling, the company began to link the plots to transportation, water, and electricity networks; to simplify buying procedures, cutting out both state bureaucracy and middlemen; to provide buyers with insurance to protect their title from legal issues; and to re-zone and parcel the land into square, single-dunum plots. Through these changes, the company plugs village lands into regional and global real estate markets.

This (relatively) massive influx of investment had impacts far beyond the immediate land that was purchased. First, it led to a serious rise in prices in all surrounding lands, which doubled, tripled, and in some areas quadrupled over the past 10 years. Second, it flipped the kind of land that was valuable: having rocks, farmers joke, is more lucrative than having trees. And third, it changed the metric of value: abstract surface area, rather than the productivity of trees or soil, is what is sought after. And, of course, a view.

These changes in the value of land produced the conditions in which new classes, projects, and activities could take shape. A new, small class of local brokers

appeared in Qarawa and Farkha (and other villages as well), which mediated between UCI and other villagers (and later other companies and individuals) and engaged in speculative purchases. A few Jerusalemites have built vacation homes, and some local residents have invested in land outside of TABO's immediate domain. One individual partnered with an entrepreneurial real estate developer to establish a copy-cat project just opposite TABO lands. Called Manazel, this development has adopted the same promotional, architectural designs, and political discourse. Finally, land sale has become a new, contested activity for personal profit and family building for individual land owners.

Developing concomitantly is an entrepreneurial ethos. In the cases of brokers, investors, and local developers, this may seem obvious. But entrepreneurship is framed against longer personal histories and practices as well. Older owners will narrate the history of their land from back when they had to reclaim and build up their land from scratch. Some feel it is their just reward for staying in the village and overseeing for absent family members. Selling one's land does yet seem something to be proud of, but even the harshest critics of the process often end up as unenthusiastic participants.

The expansion of the market, however, has been far from smooth. The generalization of a regime of value tied to real estate has resulted in a shift in the quantity and quality of land conflicts. Importantly, while there have been some lawsuits against UCI – usually because an heir was inadvertently left out of a sale contract, or due to a mistake in land demarcation – they hardly resemble a land war. Instead, there is a dispersed proliferation of conflicts between families and neighbors, which take on a frontier-like quality: as older regimes of value and property are upended, older practices, relations, and agreements are challenged.

These sorts of conflicts take a variety of forms. Some occur along gender lines. As a result of rising land values created by UCI, state-run land registration in Qarawa

has generated a series of lawsuits on the behalf of women whose brothers or husbands have withheld their legal inheritance. Others cleavages appear within families, as undivided land, now suddenly valuable, can be sold, and older feuds and resentments bubble over and interrupt transactions. Older contracts made through customary means in the 1950s, 60s and 70s, have been challenged by the descendants of the original signers of these contracts or by outside buyers who exploit the difference between past and contemporary forms of proof. And finally, the landowners that still cultivate often grumble about absentee or speculator neighbors whose lands are unkept and overgrown and that thus create a haven for destructive wild pigs and increase the likelihood of fire.

The quality of land conflicts has also changed. People tend to speak of “fights over inches.” This seems to play out in two ways. First, when non-residents and speculators purchase agricultural land, they may not be aware, or feign ignorance of, local means of demarcating borders that rely on histories of plowing, family understanding, and customary demarcation. Second, many complain of inheritance disputes over the smallest pieces of land and contemporary lack of cooperation between brothers.

Uncertainty as a structure of feeling

As a result of these changes, uncertainty is emerging as a structure of feeling on the real estate frontier. A “structure of feeling” attempts to describe an emergent social experience – “meanings and values as they are lived and felt” – linked to class formation, differentiation, or fragmentation but not reducible to anything as systematic as ideology or consciousness (Williams 1977). Uncertainty is produced, in this instance, through the new class positions that are specific to investment, speculation, and brokerage in the real estate market.

First, the temporality of the market generates individual and collective economic uncertainty. Rising prices seem to promise future prosperity for those who did not sell (and even more so those that have purchased land after). But for landowners in their 50s and 60s, it is hard to escape the conclusion that given their children's dire economic prospects, the next generation will not only be forced to sell, but will be priced out of ever owning land again. This uncertainty makes its way into narrations of the past: while perhaps acknowledging the difficulties of life in the 1950s and 1960s, this period is narrated as a time of self-sufficiency and hard work, a time when everyone understood the value of land and would "never sold an inch."

The changing regime of value and the proliferation of land conflicts it has generated have also introduced uncertainty into the texture of social relations. For many people, there is an unease about the fact that prosperity for some has come at the expense of others, many of them poorer residents or 1967 refugees living in camps in Jordan, who are understood to have been compelled by need to sell their lands to UCI. Experiences and stories circulating about lawsuits, feuds, and unscrupulous dealings within families and between neighbors shadow explanations for how 'life has changed' over the past years. Here again, people tell stories about the trust and solidarity of the agrarian past to critique the present. "Our grandfathers were better," people often say, "they would never quarrel over inches."

Finally, the fact that speculative profit is ephemeral and dependent on obtaining privileged information, exploiting knowledge disparities, and keeping secrets means that land can also generate suspicion. This was the case in the initial UCI purchases, which left a bitter taste in the mouths of many who felt taken advantage of and cheated by process. Local and regional land brokers, in search of market opportunities, seek out descendants of refugees and immigrants who are more likely to part with their inheritance for far below market price. The broker seems quite widely despised and

distrusted, and serves as a figure around which a whole host of fears and critiques – about crony capitalism, government corruption, and land sales to Israel – coalesce. But as a class, he or she is someone with whom more and more people in the village are forced to have commercial dealings.

The prospects and politics of market-driven land defense

A decade after the initial land sales began, TABO's class fantasy has yet to play out as imagined. A series of delays stemming from lawsuits, confrontations with the Palestinian Authority, and difficulties in provisioning basic infrastructure have slowed the project considerably. While it is difficult to know exactly how much land UCI owns – the company has avoided publicizing the extent of its holdings, likely in order to avoid over-saturating the market – interviews, news reports, and company press release indicate that some 10,000 dunums were purchased for the TABO project at the cost of approximately 15 million dollars. As of 2014, only 371 single-dunum plots of land had been sold. And while some buyers have fenced off and landscaped their property, buyers have thus far not rushed to build rural villas and create the new suburban communities. For the most part, TABO lands remain empty. Instead, it is the people excluded from TABO that seem to have adopted its practices, its ethos, and in the case of Manazel, its peculiar brand of land defense politics as well. As such, market-driven land defense should be understood not simply in how it is articulated by its corporate promoters, but in the wider, more uneven form it takes on the ground.

Obviously, market-based land defense contains its own economic and political contradictions. It is premised on local dispossession, and given the economic conditions in which villagers exist, will likely result in further land alienation as today's unemployed youth become tomorrow's smallholders. Further, it is also unclear if the market is ultimately an effective mechanism of land defense. The widening of the land

market and the activities of brokers incite memories and stories of *tasrib* (the clandestine transfer of private property to Israeli buyers) that were quite common in the 1980s. It seems that real estate markets introduce processes and relations that undermine the collective rootedness that older forms of land defense had historically striven for.

But there is no reason why the project should collapse, especially in the short-term. First, the markets, class relations and governance structures emanating from Ramallah may be more durable than they appear (Rabie 2013). Second, TABO took shape in the ruins of rain-fed agriculture, not against it. Third, the entrepreneurial ethos that has spread in the villages shapes the understandings and critiques of the market, blaming loss on the irresponsibility of individuals and generations that prefer fast money and consumer goods to hard work. Finally, there is a lack of strong political alternatives. Not only have most people written off traditional parties and NGOs, but the slower, more ambiguous forms of dispossession taking shape here do not resemble the more speculator forms of expropriation that have shaped land politics in the West Bank. Many residents in these villages, some who are organizers with decades of experience in land defense and left/nationalist politics, are disgusted with the present and alarmed about the future. But thus far no movements have taken up the cause, or much less articulated what the cause might be.

Conclusions

There is a tendency in critical discussion of the current situation (usually glossed as “neoliberalism”) to focus on centers of governing and corporate power. For many, today’s politics represent a betrayal, whether by a PA who turned its back on national liberation (Khalidi and Samour 2011) or by Palestinian capitalists who pursue profit over the national good (Dana 2014, Nakhleh 2012). There is a sense, however,

that the neoliberal era represents something novel, a break with a (better) past. What then gets passed over, however, is how many of the projects that have taken shape post-Oslo maintain certain continuities and linkages with the Palestinian political past. TABO, while it is easy to dismiss as a cynical money making scheme, is drawing on and changing tactics, concepts, and values that have existed within the wider land defense milieu for decades.

Moreover, while a great deal of work has been done on the centers of neoliberal power, much less is known about how it takes shape in rural Palestine. We are not helped in this regard by scholarship that paints an idyllic picture the countryside, communal and self-sufficient, or understands its politics as primarily consisting of resistance to different forms of enclosure.⁵ In order to understand how villages can be integrated into land markets, and the compulsions that conscript indigenous concepts and practices into capitalist relations (c.f. Li 2014), he need to begin with the historical complexity of agrarian life.

Today, it is difficult to find anyone from the Beni Zayd villages who buy into TABO's claim about land defense. But the significance of TABO is not in its ability to convert skeptics or create picturesque middle-class suburbs on the hilltops. Instead, it demonstrates how the transformations of property, value, and class are powerful insofar as they mobilize and reshape pre-existing energies, beliefs, and practices. The implications for future formations of land defense may not be immediately clear: Area A and B seem safe for now, and potential shifts in class formation are only starting to crystalize. But terrain here has shifted, as it likely has in other areas of the West Bank. Whatever form land defense takes in the future will be shaped by these conditions, and will look quite different than what has come before.

⁵ For example: Fields 2010, Alkhalili 2017, Calis 2017.