PHOTO ESSAYS

Ex-Communicated: Historical Reflections on Enclosure Landscapes in Palestine

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From a small hilltop on the Beit Hanina side of the Qalandia checkpoint near the Palestinian town of Ramallah, a landscape of imposing built forms and regimented human bodies beckons to a theme now central to historical studies, the nature of modern power and its relationship to territorial space. To the north of the checkpoint, a concrete wall emerges from the western horizon and sweeps forcefully across the land, partially concealing the town of Qalandia behind its grayish, foreboding exterior (fig. 1). Along the once vibrant Jerusalem-Ramallah road where the Palestinian towns of Ar Ram, Beit Hanina, and Qalandia formerly converged, a second wall runs perpendicular to and eventually connects with the first, disconnecting these towns from one another while emitting an unmistakable aura of emptiness and immobility. In the space where these towns were once joined together stand several prison-like guard towers that now surround the checkpoint terminal. Here, under the gaze of mostly young military overseers, Palestinians are processed as they try to move from one geographical location to another. While this landscape is dramatic in the way it reconfigures land and controls the movements of people, it is not unique. Many other venues distributed throughout the West Bank host the same drama of power and space in which military authorities and Palestinian civilians engage in similarly scripted rituals of domination and submission, with the same stage set of coldly formidable architectural forms invariably hovering over the actors below.

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Figure 1. "Enclosed Landscape" (2008): The Qalandia checkpoint area. All photographs by the author

In the process, Palestinian territory is fragmenting into ex-communicated enclaves, recasting the socioeconomic and material life of the landscape while remaking the character and identity of the land itself.

With its imposing built environment and disciplined ordering of human subjects, this landscape projects what Michel Foucault insisted was the essence of modern power—the capacity to distribute bodies and partition space.[1] For Foucault, this tendency of modern power to order space and regiment people emerged as part of what he termed "disciplinary society." Originating in the eighteenth century, disciplinary society pioneered new mechanisms of control over its human subjects by generalizing the techniques of surveillance and regimentation developed in modern prisons, and by converting the social and even physical spaces in which people worked and lived into spaces of enclosure. Such pioneering techniques of control were necessary, Foucault argued, because the economic, political, and demographic changes of the eighteenth century required new ways of securing order and gaining consent from society's remade citizens. While he would perhaps have been taken aback by the overtly brutal, apparently premodern forms of power imposed at Qalandia, complementing the otherwise subtle, more "modern" panoptic practices of domination at the checkpoint, Foucault nevertheless understood profoundly how modern power was an essentially spatial phenomenon.[2]

Although in some ways resembling contemporary landscapes of fear—from urban gated communities and fortified enclaves to the walled borderlands of Operation Gatekeeper separating the United States from Mexico—the partitioned and regimented Palestinian geography actually conforms more fundamentally to an older

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historical pattern. The occupation has imposed upon the landscape an offensive program of remaking land and shifting populations on Palestinian territory that differs from the largely defensive partitioning of territorial space in today's landscapes of fear. Israeli policies and practices that have effectively partitioned Palestine have aimed to transform its political economy, demography, and culture through a time-honored practice of territorial appropriation and exclusion. One of the earliest and most storied examples of this practice is to be found in the landscape of early modern England in a process known as *enclosure*.

The argument of this essay is that the project of English estate owners to remake the English landscape into a series of private spaces, and the project of Zionists in Palestine and Israel to remake the Palestinian landscape into a series of Jewish spaces, constitute comparable efforts by dominant groups to enclose land and reorder space. Despite obvious differences, both cases of enclosure form part of an enduring historical narrative about the territorial foundations of the modern world. Enclosing land enables dominant groups to remake landscapes with the aim of using changes on the land as a foundation for implementing a certain vision of modern society. In this narrative, groups with modern aspirations forge pathways to modernity through two basic but often overlapping routes: one economic through capitalist industrialization, the other political through nationalist state building. Yet both pathways create certain territorial imperatives for would-be modernizers. What modernizers seek to overturn in building industrial societies and nation-states are systems of land *stewardship* — rights of land ownership and use, as well as patterns of mobility and trespass.[3] Systems of land stewardship are what anchor societies to practices of political economy and the patterns of demography. Groups seeking paths to modern industrial society or the modern nation-state essentially reimagine territorial landscapes, targeting systems of land stewardship as a platform for reordering the political economy and demography of places and realizing their modernist imagination.[4] Enclosure is what enables these groups to reorder systems of land stewardship, thereby opening routes to their imagined visions of the modern world. In this way, both routes to modernity are profoundly territorial. Both involve enclosing land as the basis for reordering patterns of political economy and demography central to the projects of industrial modernity and state building. Both are fundamentally exercises of power on space.

These cases also reflect a recurrent set of encounters between groups with territorial ambitions and subalterns whose material, political, and cultural practices on the landscape challenge the aspirations of territorially driven groups. In this way, the process of enclosure is a story not only about landscapes of power but also about landscapes of resistance. While the text that follows is but a brief outline of this thesis, this essay seeks to supplement the argument with a photographic ethnography of the Palestinian landscape. The aim of these images is not only to bear witness to the Palestinian geography as an enclosed landscape. In depicting themes in the remak-

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ing of Palestinian territory paralleling the English enclosures, these images also give enclosure a more enduring historical meaning as part of an ongoing interplay of landscape and power in making the modern world.

Palestinian Enclosure in a Historical Mirror

According to the *Oxford English Dictionary*, *enclosure*'s etymology dates to the sixteenth century, when the English landscape succumbed to a gradual if ultimately thoroughgoing makeover marked by two attributes that would define enclosure as an engine of historical change. The *OED* defines enclosure as a practice distinguished, first, by the appropriation of land, and second, by the demarcation of this appropriated land by a physical boundary in the form of a fence, hedge, or wall.[5] Historically speaking, enclosure thus had two primary elements: a legal element that facilitated the transfer of land; and a material element that reshaped the landscape's physical contours.

As a form of "taking," enclosure benefited from an evolving discourse about property rights. By the sixteenth century the idea of property had expanded to include what John Locke would later formalize as rights to plots of *the earth itself*.[6] At the same time, these shifts in English common law invested land ownership with a moral imperative, affirming that entitlement to land derived from the capacity to improve it. Locke used this improvement-driven theory of property to argue against common uses of land, insisting that land yielded more when owned and worked privately than when it was held in common.[7] Locke thus created a vision of land stewardship privileging private individual ownership. As this discourse evolved after Locke, however, the labor of certain individuals was perceived to be of greater value to the land than the labor of others, thus creating a second qualification in the idea of entitlement to property. From this perspective, those capable of enclosing land to create large farms emerged as the preferred class of improvers, on the assumption derived from Englightenment reasoning that large farms were more productive and thus more rational. In this way, the legal and moral discourse of rights to property elaborated in Locke and his followers not only challenged common uses of land as impediments to improvement. This partisan view of property elevated the claims of those willing to use enclosure to make large farms, thereby imbuing the idea of entitlement to land with both private and large-scale use.

With land redefined as a thing to be possessed through improvement, and with land improvement associated with privately owned large-scale agriculture, the legal terrain opened for individuals to reimagine a landscape of privately owned, large-scale farms and to remake the landscape according to this imagined vision. Spearheading this remaking of landcape was a new type of agrarian institution: the large-scale, enclosed and partitioned, rent-maximizing farm.[8] As it proliferated and absorbed land once used as a common resource, this institution assumed an inte-

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gral role in what has been termed the "landlord's revolution" that occurred during the eighteenth century. This revolution witnessed an increase in the average size of farms, the demise of the small-scale family farm, and the reogranization of agriculture into a system based on wage labor.

For historians of landscape, this appropriation of land through enclosure provoked an equally profound transformation in the morphology of the English countryside.[9] Its basic features consisted of a linear grid of property lines imposed on what was once a relatively open landscape and of the construction of untold miles of fences, hedges, and walls marking these new spaces of private property. Together, this grid of property lines—and the fences, hedges and walls enclosing these private spaces—remapped the landscape with a newly configured set of boundaries on the land. In many ways, these reconfigured boundaries constituted the defining attribute of enclosure.[10]

Corresponding to the property grid and its material attributes, these boundaries partitioned the landscape into ever-widening blocs of private spaces off limits to the commoners who had once circulated relatively unimpeded across its contours.[11] For tenant farmers who had exploited access to common land for pasturing cattle or gathering foodstuffs and fuel, the proliferation of enclosed spaces on the landscape and the physical barriers protecting these private spaces from trespass severed the connections of tenants to certain provisions, making it more difficult for them to sustain their tenure on the land. What emerged from this map of enclosure was a reconfigured cartography of mobility and immobility, defining where on the landscape human subjects could circulate and where they would be considered trespassers based on their identity as either property owners or dispossessed subalterns now lacking usufruct rights to the land. Ultimately, enclosure imposed new boundary lines on the map of the English countryside, which brought about a new set of disciplinary practices, regimenting human bodies as it partitioned space.

Imagination and Power on the Palestinian Landscape

If, as the *OED* suggests, enclosure in England resulted from two basic instruments—one legal for appropriating land, the other material for reinforcing boundaries around the land transferred to new owners—these very same instruments endure today on the Palestinian landscape, reflecting a similar story of enclosure with parallel themes. In modern Palestine, a system of property rights is being imposed on Palestinian territory that has enabled one group of people to appropriate the land of another. The construction of architectural forms reinforces this redistribution of property. The result has been the replacement of one system of land stewardship with another. Although the ethno-religious and nationalist motivation for enclosing the Palestinian landscape seemingly differs from the profit motivation of English estate owners, the enclosure of Palestinian land is nevertheless rooted in a similar process of imaginative geography and in the exercise of power on territorial space.

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Figure 2. "Impassible Space" (2008): Palestinian in Bil'in, West Bank, prevented from passing to his farmland by the power of law, which has made the property of his farm part of an Israeli settlement by the material power of a fence separating him from his farmland and an Israeli soldier

Grafting a new set of legal institutions and architectural forms onto the landscape to realize this imagined vision, enclosure in Palestine has also remapped boundaries, creating a geography of partitioned spaces and bodies regimented and disciplined according to lines redrawn on the land.

In Palestine, the story of enclosure begins with an imagined geography of the Palestinian landscape first popularized by Theodor Herzl in his work *The Jewish State* (1896).[12] His vision to solve the problem of anti-Jewish prejudice by targeting Palestine as a homeland for the Jewish people represented at its core a redefinition of property rights in seeking to remake this land, at the time overwhelmingly Palestinian Arab, into a Jewish state. Codified into the nationalist ideology of Zionism, this imagined vision promoted the claim that the territory of Palestine *belonged* to the Jewish people. This notion of belonging, in turn, rested on two beliefs. In the first place, Jewish tradition insisted that Palestine was meant to be Jewish following biblical scripture. Such a belief drew on the romantic idea in Judaism of the return to Zion as the only viable option for overcoming anti-Jewish sentiment. Herzl, and other Zionists following in his wake, also made a second argument affirming Jewish entitlement to Palestine. In an echo of Locke, Herzl and his followers represented

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Palestine as poorly developed, insisting that Jewish settlement and statehood would improve an otherwise underdeveloped land. Moreover, Zionists, prior to the creation of Israel in 1948, made concerted efforts to reinforce Jewish claims of entitlement to Palestine by insisting on the perpetual character of the territory as Jewish, using archaeology as an especially formidable tool to reveal a Jewish landscape surviving from time immemorial into the present. By affirming a legitimate claim for the Jewish people to return to *Eretz Israel*, by reinforcing this claim with promises of improving the land, and by insisting on the historical continuity of the area as Jewish, Zionism created an imagined geography of Palestine as a Jewish place.

Following the creation of Israel in 1948, the leadership of the new state used the legal and architectural environment to replace a system of land stewardship anchored by the Palestinian family farm and the Palestinian agricultural village with a system of stewardship anchored by a venerable institution of Zionism—the Jewish settlement. From 1948 to 1967 Israeli governmental authorities crafted a series of laws enabling the state to appropriate land within Israel belonging to Palestinians, which the state reallocated for settlement of its Jewish citizens.[13] This process of legal land confiscation effectively reassigned property rights from Palestinian citizens of Israel to Jewish Israelis. What resulted was a constantly shrinking inventory of Palestinian space and an ever expanding system of spaces Jewish in character and essentially off limits to Palestinian citizens of Israel.

In the Palestinian Territories occupied by Israel after 1967, the Occupation Administration has essentially duplicated the model in Israel of using law and architecture to enclose land and to reorder the system of land stewardship in the West Bank.[14] An elaborate framework of land use and property law provides the Occupation Administration with a "legal" foundation for the transfer of property rights from Palestinian owners to the state of Israel, a foundation clearly anchored in the power of an occupying state.[15] Much like in Israel, it is the Jewish settlement, as the recipient of land transferred from Palestinian ownership, that is spearheading this territorial redistribution on the ground. As settlements proliferated across the Palestinian landscape, they played the decisive role in remaking its character and identity. At the same time, the establishment of Jewish settlements in the Occupied West Bank constituted the central instrument in a matrix of built forms that reconfigured boundaries on the landscape and demarcated an expanding inventory of spaces designated for Palestinians as areas of trespass.

As settlements in the Occupied West Bank increase in number and expand their territorial footprints, and as they enlarge the geographical areas designated as zones of trespass, Occupation Authorities have remade more of the landscape into sites for controlling the circulation of Palestinians. What emerged on the landscape to assume this role of regimentation and control is the checkpoint. Palestinians must pass through checkpoints to circulate from one area of the landscape to another. As nodes in a vast network of control, checkpoints are heavily patrolled corridors linking

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Figure 3. "Enclosing Land" (2007): The Israeli settlement of Ariel (above) on land expropriated from the Palestinian town of Marda below. Proliferating across the West Bank, Israeli settlements are built on land seized from Palestinian towns, turning more and more of the landscape into spaces impassible and off limits to Palestinians

a grid of partitioned spaces on the landscape. In these corridors Palestinians encounter friction, mostly in the form of long waits, before Israeli soldiers allow them to pass into an adjacent spatial partition. Where Palestinians encounter this friction, they form "camps": clusters of human beings immobilized and impeded from moving.[16] At any one moment, hundreds of these camps are distributed across Palestinian territory. Partitioning the landscape and regimenting Palestinian bodies, these camps are rituals in spatial discipline, reinforcing an elaborate geography of immobility on the land and emphasizing the intimate connections of power and space.

Undoubtedly the architectural instrument reinforcing partition and immobility on the Palestinian landscape most visibly is the Wall.[17] While the Israeli government claims that it has built the Wall to protect its citizens from terrorist attacks by Palestinians, it does not explain why it has constructed roughly 85 percent of the barrier *inside* the West Bank. Consequently, as landscape architecture built on Palestinian territory, the Wall has impacts far exceeding those of Israeli self-defense. It has emerged instead as an offensive instrument for remaking the Palestinian landscape with three primary results (figs. 2, 3, and 4).

In the first place, it partitions the Palestinian landscape by separating one Palestinian community from another. Such partitioned spaces result from enclosing entire cities such as Bethlehem (fig. 5). Separation between cities also results from eliminating the routes of access and mobility between cities (fig. 6).

Second, where the Wall has been built in agrarian areas, assuming the

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Figure 4. "Geographies of Immobility" (2004): Palestinians waiting at the Beit Iba checkpoint between Qalqilya and Nablus

deceptively more benign physical appearance of a "fence," it is still a barrier and has preempted farmers from reaching their land in towns such as Jayyous (fig. 7). In this agricultural village, the Wall was placed just past the built-up area of the town, preventing farmers from the village from accessing their outlying fields. They must pass a gate in the Wall, open only at specific times during the day, to work their fields. In addition, these farmers must obtain a permit from the Occupation Administration to pass through the gate. Over 50 percent of the farmers in Jayyous have been denied permits to pass through the gate to their land.

The third major impact of the Wall is that it separates Palestinian towns from Arab East Jerusalem, especially those Palestinian communities directly bordering on and historically part of the East Jerusalem area (fig. 8). In severing the connections between East Jerusalem and its adjacent Palestinian suburbs, the Wall has had a profound economic and social impact on both sides of the barrier. Palestinians in the adjoining communities, accustomed to using social services or to shopping in East Jerusalem, now no longer have access. In turn, businesses in East Jerusalem that depended on customers from the neighboring towns have lost sales and become impoverished. In Abu Dis, bordering on East Jerusalem, portions of the Wall have been built on the campus of Al-Quds University directly on the line separating the campus from East Jerusalem (fig. 9). Faculty members and students who live in East Jerusalem now routinely make a ninety-minute journey almost to Jericho to bypass

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Figure 5. “Enclosure and Walls” (2007): The Wall enclosing Bethlehem

Figure 6. “The Road to Jerusalem” (2004): The Jerusalem-Ramallah Road partitioning Ar-Ram, Beit Hanina, and Qalandia

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Figure 7. "Immobility" (2004): Farmers in Jayyous waiting for the gate in the Wall to open in order to pass to their farmland

Figure 8. "Partitions" (2008): The Wall separating East Jerusalem (foreground) from the Palestinian West Bank town of Abu Dis

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Figure 9. "Enclosing Minds" (2005): The Wall placed on the campus of Al Quds University in Abu Dis (2005)

the Wall and get to the campus just on the other side, a trip that used to take no more than ten minutes.

Not surprisingly, just as enclosure in England engendered opposition by commoners, so, too, are Palestinians resisting the enclosures imposed on their landscape.[18] Similar to their English counterparts, who in their protests often targeted the most visible element of enclosure, the fencing, hedges, and walls placed on the landscape, Palestinians have targeted the parallel symbol of the Wall in much of their resistance activity. These acts have taken different forms. Some are everyday acts of resistance and protest, such as the writing of graffiti and graffiti art on the Wall. Others include breaking down boundaries placed on the landscape and secretly circulating into areas of trespass by taking advantage of places where the Wall does not quite make for a sealed barrier (fig. 10).

The most dramatic and visible examples of protest are the demonstrations against the Wall organized locally throughout Palestine. Arguably the most persistent and well-organized campaign of demonstrations is occurring in the town of Bil'in, where the Wall has separated farmers from over 50 percent of the town's farmland. Despite the violent repression of these demonstrations by Israeli soldiers and border police, villagers have been marching every Friday since 2005 to the gate in the Wall to protest these land confiscations and the inaccessibility of their farms (fig. 11).

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Figure 10. "Creative Resistance" (2004): Palestinians negotiating a small break in the Wall to pass from Abu Dis into East Jerusalem. This particular break, however, was eventually sealed in 2007

Figure 11. "Ex-Communicated" (2007): Palestinians in Bil'in marching in one of the weekly demonstrations against the Wall, protesting on this occasion their lack of voice in preventing the seizure of their land

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Expressed as both everyday and dramatic events, this resistance emphasizes that enclosure is not a predetermined process; the opposition with which it has been met is part of an ongoing relationship between dominant and subordinate groups, shaping historical outcomes. The extent to which resistance will alter the outcome of enclosure on the Palestinian landscape remains to be seen. The story is far from over.

Notes

1. Michel Foucault, *Discipline and Punish: Birth of the Prison*, trans. Alan Sheridan (New York: Pantheon, 1977), 202.
2. Chris Philo, "Michel Foucault," in *Key Thinkers on Space and Place,* ed. Phil Hubbard et al. (London: Sage, 2002), 121–28.
3. See the argument on "the "legibility" of land in James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 1–83.
4. Edward Said referred to this process as "imaginative geography," in which groups with territorial ambitions reinvent meanings about the landscapes they covet and frame discourses justifying why they belong on, and are entitled to take control of, the landscapes being reinvented. See Edward Said, "Invention, Memory, and Place," *Critical Inquiry* 26 (2002): 175–91.
5. *Oxford English Dictionary*, dictionary.oed.com, s.v. "enclosure," accessed July 12, 2009.
6. David J. Seipp, "The Concept of Property in the Early Common Law," *Law and History Review* 12 (1994): 47; John Locke, *Second Treatise of Government*, ed. C. B. Macpherson (1690; Indianapolis: Hackett, 1980), 21.
7. See Locke, *Second Treatise of Government*, 21–22: "God gave the world to men in common; but . . . it cannot be supposed he meant it should always remain common . . . God . . . gave authority to appropriate: and the condition of human life, which requires labour and materials to work on, necessarily introduces private possessions."
8. For this paragraph, see Robert C. Allen, *Enclosure and the Yeoman: The Agricultural Development of the South Midlands* (Oxford: Clarendon, 1992).
9. W. G. Hoskins, *The Making of the English Landscape* (London: Hodder and Stoughton, 1977), 177–78; Ann Bermingham, *Landscape and Ideology: The English Rustic Tradition* (Berkeley: University of California Press, 1986), 9; Oliver Rackham, *The History of the Countryside* (London: J. M. Dent, 1986), 190–91.
10. Mathew Johnson, *An Archaeology of Capitalism* (London: Blackwell, 1996), 70, 75.
11. This paragraph draws from Nicholas Blomley, "Making Private Property: Enclosure, Common Right, and the Work of Hedges," *Rural History* 18 (2007): 5; and Jeanette Neeson, *Commoners: Common Right, Enclosure, and Social Change in England, 1700–1820* (Cambridge: Cambridge University Press, 1993), 5.
12. For this paragraph, see Theodor Herzl, *The Jewish State: An Attempt at a Modern Solution to the Jewish Question*, trans. Sylvie d'Avigdor (London: Central Office of the Zionist Organization, 1934); Avi Shlaim, *The Iron Wall: Israel and the Arab World* (New York: W. W. Norton, 2001), 13–17; Yael Zerubavel, *Recovered Roots: Collective Memory and the Making of the National Tradition* (Chicago: University of Chicago Press, 1990), 14–17; Nadia Abu El-Haj, *Facts on the Ground: Archaeological Practice and Territorial Self-Fashioning in Israeli Society* (Chicago: University of Chicago Press, 2001).

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13. Geremy Forman and Alexandre Kedar argue "Jewish leaders . . . strove to gain possession and ownership of as much of Israel's sovereign space as possible by making use of the legal mechanisms of the state at their disposal." See Geremy Forman and Alexandre Kedar, "From Arab Land to 'Israeli Lands': The Legal Dispossession of the Palestinians Displaced by Israel in the Wake of 1948," *Environment and Planning D* 22 (2004): 812. See also Gazi-Walid Falah, "Dynamics and Patterns of the Shrinking of Arab Lands in Palestine," *Political Geography* 22 (2003): 179–209.
14. For a compelling descriptive analysis of this landscape, see Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (London: Verso, 2007).
15. For a detailed description of how the Occupation Authority has used law as part of a program of land confiscation, see Yehezkel Lein in collaboration with Eyal Weizman, *Land Grab: Israel's Settlement Policy in the West Bank* (Jerusalem: B'Tselem, 2002), 30–49. Although Israeli land law in the Occupied Territories seeks a "legal" framework for the appropriation and reallocation of Palestinian land, much of this process is actually illegal even by Israel's own standards. See in this regard Dror Etkes and Hagit Ofran, *Breaking the Law in the West Bank: Israeli Settlement Building on Private Palestinian Property* (Jerusalem and Tel Aviv: Peace Now, 2006).
16. I am indebted to Adi Opher for making this point about camps in a paper entitled "The Role of the European Union in the Peace Process," presented at the Third Conference of Faculty for Israeli Palestinian Peace in Brussels, July 3, 2004.
17. The Israeli Government refers to the structure as the "fence" or the Security Barrier. In using the term *Wall*, I follow the designation of the International Court of Justice.
18. See especially J. M. Neeson, "The Opponents of Enclosure in Eighteenth-Century Northamptonshire," *Past and Present*, no. 105 (1984): 114–39; Michael J. Bradock and John Walter, eds., *Negotiating Power in Early Modern Society: Order, Hierarchy, and Subordination in Britain and Ireland* (Cambridge: Cambridge University Press, 2001).

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