

the resistance is instructive; she portrays the 1936–39 rebellion as “the most sustained phase of militant anti-imperialist struggle in the Arab world before the Algerian War of Independence” (p. 43).

The second chapter, “The Uprooting,” takes readers through eyewitness accounts of the Nakba. Although a number of historical texts published since 1979 have covered much of the terrain Sayigh tackles—from Zionist terrorism, to Plan Dalet, to the failure of Arab resistance—there are a number of insights to be gleaned from her account. Palestinian voices at times give readers a complex sense of the futility of the Arab Liberation Army (ALA) with stories illustrating its collaboration with the enemy. At other times, narratives highlight the effectiveness of the ALA when it joined forces with Palestinian villagers to drive out the Haganah. Sayigh also dedicates a good deal of space to covering the myriad narratives of Palestinians who fled their villages little by little, repeatedly returning to their homes. This aspect of their oral history is essential as it demonstrates how determined Palestinians were to remain on their land before their final expulsion.

Displacement did not end once Palestinians became refugees. The chapter “The New Reality” recounts how Palestinian refugees in Lebanon initially lived close to the southern border. But as Sayigh’s interviewees reveal, officials in Lebanon forced multiple relocations until some refugees were moved as far north as Nahr al-Barid (an early photograph of which graces the book’s cover). Sayigh gives an overview of this new reality of Palestinian fellahin living as landless, often urban, dwellers and compares the various nuances of Palestinian lives under repressive regimes in Jordan, Syria, and Lebanon. She also chronicles the ways in which the United Nations Relief and Works Agency, in its early years, thwarted the Palestinian fight for a right of return by encouraging emigration to the West and keeping families busy working to feed their own rather than fighting for their rights.

Sayigh grounds her final chapter, “Revolution,” in the PRM’s work in the region prior to entering Lebanon in 1969. Toward the end of this chapter, readers are privy to some narratives about the Tal al-Za’atar massacre, related in a slightly anachronistic fashion as if the civil war had ended in 1976. Yet, those moments offer readers a glimpse of what such events felt like as they unfolded. Further, it gives a sense of how

many forces Palestinians were up against in Lebanon, something Sayigh’s later work, *Too Many Enemies: The Palestinian Experience in Lebanon* (Zed Books, 1994), exposed. In *The Palestinians* too, Sayigh’s discussion of the Deuxième Bureau’s (the Lebanese intelligence service) tight grip on Palestinian camps helps readers understand the internal forces Palestinians rose up against in the late 1960s by way of the first fedayeen bases in south Lebanon. Moments of unity and friction recorded by Sayigh include interviews with Lebanese who joined in street demonstrations—despite brutal repression by Lebanese internal security—and became fighters with the fedayeen. Likewise, although the book contains a discussion of various Palestinian factions—Fatah, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine—Sayigh’s focus stays pointedly on the lives of ordinary fighters in the PRM rather than on the leaders, reflecting the sentiments of camp populations at the time: “The photos of *shubada*’ are much more visible on the street walls of camps than those of the Resistance leaders, and people praise the latter sparingly, saying, ‘They live the lives of the people.’ If one falls, another will take his place” (p. 190).

One of the PRM’s important moments of internal success included in the book is the fight to remove the Lebanese army from the camps. The first camp to liberate itself was Nahr al-Barid, an exploit narrated in detail by one of its liberators. Sayigh also chronicles a number of defeats, one of which is the up-and-coming idea of a state in the West Bank, which, according to one of her interviewees, would sell out these refugees from coastal cities and northern Palestine. At the time of Sayigh’s writing, no one imagined that such a proposal would come to fruition. Instead, it was seen merely as an attempt to divide the PRM. This overall historical context, as well as the people’s voices distributed throughout Sayigh’s book, makes it essential reading for anyone interested in remembering the roots of the conflict, its reverberations, and the justifications for the right of return.

## COMPETING LEGAL ORDERS

**Law, Violence and Sovereignty among West Bank Palestinians**, by Tobias Kelly. New York: Cambridge University Press, 2006. xviii + 181 pages. References to p. 193. Index to p. 199. \$85.00 cloth.

*Reviewed by Samera Esmeir*

Little is written about Palestinian law and society, and Tobias Kelly's *Law, Violence and Sovereignty among West Bank Palestinians* comes as an ethnographic and theoretical contribution to this small and growing field. Focusing on the everyday application of the law and life of West Bank workers, Kelly, an anthropologist who has conducted long-term fieldwork in the occupied Palestinian territories, exposes the abstract nature of regimes of power. While these regimes are often understood as suspending the law and legitimizing violence, they emerge in Kelly's analysis as having created an intimate relationship between legal orders of rights and violence. The book focuses on legal practice, rather than legal doctrine, and inquires into how law, rights claims, and spaces of jurisdictions are mobilized in the village where Kelly conducted his fieldwork (given the fictional name of Bayt Hajjar). Instead of viewing rights talk as alien and imposed from above and reducing all frameworks of moral and political reference to that of the law, the book reveals the many meanings acquired by the law in its everyday coexistence with other significant relationships: "For the residents of Bayt Hajjar, rights claims do not emerge in an abstract legal universe, but are created in the context of ongoing, morally charged relationships, involving elements of village and national solidarity. The result is a profoundly ambivalent attitude to legal claims" (p. 52).

The introduction situates the book in the post-Oslo era, when Israeli and Palestinian jurisdictions were being delineated. Despite the Oslo accords' attempt to formalize the legal and political separation of Israelis and Palestinians along ethno-national lines, the result, writes Kelly, was uneven, and contradictory entitlements and distributions of rights emerged. The second chapter examines the mobilization of laborers' rights claims in order to inquire into their sociopolitical meanings and effects, as well as into the other moral claims and communities against which they compete, such as Islam, kinship, village, and nation. Kelly finds that

Palestinians' mobilization of rights shifts between the moral and the instrumental and constitutes the last resort when other non-legal measures fail.

The four chapters that follow trace the encounters of the residents of the village with the Israeli and Palestinian legal systems on labor questions. The third chapter focuses on the post-Oslo "jurisdictional politics" that distinguish between Israelis and Palestinians, but also reveals that the spaces meant to separate them are far from self-evident, as no single regime is consistently applicable throughout an area. By examining a number of legal cases of Palestinian laborers working in Israeli settlements and the struggle over which labor law to apply, Kelly uncovers practices that only tentatively fix the relation between the persons and spaces of Israeli and Palestinian jurisdictions. Crucially, Kelly finds that the Israeli state does not precede the encounter with the Palestinian other, but rather is constituted and reproduced in the encounter with Palestinians. This argument is most important because it highlights the prominence of Israel as an occupying power while deconstructing its image as a self-grounded state.

The fourth chapter focuses on Palestinian laborers who work across the Green Line and the various strategies used to manipulate a line that has become increasingly more rigid. Whereas select Palestinians are integrated in the Israeli economy, they are excluded as political subjects and rights bearers. These dynamics of inclusion and exclusion constitute what Kelly calls a "border regime," which Palestinians attempt to navigate by manipulating its internal contradictions.

The fifth and sixth chapters make up the most original contribution of the book. They examine the fate of labor rights in the Palestinian Authority's (PA) legal system, a subject that has yet to be studied extensively. The image that emerges is one of an ineffective judiciary, a security apparatus that clashes with the judiciary, and a multiplicity of formal and informal forums for the adjudication of legal claims.

The sixth and most fascinating chapter examines the fate of a workers' strike against the PA, which was suspended in the name of national interest. This case allows Kelly to inquire into an important contradiction in Palestinian politics: how could a population so critical of the PA support its suppressive actions? Palestinians, we learn, do not fear

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the PA itself, but rather its absence or further fragmentation: "it is this apparent weakness of the PNA that gave it a particular force in the lives of West Bank Palestinians" (p. 145), by creating a sense of "collective possibility" (p. 165).

*Law, Violence and Sovereignty* elegantly uses sociolegal scholarship in its examination of the everyday application of the law among West Bank Palestinians. Although this method enriches our understanding of Palestinian politics, the contribution that the Palestinian case makes to legal anthropology or to sociolegal studies is not as clear. The empirical material ultimately offers a critique of the constitutive theory of the law, despite references made to many of its advocates. However, the book never completes the circle by theorizing about how the law has journeyed through Palestine. What could have enabled such an inquiry would have been a more sustained discussion in the second chapter of the other traditions and imagined and ethical communities that compete with the law. These comments notwithstanding, the book accomplishes what it sets out to do. In the process, it produces a fascinating deconstruction of the Israeli state and gives us a fresh look at the power of the PA, understood as stemming from its weakness.

## DIVIDE AND CONQUER

**Army of Shadows: Palestinian Collaboration with Zionism, 1917–1948**, by Hillel Cohen. Berkeley: University of California Press, 2008. viii + 268 pages. Notes to p. 315. Bibliography to p. 325. Index to p. 344. \$45.00 cloth; \$18.95 paper.

### *Reviewed by Lenni Brenner*

Hillel Cohen must be congratulated for the quality of *Army of Shadows: Palestinian Collaboration with Zionism, 1917–1948*. This accurate and finely detailed book will be assured a permanent place in Palestinian nationalist historiography. While Cohen is a declared Zionist, there are no signs that his politics distorted his scholarship, which is based on declassified Zionist reports, British

colonial archives, and captured Arab documents. He carefully describes how Zionists took advantage of "the fissures that cut through Palestinian society—between villagers, city dwellers, and Bedouin, between the rival families of the urban elite, between classes, between ethnic and religious groups" (p. 7) to defeat the right-wing Palestinian nationalist leadership of that era.

Victory in World War I gave Britain control of parts of the Ottoman Empire (today's Palestine/Israel and Jordan) that were so economically backward that many Palestinians eagerly sought posts in the new regime. They openly or covertly sold land to the Zionist movement, despite Britain's official intent under the League of Nations mandate to turn their country into a "Jewish national home." Zionists owned 420,000 dunams (4 dunams = 1 acre) of Palestine in 1917. "By 1930 the Jewish population owned 1,200,000 dunams, of which about 450,000 had been purchased from foreign landowners, approximately 680,000 from local owners of large estates, and the remaining 75,000 from fellahin smallholders" (p. 32). Cohen says that "although most of this land was sold by large landowners, it is important to remember that numerically there were many times more fellahin who sold land to the Zionists. . . . This means that thousands of Arabs . . . acted contrary to the norms laid down by their national movement" (pp. 32–33).

Two rural elements produced frequent collaborators. In their minds, Bedouins were members of—and therefore loyal to—their tribe, not an Arab nation. Many sold land to Zionists and even became public guards of such properties, or acted as informers against nationalists attacking such institutions. Furthermore, under the Ottomans, clusters of Palestinian villages had been united into administrative units (*nawabi*) controlled by shaykhs from locally dominant families, who acted as tax collectors. The urban-based British administration did not recognize the *nawabi* system, however, and some shaykhs drifted into collaboration, covertly buying land for the Zionists to make up for the loss of administrative and tax-collecting income. One secret land broker "claimed that wealthy city Arabs who made interest-bearing loans to the fellahin were the main cause of land sales" (p. 81). In fact, "the British viewed them as swindlers who were trying to take advantage of both Jews and fellahin. In at least some cases Jews

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