# Flexible Citizenship and the Inflexible Nation-State: New Framework for Appraising the Palestinian Refugees' Movements

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**Abstract** This paper is a synthetic piece drawn from my writings from the past 14 years on Palestinian refugees' problems. These writings were based on surveys among the Palestinians in the Occupied Palestinian Territory (OPT) and in the diaspora, in-depth interviews, and participant observation, as well as secondary data. The aim is to discuss the interplay between three key factors which impact the construction of "Palestinian-ness" and will impact the process of return: geographical borders, social boundaries, and nation-state policies in the region. The interplay between them will be used to depict (1) the problematic relationship between the diaspora and the OPT in the current/eventual return movement of Palestinian refugees and the absence of the diaspora as a social space; (2) the flexibility of transnational strategies adopted by the Palestinians, whether citizens, refugees, current returnees, or transmigrants; and (3) the inflexibility of the policies of the nation-states in the region.

**Keywords** Nation-state · Refugees · Flexible citizenship · Palestinian populations · Palestinian refugees' movements

## Introduction

The return of refugees to their country of origin is not only a subject of the *right* of return but of the *rites* of return. This return, seen as a "natural" and thus "problem-free" process, is one of the major misleading myths surrounding the process of repatriation in the imaginaries of many refugees and Palestinian politicians. This can be apprehended only by placing it in the broader context of movement across or around borders by Palestinians. For instance, networks and relationships with other people as social capital are as important as a nostalgic sense of place in understanding voluntary migration, forced migration, and return migration.

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By drawing on insights from various disciplinary approaches to borders, boundaries, and social networks, one can analyze the manifold implications of some socioeconomic and cultural factors for an eventual Palestinian return migration and/or their movements inside/outside the region. Boundaries are symbolic, cultural, and social, constituting a cognitive or mental geography which influences the transnational ties between different Palestinian communities and shapes their identities. By the same token, the impermeability of some borders has constructed and reinvented new boundaries of difference and distinctiveness among these communities. First, displacement and separation of refugees from the place of origin inevitably created new boundaries between them and those who remained. Second, the institutions and readjustments of geopolitical borders after 1948 and 1967 fostered the emergence of such boundaries. Finally, the crossing of borders separating refugees from their place of origin entails power relations and conflicts that reinforce boundaries between groups (Parizot 2008). Some boundaries remain, some are invented, and some are remembered: this is the burden of borders in this highly partitioned part of the world.

This article will address directly and indirectly the question of the consequences of the movement of Palestinian populations over the 60-year period since the first exodus in 1948 and the different identities they have developed.[1] There have been several waves of refugees caused by the expanding power of Israel, migrations of Palestinian wo/men and sometimes families in search of better economic circumstances in the Arab world and beyond, and movements of individuals across borders to profit from the differences between the two sides of a border. With all these, there is a yearning to return to the point of departure.

This paper is a synthetic piece drawn from my writings from the past 14 years on Palestinian refugees' problems. These writings were often based on fieldwork (surveys among the Palestinians in the Occupied Palestinian Territory (OPT) and in the diaspora, in-depth interviews and participant observation) as well as secondary data. I will indicate corresponding methods when arguments are developed. "The objective of this article is to discuss the interplay between three key factors which impact the construction of "palestinian-ness" and will impact the process of return: geographical borders, social boundaries, and nation-state policies in the region. The study of the interplay between them will be used to depict: (1) the problematic relationship between the diaspora and the center (the OPT) in the current/eventual return movement of Palestinian refugees and the absence of the diaspora as a social space; (2) the flexibility of transnational strategies adopted by the Palestinians, whether citizens, refugees, current returnees, or transmigrants; and (3) the inflexibility of the policies of the nation-states in the region. The Palestinian National Authority (PNA), for example, seems to react negatively to the transnational practices of Palestinians rather than facilitate them, and this will have implications for the solution of the refugees' problem. Indeed, the current nation-state model which is based on the "trinity" of nation–state–territory does not allow

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[1] Count over 8 million according to the Palestinian Central Bureau of Statistics (http://www.pcbs.gov.ps/DesktopModules/Articles/ArticlesView.aspx?tabID=0&lang=en&ItemID=396&mid=11117), the Palestinian diaspora is scattered all over the globe, but mainly in the Arab world. As refugees, there is a special UN organization dealing with them, UNRWA. In 2010, there are in excess of 4,25,640 Palestinian refugees registered with this organization (http://www.un.org/unrwa/publications/index.html.

for a solution to the Palestinian refugees' problem. A new model of nation-state must be conceptualized, based on *flexible borders, flexible citizenship, and some kind of separation between the nation and state*, what I will call the *extraterritorial nation-state*. This model of nation-state is structural and marks an intermediary model between a territorially based nation-state and a "de-territorialized" one. A rethinking of all traditional political/legal categories in the Middle East is necessary to resolve the problem of refugees in countries where they constitute sometimes one third of the population. It is also important for tackling the question of the identity and the mobility of a whole population.

The approach of my work here is to link voluntary migration with forced migration, as the frontier elaborated by researchers is not always justifiable. New studies in circular migration (Cassarino 2008), transnationalism (Basch et al. 1994), diaspora, cultural studies, and hybridity have suggested an analytical linkage between the migration experience, the exile experience, and return migration. And as Liisa Malkki notes (1995:514), both displacement and emplacement are seen as historical products and never-ending projects. This approach aims also to deconstruct the notion of homeland and the form of the nation-state. Any thinking on the right and sociology of return should address the meaning and the validity of classical theories of sovereignty, democracy, state, and citizenship. Many functionalist studies have real consequences for the shape of intervention in refugee crises. For example, functionalist visions of an identity that can only be whole when rooted in a homeland reinforced the assumption that state sovereignty as we know it is part of the natural or necessary order of things (Malkki 1995).

## Three Key Factors

### Borders

Many works (Hanafi 2008a) have examined various human situations among Palestinians, ranging from villages that have been divided by borders such as the "Green Line" (the 1949 armistice line) (Totry 2008) to populations of Palestinian origin that have been cut off from their roots in Palestine (Parizot 2008; Hanafi 2007) and are now seeking to establish their lives and those of their children outside Palestine and even outside the Arab world (al-Araj 2008). There are real and virtual efforts at return to Palestine by some groups like official returnees of the PNA, youth (Tamimi 2008) and professional experts (Hanafi 2008b). There are thus tremendous roles of borders and boundaries that people seek to cross and those that the wider political processes establish around existing populations (such as the Green Line and the new Israeli wall). People on the one hand are moving, and on the other hand, are developing survival strategies to deal with new political "shadow lines" that impede their circular movement. Some "thin" borders (e.g., the Green line) become with time "bold," and the symbiotic relationship becomes a distant one. Knowledge of the freedom of movement and the lack thereof are part of the necessary sociological base for understanding choices regarding return migration, i.e., migration back to geographic Palestine, if not back to the original home itself. In the period preceding the construction of the Israeli wall, beginning in 2005, Palestinian areas were further

cut up and divided. This prevented some of the patterns of movement that had emerged since the starting of the peace process in 1993 (Oslo agreement or the "Declaration of Principles"). Since the Palestinian situation is in constant flux, this historical moment has to be kept in mind while reading this article.

While some Palestinians have been able to return to the OPT under the auspices of the PNA or otherwise, others have found their movements restricted by shifts in the internal map of Palestine, and still others, already outside Palestine, are looking to move outside the Arab world altogether. At all times, one of the key links among Palestinians is kinship. This is the reason why one should explore and examine the social and specifically the kin networks between Palestinians abroad and within the OPT and Israel as one of the factors facilitating return. This leads us to the second factor: social boundaries.

## Social Boundaries

On the one hand, there are borders; on the other, kin ties. These kin links often have an economic dimension, as economic actions are embedded within the kin networks. Embeddedness (Polanyi 1957; Granovetter 1985) refers to the fact that diverse economic transactions are inserted into overarching social and political structures that affect their outcomes. Thus, Palestinian economic transactions cannot be understood without referring to the social and legal status of the Palestinian communities. Palestinian choices on where and how to migrate, in other words, reflect social links as much as economic logic.

The dispersion of a people, due to forced emigration, has traditionally been analyzed as a contributing factor in the creation of transnational networks. In this view, the initiation of a peace process should foster the reestablishment of local and international economic links following a protracted period of conflict. Using existing ties to the native community, diasporas are also seen as significant influences on the reshaping and emergence of new economic networks. In this respect, however, prevalent discourse about diasporic networks has tended towards overstatement, often to mythic proportions. Little attention has been paid to network absence or to networks ruptured due to structural constraints (closure of interstate borders, tense diplomatic relations, or the absence of relationships following prolonged separation, etc.). Existing between two worlds and circular movements, indeed, does not necessarily indicate a transnational lifestyle. Transnationalism is also rooted in extensive exchanges, new modes of transacting, and the multiplication of activities beyond the national borders (Salih 2003).

## Nation-States' Policies

The crisis of the modern nation-state, as pertaining to the incorporation of refugees, is often apparent on many different levels. For the purpose of this paper, it is important to highlight three of these levels. On the level of *legislation* which governs the relationship between citizenship and state, the sovereign, according to Carl Schmitt and Giorgio Agamben (1997), has the capacity of proclaiming a state of exception. In such instances, he is no longer submitted to the provisions instituted by the constitution, which can be undermined or suspended. This temporary suspension

becomes a new and stable spatial arrangement. The exception is thus becoming the rule, and, consequently, the populations' ontological status of legal subjects is suspended. The sovereign has the capacity to transform/naturalize whole chunks of the population, turning them into stateless refugees. If in Europe it was the far long time when many ethnic groups had been denaturalized in the post-WWII era, in the region, it is very recurrent policy. In addition to expelling Palestinians in 1948, the Israeli policies of exception in Jerusalem made the entire Palestinian population there temporary residents, who had to prove at all times that their center of life was the city. The massive expulsion of Palestinian refugees from Libya (1995) and the absence of civil and socioeconomic rights of Palestinian refugees in Lebanon are both examples of the use of exception by a sovereign to suspend the status of the specific undesirable populace.

The second level concerns the willingness of the sovereign to identify the state with a nation or with a religion. "Israel is a Jewish State" and "Jordan First" have raised the problem, in that critical segments of the population, through (forced or voluntary) migration, acquire another nationality, another allegiance, another home, and another homeland. The way the nation-state is defined becomes an exclusionary setting to those segments.

The third level concerns the question of who is the beneficiary of rights in the nation-state. The classical order of nation-state has developed rights for citizens but not for human beings. Hannah Arendt extraordinarily noted as early as the beginning of the 1950s that there is no place for the human being outside the nation-state (Arendt 1985). There are *citizens'* rights but not *human* rights. To have rights, you must be a citizen. The refugees and the stateless do not have *rights to have a right*, to paraphrase Arendt, but "benefits" and their ontological status is dependent on the disciplinary apparatuses of the police and security forces. This issue is not confined to the Middle East. More and more refugees are excluded from legal protections in European countries, but are however subject to their bureaucratic power. There, refugees retain the vulnerability of their status even after acquiring nationality. Any criminal or other questionable activity puts them at risk of denaturalization. The interplay between these three factors—borders, social boundaries, and nation-state policy—will impact the identitarian configuration of the Palestinians and their eventual future movements.

## Transnational Practices: Flexibility and Weakness

Based on one country, one nation, and one allegiance, Palestinian negotiators, as in the case of the Geneva initiative,[2] propose a solution based on a head count of refugees in a given place, offering them a few months to decide their fate. However, individuals adopt circular mobility based on the to-and-fro movement between places, including more than one return, and prefer to maintain flexible citizenship and multiple passports, even if they choose to settle in the end in one place.

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[2] Geneva Initiative is a nonofficial model permanent status agreement to end the Israeli–Palestinian conflict based on previous official negotiations, international resolutions, the Quartet Roadmap, the Clinton Parameters, and the Arab Peace Initiative. Parameters of the Accord were negotiated in secret for over 2 years before the document was officially launched in the end of 2003, at a ceremony in Geneva, Switzerland.

Following on the heuristic conceptualization of Aihwa Ong (1999) of flexible citizenship, I would argue if the accumulation of foreign passports for some globetrotting businesspeople is "a matter of convenience and confidence" in times of political turmoil, for almost all the Palestinians who reside abroad, it is a matter of survival. For those who have never possessed a passport, having been forced to do with travel documents, the passport signifies and allows basic connectivity with family and labor markets. As such, while the classic model of return migration studies mainly envisions a definitive return, the concept of return can be amplified to include a form of being "in-between." Transnational studies have provided a compelling conceptual framework for analyzing the experiences of migrants, those who choose to live between worlds. This emerging new form of refugeehood and migration is marked by active participation in the cultural, social, economic, and political lives of both the country of origin and the host country, and provides new options for solving the Palestinian problem. A survey conducted by the Palestinian Diaspora and Refugee Center (Shaml) in 2003[3] confirmed that the levels of the transnationality vary across space, time, and as a result of migrants' agency, but a certain degree of transnationality always exists among Palestinians (especially among those in OPT, as compared to those in Israel proper). This suggests that there will be a transnational pattern of return migration in the future, much more than a definitive return, and that the kinship network can be used to facilitate this movement.

In this section, I will examine some transnational practices of Palestinian transmigrants/returnees. While the returnees more closely follow the model of definitive return, the term transmigrants concerns those who return or are in-between, while keeping strong ties with the previous country. We will study three elements: (1) the experience of border crossing, (2) the weak transnational networks in certain geographical areas of the diaspora, and (3) the difficult political involvement in the Arab world. These three elements will demonstrate flexible, albeit problematic, transnational practices.

Circular Migration and Being In-between

Migration has been a salient and persistent feature of the life of Palestinian communities since 1948 (Hilal 2006), but this migration is by excellent circular. My interviews with 67 business people, entrepreneurs, and professionals of the OPT[4]

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[3] Led by myself, this survey has as its objective the identification of the patterns of return and transnationalism and the highlighting of the social and economic kinship between the Palestinians inside and outside the Palestinian territories as well as the mode of entrepreneurship in the Palestinian Territories. The questionnaire will identify also the family and gender implications of return, which are mainly about Palestinian transnational kinship ties and sociological factors affecting the return. It was conducted by Shaml between January and October 2003. A total of 560 questionnaires were completed by people in the Palestinian Territories and Israel. In addition, 50 in-depth interviews were conducted to triangulate some of the results obtained from the survey. Questionnaire consist of 82 open-ended and close questions targeting all the adult age group. For more details about the survey and its result, see (Hanafi 2007)

[4] The results in this paragraph stem from the interviewed returnees in Shaml survey in addition to complementary interviews I did with those who returned through the help of the United Nation Development Program's TOKTEN program–Transfer of Knowledge Through Expatriate Nationals. As the sample is not representative, the percentages presented in this paragraph are indicative of a weight of a category compared to other ones. For more details, see (Hanafi 2008a, b).

showed that the majority has more than one residency. Those who have come to live physically in the OPT have kept their previous residence abroad. Only 42% of those interviewed (or whose data were analyzed) possessed a Palestinian identity card (which confers national status on the bearer but also presents a host of mobility and legal problems in dealing with the Israeli government for those who hold another nationality). Twelve percent have a 1-year residency permit and 46% possess only an Israeli-issued 3-month tourist visa. Despite their precarious legal and political situation in the OPT, 62% of those interviewed declared that they had resided in Palestine for over 6 months, while only 38% spent more than 6 months abroad. The majority of interviewees (67%) had spent at least 4 months (not necessarily consecutive) abroad which demonstrates a high degree of circular mobility.

The tendency towards emigration from the OPT increased during the second Intifada. The political turmoil forced many business people and professionals to shift their center of life abroad, i.e., keeping their apartment, family, and/or some business in the OPT, but moving abroad. As many as 100,000 Palestinians are thought to have left the West Bank for Jordan and the West since late 2000 (Sletten and Pederson 2003: 31). A survey conducted by the Center of Development Studies on the OPT in 2007 showed that about "32% of the respondents expressed their desire to migrate, reflecting an increase on past years. About 44% of young people between 18 and 29 years would prefer to emigrate if they could find an opportunity to travel. The majority of these are single males" (Lubbad 2008). All these illustrate an eventual likeliness of geographical mobility of Palestinian refugees in the future, either to emigrate abroad or to return home.

Beyond the somehow specific case of Palestinian business people, Palestinian families themselves display the same characteristic of being "in-between." In spite of the persistence of a pattern of endogamic marriage in the OPT (Johnson 2006), the Shaml survey presents a profile of fractured networks inside the nuclear family in the OPT, but not in Israel (Hanafi 2001). Mothers and children may reside in one country, husbands and fathers live and work in another, and grandparents and more distant relatives may live elsewhere. The very restricted Israeli policy concerning family reunification creates a situation where Palestinian families are fractured because of the legal status (Abu-Mukh 2007). The fractured family experience could indicate that return will not necessarily involve the whole family, especially in the first years.

Weak Transnational Networks

My analysis of the networks of Palestinian communities in the diaspora demonstrates many forms of networking with varying degrees of institutionalization: familial networks often managed by family councils, "village" clubs/associations (which continue to play an important role in the USA), and national and nationalistic–religious networks based usually on affiliation with various popular organizations connected to the Palestinian Liberation Organization (PLO) or Hamas and its periphery (Hanafi 2001). In Europe and in North America, however, highly active supranational networks based on Arab or religious affiliation embrace diverse Arab groups of various national origins. The closure of borders as well as protracted separation has torn apart family networks. Remittances have been negatively

correlated with age and the length of stay abroad (Lubbad 2008). In a previous work (Hanafi 2001), I have demonstrated that the value of network analysis lies in its capacity to recognize formal and informal links while maintaining the distinction between institutional affiliation and network affiliation. Being a member of an institution such as the General Union of Palestine Students in France, for example, does not automatically imply informal social or other ties with fellow members that extend beyond the duration of a political meeting. The epicenters of the national and nationalistic mobilizations in many western countries, in fact, are more a product of infra-national (village clubs, like the Bethlehem and Birzeit Clubs) and supranational networks (Islamic/Christian and mosque/church-based networks). If the Internet, indeed, constitutes a major new environment based on virtual reality, it has yet to have a noticeable impact in the activation of these networks (Hanafi 2007). Inspired by new information technologies, Manuel Castells described the network society as a shift from social groups to social networks. But these networks are neither obvious nor neutral (Latour 1999). In his seminal book *Liquid Love*, Zygmunt Bauman (2003) noticed that people speak ever more often of connections, of connecting and being connected, rather than reporting their experiences and prospects in terms of relating and relationships. Instead of talking about partners, they prefer to speak of networks. Unlike relationships and partnerships, which stand for mutual engagement over disengagement, networks stands for a matrix for simultaneously connecting and disconnecting. In a network, connecting and disconnecting are equally legitimate choices and carry the same importance. Networks suggest moments of "being in touch" interspersed with periods of free roaming. In a network, connections are entered on demand, and can be broken at will. This description reflects the history of many networks established in the OPT (like Palestinian Scientists and Technologists Abroad) who work to connect the diaspora to the center though cyberspace. Again, this suggests the existence of political ties (solidarity, donations, etc.) but not necessarily social ties.

The weakness of Palestinian transnational networks can be explained by problems of international mobility (the Palestinian painful experience at border crossings) and the legacy of refugee status in the Palestinian diaspora, which continues to be a source of fragile legal status in the host countries, as demonstrated below. A more fundamental problem, however, is related to the Palestinian diaspora's weak center of gravity.

Risky Political Involvement in the Arab Countries

I have always claimed that along with Israel's responsibility to the birth of the Palestinian refugees' problem, the way that they are treated in some Arab countries and especially in Lebanon is abominable. Palestinian transmigrants have encountered difficulties of political integration in host countries, especially those in the Arab world. Ironically, the Palestinian diaspora has demonstrated a greater involvement in the political environment and process of western states. This is indicative of a generally fragile legal status in Arab host states and also of the Arab states' fear of ethnic subjects. This last hypothesis deserves some development. Following Pierre Bourdieu's work (1998), social actors possess different forms of capital: social, symbolic, cultural, ethnic, etc. For Bourdieu, what is important is

social capital which reflects socioeconomic status, and which is also used in the perpetual drive to enhance this status (Bourdieu 2000). Through their strategic actions, people attempt to accumulate capitals and to convert some into social capital. However, the role of the state is crucial. According to Paul Tabar et al. (2011), the role of the state is to validate forms of capital and set the 'exchange rates' for conversion. This is crucial, not just because of the ways in which it structures the fields of significant social power–the political field, the juridical field, and so on (Bourdieu 1998: 41), but because it also shapes the forms of conversion in everyday life. Having said that, Arab States seem to hinder the conversion of refugees' ethnic and symbolic capitals into social capital by setting the exchange rate so low, through either criminalizing foreigners and refugees and confining refugees to a slum area, etc. This hypervisibility as criminal (overemphasis on "criminality" of the refugees by the media) or invisibility in the city (isolation in refugee camps) constitutes the politics of fear vis-à-vis the refugees.

In Jordan, Syria, and Egypt, Palestinians experience numerous difficulties when attempting to participate in political activities and are widely considered to be interfering in internal and local affairs. Mourid Barghouthi noted in his biography that "the stranger is the person who renews his Resident Permit. He fills out forms and buys the stamps for them. He has come up with evidence and proofs. […] He does not care for the details that concern the people of the country where he finds himself or for their 'domestic' policy. But he is the first to feel its consequences. He may not rejoice in what makes them happy but he is always afraid when they are afraid. He is always an 'infiltrating element' in demonstrations, even if he never left his house that day" (2000: 3). However, in Syria and Jordan, the second Intifada has been the occasion for some Palestinian organizations to mobilize the Palestinian population in those countries.

Though the waters may be muddy, Palestinians have nevertheless found methods of participating in the political affairs of their host countries, often using "soft politics" to indirectly involve themselves in political actions, even if they cannot be communitarian in nature. Among Arab states, it has been easiest to exercise non-communitarian activities in Jordan and Egypt. In Jordan, citizenship, albeit temporary, has allowed the Jordanian of Palestinian origin to participate in all elections. However, there is discrimination in terms of electoral district distribution. For instance, the electoral district of Wihdat camp and Jabal Nasser is populated by around a quarter of a million people and has only four deputies, while other districts in the south have 25 deputies. Conversely, in Syria and in Lebanon where refugee camps operate as a kind of autonomous area, Palestinians have had some success in participating in Palestinian national politics. Egypt and Jordan have long deprived Palestinians of the possibility of political organizing based on national origin. In Jordan, while many of the leaders of professional organizations, of engineers', medical doctors', and lawyers' unions are of Palestinian origin, the only possible communitarian Palestinian organizations have been along the lines of the "village club" as it follows the same logic of tribal associations which are accepted there. In Syria, while Palestinians have been participating in Syrian politics as members of the leading Baath Party, some political factions of PLO and Hamas are tolerated, but under heavy control and surveillance. In Lebanon, the Palestinian factions played a major role in the civil war (especially between 1976 and 1982) which resulted in the

Palestinians becoming politically and socially marginal. In the Gulf petro-monarchies, where migrants are not allowed to participate in any political communitarian or non-communitarian activities, Palestinian communities hold a very low position, and those who do not abide to that find themselves expelled.

The reason for their weak risky involvement in the political life of the Arab host countries is the incapacity of many nation-states in the region to accept political action from noncitizen residents in their territories and their inflexibility in tackling transnational subjects. While political action is still highly controlled and under surveillance and discipline by the states, the economic sphere is much less under scrutiny. In spite of the inaccessibility of the public sector and in spite of their invisibility in the public sphere, refugees' active agency has expressed itself in different ways, but above all, through a compelling access to the private sector, whether it is formal or informal.

Diaspora as Political Space and Not Social Space

I will argue here that the Palestinian diaspora does not constitute a social space, but a space of symbolic political emotion. The weakness of the center of gravity in the Palestinian case also plays a great role in an eventual fading of connectivity between the various Palestinian communities around the world. Indeed, a diaspora might become social and political spaces if different scattered communities could have social, cultural, economic, and political ties with each other beyond the borders of the nation-states. This interpolarity requires at least one center of gravity serving two functions: (1) to direct the flow of communication between diaspora members in different peripheries and (2) a physical location where diaspora members (especially at the level of the family) can meet. While the first function does not necessarily require a physical location, since it could easily be provided by a server or institution whose location is of little importance (such as the National Jewish Fund for the Jews, the 1980s' PLO in Tunisia for the Palestinians, the PKK-Germany for the Kurds, etc.), the second function necessitates a geographical location.

The geographical localization of the center assumes great importance in terms of communitarian economic transactions and kinship social ties. The studies I conducted with Palestinian entrepreneurs demonstrate the importance of the physical meeting place. A Palestinian originally from Nazareth, for example, can maintain a very active economic network facilitated by meetings in Nazareth for those Palestinians residing abroad and those Palestinians remaining in the city. In contrast, Palestinians originating from Haifa are not likely to be able to make use of such a network as a result of the quasi-total deportation of Palestinians from this city by Israelis following 1948. The inaccessibility to a *territorial reference point* hinders tremendously the possibility of meeting for Palestinians from such regions as Haifa. A family whose members are dispersed between Damascus, Montreal, Amman, and Abu Dhabi would find little interest in meeting in Syria where there is only one member, while those originating from an Arab country may find the cost of travelling to such a distant location as Canada prohibitive, even before the question of acquiring a visa emerges as a problem. These torn networks, due to the absence of territorial reference, are not exclusive to the Palestinians. They have also been noted in the case of Gypsies who migrated from Paris to New York. Williams (1987) reports that only a few years after this migration, the family relationships broke down.

The OPT then might seem to constitute a "natural" center of gravity for the Palestinian diaspora. Yet, several factors converge to prevent the OPT from assuming this role. While the territories remain inaccessible to the majority of Palestinians abroad, many in the Palestinian diaspora have lost confidence in the PNA, Fatah, and Hamas during the process of state-building. While the diaspora has played a major role in the context of the national issue and through its support of the PLO during its 50 years of resistance, it consciously refuses to be marginalized in post-Oslo era. Diaspora Palestinians may be willing to support their homeland economically and financially, but they still insist on playing a role in the decision-making processes regarding the process of institution building.

There are ambivalent feelings and paradoxical tensions at work in the construction of the diaspora: a positive appreciation of its responsiveness is necessary; nevertheless, its national commitments also usually spark a deleterious suspicion. As an illustration of this ambiguous situation, Palestinian business people originating from North and Latin America were recently confronted with an unfavorable atmosphere in Palestine and subsequently transferred their business to the two countries which are the closest to Palestine—Jordan and Egypt. While Egypt retains a negative policy to the presence of Palestinians in its territory, Jordan, the only Arab state which provides citizenship to Palestinians (some of them have a temporary one) and subsequently possesses a vibrant Palestinian community and extensive Palestinian social and economic networks, is a likely candidate to provide a central node for Palestinian networks. Jordan's potential as a center of gravity, however, remains weaker than that of the OPT, and both centers have become increasingly fragile due to the political and economic rivalry between the PNA and the Jordanian government.

The right of return movement (Awda network) has been a compelling space connecting the different diasporic communities together but only at the political level. Flourishing in Europe and North America rather than in the Arab world, its political claims focus on the question of return, and very little effort is made in improving the legal and social situations of the Palestinian communities in their host countries.

Influenced by the virtual center of gravity (PLO/Hamas and Awda network) and the inaccessible and weak actual center of gravity (the OPT), the Palestinian diasporic communities have kept important political ties to their place of origin but not social ties. While the political emotion is shaped by resentment against Israeli colonial practices and the Arab regimes' treatment of the Palestinian refugees, the politics of borders and the protracted separation between family and village members have hindered the Palestinian diaspora from creating a social space. Connectivity has often been reduced to political expressions (demonstrations, helping solidarity movements, etc.). My fieldwork in Syria, Jordan, UAE and France, for instance, showed that the donation to the Palestinian political and philanthropic organizations in the OPT and Lebanon has often replaced remittances to the family and the village.

Diasporic Palestinians have understood the virtue of transnational mobilization in order to advance their political claims against colonialism and dictatorship. The flourishing of human rights organizations and solidarity movements has helped the diaspora in their outreach efforts. This does not mean that the Palestinians abroad do not keep communitarian ties, but these ties are often inside of each nation-state. The social relationship to the place of origin takes the form of nostalgia. However, as

Ghassan Hage (2008) pointed out, diasporic nostalgia as a memory of "back home" should not be always treated as a form of homesickness. He eloquently pointed out that: "Home-sickness is as its name suggests a 'sickness': a state where one's memory of back home plays a debilitating function and produces a state of passivity where the subject is unable to 'deploy' himself or herself in the environment in which they are operating. This is why nostalgia should not be conceptually collapsed with home-sickness as it can readily be conceived in a far more positive light as an enabling memory. Far too often, the collapsing of all migrant yearning for home into a single 'painful' sentiment is guided by a 'miserable-ist' tendency in the study of migration that wants to make migrants passive pained people at all cost."

Scholars have often underestimated the importance of the process of migrant home-building inside the host country and the construction of culinary and art spaces. I have eaten traditional Palestinian dishes in Palestinian homes in France, Canada, Syria, Jordan, Lebanon, and Germany. Globalization, open market policies, TV cable, and satellite have fostered the ethnic market in many countries, allowing migrants to find ingredients of their home dishes in every big city. Dancing *dabka* is a part of any Palestinian festivity in many countries of the Palestinian diaspora. This migrant home-building is rather a process of cultural space's construction than social construction. Sixty years in exile, scholars have not yet indeed written the sociology of social demobilization and social fatigue of the Palestinian diasporic communities. Emphasis has been set on continuities, while diaspora means complex layered links of continuities and discontinuities.

## An Extraterritorial Nation-State?

In the Bethlehem Fatah communiqué of December 2003, the authors refused to consider the Palestinian state as a substitute for the right of return: "If we must choose between the Palestinian state and the right of return, we will choose the latter." But is there a solution that encompasses the right of return and a Palestinian state? There is no simple solution to the Palestinian refugees' problem, only a creative one. The Palestinian negotiators often invoked questions revolving around rights or the number of eventual returnees or the technical economic and social capacity for absorption, but not around the question of the nature of both the Palestinian and the Israeli nation-states, the concept of state sovereignty and its inherent violence, and the inclusion/exclusion that the state exercises to determine who is a citizen. Nowadays, in the time of the quasi-failure of a viable two-state solution to the Palestinian–Israeli conflict, a democratic one-state solution seems equally unlikely in the foreseeable future. Moreover, the problem is not only about the feasibility of the two-state solution but also about its normative stance. A creative solution thus should be envisaged.

In view of my research, and the tension between the transnational practices of Palestinian transmigrants/returnees/refugees and the policies of the Palestinian state, it may be that the PNA could be more reliable as an extraterritorialized nation-state rather than a de-territorialized one. This kind of state is territorialized in the manner of any other state, but distinguishes between citizenship and nationality. Accordingly, *the rights and the duties of those who live in the OPT would not be a function of their*

*nationality (*i.e., *whether they are Palestinian or not.) At the same time, those who live abroad, who are of Palestinian origin, could also enjoy rights and duties, even though they do not reside permanently in the OPT.* Notably, however, such an arrangement will be possible only if the PNA is able to enter into special agreements with countries that host Palestinian refugees to facilitate the attainment of full dual citizenship. Accordingly, Palestinian citizenship would be available even to people residing outside of Palestine. This, particularly in light of salient questions regarding the difficulty of movement after a protracted period of exile, could be an honorable solution for those who are not willing to return but who would, nevertheless, like to belong to a Palestinian nation and be involved in Palestinian public affairs.

This form of solution corresponds to political developments in other areas of the world. It no longer involves considering, in a traditional manner, that "in the Nation State each citizen stands in a direct relation to the sovereign authority of the country" (Bendic 1977). It does not reflect on the conditions of admission to citizenship which separate the "insiders" from the "outsiders". Neither does it extend this type of reflection which uses citizenship as its foundations for the territory of the nation-state.

The Middle East is far from being in the phase of post-nationalism. It is important, however, to show that this model exists and might influence Middle East political developments, being a backdrop in generating a peace process or being the outcome of a peace process. In this framework, taking into account the very pro-Israeli position of the West, which refuses to force Israel to acknowledge the right of return for Palestinian refugees, I may propose the possibility of connecting Palestine and Israel to a European space as a carrot strategy convincing the belligerents of the fact that no matter what their national sovereign space is, its boundaries are geometrically variable and that both national spaces are part of the European space's frontier. While the weaker party, the Palestinians, might accept this quickly, the strong occupier, Israel, might resist this proposition. Further research should explore new avenues for a solution, based on the enlargement of the EU to incorporate physically or politically Palestine/Israel.

The suggested model of allowing the possession of dual or multiple citizenships, which was previously considered a threat to the international order and to nation-states, has become accepted and even protected under international law (Stasiulis and Ross 2006: 330). Some theorists argue that if "citizenship is inclusive and rights-enhancing then, dual citizenship should be doubly so" (idem). Based on that and in the framework of the extraterritorial nation-state, one may follow the thoughts of the Israeli historian Amnon Raz about the two binational states: one Palestinian state with Palestinian and Jewish (the settlers) and the other a binational Israeli state with Jewish people and Arab Palestinians, or of the Israeli geographer Oren Yiftachel's (2006) proposition of graduated Binationalism, i.e., accepting separation but with a perspective of one day establishing a Palestinian–Israeli binational state. In this line, the Palestinian scholar Said Zidan has proposed to separate politically Palestine from Israel but without physical separation.[5]

Currently, the model of extraterritorial states is found all over the world. In Europe, for instance, any French citizen is also a European, who can go to the

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[5] Interview with Raz and Zidan in June 2006.

European court to sue his/her government or any group located in his/her own country. The majority of Bosnian refugees, since the Dayton Agreement of 1995, have enjoyed resident status or are even naturalized in a western European country, as well as possessing the Bosnian nationality, as they have the right of return there. Some might argue that this model has been applied only in developed countries where economic factors play a determining role, but we also find informal or formal flexibility in many developing countries in Asia (relationship between China and Hong Kong) and Africa (very permeable borders between different African states).

It is difficult to talk about the deterritorialization of identity as disembodied from the particulars of space. In the Palestinian context, in particular, identity is still highly territorialized, insofar as the contest over land and the struggle for national liberation shape everyday life. In any case and following Smith's argument (1998), that nation-states are "territorial by definition." The relationship between national identity and territory is fraught with considerable ambivalence and contradictory and multivalent dynamics. In understanding these, Lena Jayyusi (2006) insists on the importance of national identity as collectivity. For her: "identity can be thought of as practice of presence: its 'absence', then can only be the experience of a condition of compulsion, not merely of lack, or of non-presence. That is to say, the 'absence' of identity is not merely a *docile absence* … it can be a *produced* absence."

This produced, structured, and constrained identity has not hindered transmigrants from exhibiting flexible behaviors in spite of the inflexible policies of the states in the region, policies that have seen flexibility and mobility as a threat to the classical authoritarian pattern of sovereignty. In seeking a solution to the Palestinian refugees' problem, this article has argued in favor of the model of two extraterritorial nation-states (Israeli and Palestinian). This model falls somewhere between the two-states solution, which, due to power inequities, is now leading instead to an apartheid system, and the relatively unpopular binational state solution. A sort of "confederation" may be a more feasible solution: two extraterritorial nation-states, with Jerusalem as their shared capital, contemporaneously forming, without territorial division, two different states. This conclusion coincides with that of Eyal Weizman concerning the failure of any solution based on complete separation. He wrote: "Against the endless search for the form and mechanisms of 'perfect' separation comes the realization that a viable solution does not lie within the realm of design. Instead of a further play of identity-politics in complex geometry, a non-territorial approach, based on cooperation, mutuality, and equality, must lead to the inevitability of politics of space sharing" (Weizman 2007).

Two possibilities can potentially resolve the Palestinian refugee problem: one that follows the model of the two rigid states solution, and the other that follows the model of extraterritorial nation-states. If the current solution has been based on the assumption that the return of refugees is a matter of demographic and political instability, in the new framework, I argue that the debate should shift to other issues at stake like citizenship and circular mobility. This solution differentiates between citizenship and actual residency. While all refugees should benefit from multiple nationalities and the possibility of exercising their right of return, this will not necessarily translate into a mass movement of populations.

There are three prerequisites for a solution based on a model of extraterritorial nation-states: the ability to hold three nationalities, one of the current host country

(or a third country), Palestine, and Israel; full responsibility is held by Israel for the creation and plight of the Palestinian refugees, and any restriction of these advantages should be subject to bilateral or multilateral agreement between concerned states. As Lex Takkenberg argues: "It is important that the international conference reaches agreement on a harmonized approach to citizenship and residency for former Palestinian refugees" (Takkenberg 2007). The Organization of Security and Cooperation in Europe and the United Nations (UN) Higher Commissioner for Refugees effort on harmonization of citizenship and residency standards in the countries of the Community of Independent States is one example that may be considered for guidance. Lack of harmonization could engender continued forced migration across the region and could lead to instability and/or conflict where one state's citizenship or residency laws—in the context of unresolved displacement or new flows—could be regarded as a threat by another state. Any solution, in other words, must be regional; otherwise, the lack of coordination between host countries and the country of origin could end up sending refugees in a perpetual orbit between countries because they are denied residence status.

What I am suggesting could constitute one of the possible just solutions to the refugees' problem, while nation-states in the region would prefer other solutions which utilize less of a rights-based approach. For instance, other constitutional arrangements based on residency and not on citizenship could be accepted by the Israel and Arab nation-states that allow refugees to have multiple residencies instead of multiple nationalities. However, this is likely to generate conflict rather than resolve it, as traditionally the countries of the region are quick to expel noncitizens in case of social or political conflict. Another possibility, which is worse, could be based on circular migration, managed and regulated by the states in the region to determine the quotas of admitted refugees in a way that they match labor needs in specific economic sectors.

## Conclusion

Many factors influence a refugee's decision whether to return or to choose another option. One cannot understand the likely patterns and pressures regarding Palestinian return by focusing on macro processes of globalization or the operation of global markets according to neoclassical principles, but, rather, there must be a sociological understanding of the political, social, and cultural attributes of the Palestinian people. One needs to examine elements related to the economic sociology of Palestinian refugees (and Palestinians abroad in general), both in the host country and in the country of return (the OPT or Israel). Focusing on these elements should not overshadow other important factors.

For instance, geographical factors also influence refugees' decisions. Here, it is worth noting the importance of Salman Abu Sitta's work (2001) in opening the debate concerning the absorptive capacity of Israel. His efforts demonstrate that, after dividing Israel into three demographic areas, 68% of Israeli Jews are now concentrated in 8% of Israel and that the areas in and around the former Palestinian villages remain empty and could absorb returning refugees. For him, this empty rural area also corresponds to the original home location of the many rural refugees who

are the majority of Palestinian refugees. However, it is important to ask if after so many years these refugees can still be considered peasants. The majority of them have become residents of big cites; it is thus pertinent to ask if they would accept to be resettled in their villages of origin. Those who became urban refugees were stripped of their ecological and sociological relationships. They may no longer identify with the land upon which they were working, which is what happened with Algerian refugees after independence (Lustick 1993: 123). In other words, a right of return will not necessarily lead to an actual return; there are many intervening factors.

The return of Palestinian refugees is still closely entwined with two realms: first, the political–legal: the Israeli position vis a vis the right of return and the position of the Arab host countries, allowing or not the possibility of choice for the refugees; second, sociological refugees' agency and the socioeconomic and cultural integration of refugees in the place of residence. These will condition the degree to which the applicability of the right of return may be realized (rites of return). It is also worth mentioning that many studies show that refugees have low expectations as to whether a political solution would allow most refugees to return.

In this article, I emphasized the discrepancy between the practices of nation-states (based on the linkage between territory, population, and citizenship) and that of Palestinian refugees. The principle of equality, a key feature of the modern definition of citizenship, will remain in conflict with the nationalist principle and the effects of globalization. For the refugees and the diasporic subject, while in the past, their identity entailed a "political accusation of treachery, a fifth column aimed at penetrating and conquering the nation from within" (Friedman 1997), this perception is still prevalent in many countries in the Middle East as evidenced for instance by the discourses of security officers.

The model of nation-state suggested in this paper is close to the conception of citizenship of the unapplied French constitution of 1793 which provided the rights to be French citizen to all those who were "born and resident in France, aged of 21 years. [But also to] all foreign aged of 21 years, resident in France since 1 year, live thanks to his work, or acquires a property, or spouse a French, or adopt a child, or fed an elderly person", as well as "All foreign finally, that will be judged by the legislative Body to have merited to be part of the humanity" (art. 4) (cited by Duschesn 1997: 203). This defines the sovereign people by "the universality of the French citizens" (art. 7) and thus rehabilitate the status of the individual vis à vis the nation, yet, it hides a utilitarian approach: to be a citizen, you should be useful to the nation (adopt a child, or fed an elderly person…).

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