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Land, Camps, and Sanctuary:
A Spatial History of Refuge in Jordan, from Ottoman Migrants to the Syrian Refugee Crisis
(1878-2011)

by

Heba Abdulmunem Suleiman Alnajada

A dissertation submitted in partial satisfaction of the
requirements for the degree of
Doctor of Philosophy
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Architecture
and the Designated Emphasis
in
Global Metropolitan Studies
in the
Graduate Division
of the
University of California, Berkeley

Committee in charge:

Professor C. Greig Crysler, Chair
Professor Greg Castillo
Professor Ussama Makdisi
Professor Stefania Pandolfo

Summer 2022

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Abstract
 Land, Camps, and Sanctuary:
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by

Heba Abdulmunem Suleiman Alnajada
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The image of the UN (United Nations) camp dominates the discourse, visual representations, and public imagination of refugees, especially Arab and Muslim refugees. Journalists, practitioners, and policymakers alike often claim that refugees and western humanitarianism have a coeval and coterminous history. This dissertation counters the presentist bias of these representations by situating the contemporary Syrian refugee crisis within an architectural and socio-legal history that spans from late Ottoman times to the present. Based on fourteen months of historical (archival and oral histories) and field-based (ethnographic and architectural documentation) research in Jordan, one of the world's largest refugee host countries, it demonstrates how refugee shelter has taken a variety of forms, including Ottoman lands, self-built camps, and Islamic and Arab traditions of sanctuary. I excavate how and why refugees went from being granted Ottoman state-land in the late 19th century to being considered Jordanian nationals in legally contested Palestinian camps, and finally to becoming Syrian asylum seekers offered sanctuary in the abandoned houses of earlier refugees. Demonstrating how genealogies of Ottoman refugee aid, the poetics of Islamic and Arab traditions of migration and hospitality, and the everyday building activities of refugees help explain how over eighty percent of refugees in Jordan fulfill their housing needs outside of western humanitarian aid.

This dissertation makes three major interventions that map onto its three core chapters. The first points to the inadequacy of conventional genealogies of refugee aid. Chapter 2 traces the shift from the Ottoman government's allotment of state lands to Muslim *muhajirs* (refugees) to the emergence of two distinct patterns of refugee land tenure: de facto tenure, as exemplified by the case of legally contested Palestinian camps on lands that remain the legal property of the descendants of Ottoman refugees, and de jure tenures, as demonstrated by UN camps set-up for Palestinian and Syrian refugees. In returning to the centrality of the Ottoman empire for modern refugee responses, this part of my dissertation contributes to recent literature that has called for decentering the West from the story of refugee aid. The second intervention challenges the common assumption in urban

and architecture studies that legally contested settlements are part of the so-called “informal” growth of Middle Eastern, North African, and South Asian cities. Chapter 3 analyzes how Palestinians resort to now-illegal Ottoman sale contracts (*hujjas*) to claim the space of the camp. Rather than assuming contested camps to be part of the informal growth of cities, this chapter illustrates how houses are inhabited and claimed as property through plural legal orders, in relationship to state law, not in isolation from it. The third intervention challenges the humanitarian category of “self-settled” refugees by revealing how the majority of contemporary Syrian refugees in Jordan fulfill housing needs through transnational networks of family and kin. Chapter 4 moves to the period after the 2011 war in Syria to examine the interrelationship between urban vacancy and the Islamic notion of *Hijra* (migration, abandonment) in the phenomenon of Syrian refugees’ abandonment of Syrian cities to find sanctuary in abandoned houses in Amman.

Taken as a whole, this dissertation recovers the thread connecting late nineteenth-century Ottoman refugees, Palestinian survivors of 1948, and present-day Syrian refugees. Each chapter serves as a reminder of an episode in an evolving history of migration and the spatial and socio-legal remains of earlier migrations. I argue that amid cycles of colonization, invasion, and revolutions, refugee settlements in this region are at once a manifestation of historical crises and the remains of alternative architectural legacies of refugee sanctuary and multiethnic coexistence.

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LIST OF ABBREVIATIONS & ACRONYMS

CCA	Circassian Charity Association
DOS	Department of Statistics
DLS	Department of Lands & Survey
DPA	Department of Palestinian Affairs
GIS	Geographic Information System
GAM	Greater Amman Municipality
HUDC	Housing & Urban Development Corporation
HA	Hectare
JOD	Jordanian Dinar
LRCS	League of the Red Cross/Crescent Societies
SRAD	Syrian Refugee Affairs Directorate
UN	United Nations
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
USD	United States Dollar

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ACKNOWLEDGMENTS

I have never been to Palestine, nor to Syria. I came to this dissertation topic through my architectural NGO work in Palestinian refugee camps in Amman, in addition to my deep interest in the history and politics of the Arab region and the insurmountable borders that have prevented me from visiting Palestine and Syria, despite their metric proximity to my native Jordan. These are interests that I must have taken from my father, a person for whom politics and history are inseparable from daily life.

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Berkeley, June 2022

NOTE ON TRANSLITERATION

For the Arabic words that appear in this dissertation, I use a simplified version of the transliteration system recommended by the International Journal of Middle East Studies. I use no diacritics, including indications of long vowels, except to mark the ayn by a single open quotation mark and the hamza by a single closed quotation mark. I use the standard form for the most common names. For authors' names, I follow their preference for publication in English, even if this does not conform to standard transliteration systems. The main challenge has been how to treat the Jordanian, Palestinian, and Syrian dialect, especially in the parts where I rely on oral sources. In almost all cases, I have used the more standard Arabic form, thus, for example, writing Umm (mother) rather than Imm, as it would be pronounced.

CHAPTER 1

INTRODUCTION

A Spatial History of Refuge in Jordan

The refugee camp dominates the visual representations, public imagination, and discourse of refugees from the global South, especially of Arab and Muslim refugees. Journalists, policymakers, and academics alike often claim that refugees and western humanitarian aid have a coeval history, and that the UN (United Nations) camp is the only “rational” architectural solution to the refugee “problem.”¹ In the case of the 2011 revolution-turned-war in Syria, there is also a widespread view, especially in Europe and the US, that Syrians risk their lives on deadly journeys across the Mediterranean to flee their war-torn country. The most well-known incident is the breaking news story of Alan Kurdi, the three-year-old Syrian boy whose image made global headlines when his dead body was found lying on a Mediterranean beach.² Such images have become part of a larger collection of images that came to represent the “Syrian refugee crisis,” or what came to be known as “Europe’s refugee crisis.”³ Despite the dominance of these narratives, however, the largest Syrian refugee populations are not in Europe but in Turkey, Lebanon, and Jordan. The large majority have

¹ In journalistic and policy-oriented accounts, refugees’ experiences are often structured by UN perspectives. For humanitarian perspectives on the recent Rohingya refugee crisis in Bangladesh see for example, “Response Plan Launched to Support 1.4 million Rohingya and Bangladeshis,” UN News, March 29, 2022, <https://news.un.org/en/story/2022/03/1115012>. For the Syrian refugee crisis, the images of humanitarian agents and volunteers waiting for refugee boats. For images of volunteers see, Micah Garen and Marie-Helene Carleton, “Inside the Fight to Help Refugees in Lesbos, Ground Zero for Europe’s Migrant Crisis,” *Vanity Fair*, accessed January 4, 2021, <https://www.vanityfair.com/news/2016/03/european-migrant-crisis-refugees-in-lesbos>. For examples of key scholars in refugee studies who focus on refugees and western humanitarianism see, Michel Agier, *Managing the Undesirables: Refugee Camps and Humanitarian Government*, trans. David Fernbach, (Cambridge: Polity, 2011); Liisa H. Malkki, *The Need to Help: The Domestic Arts of International Humanitarianism* (Duke University Press, 2015).

² Helena Smith, “Shocking Images of Drowned Syrian Boy Show Tragic Plight of Refugees,” *The Guardian*, September 2, 2015, <http://www.theguardian.com/world/2015/sep/02/shocking-image-of-drowned-syrian-boy-shows-tragic-plight-of-refugees>.

³ This includes images of migrant boats and Syrian children arriving at southern European beaches and islands. For an example of refugees arriving at European beaches see, Nicolas Niarchos, “An Island of Refugees,” *The New Yorker*, accessed January 4, 2021, <https://www.newyorker.com/news/news-desk/an-island-of-refugees>. And for examples of the remains of these deadly journeys see, Kucas Amin, “Lesbos: A Greek Island in Limbo over Tourism, Refugees – and Its Future,” *The Guardian*, March 24, 2016, sec. Travel, <http://www.theguardian.com/travel/2016/mar/24/lesbos-greek-island-in-limbo-tourism-refugee-crisis-future>, and Pam Longobardi, “Lesvos: Heartbreak and Joy in Equal Measure,” *Drifters Project* (blog), July 8, 2016, <https://driftersproject.net/lesvos-heartbreak-and-joy-in-equal-measure/>.

chosen to settle outside of officially administered UN camps, in cities and among communities that are largely refugees themselves.⁴ In Jordan, over eighty percent of refugees fulfill their housing needs outside of western humanitarian aid.

Taking up the case of Jordan, one of the world's largest refugee host-states, this dissertation situates the Syrian refugee crisis within an architectural and socio-legal history that spans from late Ottoman times to the present. It excavates how and why refugees went from being granted land and subjecthood in the eastern Mediterranean shores of the late nineteenth century Ottoman empire to becoming Jordanian nationals in legally contested Palestinian camps with the right of return to Palestine, and finally to becoming Syrian "asylum seekers" offered sanctuary in the houses of earlier refugees.

More fundamentally, in analyzing this trajectory, I counter an entire way of representing Arab and Muslim refugees: namely, the humanitarian perspective on refugees. My interest in a *longue durée* of refuge in Jordan largely stems from a recent strand of literature in refugee studies that has problematized the view of refugee flows from the perspective of the global North and called for decentering the West from the presumptive ownership of refugee-aid.⁵ Along the same lines of a radical reorientation of our geographical and historical attitudes about refugee worlds, this dissertation points to the inadequacy of conventional architectural histories of refugees that focus on the camp as the emblematic site of refugees' experiences. It does so by returning to the centrality of *Bilad Al-Sham*, otherwise known as the Levant—that is, the region that today encompasses Syria, Jordan, Lebanon, the Occupied Palestinian Territory, and Israel, most of which were once under Ottoman rule—for modern refugee responses. Through a case study of Jabal al-Nathif, an urban neighborhood home to the descendants of Ottoman refugees, Palestinian survivors of 1948, and contemporary Syrian refugees, I historicize (put in context) how refugee shelter and housing has taken a variety of forms beyond the camp over time, including state-land given as shelter to Ottoman Muslim refugees fleeing Tsarist Russian expansion, Palestinian camps built on lands that remain the legal property of Ottoman refugees and Bedouin tribes, and Arab and Islamic traditions of sanctuary as put into practice in the wake of the Syrian war.

⁴ At the time of writing, the Syrian war was in its eighth year, the number of Syrian refugees in Jordan stands at 665,834 million, of which less than 20% live in UN camps, the rest that is more than 80%, have chosen to settle outside of officially administered United Nations (UN) camps, among communities that are largely refugees themselves. UNHCR. "Situation Syria Regional Refugee Response." Accessed December 23, 2020. http://data2.unhcr.org/en/situations/syria/location/36#_ga=2.223196382.451695792.1608751541-1228915883.1586806919.

⁵ See for example, Dawn Chatty, "Iraqi Refugees in the Arab Muslim World: Ottoman Legacies and Orientalist Presumptions," in *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime* (Springer, 2014); Tahir Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria* (Palgrave Macmillan UK, 2016); Victoria, "The Im/Mobilities of Iraqi Refugees in Jordan: Pan-Arabism, 'Hospitality' and the Figure of the 'Refugee,'" *Mobilities* 6, no. 3 (September 1, 2011): 353–73.; Elena Fiddian-Qasmiyeh and Yousif M Qasmiyeh, "Palestinian and Syrian Refugees in Lebanon: Sharing Space, Electricity and the Sky," *Refugee Hosts*, September 20, 2016, <https://refugeehosts.org/2016/09/20/photo-gallery/>; Stefania Pandolfo, "The Burning," in *Knot of the Soul: Madness, Psychoanalysis, Islam*, 1 edition (Chicago: University of Chicago Press, 2018), 192–220;

This multilayered spatial history deserves a nuanced telling. I demonstrate how genealogies of Ottoman refugee aid, the poetics of Islamic and Arab traditions of migration and hospitality, and the everyday building activities of refugees help explain how refugees in Jordan fulfill their housing needs outside of western humanitarian aid. Far from being a romantic portrayal of “Other” spaces of refuge, this dissertation underscores complex histories of contestation and co-creation, ethnic/racial tension and coexistence, and the persistence of Arab and Islamic traditions amid the growing role of international humanitarian protection. I argue that amid cycles of colonization, invasion, and revolutions, refugee settlements in this region are at once a manifestation of historical crises and the remains of alternative architectural legacies of refugee sanctuary and multiethnic coexistence.

Problematizing the Refugee Camp



Figure 1-1. Za'atari Syrian Refugee Camp, Jordan. Source: Norwegian Refugee Council.

The image of the camp dominates most representations of migrants and refugees—from detention camps in the US-Mexico borderlands and Australia to encampments in Europe and UN-administered refugee camps in Africa, the Middle East, and South Asia. Refugee camps have also become a key theme in art and architectural work, circulating as the topic of architecture workshops and installations, and exhibitions, most famously at the Venice Biennale.⁶ In the case of Palestinian refugees, historical images typically depict Palestinians walking along desolate roads or amid a mass of tents, while contemporary images show overcrowded UNRWA camps (United Nations Relief and Works Agency for Palestine Refugees in the Near East) with ramshackle concrete buildings and zinc roofs. In the wake of the Syrian refugee crisis, Syrians are typically seen in the foreground of campsites in desolate desert landscapes with UNHCR tents visible in the background (see Figure 1-1). In these photographic depictions and architectural representations, the humanitarian camp is the locus of an emergency imaginary, depicting every wave of migration as a spectacle of suffering and vulnerability.

Through an analysis of the spatial history of refugees in Jordan, this dissertation makes three major interventions that map onto its three empirical chapters. The first points to the inadequacy of conventional histories of refugees and their built environments that center on the camp. Here, I respond to legal studies scholar B.S. Chimni's call to shift the reference point in refugee studies from the North to the global South and anthropologist Dawn Chatty's challenge to the presentist bias of refugee studies through a historical account of refugees in *Bilad al-Sham*.⁷ As a region, Bilad al-Sham is the area that today encompasses Jordan, Syria, Lebanon, the Occupied Palestinian Territory, and Israel. As a label, it coincides to a large extent (but not identical) to the geography we term the Levant.⁸ As a concept, Bilad al-Sham is shaped through millennia of human mobility and dynamic cultural transformations. And, as Chatty shows, for centuries—particularly the past 200 years—Bilad al-Sham has been a destination for people who have been forced to move from their homes and homelands because of war, conquest, invasion, and religious coercion. The mixing of people of various ethnicities, religions, and backgrounds has created a mutual accommodation of difference,

⁶ See for example, Azra Aksamija and Melina Philippou's beautiful exhibition of Al Azraq Syrian refugee camp at the 2021 Venice Architecture Biennale; DAAR (Decolonizing Architecture Art Research) installation at the 2021 Venice Architecture Biennale entitled *Stateless Heritage*; Christoph Büchel's *Barca Nostra*, a boat that sank with thousands of migrants at the 2019 Venice Biennale; and Mohamad Hafez's artwork of Syrian refugee baggage.

⁷ B. S. Chimni, "The Geopolitics of Refugee Studies: A View from the South," *Journal of Refugee Studies* 11, no. 4 (January 1, 1998): 350–74, <https://doi.org/10.1093/jrs/11.4.350-a>; Dawn Chatty, *Syria: The Making and Unmaking of a Refugee State* (Oxford University Press, 2018).

⁸ This region received the name Sham after the Islamic conquests and the Byzantine abdication of the land in the seventh-century. Sham was under Mamluk rule until the Ottomans conquered Sham and Egypt from the Mamluks in 1516–17. In classical Islamic geographical literature, the term Sham is considered Islamo-Arabic, while Syria refers to the Byzantine Christian identity of the region. 'Levant', 'Mashriq', 'Orient', 'the East', 'Asia', and 'Anatolia' are all concepts that have to do with the rising sun. *Le Levant* was the French concept used to translate the Arabic *mashriq* (the rising of the sun) in the wake of the formalization of French Ottoman diplomatic relations in the sixteenth century. Discussed in Issa, Rana, and Einar Wigen. "Levantine Chronotopes: Prisms for Entangled Histories." *Contemporary Levant* 5, no. 1 (January 2, 2020): 1–12. <https://doi.org/10.1080/20581831.2019.1710666>.

what she calls “local cosmopolitanism.”⁹ In my endeavor to reorient our geographical and historical attitudes about refugee worlds, I return to the centrality of Bilad al-Sham and the Ottoman Empire that ruled over this region for centuries to understand the lived spaces, property relations, and interwoven lives of multiple groups of refugees in contemporary Jordan. With the aim of a “longer historical” view of refugees,¹⁰ this dissertation contributes to recent literature across the humanities and the social sciences that has called for “provincializing” Western narratives of refugees.¹¹

Understanding these movements and settlements means taking a bird’s-eye view of the ethnic and religious composition of the territories of present-day Jordan both in the late Ottoman era and in the modern Arab state carved out of the Ottoman region known as Bilad al-Sham. In the wake of World War I, the Ottoman empire that had ruled the Levant for over 400 years collapsed. European powers endeavored to carve up the region in their own model of nation states. The British and the French left their mark on land, literally carving borders where there were none. The Sykes-Picot Agreement of 1916, a secret treaty between the British and the French, divided up Greater Syria into two spheres of influence, with the British mandate subdividing the banks of River Jordan into Transjordan (east of the river) and Palestine (west of the river), and the French Mandate covering Syria and Lebanon. Thus, the second chapter of this dissertation is about a period in the not-too-distant past when the Hashemite Kingdom of Jordan did not exist, and Palestine and Syria, while in use, did not correspond to their contemporary national selves in territory or ideology.¹² While this region is typically studied through its composition of bordered nation states, it is much more entangled and intertwined than the neatness of modern national borders allows. Therefore, I suggest that looking back into late Ottoman responses to refugees and the culture of the people of Bilad al-Sham can help us recover the thread connecting Ottoman refugees, Palestinian survivors of the 1948 *Nakba* (the Arabic term for the Palestinian Catastrophe), and contemporary Syrian refugees. Moreover, such a historical perspective helps explain how refugees have come to fulfill housing needs outside of UN camps, which to an Orientalist mind is perplexing.

⁹ Chatty, Syria.

¹⁰ Seteney Shami, “Re-searching the City: Urban Space and Its Complexities,” in *Amman: Ville et Société*, ed. Jean Hannoyer and Seteney Shami (Presses de l’Ifpo, 2019), 46; Rami Farouk Daher, “Prelude. Understanding Cultural Change and Urban Transformations: Qualifying Amman: The City of Many Hats,” in *Villes, Pratiques Urbaines et Construction Nationale En Jordanie*, by Myriam Ababsa, Cahiers de l’Ifpo (Beyrouth: Presses de l’Ifpo, 2013), 65–89.

¹¹ See, for example, Dawn Chatty, “Iraqi Refugees in the Arab Muslim World: Ottoman Legacies and Orientalist Presumptions,” in *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime* (Springer, 2014); Tahir Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria* (Palgrave Macmillan UK, 2016); A. Fábos and R. Isotalo, eds., *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime*, 2014th edition (New York, NY : Basingstoke, Hampshire: Palgrave Macmillan, 2014); Elena Fiddian-Qasmiyeh, *South-South Educational Migration, Humanitarianism and Development: Views from the Caribbean, North Africa and the Middle East*, 1st edition (London ; New York, NY: Routledge, 2014).

¹² As discussed in Nora Elizabeth Barakat “An Empty Land? Nomads and Property Administration in Hamidian Syria” (Ph.D. Dissertation, University of California, Berkeley, 2015).

The history of western humanitarianism and international law's category of the "refugee" have been well defined in refugee studies,¹³ as have the imperial history and spatial characteristics of humanitarian camps.¹⁴ In view of this, my second intervention is to counter the idea that there is only one legal and social understanding of refugees—that of a stateless figure separated from society—and the assumption that there is only one spatial and legal type of refugee housing. To diversify legal and social understandings of refugees and their housing, I first demonstrate across this dissertation how refugees in Jordan went from being Ottoman mobile subjects to becoming the mobile people who actively build their own camps or act as providers for one another. Each chapter of this dissertation serves as an example of this shift. Second, I examine spaces of refuge, shelter, and sanctuary that are comparable to but distinct from refugee camps in terms of institutional frameworks, periods, agents, spatial characteristics, and ownership. Third, I examine such spaces against the backdrop of shifting institutional norms and the spatial practices of ordinary people acting on the world in times of crisis. I contend that these spaces constitute material anchors for complex symbolic worlds in which politics, legal regimes, and language are interconnected with the cultural, architectural, and religious traditions of generations of people moving to and within *Bilad al-Sham*. As such, I challenge the tendency among architects and urban practitioners to design and plan for refugee shelter in the "here and now", rendering earlier refugee settlements frozen in time and obsolete.

Processes of migration and urbanization in the global South have typically been understood in reference to theories rooted within the history of Euro-American cities. Such universalizing lenses have aimed to create a "universal" knowledge that transcends place and time. However, a real-world perspective that situates places and people in their varied histories and cultures can help us account for divergent experiences. A growing body of scholarship in the field of urban studies has attempted to explain "informal," "temporary," "peripheral," and "contested settlements" through embodied, situated knowledge.¹⁵ This dissertation seeks to contribute to this strand of literature through a focus

¹³ See, for example, Didier Fassin, *Humanitarian Reason: A Moral History of the Present*, First edition (Berkeley: University of California Press, 2011); Michael N. Barnett, *Empire of Humanity: A History of Humanitarianism*, Cornell Paperbacks (Ithaca, New York: Cornell University Press, 2013); Erica Bornstein and Peter Redfield, eds., *Forces of Compassion: Humanitarianism between Ethics and Politics*, 1 edition (Santa Fe: School for Advanced Research Press, 2011); Roger Zetter, "Labelling Refugees: Forming and Transforming a Bureaucratic Identity," *Journal of Refugee Studies* 4, no. 1 (January 1, 1991): 39–62, <https://doi.org/10.1093/jrs/4.1.39>; Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 24–44.

¹⁴ See, for example, Eyal Weizman, *The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza* (London; New York: Verso, 2012); Manuel Herz, "Refugee Camps or Ideal Cities in Dust or Dirt," in *Urban Trans Formations*, ed. Ilka Ruby and Andreas Ruby (Berlin: Ruby Press, 2008); Andrew Herscher, *Displacements: Architecture and Refugee*, Sternberg Press / Critical Spatial Practice (Cambridge, MA, USA: Sternberg Press, 2017); Michel Agier and David Fernbach, *Managing the Undesirables: Refugee Camps and Humanitarian Government* (Cambridge; Malden, MA: Polity, 2011); Aidan Forth, *Barbed-Wire Imperialism: Britain's Empire of Camps, 1876-1903* (Univ of California Press, 2017).

¹⁵ See, for example, Omar M. Razzaz, "Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan," *Law & Society Review* 28, no. 1 (1994): 7–39, <https://doi.org/10.2307/3054136>; Mona Fawaz, "Planning and the Refugee Crisis: Informality as a Framework of Analysis and Reflection," *Planning Theory* 16, no. 1 (February 1, 2017): 99–115, <https://doi.org/10.1177/1473095216647722>; Asef Bayat et al., *Urban Informality*:

on the material culture of refugees. By describing and analyzing varied forms of refugee shelter, it contributes to forging counter-narratives to the Western refugee “model”—one who seeks out and succumbs to international humanitarian aid as manifested in rigidly-administered holding camps and prefabricated caravans.¹⁶ It does so from the perspective of camps at the margins of the humanitarian regime, everyday spatial traditions, and, most importantly, the women and men who embody and inhabit the crises of the Arab and Muslim worlds—and not from the standpoint of the objective expert but through a situated knowledge and ethnographic account of people and the places they inhabit, a point that I will discuss in more depth in the methods section.

Additionally, I challenge the trope of “informality” that has come to be used to describe everything outside of humanitarian control—from non-UN administered camps to non-camp refugees—by focusing on what are typically categorized as “informal,” “squatter,” or “spontaneous” camps.¹⁷ Chapter 3 pushes back against the common assumption in urban and architecture studies that legally contested Palestinian camps are part of the “informal” growth of Middle Eastern cities by demonstrating how houses in such camps are built and claimed as property through plural legal orders, in relationship to state law rather than in isolation from it.

The dissertation’s third intervention challenges the humanitarian category of “self-settled refugees” by illustrating how the majority of contemporary Syrian refugees in Jordan fulfill housing needs through the persistence of Arab and Islamic traditions of migration, sanctuary, hospitality, and neighboring. To understand the meaningful geographies that shape a migration from one Levantine city to another, I build on a strand of academic literature in anthropology, Middle Eastern studies, and refugee studies that has revealed the continued influence of Arab and Islamic traditions in the lives of Arab and Muslim refugees.¹⁸ Scholars have shown how the Prophet’s migration (*hijra*) from

Transnational Perspectives from the Middle East, Latin America, and South Asia, ed. Ananya Roy and Nezar AlSayyad (Lanham, Md.: Berkeley, Calif: Lexington Books, 2004); Teresa PR Caldeira, “Peripheral Urbanization: Autoconstruction, Transversal Logics, and Politics in Cities of the Global South,” *Environment and Planning D: Society and Space* 35, no. 1 (February 1, 2017): 3–20, <https://doi.org/10.1177/0263775816658479>; Ohoud Kamal, “Temporary Space in Amman: A Co-Creation of Everyday Activism and State Flexibility” (Ph.D. Dissertation, Newcastle University, 2020), <http://theses.ncl.ac.uk/jspui/handle/10443/5118>; Colin McFarlane, “Rethinking Informality: Politics, Crisis, and the City,” *Planning Theory & Practice* 13, no. 1 (March 1, 2012): 89–108, <https://doi.org/10.1080/14649357.2012.649951>; Oesch Lucas, “The Politics of Temporariness and the Materiality of Refugee Camps,” in *Arrival Infrastructures: Migration and Urban Social Mobilities*, ed. Bruno Meeus, Karel Arnaut, and Bas van Heur (Springer, 2018), 229–49.

¹⁶ Dawn Chatty, “Iraqi Refugees in the Arab Muslim World: Ottoman Legacies and Orientalist Presumptions,” in *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime* (Springer, 2014).

¹⁷ During the 1960s, Latin American cities were a leading center for debate on housing policy, illegality, community development, and the role of self-help. For example, architects such as John Turner have written extensively on housing and community organization and advised on several slums upgrading programs in Peru. Other noted scholars and practitioners affiliated with the Joint Centre for Urban Studies of the Massachusetts Institute of Technology (MIT) and Harvard University include, among others, Lisaa Peatti, William Doebele, and Reinhard Goethert. For particular reference to Egypt see, Nasamat Abdelkader and Sayyed Ettouney’s work. For an excellent analysis of the making of the category of the Third World and its construction as a site of development see, Arturo Escobar, *Encountering Development: The Making and Unmaking of the Third World* (Princeton University Press, 2011).

¹⁸ Anita Fabos and Riina Isotali’s (2014) volume on Muslim mobilities has revealed how Muslim sacred geographies and security regimes have become closely intertwined. A. Fábos and R. Isotalo, eds., *Managing Muslim Mobilities: Between*

Mecca to Medina (622 CE), the concepts of the “guest” and the “stranger,” nomadic traditions of hospitality (*diyafa*), and the duty to stand by your neighbor (*jīwar*) continue to play a vital role in supporting Muslim refugees today.¹⁹ Driven by key events such as 9/11 and the war on terror, scholars have also returned to Muslim conceptions of migration to challenge the dominant narratives of “Islamic terrorism” and the increased securitization of national borders.²⁰

Liisa Malkki’s seminal work has challenged the field of refugee studies, which was saturated with policy studies and quantitative research until the 1990s. In her study of Hutu refugees from Burundi, Malkki shows how experiences of dispossession create two conditions of “refugeeness,” a nationalistic one in refugee camps and a cosmopolitan one in the city. This dissertation builds on this focus on the varied experiences of refugees, but it is not a comparison between refugees in camps and refugees in cities as two contemporaneous conditions. Instead, it is a historicization of the spaces, temporalities, communities, and property regimes in which refugees have found shelter outside humanitarian aid. Therefore, my turn to anthropologists and sociologists such as Dawn Chatty and Tahir Zaman, whose work on refugees in Bilad al-Sham has attempted to shed light on alternative histories and experiences of refugees.²¹ I also open up to scholars who study Arab and Muslim migrants and refugees from Africa to the Middle East to South Asia. Particularly, Stefania Pandolfo’s work on how the theological dimension of *hijra* sets the conditions for specific ethics of migration in which Moroccan youth view “departure” from one place as part of the struggle for a Muslim community yet to come.²² And Abdoumalik Simone’s work on how Zawiyas lodges (historically, places where accommodation was provided for Muslim travelers) have become centers

Spiritual Geographies and the Global Security Regime, 2014th edition (New York, NY : Basingstoke, Hampshire: Palgrave Macmillan, 2014); Zaman, Tahir. *Islamic Traditions of Refuge in the Crises of Iraq and Syria*. Springer, 2016.

¹⁹ See for example, Muhammad Khalid Masud, “The Obligation to Migrate: The Doctrine of Hijra in Islamic Law,” in *Muslim Travellers: Pilgrimage, Migration, and the Religious Imagination*, ed. Dale F. Eickelman and James Piscatori, First Edition (Berkeley: University of California Press, 1990), 29–49; Franz Rosenthal, “The Stranger in Medieval Islam,” *Arabica* 44, no. 1 (1997): 35–75; Tahir Zaman, “Jiwār: From a Right of Neighbourliness to a Right to Neighbourhood for Refugees,” in *Migration and Islamic Ethics: Issues of Residence, Naturalization and Citizenship*, ed. Said Fares Hassan and Ray Jureidini, vol. 2, Studies in Islamic Ethics (Brill, 2019), 47–66, <https://brill.com/view/title/55481>; Oroub El-Abed, “The Discourse of Guesthood: Forced Migrants in Jordan,” in *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime*, ed. Anita H. Fábos and Riina Isotalo, Religion and Global Migrations (New York: Palgrave Macmillan US, 2014), 81–100, https://doi.org/10.1057/9781137386410_5.

²⁰ Anthropologist Stefania Pandolfo has challenged narratives of jihad as “Islamic terrorism” by showing how the Islamic doctrine of *hijra* is both the individual struggle with social injustice and a “self-war” (understood as the constant battle with oneself against stasis or death of one’s desire for life). Abdoumalik Simone (2004), for instance, has challenged the narrative failure in African cities by showing how Zawiyas lodges (historically, places where accommodation was provided for Muslim travelers) have become centers through which Muslim movement is tracked and unemployed Senegali youth in Sufi lineages are connected to economic opportunities across the Muslim cities. Pandolfo, Stefania. *Knot of the Soul: Madness, Psychoanalysis, Islam*. 1 edition. Chicago: University of Chicago Press, 2018; Simone, AbdouMalik. “Movement.” In *For the City yet to Come: Changing African Life in Four Cities*. Duke University Press, 2004.

²¹ Dawn Chatty, *Syria: The Making and Unmaking of a Refuge State* (Oxford University Press, 2018); Tahir Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria* (Palgrave MacMillan, 2017).

²² Ibid: 192–221.

through which Muslim movement is tracked and unemployed Senegali youth in Sufi lineages are connected to economic opportunities across the Muslim cities.²³

While scholars in this literature have analyzed such patterns, they did so by focusing on cultural practices, social relations, geographic settings, hermeneutics, and linguistics, but rarely through their architectural and urban manifestations. Chapter 4 contributes to this literature by engaging with the material culture of sanctuary, hospitality, and neighborliness in Bilad al-Sham as manifested in architecture and intimate interiors. It examines the interrelationship between urban vacancy and Islamic theologies of *hijra* (migration, abandonment) in the phenomenon of contemporary Syrians abandoning Damascus to find sanctuary in the abandoned houses of earlier refugees in Amman. As such, contributing to our understanding of critical conceptual and substantive issues of Islamic architecture, as demonstrated by people's everyday spatial practices, not by the mosque or the architectural monument in normative accounts of Islamic architecture. In conclusion, this dissertation intervenes in three fields of study: refugee studies, studies of the global South, specifically southern urbanism, and Islamic architecture.

Writing a Spatial History of Refugees

My research method draws on the rich legacy that spatial humanities and material culture studies have created.²⁴ To analyze the spaces (land plots, desert lands, camps, houses, shops, caravans) and scales (borderlands, cities, neighborhoods, domestic interiors) of refuge, shelter, and sanctuary over more than 100 years, I integrated varied sources and made extensive use of the spatial dimension of these sources. As a result, this dissertation is a historical account with a focus on space and spatial relations as a way to understand political, socio-cultural, and legal changes over time. By addressing the history of the built environment, I argue that migration is not only geographical (captured by terms such as translocal, transnational, and transregional) but also spatial and material. Here, space (how people make it, use it, travel to it, describe it, write about it) is used as a method and a technique to better understand refugee worlds: their built environments, their social lives, their claims, and their interactions with the state and with humanitarian organizations. Visualizations,

²³ AbdouMaliq Simone, "Movement," in *For the City Yet to Come: Changing African Life in Four Cities* (Duke University Press, 2004).

²⁴ For spatial humanities, see, Richard White, "What Is Spatial History?" (Stanford University Spatial History Project, February 1, 2010), <https://web.stanford.edu/group/spatialhistory/media/images/publication/what%20is%20spatial%20history%20pub%2020110.pdf>; The Spatial History Project at Stanford is part of a larger spatial turn in history. Many of the classic histories of the last half-century and more — from Fernand Braudel's *Mediterranean World* to William Cronon's *Nature's Metropolis* — have been spatial in the sense that they have focused on changing spatial relations that best explain the pattern of changes over time. For material culture studies see, Dan Hicks and Mary C. Beaudry, *The Oxford Handbook of Material Culture Studies* (OUP Oxford, 2010).

maps, charts, and pictures are one way of evoking Jordan's spatial history of refugees. But there were other aspects to this analytical process.

Levantine cities have been central to the circulation of people, ideas, and cultural practices in the Near East for millennia. Amman, the site of my fieldwork, is a city whose territory and built environment is shaped by migrants and refugees. In 1878, Ottoman authorities began resettling North Caucasus Muslim refugees (*muhajirs*) in Amman. Ottoman *muhajirs*, mainly Circassians and Chechens, established agricultural villages that, with time, became urban centers and ethnic quarters.²⁵ Prior to the resettlement of *muhajirs*, foreigners and newcomers periodically came into Amman and the larger Balqa region, settling in agricultural villages or making the region a part of their migration routes.²⁶ Land in this region was also part of the roaming territory and agricultural settlements of Bedouin tribes. Amman was chosen as the capital city after the breakup of the Ottoman Empire. Britain installed the Hashemite monarchy to govern the new protectorate of Transjordan. As a result, land began increasing in value, and many members of the Bedouin and North Caucasus communities became wealthy and influential land-owning families.

My field site, Jabal al-Nathif, is a mountainous, populous, and marginalized neighborhood located in the center of contemporary Amman (see Figure 1-2). It has not always been dense, however. In the nineteenth century, the steep *jabal* (hill) was an unoccupied part of the roaming domain of a Balqawwi Bedouin tribe, as I will discuss in more depth in Chapter 2. During the British mandate period (1921-1948), some Circassian families began to form communities on the steep western slopes of Jabal al-Nathif.²⁷ Between the 1930s and 1950s, these Circassian families built houses, shops, and a mosque in what came to be known as the Circassian quarter (see outlined in black in the aerial maps shown in Figure 1-3).

In the wake of the 1947 UNGA partition of Palestine, and the consequent establishment of the state of Israel over more than three-quarters of Palestinian lands, hundreds of thousands of Palestinian refugees sought refuge in the now independent Arab states of Lebanon, Syria, and Jordan.²⁸ Since 1948, Palestinian refugees have been building a camp nestled between the eastern slopes of Jabal al-Nathif. They call it Muhammad Amin Camp in spoken words and written documents (*mukhayyam* in Arabic). The camp takes its identifying name from the legal owner of the plot of land on which it was built (see outlined in red in the aerial maps shown in Figure 1-3), Muhammad Amin Habjoka, the descendant of an Ottoman Circassian refugee family that arrived in

²⁵ Vladimir Hamed-Troyansky, "Circassian Refugees and the Making of Amman, 1878–1914," *International Journal of Middle East Studies* 49, no. 4 (November 2017): 605–23, <https://doi.org/10.1017/S0020743817000617>.

²⁶ Nora Barakat, "An Empty Land? Nomads and Property Administration in Hamidian Syria" (Ph.D. Dissertation, University of California, Berkeley, 2015).

²⁷ Hanania, "From Colony to Capital."

²⁸ In 1947, the United Nations General Assembly (UNGA) passed Resolution 181 (1947), known as the Partition Plan, in which the United Nations divided the Holy Land. In 1948, the state of Israel established itself over more than three-quarters of Palestinian lands. See Article 1D of the 1951 Refugee Convention. See Lorenzo Kemal's work for an excellent historical counterclaim to the widespread claim that, at the time of the partition of Palestine, 'over 70 percent' of it did not 'legally' belong to the local Arab majority. See also, Khalidi, "Revisiting the UNGA Partition Resolution."

Amman in the late-nineteenth-century. With the encroachment of the Palestinian camp on the then middle-class Circassian quarter, Circassians began to move out of Jabal al-Nathif to the more affluent neighborhoods of the city. Palestinians eventually followed. Both left their houses abandoned. Now, in the wake of the 2011 revolution-turned-civil war in Syria, Syrian refugees have come to find sanctuary in the houses that Circassians and Palestinians have left behind. Today, Muhammad Amin camp and the larger neighborhood of Jabal al-Nathif have become one of Jordan's densest Syrian refugee clusters.²⁹



Figure 1-2. Jabal al-Nathif, Amman. View from Muhammad Amin Camp built on a plot of land that remains the private property of the descendants of Ottoman refugees. In this camp, on this same plot of land, contemporary Syrian refugees have come to find sanctuary, too. Photograph by author, 2019.

²⁹ In 2015, the Department of Statistics (DOS) reported that Jabal Al Nathif is one of the highest Syrian refugee cluster areas along with Marka, Jabal Al-Ashrafiyyah, Jabal Al-Taj. The UNHCR also published a map that shows that the number of “non-camp” refugees in Eastern Amman is the highest in Jordan. See, “Syrians Living Outside Camps in Jordan: Home Visits Data Findings, 2013.”

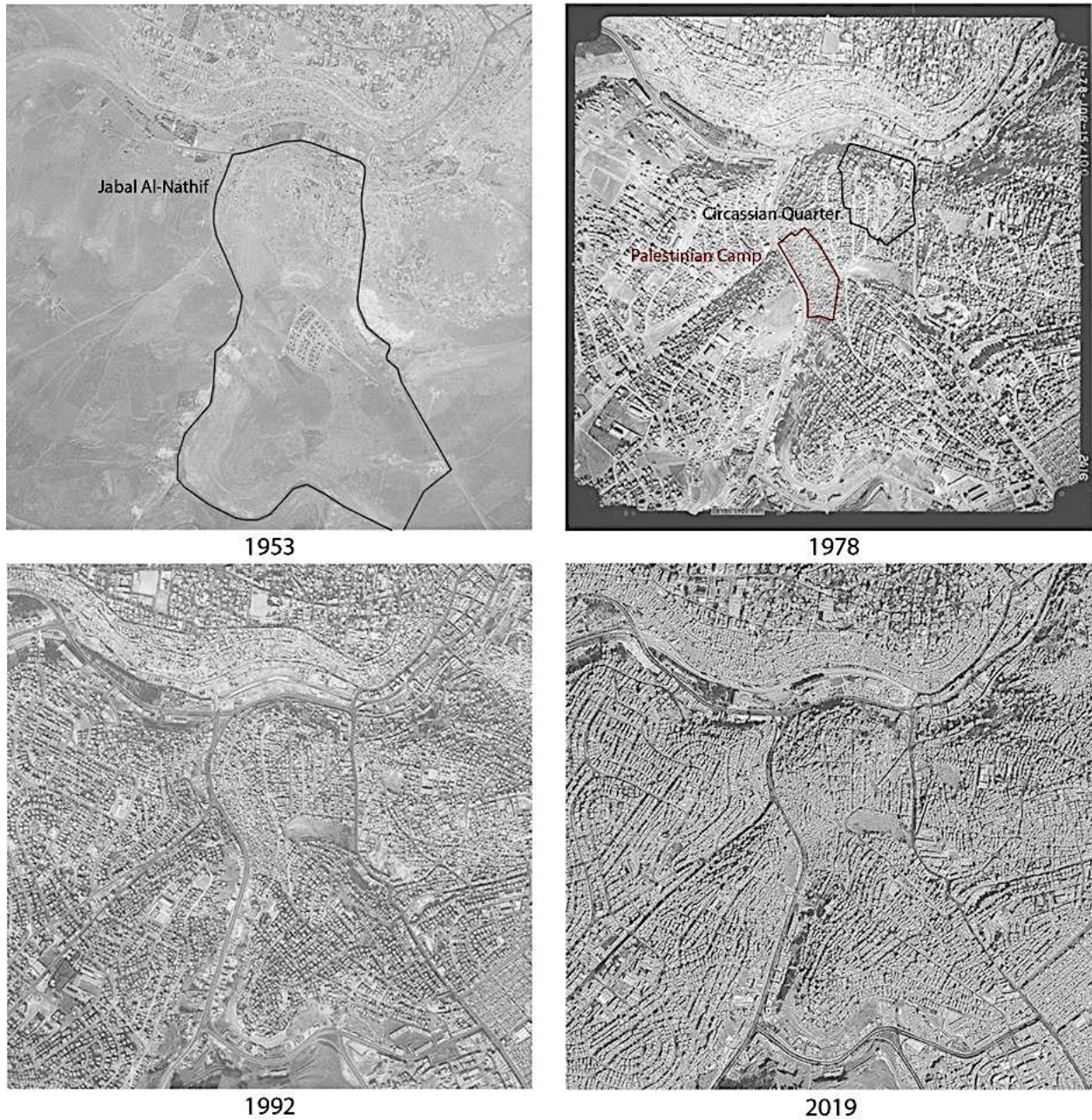


Figure 1-3. Aerial maps of Jabal al-Nathif (1953-2019). Source: Royal Geographic Center. Illustration by author.

Analyzing spatial transformations and changing spatial relations in refugee communities under the sovereign jurisdiction of three different governing regimes—the Ottoman empire, British mandate, and the Hashemite nation-state, this dissertation has a complex relationship with location. On one level, it is about the land and built environment of a particular Palestinian camp in a particular neighborhood in Amman. It employs a methodology of site biography, excavating how multiple refugee groups shape a site—the Ottoman migrants that came to build houses and own property in it, the Palestinians that built their own camp in it, and the Syrian refugees that have come to find sanctuary in it—and how these different groups of refugees became subjects of the Ottoman state, the postcolonial state, and the international refugee regime. On the other hand, however, this is also a dissertation about refugee land tenure at large. On this level, Amman and Jordan become puzzle pieces in the bird’s-eye perspectives of Ottoman and Jordanian policymakers when they thought about refugee settlements, local Bedouin tribes, refugee camps, and the categories of land and how they reflected their ideas into laws that attempted to govern property relations.³⁰ The dissertation moves back and forth between these two perspectives, seeking to show how mandate and postcolonial land policies towards refugees in Jordan at times preserved and at others dismantled Ottoman laws and ideas.

Like all Levantine countries, Jordan’s intertwined geographical, cultural, and political circumstances loomed large in the narratives of its inhabitants. These narratives and spatial relations unfolded inside and outside of my field site, in various parts of Amman and Jordan. They affected all my informants and the places they referenced, whether they were members of Bedouin tribes tracing their origins to the city itself, early twentieth century merchants from Palestine and Syria, refugees from Circassia and Chechnya, attorneys, government officials, or refugees from Palestine and Syria. These people and places were a crucial part of the unfolding of the story recorded here in a way not fully expressed by the term “case study.” Therefore, this dissertation follows the unconventional approach of a primary case (for in-depth situated knowledge) informed by multiple secondary cases (for broader, more generalizable knowledge).³¹

As I moved between Jabal al-Nathif, different parts of Amman, and Syrian camps in desert borderlands, I came to see refugee land, shelter, housing, camps, and sanctuary as inherently spatial, geographic, multilayered, and multiscalar. I also came to conceive Jabal al-Nathif as a “topological space.” Topological spaces, according to geographer Ash Amin, require not thinking in terms of flat spaces with a fixed size, scale, and site borders, but thinking of space as a topology, understood as a space that transcends the boundedness of national borders, the physical limits of the neighborhood,

³⁰ I am inspired here by Nora Barakat’s conceptualization of Ottoman Salt as a locality between district and empire. See Nora Elizabeth Barakat, “An Empty Land? Nomads and Property Administration in Hamidian Syria” (Ph.D. Dissertation, University of California, Berkeley, 2015).

³¹ Urban studies scholar Vinit Mukhija suggests that focusing on one case while following some additional secondary cases may, paradoxically and under certain conditions, be a better way of conducting in-depth, single case research. See Vinit Mukhija, “N of One plus Some: An Alternative Strategy for Conducting Single Case Research,” *Journal of Planning Education and Research* 29, no. 4 (June 1, 2010): 416–26, <https://doi.org/10.1177/0739456X10362770>.

and the temporal limits of the present.³² Thus, in this dissertation, Jabal al-Nathif is not viewed as a flat, metric neighborhood with fixed borders, but as a space that is interconnected with spaces that extend the region and events that are not limited to the present moment. Thus conceived, a spatial history of Jabal al-Nathif is the analysis of state-society relations through its built forms and urban and architectural transformations.

In short, the spatial history of refuge is the sum of land grants, land occupations, refugee construction practices and narratives, refugee-to-refugee hospitality, in addition to the macro processes, institutional and legal regimes, and the persistence of cultural and religious traditions. Using this broad definition of “space,” the built environment and lived space of multiple generations and groups of refugees becomes a historical artifact of the patterns and vectors (temporal, political, social, legal, and institutional) that structure migration and settlements.³³

Narrative, Space, and Property as Evidence of a Multi-Layered History

It was in the context of an hours-long ethnographic interview with a Syrian refugee woman living in Jabal al-Nathif that other spaces for hosting refugees were brought to my attention. While holding a blue thread basket, she told me how distant Palestinian relatives had given her a house in Muhammad Amin Camp for free for almost three years. At the time, the house had been abandoned. My interlocutor’s method was to recount her story of migration as it relates to geography, time, people, buildings, and objects. It was not an individual testimony as told to humanitarian officials, but a tale that unfolded over days, unfolding along with the stories of other Syrian refugees, Palestinian hosts, and Circassian neighbors.

During the course of my fieldwork, I came to realize that her story fit into a larger narrative of earlier refugees hosting newer ones. This clue from the present led me to move from studying Syrians as a distinct refugee group to exploring their connection to Palestinian refugees and all the way back to Ottoman refugees, what Rami Daher calls the “multi-layered beginnings” of Amman’s urban history.³⁴ Therefore, to uncover the multi-layered history of refugees in Jabal al-Nathif, I

³² Geographer Ash Amin argues for a relational approach to understanding urban spaces. A helpful visualization he offers, is a quote by Michel Serres in conversation with Bruno Latour (1995, p. 60) to describe space as a topology: “If you take a handkerchief and spread it out in order to iron it, you can see in it certain fixed distances and proximities. If you sketch a circle in one area, you can mark out nearby points and measure far-off distances. Then take the same handkerchief and crumple it, by putting it in your pocket. The two distant points suddenly are close, even superimposed. If, further, you tear it in certain places, two points that were close can become very distant. This science of nearness and rifts is called topology, while the science of stable and well-defined distances is called metrical geometry.” Ash Amin, “Re-thinking the Urban Social,” *City* 11, no. 1 (April 1, 2007): 100–114, <https://doi.org/10.1080/13604810701200961>.

³³ Architectural historian Sarah Lynn Lopez makes a similar argument about migration and remittance landscapes in Mexico and the USA. Sarah Lynn Lopez, *The Remittance Landscape: Spaces of Migration in Rural Mexico and Urban USA*, Illustrated edition (University of Chicago Press, 2015).

³⁴ Rami Farouk Daher, “Prelude. Understanding Cultural Change and Urban Transformations: Qualifying Amman: The City of Many Hats,” in *Villes, Pratiques Urbaines et Construction Nationale En Jordanie*, by Myriam Ababsa, Cahiers de l’Ifpo (Beyrouth: Presses de l’Ifpo, 2013), 65–89, <http://books.openedition.org/ifpo/1725>.

followed a palimpsest approach where layers of historical density form an intelligible socio-cultural and architectural topography, while at the same time remaining analytically distinct. This genealogical approach might also be called, in Foucauldian terms, a “history of the present.”³⁵

With this thread connecting contemporary Syrian refugees to Palestinian survivors of 1948 and late 19th-century Ottoman refugees in mind, I turned my attention to the remains of other migrations and mobilities: from the socio-economic mobility of Palestinian and Circassian refugees and their movement to the more well-off neighborhoods of the ever-growing city to mobility across the Ottoman Empire, as can be seen in the 1851 map of Ottoman Syria shown in Figure 1-4. I will not go into the Orientalist perspective evident in the engravings on the map. Suffice to say that I use it here to demonstrate that, in a moment in time, not so long ago, mobility across the region was the norm and not the exception.

To secure refugee status, refugees have to give a testimony of their persecution to UN officials.³⁶ But what escapes such evidence-building and data collection methods in the context of humanitarian governance is how refugee stories and narrativity can be a critical methodology that allows for new forms of knowledge that would otherwise not be produced or shared—about the lived experience of migration, the daily lived experience of home and neighborhood, relationships with other groups of refugees, and transnational ties.³⁷ I prioritized listening to my interlocutor’s stories, focusing on what their narratives can reveal rather than looking for a legible or predictable story of persecution. This approach is especially important for the task of representing refugees, since dominant practices of humanitarian action render them “speechless.”³⁸ Rather than conforming to the narratives of persecution expected by humanitarian-aid-giving agencies, the narratives of migration that I heard, framed migration as a dynamic experience placed in wider socio-political and cultural contexts. At times, the speakers resuscitated Prophet Muhammad’s seventh-century *Hijra* (migration) from Mecca and sanctuary among the locals of Medina. Others referenced the lived tradition of *hijra* that I describe in Chapter 4. I am not suggesting a rose-tinted reading of Ottoman and Islamic history, but rather, as Tahir Zaman has argued, any understanding of migration within this region has to consider the fluidity of movement of people, ideas, commodities, and skills prior to the existence of the nation-state.

To understand how multiple groups of refugees make sense of migration and themselves as actors within it, I draw on diverse insights from philosophy, literary theory, psychology, and

³⁵ See, David Garland, “What Is a ‘History of the Present’? On Foucault’s Genealogies and Their Critical Preconditions,” *Punishment & Society* 16, no. 4 (October 1, 2014): 365–84, <https://doi.org/10.1177/1462474514541711>.

³⁶ I came to know about this during my fieldwork in UNHCR resettlement offices in Amman. Tahir Zaman makes a similar observation, arguing that the existence of the state and other institution construct the narrative of refugee stories, that in order to secure refugee status they demand a particular narrative of persecution in refugee testimony to secure refugee status. Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*, 9.

³⁷ See the work of the Critical Refugee Studies Collective. In the third of their annual grant, the collective focused on the theme of “Secrets and Stories”, to shift the reference point in refugee studies from that of the state, humanitarian organizations, and policy makers to that of the refugees.

³⁸ Liisa H. Malkki, “Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization,” *Cultural Anthropology* 11, no. 3 (August 1, 1996): 377–404, <https://doi.org/10.1525/can.1996.11.3.02a00050>.

anthropology on the constitutive role of narration, language, and memory in understanding human experience.³⁹ Every story, Michel de Certeau argues, is a journey through space because it projects experience onto places through the actions of historical subjects.⁴⁰ Narrative has also been used as an ethnographic technique. For example, anthropologist Nigel Rapport has shown how, in a world in motion, narratives can counteract the sense of fragmentation, contingency, randomness, and dislocation.⁴¹ The analysis of personal narratives is also a key method among refugee studies scholars. Liisa Malkki is the most notable example, with her call for acknowledging the “narrative authority, historical agency, and political memory” of refugees.⁴² Arab novelists and authors have also used narrative to trace their parents’ or grandparents’ migrations into and from Palestine.⁴³ Narrative analysis as a tool to uncover memories of war and political fear has also received increased attention among scholars focusing on Assad’s rule and the war in Syria.⁴⁴

The discipline of architecture has much to contribute to our understanding of the spaces and spatial relations that underlie the experience of migration of the sort I am concerned with in this dissertation, as well as to the analysis of narrative. The narratives I analyze in the chapters that follow are not just stories told in words, but stories as told in physical space. The narratives I recount map lived spaces that have depth and meaning beyond their cartographic presence—they are narratives in which people, places, buildings, personal documents, and objects are folded into the events and engaged with very intimately.

In recounting these narratives, I do not disembodiment myself as the researcher and the listener. It is also important to note how, during my fieldwork, I navigated multiple identities and

³⁹ Roland Barthes writes that “narrative is simple there like life itself ... international, transhistorical, transcultural.” Jerome Bruner has argued that everyday forms of thinking organize experience of the world in storied form and that narratives represent a “privileged medium for understanding human experience.” Narrative, according to Anthony Paul Kerby, is “the telling (in whatever medium), though especially language of a series of temporal events so that a meaningful sequence is portrayed.” See Roland Barthes, “Introduction to the Structural Analysis of Narratives,” *Music, Image, Text*, trans. Stephen Heath (New York, 1977): 79. Bruner, Jerome. *Acts of Meaning: Four Lectures on Mind and Culture*. Revised ed. edition. Cambridge, Mass.: Harvard University Press, 1990: 45. Anthony Paul Kerby as cited in Nigel Rapport. See Anthony Paul Kerby, *Narrative and the Self* (Indiana University Press, 1991).

⁴⁰ Michel de Certeau, *Practice of Everyday Life*, 1st edition (Berkeley, Calif.: University of California Press, 2011): 118

⁴¹ Nigel Rapport, “The Narrative as Fieldwork Technique: Processual Ethnography for a World in Motion,” in *Constructing the Field: Ethnographic Fieldwork in the Contemporary World*, ed. Vered Amit (Routledge, 2003). The analysis of personal narratives is also key method among anthropologists working on spatial embodiments of violence, see for Allen Feldman, *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland* (University of Chicago Press, 1991).

⁴² Liisa H. Malkki, “Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization,” *Cultural Anthropology* 11, no. 3 (1996): 377–404. For work in refugee studies that focuses on stories and narrative see for example, Marita Eastmond, “Stories as Lived Experience: Narratives in Forced Migration Research,” *Journal of Refugee Studies* 20, no. 2 (June 1, 2007): 248–64, <https://doi.org/10.1093/jrs/fem007>.

⁴³ See Lindsey Moore, “A “rich Fabric of Some Sort, Which No One Can Fully Comprehend [or] Fully Own: Levantine Remains in Memoirs by Edward Said, Jean Said Makdisi, and Wadad Makdisi Cortas,” ed. Rachel Gregory Fox and Ahmad Qabaha (Liverpool: Liverpool University Press, 2021), 47–66, <https://eprints.lancs.ac.uk/id/eprint/146081/>.

⁴⁴ See for example, Salwa Ismail, *The Rule of Violence: Subjectivity, Memory and Government in Syria* (Cambridge University Press, 2018). For narratives of fear among Syrian refugees in the wake of the Syrian war see, Pearlman, Wendy. “Narratives of Fear in Syria.” *Perspectives on Politics* 14, no. 1 (March 2016): 21–37. <https://doi.org/10.1017/S1537592715003205>.

positionality, code-switching between my Jordanian Balqawi origins and my identity as a woman married to a Jordanian of Palestinian origin. My positioning as a woman, specifically a local Jordanian woman, provided me access to Syrian and Palestinian women and access to their homes, documents, and personal spaces for hours at a time. These research experiences bring to the fore gendered experiences of home spaces, and how they can illuminate the everyday experiences of refugee women, the new roles they take on, and the many ways in which women negotiate complex social, economic, and religious issues.

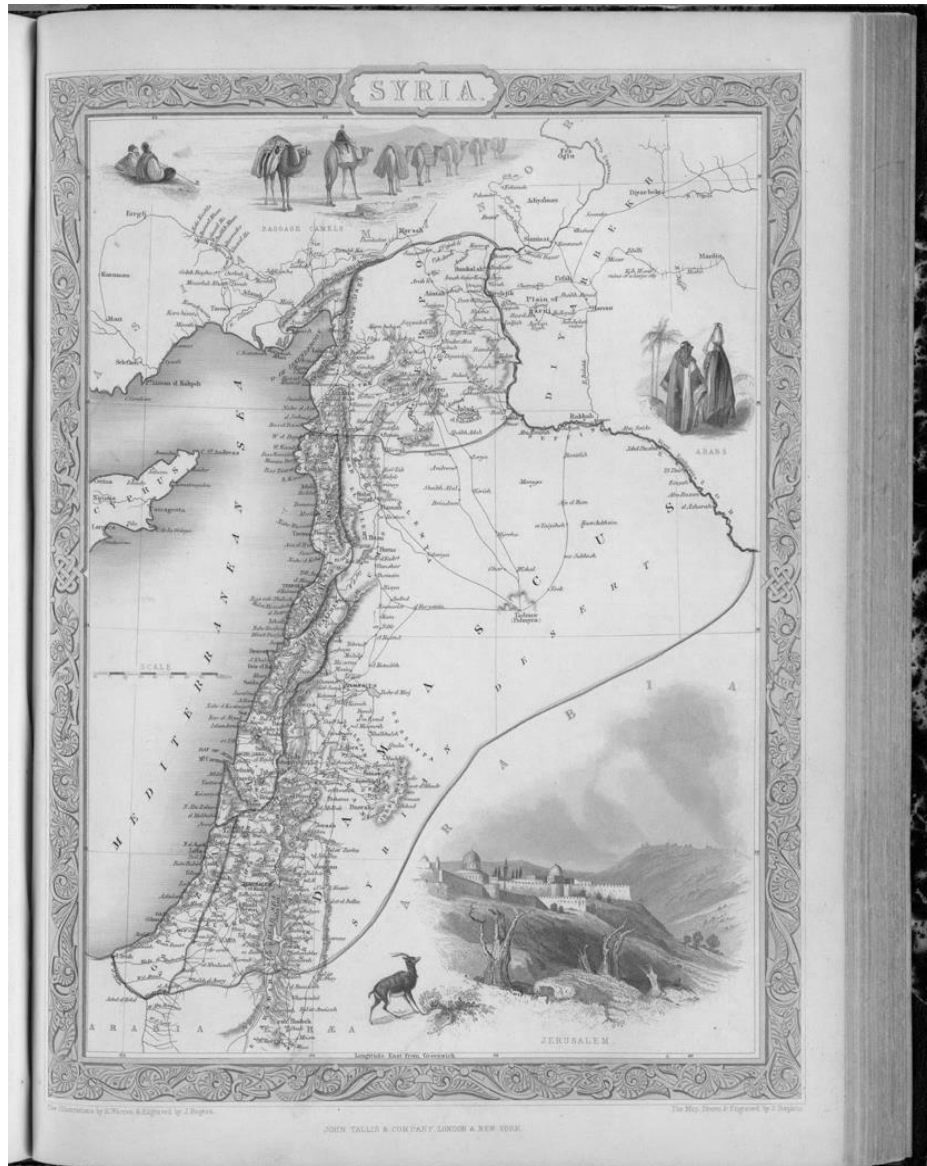


Figure 1-4. Ottoman Syria, 1851. *Illustrated Atlas, and Modern History of the World, Geographical, Political, Commercial, and Statistical*. Maps drawn and engraved by J. Tallis & Company, London & New York. Source: Wikimedia Commons.

My focus on narratives and space offered two particular kinds of insights into the multilayered history of refugees in Amman. The first is a unique angle on questions of housing, claim-making, homemaking, abandonment, dwelling, and inhabitation. The second is a window into community-level processes by which shared cultural traditions and plural legal regimes are used by ordinary people as instruments to build solidarity and make claims over space. Such nuanced analyses that situate space in lived experience, in history, and in archive(s) beyond the formal archive, I contend, can inform how we write about migrants and refugees, moving beyond the quantitative focus of refugee studies and the typical role of the architect and designer in refugee camps as a detached problem solver.

Before I embarked on this study, my professional work as an architect concerned mapping the built environment of Palestinian refugee camps and the ways in which design interventions can instigate change in the realms of urban space, refugee camps, and marginalized areas. My engagement with Muhammad Amin Camp began when working as an NGO architect. Refugee camps are complex places in which different actors exercise power, including the state, local and international NGOs, community organizations, camp leaders, Islamist groups, committees of notable people, and religious leaders. None of these actors can be called the sovereign of the camp, but all exercise power within the camp in important and often conflicting ways.⁴⁵ My NGO work began with good intentions, but the complex environment that we navigated turned a “good project” into a normalized process of grant writing, logistics, and public relations, that became as important and, in some cases, even more, important than the people for whom the project is designed for.⁴⁶ As with many NGOs, we were strapped for resources. Thus, a large part of our agenda became driven by funding and sponsoring agencies (each with its own agendas). In the light of this context of NGO work, my subjective experience as an NGO architect was not that of an autonomous actor in the world but constituted, and at times constrained by larger economic, political, and institutional transformations that are changing the field of architecture, its research and practice, in significant ways.⁴⁷

⁴⁵ Adam Ramadan, “Spatialising the Refugee Camp,” *Transactions of the Institute of British Geographers* 38, no. 1 (January 1, 2013): 65–77, <https://doi.org/10.1111/j.1475-5661.2012.00509.x>. See also, Jaber Suleiman, “The Current Political, Organizational, and Security Situation in the Palestinian Refugee Camps of Lebanon,” *Journal of Palestine Studies* 29, no. 1 (October 1, 1999): 66–80, <https://doi.org/10.2307/2676432>; Sari Hanafi and Taylor Long, “Governance, Governmentalities, and the State of Exception in the Palestinian Refugee Camps of Lebanon,” *Journal of Refugee Studies* 23 (June 10, 2010): 134–59, <https://doi.org/10.1093/jrs/feq014>.

⁴⁶ Monika Krause, *The Good Project: Humanitarian Relief NGOs and the Fragmentation of Reason* (Chicago, IL: University of Chicago Press, 2014).

⁴⁷ The 2008 economic recession, according to architectural historian Ipek Tureli, has been paralleled with a mainstreaming of alternative critical architectural practices. The institutional framework that supports NGO work and design activism are connected to the rise of neo-liberalism, the withdrawal of government support for social services and the rise of non-governmental organizations legitimized by corporate donors and governments. Such forms of “alternative” practice celebrate the agency of the individual or small groups to make modest changes to public space without the need for extensive investments or new infrastructure. Leading to a shift towards ‘small’ architectures, small-scale designs, and short-term interventions, many of which focus on contesting and remaking space. Tureli, Ipek. “‘Small’ Architectures, Walking and Camping in Middle Eastern Cities.” *International Journal of Islamic Architecture* 2, no. 1 (March 1, 2013): 5–38. <https://doi.org/10.1386/ijia.2.1.5> 1. For an excellent discussion of the paradox of design

However, it was only when I started conducting ethnographic and archival fieldwork that Muhammad Amin Camp's contested histories of property came to my attention. Collecting data on property was particularly challenging because it required me as a researcher to build trust with my interlocutors for them to share information and documents. Accessing the Ottoman archives of the Department of Lands and Survey (DLS) has been equally challenging, requiring multiple applications and approvals. So has reading these Ottoman sources, written in Ottoman Turkish side by side with Arabic.

Land disputes and claims to property figured into my interviewee's narratives of past events and stories about houses, places, and ruins. In such a context, personal and official property documents have their own narratives. Furthermore, legal regimes and property registers are how land and buildings are formalized, legalized, contested, and authorized. In such a case of territorial contestation, my ethnographic and archival fieldwork focused on straightening out the convoluted stories about property—the “epistemic murk,” in Michael Taussig's evocative phrase. I followed clues. A pertinent illustration of the clues followed is the name of the camp. While the Arabic word *mukhayyam* is commonly used to refer to refugee camps in the Arab region, typically followed by the names of towns, villages, or neighborhoods, in this case, the camp took its identifying name from the Circassian landowner, again revealing the multilayered history of refugees in Amman. I used my oral history interviews with Palestinian camp residents and Circassian and Bedouin landowning families as a guide for my archival research in DLS and interviews with attorneys. In the course of my fieldwork, I saw how the multilayered history of refugee land tenure and its social-legal reality is preserved not only in narratives and oral histories but also in various forms of material artifacts: now illegal Ottoman contracts, land titles, court documents, walls sprayed with real-estate ads, hand-drawn site plans, utility meters, and GIS maps, as I will show in Chapters 2 and 3. Throughout this dissertation, pictures and property documents guide, narratives think, and relations materialize.

The Chronology and Spaces of Refuge

Two axes structure this dissertation. The first is chronology: over time, spaces of refuge and shelter went from being land grants to refugee camps and refugee-sanctuary in the space of the house. The other is scale: from land and territory to camp to house and from individuals, to families, to refugee communities, to refugee regimes. Like pieces in a puzzle, each chapter of this dissertation adds a layer to the understanding of how dispossession and displacement have become a defining feature of state responses and everyday life in *Bilad al-Sham* from Ottoman imperial policy, carried further by the colonial encounter, then revitalized in the postcolonial period. The dissertation moves forward

activism see, C. Greig Crysler, “The Paradoxes of Design Activism: Expertise, Scale and Exchange | FIELD,” *Field-A Journal of Socially-Engaged Art Practice* 2 (Winter 2015), <http://field-journal.com/issue-2/crysler>.

and inward, beginning with the earliest wave of Ottoman refugees (Circassians and Chechens), moving forward to Palestinian refugees after 1948, and closing with the Syrian refugee crisis. By moving inward from land grants as shelter to refugee camps to the space of the neighborhood and the intimate spaces of the home, each chapter serves as a reminder of an episode in an ever-evolving history of migration.

Chapter 2 sets the stage for the chronologically arranged chapters that follow. It addresses the questions: How did Ottoman officials give access to agricultural land, shops, and houses to Circassian and Chechen refugees? How did Ottoman officials record them? What do these registers reveal about the multiethnic Ottoman state? And, what kind of transactions happened between Ottoman refugees, local Bedouin tribes, and settled Arab Muslims and Christians? Finally, what do such transactions reveal about the urban and social transformation of Amman? It examines Ottoman refugee aid, tracing the shift from the Ottoman government's allotment of state lands to Muslim refugees fleeing Tsarist Russian expansion to the emergence of two distinct patterns of refugee land tenure in the modern Arab state of Jordan: *de jure* tenures, as demonstrated by state-land private-lands made available for the purpose of setting-up official camps for Palestinian and Syrian refugees, and *de facto* tenures, as exemplified by the case of legally contested Palestinian camps built on lands that remain the legal property of the descendants of Ottoman refugees, primarily Circassians and Chechens, and unregistered desert lands appropriated by Chechens, Palestinians, and Syrians for agricultural purposes. It argues that while Ottoman refugees were subjects of the state, with the right to own property, Palestinian and Syrian refugees in camps—formal or informal—became wards of international humanitarian and development aid, dispossessed of the possibility to “legally” own property.

Chapter 3 analyzes how the individual property rights of the Circassian landowners of Muhammad Amin camp intersect with the competing claims of the Palestinian residents and the overriding power of the state after the events of Black September (1970). It underscores how Palestinians resort to now-illegal Ottoman contracts (*hujja*) for inheritance, buying and selling houses, establishing building guidelines, demonstrating occupancy for utility connections, and as a dispute prevention tool. Rather than assuming contested camps to be part of the informal growth of cities, this chapter shows how *hujja* contracts continue to be authorized and accepted as proofs of occupancy by various government entities. Thus, challenging the flattening lens of “informality” and the assumption that in the absence of state law, “illegality” is the norm.

Chapter 4 moves to the period after the 2011 war in Syria. It examines the interrelationship between urban vacancy, destruction, and the Islamic notion of *Hijra* (migration, abandonment) in the phenomenon of Syrian refugees' abandonment of Syrian cities to find sanctuary in Jabal al-Nathif. It sheds light on the urban and architectural dynamics through which houses built by earlier refugees become re-inhabited by newer ones. The argument here is that the experience of migration and finding refuge is especially an architectural and temporal one, as it entails moving in and out of houses, leaving homes and cities, re-inhabiting and re-furnishing abandoned and empty

spaces. Taken as a whole, this dissertation contextualizes the experience of contemporary Syrian refugees into an account of a one-hundred-and-fifty-year history of refugee movement and settlement in the eastern Mediterranean region. Each chapter serves as a reminder of an episode in an evolving history of migration and the spatial and socio-legal remains of earlier migrations.

Finally, I conclude this dissertation with reflections on microhistory, first-person experiences and their limitations, the gaps that such a focus has produced, and avenues for future research. I also reflect on how an alternative historical genealogy of refugee responses in the Middle East might have implications on refugee resettlement projects in the Arab and Muslim worlds, as well as architecture practice and education.

CHAPTER 2

LAND AS SHELTER

From Bedouin and Ottoman *Muhajir*

Lands to Palestinian and Syrian Camps

As a researcher—and specifically a Jordanian researcher of Balqawi origin, married to a Jordanian of Palestinian origin—I heard many people’s claims to land and property. One day, as I was sitting in an office in the Greater Amman Municipality (GAM), waiting for maps and chatting about my research on land tenure in Jabal al-Nathif, an employee told me: “you know, the lands of Jabal al-Nathif are al-Hadid’s! We still own large parts of al-Misdar, too!”⁴⁸ Jabal Al-Nathif is the location of a legally contested Palestinian camp. The camp is built on a plot of land that remains the legal property of a Circassian man, the descendant of late-nineteenth-century Ottoman refugees. Today, the lands of Palestinian refugee camps in Amman and Zarqa are privately owned by different owners: members of Bedouin Balqawi tribes, Circassians, Chechens, and the descendants of early twentieth-century Palestinian merchants. Palestinians in camps also claim rights to housing property, not only through official property registrars but also through now-illegal Ottoman property contracts called *hujja*. And many rumors and hearsay are circulating about the lands on which the more recent Syrian refugee camps in the northeastern desert were set up. Are these claims meaningless, or is there a version of history that legitimates them? Is this territoriality expressed only in talk, or is it also represented in courts, land registers, and the built environment?

This chapter traces the shift in refugee land tenure patterns from the late nineteenth century to the present. It follows the shift from the Ottoman government’s allotment of state lands as shelter for North Caucasian Muslim *muhajirs* (refugees) fleeing Tsarist Russian expansion to the emergence of two distinct patterns of refugee land tenure in the modern Arab state of Jordan: de jure tenures, in the form of lands made available for the purpose of setting up official camps for Palestinian and Syrian refugees, and de facto tenures, exemplified by legally-contested Palestinian camps, and unregistered desert lands appropriated by Chechens, Palestinians, and Syrians for agricultural purposes. The chapter argues that while Ottoman refugees were subjects of the state,

⁴⁸ Personal communications, GAM offices, August 2018.

with the right to own property, Palestinian and Syrian refugees in camps—formal or informal—became wards of international humanitarian and development aid, dispossessed of the possibility to “legally” own property.

The chapter also tracks the multiple claims to property in these camps as they are expressed in lawsuits, Ottoman land registers, Jordanian state land registers, personal documents, camp archives, everyday building activities, informal labor, and rumors—underutilized types of primary evidence in scholarship on refugee settlements. The documents and stories I have collected expose illuminating threads of connection between the late-nineteenth century and present-day property relations. By showing how Bedouin tribes became the primary legal landowners in the late Ottoman state, the chapter points to a local Bedouin territoriality with a continuity that has endured profound changes in governing regimes, legal systems, and population influxes since the late nineteenth century. And by focusing on middle-class Circassian, Chechen, and Palestinian landowners and their legal battles, this chapter also illustrates the rise of refugee elites and the ways in which they maintained control over land.

Further, this chapter challenges how we periodize Palestinian and Syrian camps. Scholars concerned with Palestinian and Syrian refugees typically begin with the Nakba of 1948 or the 2011 Syrian war.⁴⁹ Jordanian scholars, even those working on the Ottoman era (with only a handful of exceptions), have preferred a periodization that separates the Ottoman and Hashemite periods, with the former functioning as background or fodder for contrast.⁵⁰ Yet these works fail to view the region in what Seteney Shami calls a “longer historical view” or to see what Rami Daher calls the “multi-layered beginnings” of Amman’s urban and architectural history.⁵¹ Therefore, I adopt Marwan Hanania’s periodization of Amman’s urban history, which integrates the Ottoman and Mandate periods, beginning with the North Caucasus migration after the 1878 Russo-Ottoman war to the city’s accommodation of Palestinian refugees after 1948. As he correctly insists, continuities carried over from Ottoman to British and Hashemite rule.⁵² I extend his timeframe into the present and his scope to include state-society and refugee-local property relations inside and outside of Amman, namely to present-day Jordan-Syria borderland areas. The cases of camps in Amman and borderland areas, for instance, show that the history of Bedouin tribes and Ottoman *muhajirs* cannot be separated from that of contemporary Palestinian and Syrian camps. Therefore, the historiography of Bedouin and *muhajir* settlement patterns in Transjordan echoes contemporary remarks that I

⁴⁹ See for example, Ahmad Sa’di and Lila Abu-Lughod, eds., *Nakba: Palestine, 1948, and the Claims of Memory* (Columbia University Press, 2007); Julie Peteet, *Landscape of Hope and Despair: Palestinian Refugee Camps* (Philadelphia: University of Pennsylvania Press, 2009)

⁵⁰ A point made by historian Marwan Hanania. See Marwan D. Hanania, “From Colony to Capital: A Socio-Economic and Political History of Amman, 1878-1958” (Ph.D. Dissertation, Stanford University, 2011)

⁵¹ Seteney Shami, “Re-searching the City: Urban Space and Its Complexities,” in *Amman: Ville et Société*, ed. Jean Hannoyer and Seteney Shami (Presses de l’Ifpo, 2019), 46; Rami Farouk Daher, “Prelude. Understanding Cultural Change and Urban Transformations: Qualifying Amman: The City of Many Hats,” in *Villes, Pratiques Urbaines et Construction Nationale En Jordanie*, by Myriam Ababsa, Cahiers de l’Ifpo (Beyrouth: Presses de l’Ifpo, 2013), 65–89.

⁵² Hanania, “From Colony to Capital.”

heard during my fieldwork, namely that camp lands are owned by members of Bedouins tribes and Circassian and Chechen families. This approach in turn brings together historiographies and periods that are often separated: Bedouins and *muhajirs* in Ottoman Amman, Palestinian survivors of 1948, and contemporary Syrian refugees in Amman and UN camps in the northeastern desert.

The lines between locals, foreigners, immigrants, and refugees over time in Jordan have been porous, and these groups' legal status, categorization, and naming have also shifted over time. The first part of this chapter is about a period in the not-too-distant past when Jordan did not exist, and Iraq, Palestine, and Syria, while toponyms in use, did not correspond to their contemporary national selves.⁵³ Amman, at that time, was a village of Bedouins and refugees. As I will show next, the elders of Bedouin tribes, to this day, claim lands owned by the descendants of Circassian *muhajirs* as part of their historic tribal domain.

A Historiography of *Muhajirs*, Bedouins, and Land in Ottoman Amman (1878-1920s)

In the wake of the 1877-78 Russo-Ottoman Wars and the final years of the protracted Caucasus War (1817–64), the Ottoman state received over one million North Caucasus Muslim refugees (Arabic: *muhajirun*; Ottoman Turkish: *muhacirler*) fleeing Tsarist Russian expansion.⁵⁴ In the same period, several million Ottoman Christians were forcibly displaced, emigrated, or lost their lives in massacres and genocides, and tens of thousands of eastern European and Yemeni Jews sought refuge in Palestine.⁵⁵ As part of the Ottoman government's efforts to open up new areas for agricultural development in the wake of the empire's loss of its key agricultural region, the Balkans, the state shifted its attention to its remaining territory, including the highly contested and grain-producing regions in southern Syria.⁵⁶ The government issued an encouraging immigration law, promising new immigrants tax-free land grants and assistance with agriculture.⁵⁷ The province of Damascus, including the regions east of the Jordan river and the sub-provinces of Balqa and Hawran, which formed the modern Arab state of Jordan, were the southernmost area of refugee resettlement.

⁵³ As discussed in Nora Elizabeth Barakat, "An Empty Land? Nomads and Property Administration in Hamidian Syria" (Ph.D. Dissertation, University of California, Berkeley, 2015).

⁵⁴ Historian Vladimir Hamed-Trojansky writes that in the last half-century of Ottoman rule, several million Ottoman and foreign Muslims were displaced and resettled throughout the Ottoman domains due to Russian imperial conquests and independence movements conflicts between Greece, Serbia, and Bulgaria. At first, *muhajirs* were resettled in Anatolia and the Balkans. Vladimir Hamed-Trojansky, "Circassian Refugees and the Making of Amman, 1878–1914," *International Journal of Middle East Studies* 49, no. 4 (November 2017): 605–23.

⁵⁵ Ibid.

⁵⁶ This came at the tail end of the state's bankruptcy in 1875 and a period of agrarian optimism that Ottomans shared with their European and North American counterparts. See, Norman N. Lewis, *Nomads and Settlers in Syria and Jordan, 1800-1980*, (Cambridge: Cambridge University Press, 2009); Barakat, "An Empty Land?"; Seteney Shami, "Displacement, Historical Memory, and Identity: The Circassians in Jordan," *Center for Migration Studies Special Issues* 11, no. 4 (1994): 189–201.

⁵⁷ Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (Cambridge University Press, 2010).

Refugee resettlement came under the general framework of *hijra* (immigration) in accordance with the 1857 Ottoman Immigration Law.⁵⁸ Many of the types of refugee bureaucracies that are typically associated with post-1951 refugee regimes were already present in the Ottoman Empire, such as the Ottoman Refugee Commission, which was established in 1860.⁵⁹ Additionally, the word *muhajir*, which the regime used to describe refugees, carries the heavy symbolism of the Prophet's *Hijra* (migration) from Mecca to Medina. By using the name "*muhajir*," the Ottoman state framed the resettlements of North Caucasus refugees within a discourse of Islamic migration. Later, as we will see in the following chapters, these contradicting socio-legal frameworks—Islamic traditions and symbolism, and modern Ottoman refugee land grants—will become intertwined with international humanitarian aid.

Concurrent with the Empire's resettlement of Caucasus Muslim refugees, the Ottoman state's attitudes toward land shifted from a Hajj pilgrimage-based administration to one governing landed property.⁶⁰ This shift came in the context of a moment of profound historical transition that included inter-imperial competition and anxieties over British colonialism. The *Tanzimat* (Reform) era Land Code of 1858, which transformed the rights of cultivators of state-land from usufruct to alienable ownership, should be understood, then, in the contexts of seeking agricultural expansion, encouraging immigration to the empire's southern regions, and the imperial imperative to administer land more legibly.⁶¹ As scholars of property in the Ottoman empire have shown, the Land Code aimed at creating a land inventory for taxation purposes and for exercising greater state control.⁶² The Code organized a system of taxation that would apply to every piece of land, either privately owned (*mulk*) or part of a public domain called *miri* (land under the custody of the Amir, or Prince), that included arable fields, pasturing grounds, and woodlands.⁶³ The new Ottoman governing practices transformed lands outside settled villages from zones of part-time farming and grazing to

⁵⁸ Vladimir Hamed-Trojansky, "Circassian Refugees and the Making of Amman, 1878–1914," *International Journal of Middle East Studies* 49, no. 4 (November 2017): 605–23.

⁵⁹ As discussed in Vladimir Hamed-Trojansky, "Circassian Refugees and the Making of Amman, 1878–1914," *International Journal of Middle East Studies* 49, no. 4 (November 2017): 605–23.

⁶⁰ Barakat, "An Empty Land?"

⁶¹ The allotment of land to refugees unfolded within the framework of the Ottoman Land Code, which provided a centralized system governing property. For more, see Martha Mundy and Richard Saumarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I.B. Tauris, 2007); Nora Barakat, "Regulating Land Rights in Late Nineteenth-Century Salt: The Limits of Legal Pluralism in Ottoman Property Law," *Journal of the Ottoman and Turkish Studies Association* 2, no. 1 (2015): 101–19; Vladimir Hamed-Trojansky, "Imperial Refuge: Resettlement of Muslims from Russia in the Ottoman Empire, 1860–1914" (Ph.D., Stanford University, 2018). Robert Eisenman writes that "The Ottoman was an original Ottoman creation, neither entirely Islamic nor European. It was founded on traditional land practices and included categories of land cited in Islamic law. The Ottoman was an original Ottoman creation, neither entirely Islamic nor European. It was founded on traditional land practices and included categories of land cited in Islamic law."

⁶² See Martha Mundy and Richard Saumarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I.B. Tauris, 2007); H. Islamoglu, "Property as a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858," *New Perspectives on Property and Land in the Middle East*, 2000, 3–61; Barakat, "An Empty Land?"; Michael R. Fischbach, *State, Society, and Land in Jordan* (BRILL, 2000).

⁶³ As discussed in Majd Al Naber and Francois Molle, "The Politics of Accessing Desert Land in Jordan," *Land Use Policy* 59 (2016): 492–503.

“empty land,” a term that historian Nora Barakat argues took on a new legal meaning in the Ottoman lawmakers’ increasingly exclusionary private property regime.⁶⁴

To put this legal regime into practice, Ottoman authorities brought expert land surveyors from Damascus to survey and distribute lands to North Caucasus refugees, primarily Circassians and Chechens.⁶⁵ The regime’s resettlement plans for refugees were thus part of the effort to develop an imperial birds-eye-view of available agricultural land.⁶⁶ In Amman and its environs, Ottomans aimed to match “empty land” to productive and loyal Muslim refugees.⁶⁷ *Muhajirs* were granted Ottoman subjecthood, temporarily exempted from taxation and military service, and given access to “empty” state-land for cultivation.⁶⁸ Giving 60 *dunams* of land to each refugee household of up to five people while giving some 80 dunams to larger households (a dunam is the Ottoman unit of area equivalent to an English acre, still in use in Jordan to this day).⁶⁹ Then, after only twenty years of cultivation, *muhajirs* were allowed to sell or transfer usufruct rights to the land that was given to them for free. It should be noted that during the sale of agricultural *miri* land, refugees merely transferred usufruct rights, because the legal title belonged to the state.⁷⁰ In all cases, the Ottoman Sultan was to remain the ultimate owner of the land.⁷¹

The first wave of Circassian refugees arrived from Damascus in 1878, settling among the ruins of the Roman amphitheater, in the valley and slopes, and near the springs around the water stream (sayl az-Zarqa, see Figure 2-1). Later arrivals, between 1880 and 1902, settled in different parts of the then village of Amman, which came to be spatially divided into four quarters: Shapsugh, Qabartay, Abzakh, and Muhajirin.⁷² The water stream flowing from Zarqa down to Amman also encouraged muhajirs to establish agricultural villages in Ras al-Ayn.⁷³ Circassians also established agricultural villages in Wadi al-Sir (1880), Jerash (1884), Na’ur (1901), and al-Rusayfa (1904), while

⁶⁴ Barakat, “An Empty Land?”

⁶⁵ Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.”

⁶⁶ Barakat, “An Empty Land?”

⁶⁷ Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.”

⁶⁸ Shami, “Historical Processes of Identity Formation.

⁶⁹ Seteney Shami, “Historical Processes of Identity Formation: Displacement, Settlement, and Self-Representations of the Circassians in Jordan,” *Iran & the Caucasus* 13, no. 1 (2009): 141–59.

⁷⁰ Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.”

⁷¹ See Martha Mundy and Richard Saumarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I.B. Tauris, 2007); H. Islamoglu, “Property as a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858,” *New Perspectives on Property and Land in the Middle East*, 2000, 3–61; Siraj Sait and Hilary Lim, *Land, Law and Islam: Property and Human Rights in the Muslim World* (Zed Books, 2006).

⁷² Marwan Hanania points out how Jordanian studies place the arrival of the Circassians in Amman in 1878. Travel narratives from this time period suggest that the first group of Circassians, 500 individuals in number, immigrated to Amman in late 1879 or early 1880. Kabardin and Abzakh Circassians, who arrived in 1880–92, formed the next refugee wave. They established the Qabartay and Abzakh quarters. Spatial divisions in Amman were reinforced by ethno-cultural diversity within the Circassian community and the nature of muhajirs’ migration: some were displaced from the Balkans, others came from older refugee settlements in Anatolia, and many arrived directly from their homeland in the Caucasus. Hanania, “From Colony to Capital,” 52–55; Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.” See also, Seteney Shami, “The Circassians of Amman: Historical Narratives, Urban Dwelling and the Construction of Identity,” in *Amman: Ville et Société*, ed. Jean Hannoyer, Contemporain Publications (Beyrouth: Presses de l’Ifpo, 2019), 308.

⁷³ Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.”

Chechens settled in al-Zarqa (1902), al-Sukhna (1905), Sweileh (1906), and, near Druze refugees from Syria in al-Azraq (1932), a point that I will return to in the last section of this chapter.⁷⁴ Some areas, such as al-Zarqa and Sweileh, became mixed Circassian-Chechen settlements.⁷⁵ The one noticeable change from Ottoman times to the British mandate period was that between 1921-1948, some Circassian families formed new communities in Jabal al-Nathif and Wadi al-Surur.⁷⁶ The Shapsugh neighborhood in downtown Amman and the Muhajirin neighborhood near Ras al-Ayn (literally the head of the water spring) are contemporary reminders of the villages that muhajirs established: even though the river dried out, these areas remain Amman's most crowded neighborhoods, home to some of the city's densest Palestinian and Syrian refugee clusters (for more, see Chapters Three and Four of this dissertation).



Figure 2-1. Circassian huts next to the Roman Amphitheatre. Source: Hanania, "From Colony to Capital."

⁷⁴ As dated by Hamed-Trojansky. See also Raouf Sa'd Abujaber, *Pioneers Over Jordan: The Frontier Settlement in Transjordan, 1850-1914* (London: I.B. Tauris, 1989)

⁷⁵ The overall Circassian and Chechen population in Ottoman Transjordan never exceeded 5,000 to 6,500 individuals, and the population of Amman equaled around half that number. Rogan, *Frontiers of the State in the Late Ottoman Empire*.

⁷⁶ Hanania, "From Colony to Capital."

But the Ottoman state-led registration of “empty lands” to refugees had a sinister side: the broader project of sedentarization and, at times, dispossession of Bedouins tribes.⁷⁷ Although Amman lacked a permanent settlement when the Circassians arrived, it was not uninhabited. The D’aja, Hadid, Qatarnah, and Hneitiyyin Bedouin tribes of the Balqawiyya tribal confederation long claimed and cultivated some lands around Amman (see Figure 2-2).⁷⁸ As Barakat argues, that period’s shift from indirect to direct Ottoman rule in Amman and its environs took place in the context of centuries-old relationships between Ottoman officials and local Bedouin communities.⁷⁹ Thus, she challenges Eugene Rogan’s much-cited claim that the region was an uncharted Ottoman “frontier.”⁸⁰

Using their land-based legal edifice, Ottoman lawmakers named and aimed to settle local Bedouin communities they designated as “tribal.” Therefore, land grant initiatives included Bedouin tribes, who were also perceived as loyal and potentially productive Muslim subject-citizens,⁸¹ but only if they were willing to settle. The Ottoman state marked tent-dwelling communities as in need of development.⁸² This shows how the inclusion of Bedouin tribes in land grants is part of what historian Ussama Makdisi calls “Ottoman Orientalism,” which constructed Bedouins in Syria as the object of an Ottoman civilizing mission mimicking those of the British and French empires.⁸³ The Ottoman empire also used land grants to ensure control over real estate transactions in the face of increasing fears of colonial encroachment, namely, speculators who sold titles to “empty land” to Zionists. This was fueled by the suspicion and exclusion of non-Muslim Ottoman subjects, especially Christians.⁸⁴

With the arrival of the first wave of refugees, Bedouins began to register lands in Amman, especially flat and fertile lands, while leaving some lands unregistered, sometimes due to high tax obligations and, at others, due to their challenging topographical conditions, characterized by high

⁷⁷ Reşat Kasaba, *A Moveable Empire: Ottoman Nomads, Migrants, and Refugees* (University of Washington Press, 2009).

⁷⁸ Ghazi Bin-Muhammad describes the semi-Nomadic tribes as ‘tribal confederations’, for not all the clans of these tribal confederations are originally related by blood, but rather they coalesced and ‘officially adopted each other’ for reasons of mutual defence and friendship. Ghazi bin Muhammad, *The Tribes of Jordan at the Beginning of the Twenty-First Century* (Jam’iyat Turāth al-Urdun al-Bāqī, 1999). See also, Fischbach, *State, Society, and Land in Jordan*; Nofan R. Hmoud Al-Sawarieh, “Amman fi awakhir al-’ahd al ’uthmani,” in *Amman: Ville et société*, ed. Jean Hannoyer and Seteney Shami (Presses de l’Ifpo, 1996), 86–72; Abujaber, *Pioneers Over Jordan*, 203–4.

⁷⁹ Barakat, “An Empty Land?” 6; Rogan, *Frontiers of the State in the Late Ottoman Empire*.

⁸⁰ Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire: Transjordan, 1850-1921*, Revised ed. (Cambridge University Press, 2002).

⁸¹ Barakat, “An Empty Land?”

⁸² Ibid.

⁸³ Ussama Makdisi, “Ottoman Orientalism,” *The American Historical Review* 107, no. 3 (June 1, 2002): 768–96. See also, Reşat Kasaba, *A Moveable Empire: Ottoman Nomads, Migrants, and Refugees* (University of Washington Press, 2009); Selim Deringil, “‘They Live in a State of Nomadism and Savagery’: The Late Ottoman Empire and the Post-Colonial Debate,” *Comparative Studies in Society and History* 45, no. 2 (April 2003): 311–42.

⁸⁴ Barakat, “An Empty Land?”

mountain plateaus (*jabal*) and steep-sided valleys (*wadi*).⁸⁵ But in some cases, the Ottoman state granted lands that previously served as winter campgrounds for Bedouins or laid uncultivated but claimed by local Arab communities to refugees.⁸⁶ For example, in the case of the Balqawi Da'ja tribe—a semi-settled tribe in Amman—the Ottoman government took their lands in the vicinity of Amman, gave them to Circassian refugees, and compensated them with land east of Amman.⁸⁷ And, as competition over land increased in the 1890s, officials and investors used the designation of “empty land” to attempt, often unsuccessfully, to deny tent-dwelling people their historic land rights.⁸⁸

Another source of documentary evidence for the early settlement of Amman are the writings of Orientalist travelers. As the Jordanian historian Mustafa Hamarneh has shown, Orientalist travel accounts can form a valuable historiographic source if interpreted from an indigenous perspective. They provide micro-level information about how indigenous people lived (size of tribes, size of settlements, size of landholding, relationships with settled towns) and on the later arrival of *muhajirs*. They also provide information on the late-nineteenth-century and early-twentieth-century refugee resettlement, as well as macro-level information on the long nineteenth-century transition from nomadism to land cultivation and settled existence.⁸⁹ In 1876, before the arrival of *muhajirs*, for instance, an English traveler wrote that local Arabs from Salt set up farms a few miles from the ruins of Amman.⁹⁰ In 1905, another traveler wrote that her group was “utterly unprepared, after six hours of riding across a lonely tableland, to find an orderly town,” like Amman, “of an aspect so superior to anything we had seen since leaving Jerusalem.”⁹¹ These observations are further confirmed by

⁸⁵ Abujaber, *Pioneers Over Jordan*, 203–4. Al-Hadid are a semi-nomadic tribe roaming in the vicinity of Amman. Originally, they formed part of the Balqa' alliance but in the early 1920s left the alliance and took an independent stance, with close relations with their neighbors, the Bani Sakhr. As discussed in Alon, *The Making of Jordan*.

⁸⁶ Abujaber, *Pioneers Over Jordan*, 195, 203–4; Barakat, “An Empty Land?”

⁸⁷ Yoav Alon, *The Making of Jordan: Tribes, Colonialism and the Modern State* (London: I.B. Tauris, 2009), 161.

⁸⁸ Nora Barakat, “Regulating Land Rights in Late Nineteenth-Century Salt: The Limits of Legal Pluralism in Ottoman Property Law,” *Journal of the Ottoman and Turkish Studies Association* 2, no. 1 (2015): 101–19.

⁸⁹ Hamarneh makes this point arguing that accounts of foreign travelers are significant in the attempts at reconstructing the reality of 19th century existence. These accounts, Hamarneh writes, if interpreted from an indigenous perspective, shed light on the historic specificity of the evolution of Amman and the region, especially that they are the sole source. See Hamarneh, “Amman in British Travel Accounts of the 19th Century.”

⁹⁰ See Charles M. Doughty, *Travels in Arabia Deserta* (Cambridge: Cambridge University Press, 1888), 1:18.

⁹¹ Ada Goodrich Freer (1857–1931), a medium, clairvoyant, psychical researcher and author, as quoted in Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.” For more see, Ada Goodrich-Freer, *In a Syrian Saddle* (Methuen & Company, 1905). More so, Laurence Oliphant expressed optimism about the survival of refugees, while Captain C.R. Conder, of the Royal Engineers survey and map of Eastern Palestine expected them to “die out by degrees or become scattered among the indigenous population.” While the expeditions and excursion of Captain C.R. Conder and Guy Lestrangé, who toured Balqa and visited the new Circassian settlements in Amman in 1885, were endeavored under the auspices of the Palestine Exploration Fund, “Oliphant’s design was different than that of his predecessor explorers; his was a colonization scheme aimed at developing a “single province” without “affecting the sovereignty of the Sultan” p.11–12 in Oliphant To implement his plan, Oliphant was to find people and a location for colonization.” p.63 “The colonists in this scheme were to be Jews, because they were rich enough and needed no Christian money and would not arouse the fears of the Sultan. The colony would be Palestine.” See, Laurence Oliphant, *The Land of Gilead: With Excursions in the Lebanon* (Edinburgh: W. Blackwood and Sons, 1880), 221; Claude Reignier Conder, *Heth and Moab: Explorations in Syria in 1881 and 1882* (London: Richard Bentley and Son, 1883), esp. 162.

Jordanian historian Nofan Al-Sawarieh who, based on archival research in the annual reports (*salname*) on the province of Damascus, has demonstrated that 200 Bedouin families inhabited and cultivated lands near the water sources of Amman before the allotment of lands to Circassians.⁹² Therefore, the transition from nomadism to settled life commenced before the Ottoman decision to settle the Circassians in the Syrian interior.

In some cases, land became a site of intense contestation between state-backed refugees and tent-dwelling Bedouins that became violent.⁹³ The expansion of Circassian and Chechen settlements, especially towards the Amman springs, led to several armed confrontations that are widely regarded to have been fights over fertile lands and water resources,⁹⁴ such as the 1910 Balqawwia War between Circassians and Bedouin Balqawiyya tribes.⁹⁵ At the same time, land also became a site of conflict within co-ethnic refugee communities.⁹⁶ By the 1910s, however, alliances had formed between refugees and Bedouin tribes. Circassian *muhajirs* had secured a peace agreement with most of their Bedouin neighbors.⁹⁷ Still, tribal claims to land in Amman continue to this day. As I will discuss in the next sections, the hilly lands of Jabal al-Nathif continue to be claimed by the Hadid tribe, as the *sheikh* (leader) informed me.⁹⁸

⁹² Nūfān Rajā Hammūd Sawariya, *Amman Wa Jivaruba (1864-1921)* (Manshurat Bank Al-Aʿamal, 1996). 203-4

⁹³ See Raouf Saʿd Abujaber, *Pioneers Over Jordan: The Frontier Settlement in Transjordan, 1850-1914* (London: I.B. Tauris, 1989); Hamed-Troyansky, "Circassian Refugees and the Making of Amman, 1878-1914."; Barakat, "An Empty Land?"

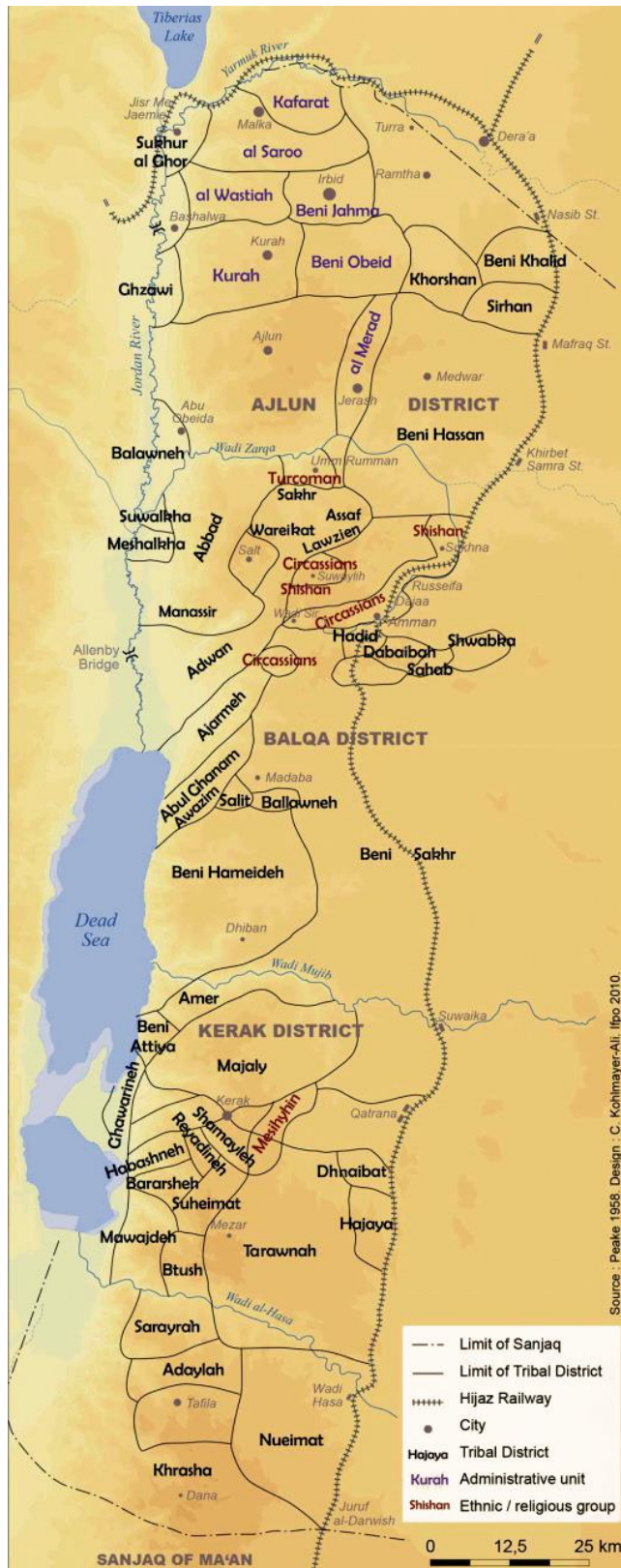
⁹⁴ Rogan cites Bedouin attacks on Amman and Wadi al-Sir in 1894; *Frontiers of the State*, 75. Barakat cites Bedouin attacks from Manasir tribe on Chechens in Sweileh in 1907; "An Empty Land?", 80.

⁹⁵ The Balqawwiya tribes are semi-settled tribes in Amman and the larger Balqa region, including Madaba. Their main sources of livelihood were the cultivation of the land and the herding of sheep and goats and the raising of camels. Balqawwiya tribes: Awazim (Mai'n and Madaba), Azayda (Madaba), Adayat, D'aja, Hanitiyyin, Hadid, Ghunaymat, Qarda, Qatarneh, Raqqad, Shawabka (Amman), Shawabka (Madaba), and Shawakra. Yoav Alon, *The Making of Jordan: Tribes, Colonialism and the Modern State* (London: I.B. Tauris, 2009).

⁹⁶ Hamed-Troyanski writes that the arrival of Kabardin newcomers set in motion a conflict over land within the Circassian community. The earlier waves of Circassian refugees had already claimed the land surrounding the Amman springs. In a similar vein, anthropologist Seteney Shami writes that some of the 1902 immigrants were ejected from the village and had to go to Damascus to complain to the provincial governor about their mistreatment by their coethnic muhajirs. Hamed-Troyansky, "Circassian Refugees and the Making of Amman, 1878-1914."; Shami, "The Circassians of Amman," 310-11. For Jordanian-Circassian accounts, see for example Mohammad Kheir Haghandoqa, *The Circassians: Origin, History, Customs, Traditions, Immigration to Jordan* (Amman: Rafidi Print, 1985).

⁹⁷ As discussed in Hamed-Troyansky, "Circassian Refugees and the Making of Amman, 1878-1914."

⁹⁸ Interview with Sheikh Barjas al-Hadid, August 4, 2021.



Reading the Property Archive

The terms, categories, and names that I read and copied down in the Department of Lands and Survey (DLS) tracing refugee and Bedouin property in late-era Ottoman Amman and early 1950s Hashemite Amman provide a record of land grants, property sales, and places of origin. The formulaic property registers form an archive dotted with multireligious, multiethnic names, with people from different parts of Bilad al-Sham. They provide a record of how refugees, Bedouins, and Muslim and Christian urban dwellers from Salt, Karak, and Palestine came to own land, establish agricultural villages, and build shops and houses. Together with personal archives and oral histories, as I show in the following sections, these property registers document the basis of lasting refugee property regimes, especially in the context of Palestinian refugee camps in Amman.

The Ottoman registers I reviewed in DLS archives are full of land grants to *muhajirs* and Bedouin tribes in the *miri* category (public domain). For example, on the title page of the 1899-1912 register (Ottoman Turkish: *Defter Asas Yoklama/Iskan*), it is written that the tribes and places mentioned in this register are:

Muhajirin Amman who were given the lands of al-Naqira. Muhajirin Amman from Sharkas (Circassians) Ras Amman and Wadi al-Seir. The lands that were distributed to al-D'aja and Qabartay.⁹⁹

In the 1910-1912 register, lands were granted to “the tribes (*ashair*) al-Abzakh, al-Hadid, and al-Qabartay.”¹⁰⁰ It is worth noticing how in these registers, it is not only the Bedouin that occupies the category of the tribe (*ashira*) but also the *muhajir* (as mentioned earlier the Abzakh and Qabartay are Circassian refugee families). This means that, in the land development and housing policy (*iskan*) scheme, North Caucasus refugees were classified as both refugees (*muhajir*) and tribe.¹⁰¹ Perhaps confirming that both were perceived as loyal and potentially productive Muslim subject-citizens. In registers, land borders were often vague, defined by cardinal directions and the names of the holders of neighboring plots. *Muhajir* lands came to be used as a defining reference alongside cardinal directions, showing how refugee lands became a reference in defining property enclosure in addition to their key role in the entrenchment of a new property regime.¹⁰² It is also crucial to note that in the late Ottoman empire, refugee shelter included not only land but also housing and commercial

⁹⁹ DLS Defter 5/1/1 (1899-1912)

¹⁰⁰ DLS Defter 6/1/1 (1910-1912; 1326 – 1328 Hijri).

¹⁰¹ DLS Defter 6/1/1 (1910-1912; 1326 – 1328 Hijri). Thank you to Jordanian historian Muhammad Adnan Al-Bakhit for bringing this point to my attention.

¹⁰² In the 1910 register, it is listed that a plot is “the land to the west of muhajir land.” For more on the role of muhajirs in the entrenchment of a new property regime see, Hamed-Troyansky, Vladimir. “Circassian Refugees and the Making of Amman, 1878–1914.” *International Journal of Middle East Studies* 49, no. 4 (November 2017): 605–23.

<https://doi.org/10.1017/S0020743817000617>.

property, thus ensuring the permanent settlement of refugees not only through their agricultural labor but also as active participants in city-making.¹⁰³

To read the Ottoman property register is to read property transactions between refugees and locals, between Muslims and Christians, and between people from different parts of *Bilad al-Sham*. One example of the sale of urban property reflected in the register is that of a Circassian family who sold a shop registered in the *mulk* category (*dukan*) in Amman's Qabartay area between 1910 and 1912 to the Nabulsi merchants Suleiman, Salman, Mithqali, and Tahir, the sons of Daoud Asfur.¹⁰⁴ Other Palestinian and Syrian families buying and selling urban property in Amman in the early 1900s include al-Qattan, Darwaza, Kiswani, Shami, Christian mercantile families including Haddad, Mu'ashir. Such sales reflect the cosmopolitan and diverse tapestry of Ottoman Amman. An example of Bedouin property transactions is the D'aja tribe registering 170 dunums of agricultural land (*tirila*) in the *miri* category.¹⁰⁵ Another such example is that of the al-Hadid tribe selling 60 dunams of agricultural lands in the *miri* category in Jabal al-Hadid (al-Qweismeh today) to the Salti Christian (classified as *Rum*) Yousif Ibrahim Abu-Jabir for 1000 Ottoman Pound.¹⁰⁶ Other Bedouin tribes mentioned included al-Fayiz, al-Ajarmah, al-Manasir, and al-Adwan. In 2021, sheikh (chief) Barjas al-Hadid, showed me a document that testifies to a late-nineteenth-century land sale transaction in Amman between members of al-Hadid and the Christian Abu-Jabers (see Figure 3). So, contrary to the typical scholarly portrayal of Bedouins as defensively registering land, not registering land at all due to taxes, or only purchasing property to build guest houses for their tribal members, we see Bedouins as part of the booming, cosmopolitan settlement of Amman.¹⁰⁷

Origin of land (*asil al-ard*) is a phrase that I repeatedly heard during the course of my fieldwork with attorneys and DLS employees. Yet, and by large, my archival research revealed that there are multiple origins of land ownership: settlement, buying and selling, and occupation. To trace the "origin of land" in Palestinian camps, the DLS archivist and I followed land plot numbers from one schedule of property rights to the next. Using the plot numbers, I traced the origin(s) of land property in DLS archives, beginning in the state archive (i.e., 1946-present) and ending in the Ottoman archive (the registers of Palestinian and Transjordanian lands from Ottoman times to the

¹⁰³ Hamed-Troyansky writes that after the opening of the Hijaz Railway, Amman experienced a boom in the construction of shops and their sale to Syrian buyers. Between 1904 and 1909, Damascene merchants alone purchased thirteen shops, or 43 percent of all transactions. He argues the convergence of refugee labor, Syrian and Palestinian merchant capital, Ottoman infrastructure, and Transjordanian urban, rural, and nomadic communities led to the transformation of the Amman and its environs into an important economic outpost on the nomadic frontier—a status that allowed it to be considered a viable option for the Jordanian capital city after World War I. He also writes that the prices of land in Circassian villages, despite a considerable hike over a few decades, were low for regional and Ottoman standards, stimulating an influx of Syrian and Palestinian capital to the Balqa. Hamed-Troyansky, "Circassian Refugees and the Making of Amman, 1878–1914."

¹⁰⁴ DLS Defter 6/1/1 (1910-1912; 1326 – 1328 Hijri)

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ While Eugene Rogan has argued that Bedouin and Arab communities began 'defensively' registering their tribal lands to preempt refugees' claims on the lands, Nora Barakat has problematized this view by showing how Bedouins were bureaucrats of the Ottoman state, actively registering property.

British mandate period). In the case of Mahatta Camp, a contested Palestinian camp, land plots are owned by forty-six different owners, of which the largest portions are owned by different members of the Circassian Khorma, Hakho, and Shafaqoj families, and different members of the Palestinian Marei, Qawasmi, and Tukan families. As for the origin of land, the Circassian Khormas, for example, have inherited lands, the oldest of which in state archive is land settlement (*taswiya*) in 1949. The land plots owned by the Palestinian Marei family have been inherited, their oldest origin is a purchase from a member of the Khorma family in the 1960s. In the case of Muhammad Amin Camp, the land plot is solely owned by the Circassian Muhammad Amin Habjoka, its origin is also a land settlement in 1953.¹⁰⁸

What is a *taswiya*? As both the DLS archivist and attorney Muhammad Qublan (who previously served as Director of DLS) explained, *taswiya* is a land settlement procedure opened by DLS, whereby a land settlement for a *band* (basin) is announced in newspapers and in governmental agencies and public spaces. This is followed by surveying the area and issuing plot and basin numbers. Meanwhile, claimants (and counterclaimants) come forward to claim land. To substantiate their claims, people bring documents that prove some sort of occupation, including bills (water, electricity) and *hujja*. (In such a procedure, although the *hujja* has been declared illegal by DLS, *hujja* were (and are still) used as proof of occupation. The following chapter describes this in detail. And as Omar Razzaz has shown in his scholarly work, a *hujja* remains a legally adequate means of transferring ownership for land that has not been settled and registered.¹⁰⁹ Next, a “table of claims” with the names of claimants and corresponding plots is announced and disseminated in public places for one month. During this period, people can raise objections. Sometimes, claims give way to cases in a special land court, either between claimants and counterclaimants or between a claimant and the state. In the absence of contestation, DLS moves names to a final “table of rights” and issues private title deeds to the new owners.¹¹⁰

Contestation and property disputes happen across different types of Palestinian camps, official, unofficial, and what have come to be classified as “informal,” “squatter,” and “spontaneous” settlements.” Such labels have become the unavoidable go-to terms to explicate any camp not registered in the scope of official services of UNRWA or DPA. As I discuss more fully in Chapter 3, instead of abiding by such arbitrary and ahistorical classifications, I use the term contested camps first because, in a moment in time, the Jordanian host authorities recognized them as camps. Second, landowners and attorneys contest the government’s lack of resolution and make their cases in court based on the presence of a Palestinian refugee camp on privately owned property. Finally, and perhaps most importantly, because camp residents have appropriated “empty

¹⁰⁸ DLS Archives.

¹⁰⁹ Ibid.

¹¹⁰ *Taswiye* procedure is drawn from the 1952 Land and Water Settlement Law and is largely based on the land settlement operations carried out by the British between 1930 and 1946. Similar to British times, settlement officers in present-day Jordan are still endowed with a substantial degree of discretionary power to take decisions according to the most convincing evidence. As discussed in Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

land” as a supply for housing and call this space in “talking claims” a camp (*mukhayyam* in Arabic) and represent such claims in written documents.¹¹¹

From Bedouin and *Muhajir* Lands to Palestinian Refugee Camps

After the dissolution of the Ottoman Empire and Britain’s installment of the Hashemite monarchy to govern the new protectorate of Transjordan, Amman was chosen as the capital city in 1921. As a result, *muhajir* and Bedouin lands began increasing in value, and many members of Bedouin tribes and the Circassian and Chechen communities became wealthy and influential land-owning families.¹¹² Over the past century, Amman very quickly grew due to the continuous influx of new waves of refugees and immigrants. Armenians began arriving after the start of the Armenian Genocide in 1915; since the Palestinian exodus of 1948 and 1967, Amman has absorbed approximately 60% of the total number of Palestinian refugees arriving to Jordan.¹¹³ More recently, population growth was compounded by two more waves of forced migration resulting from the 2003 US-led Invasion of Iraq war and the Syrian civil war. In this socio-historical context, Amman expanded from a village of 3,000 to 5,000 residents on the eve of World War I to a current population of around 4 million people.¹¹⁴

After the establishment of the Hashemite Kingdom of Jordan in 1946, the Jordanian authorities transferred all *miri* land (public domain) within municipal boundaries to the *mulk* category (private property). The government vested all power to administer state properties in the Director of DLS.¹¹⁵ The Constitution of the Hashemite Kingdom, promulgated in 1952 did not repeal the Ottoman Land Code, but rather modified it, passing several laws that provided further rights to the *miri* landholders, including enabling them to sell, lease, rent, or mortgage plots of land.¹¹⁶ After the 2003 Invasion of Iraq, the influx of Iraqi refugees into Jordan spurred growth in land transactions, fueling a real estate frenzy spreading across the Jordanian elite and a bubble that partly burst in 2008.¹¹⁷ Thirst for land, whether for family settlement or speculative purposes, put pressure on “state land” in both the *miri* and *mulk* categories.¹¹⁸ As I will show in the following sections, by taking up the case of the two most significant waves of refugees (Palestinians and Syrians), land remained a site of both shelter and contestation. State responses also changed with each wave of

¹¹¹ Kronenburg García & Van Dik write that “talking claims” is when speech is used strategically to make, justify, and contest claims; and “representing claims” is when claims are represented on material objects (maps, title deeds) that are detached from the resource. Angela Kronenburg García and Han van Dijk, “Towards a Theory of Claim Making: Bridging Access and Property Theory,” *Society & Natural Resources* 33, no. 2 (February 1, 2020): 167–83.

¹¹² Shami, “Ethnicity and Leadership,” 12, 66, 91–92.

¹¹³ As discussed in Hamed-Troyansky, “Circassian Refugees and the Making of Amman, 1878–1914.”

¹¹⁴ Department of Statistic (DOS) Population Census 2015. http://dosweb.dos.gov.jo/censuses/population_housing/census2015/

¹¹⁵ Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

¹¹⁶ Ibid.

¹¹⁷ Husam Jamil Madanat, “Land Tenure in Jordan,” *Land Tenure Journal* 1, no. 1 (December 8, 2010)

¹¹⁸ Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

refugees. In the aftermath of the Arab Spring, the Jordanian government has heavily resorted to land grants to tribes and poor constituencies.

How have Palestinian camps come to be built on private lands, often land registered by individuals of Bedouin tribes and descendants of Ottoman refugees? In the wake of the 1947 UNGA partition of Palestine, and the consequent establishment of the state of Israel over more than three-quarters of Palestinian lands, hundreds of thousands of Palestinian refugees entered the Syrian interior, including the now independent Arab states of Lebanon, Syria, and Jordan.¹¹⁹ While Arab states reached a consensus that the absorption of Palestinians as nationals would undermine the right of return (the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted),¹²⁰ the Hashemite Kingdom sought to establish itself as the representative of Palestinians through a complete national unity between Palestinians and Jordanians.¹²¹ Therefore, unlike the cases of Lebanon and Syria, in which Palestinian refugees were kept stateless, most Palestinians in Jordan (except Gazans) were granted Jordanian nationality.¹²²

Most Palestinians in Jordan settled in Amman, including elites, working classes, and peasants (*fellahin*). Middle and upper-middle-class Palestinians built on and bought land at the growing city's edges that Bedouin communities controlled. Much of this land was outside the boundaries of the registration and surveying efforts of the Ottoman, British and Hashemite regimes, all of which had focused on agricultural production as the main determinant of ownership.¹²³ This changed, however, in the late 1960s, as proximity to urban centers rather than agricultural productivity became the determinant factor in land profitability.¹²⁴ The profitability of land generated a demand for land, spurring tensions between local tribes and the state.¹²⁵ When Bedouins attempted to register their land in the desolate semidesert areas of Amman, they found that the Jordanian authorities no longer

¹¹⁹ In 1947, the United Nations General Assembly (UNGA) passed Resolution 181 (1947), known as the Partition Plan, in which the United Nations divided the Holy Land. In 1948, the state of Israel established itself over more than three-quarters of Palestinian lands. See Article 1D of the 1951 Refugee Convention. See Lorenzo Kemal's work for an excellent historical counterclaim to the widespread claim that, at the time of the partition of Palestine, 'over 70 percent' of it did not 'legally' belong to the local Arab majority. See also, Khalidi, "Revisiting the UNGA Partition Resolution."

¹²⁰ Kurt René Radley, "The Palestinian Refugees: The Right to Return in International Law," *American Journal of International Law* 72, no. 3 (July 1978): 586–614, <https://doi.org/10.2307/2200460>. For more on the Palestinian right of return (*haq al-'awda*) see Rashid I. Khalidi, "Observations on the Right of Return," *Journal of Palestine Studies* 21, no. 2 (January 1, 1992): 29–40, <https://doi.org/10.2307/2537217>;

¹²¹ On December 1, 1948 at the Jericho conference, King Abdullah of Jordan called for the annexation of what was left of Palestine to Jordan. For more see, Joseph A. Massad, *Colonial Effects: The Making of National Identity in Jordan* (Columbia University Press, 2001).

¹²² Al Abed, Oroub. "Palestinian Refugees in Jordan." Accessed February 21, 2020. <http://www.alawdaeu.prc.org.uk/index.php/en/palestine/refugees/582->

¹²³ As discussed in Barakat, "An Empty Land?". For more see, Michael R. Fischbach, *State, Society, and Land in Jordan* (BRILL, 2000)

¹²⁴ Omar M. Razzaz, "Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan," *Law & Society Review* 28, no. 1 (1994): 7–39.

¹²⁵ Majd Al Naber and Francois Molle, "The Politics of Accessing Desert Land in Jordan," *Land Use Policy* 59 (2016): 492–503.

considered the land marginal. The government asserted public domain and registered the lands as state-land.¹²⁶

As Omar Razzaz has argued in his seminal work on land tenure, “state-land” in Jordan continues to be highly contested, especially between Bedouin tribes and the state.¹²⁷ The tribal politics of Jordan and their constitutive role in state-building and land sovereignty have been the subject of much scholarly work.¹²⁸ My focus, however, is on how the power to access and own land, or to claim and control it has played and is still playing a key role in shaping relationships between the state, landowners, and camp inhabitants, in addition to shaping the built environment of camps, as I will discuss in more depth below and Chapter 2.

Between 1949 and 1968, the League of the Red Cross/Crescent Societies (LRCS, 1949-1950) and UNRWA (from May 1950 onwards) set up ten camps in Jordan, three inside Amman and seven across the country.¹²⁹ Palestinian camps in Jordan and Lebanon were set up on private lands or state-owned lands.¹³⁰ The Jordanian authorities chose lands near existing cities and towns or access to main roads.¹³¹ Most of the camps in Jordan, especially those established in the 1950s, were entirely built on private land, except Zarqa camp, the oldest camp in Jordan, which was set up on predominantly public land (85%, est. 1949), and Talbyeh camp (est. 1968) which was entirely set-up on public land.¹³² In total, more than 70% of the land on which UNRWA camps were established is private land.¹³³ Most Palestinian camps lands —whether official, unofficial, or “squatter”— were

¹²⁶ Ibid.

¹²⁷ Razzaz, Omar M. “Group Non-Compliance: A Strategy For Transforming Property Relations — the Case of Jordan.” *International Journal of Urban and Regional Research* 16, no. 3 (1992): 408–19.

¹²⁸ As Joseph Massad shows, mandate officials consciously constructed regimes of separation, creating separate jurisdictions for Bedouin communities deemed nomadic with new institutions like the 1924 Tribal Courts Law and 1929 Bedouin Control Laws in Transjordan and the Contrôle Bedouin in Syria. Furthermore, Nora Barakat writes that in Transjordan, while extending the Ottoman “tribe”, these laws introduced the category of the “nomadic tribe” and placed those they listed by name as nomadic under a separate jurisdiction. “Nomadic tribes” subject to an entirely separate legal apparatus run by elite members of their own communities with increasingly intrusive British supervision in the 1930s, under Glubb Pasha and through the Bedouin Control Board. Joseph A. Massad, *Colonial Effects: The Making of National Identity in Jordan* (Columbia University Press, 2001); Barakat, “An Empty Land?” See also Alon, *The Making of Jordan*; Martin Thomas, “Bedouin Tribes and the Imperial Intelligence Services in Syria, Iraq and Transjordan in the 1920s,” *Journal of Contemporary History* 38, no. 4 (October 1, 2003): 539–61; Ruth Kark and Seth J. Frantzman, “Empire, State and the Bedouin of the Middle East, Past and Present: A Comparative Study of Land and Settlement Policies,” *Middle Eastern Studies* 48, no. 4 (July 1, 2012): 487–510.

¹²⁹ Four of Jordan’s current “official” camps were set up in the years that followed the Palestinian exodus of 1948: Zarqa camp in 1949; Irbid camp in 1950; al-Hussein camp in 1952 and Amman New Camp (“Wihdat camp”) in 1955. Six other camps, labelled “emergency camps”, were set up in the wake of the 1967 Arab-Israeli war to accommodate homeless displaced Palestinians be they “first time displaced” or “second time displaced 1948 refugees”: the Talbiyeh camp in the Amman governorate, the Marqa camp (also known as the “Hitteen” or the “Schneller” camp) in the Zarqa governorate; the Baqaa camp in the Balqa governorate, the Jerash and Souf camps in the Jerash governorate, and the Husn (or “Azm al-Mufti”) camp in the Irbid governorate. Jalal Al Hussein, “The Management of the Palestinian Refugee Camps in Jordan between Logics of Integration and Exclusion,” Social Science Research Network (SSRN), January 30, 2010, 21.

¹³⁰ Nadya Hajj, *Protection Amid Chaos: The Creation of Property Rights in Palestinian Refugee Camps* (Columbia University Press, 2016).

¹³¹ Ibid.

¹³² Ibid.

¹³³ Ibid.

privately owned by members of Balqawi Bedouin tribes, the descendants of Ottoman refugees (Circassians and Chechens), or the descendants of early twentieth-century Palestinian merchants who bought lands from the former two groups. Besides UNRWA camps, which were mostly located near the center of the city, there are three Department of Palestinian Affairs (DPA) camps and eight contested camps, which Palestinian refugees have built themselves on squatted lands (see Figure 2-3).¹³⁴

In contrast to the Ottoman refugee regime, where land was granted as a form of permanent shelter, Palestinian camps were set-up on temporarily rented lands and conceived as temporary shelter. Historian Jalal Al Hussein argues that in the initial phases of refugee camp design, UNRWA and the Jordanian authorities developed regulations specifically to maintain the temporary character of Palestinian camps.¹³⁵ These regulations concerned land lease, shelter, and plot sizes. Refugees were initially allotted plots of land not exceeding 80-100 square meters per household, which included a shelter comprising one 12 square meter room for a family of 4-5 members and two rooms for families of 6-8 persons. While refugees were allowed to construct additional rooms beside the original core shelter to accommodate new family members, any vertical extension was prohibited.¹³⁶ Additionally camp boundaries were considered non-extendable for fear that extension might lead to camp incorporation within neighboring areas.¹³⁷ Yet despite these regulations and the official regime of “temporary” land lease, camps extended into cities, becoming part of their urban fabric.

UNRWA camp lands also remained a site of conflict. As I will explain more fully below, private lands—regardless of whether they are owned by Bedouins, Circassians, Chechens, or Palestinians—continue to be the source of lawsuits against both the state and camp residents. These property disputes also reveal the inherent inequality of Palestinian resettlement in Jordan. Elites bought land and built houses, leading to an expanded middle class that migrated to the hills and the more well-to-do neighborhoods of the growing city,¹³⁸ while peasants and working classes in camps—whether official, unofficial, or “squatter”—continued to dwell near the poorer city center, dispossessed of the possibility to own property legally.

It is important to acknowledge the radically different ways in which Ottoman *muhajirs* and Palestinian refugees went about finding shelter, building houses, and creating property. Land was

¹³⁴ DPA camps: Madaba camp, Sokhna, and Prince Hassan. Interview with Rafiq Khirfan, Director General of the Department of Palestinian Affairs, July 7, 2021. The number of contested Palestinian camps is based on Ababsa and Abu Hussein, “Metropolitan Amman: Comprehensive Climate Plans.”

¹³⁵ Jalal al-Husseini, “The Evolution of the Palestinian Refugee Camps in Jordan. Between Logics of Exclusion and Integration,” in *Villes, Pratiques Urbaines et Construction Nationale En Jordanie*, by Myriam Ababsa and Rami Farouk Daher, Cahiers de l’Ifpo (Beyrouth: Presses de l’Ifpo, 2013), 181–204.

¹³⁶ Jalal al-Husseini, “The Evolution of the Palestinian Refugee Camps in Jordan. Between Logics of Exclusion and Integration,” in *Villes, Pratiques Urbaines et Construction Nationale En Jordanie*, by Myriam Ababsa and Rami Farouk Daher, Cahiers de l’Ifpo (Beyrouth: Presses de l’Ifpo, 2013), 181–204.

¹³⁷ Ibid.

¹³⁸ Hanania makes this point about the spatial-economic divisions of Amman. See Marwan D. Hanania, “The Impact of the Palestinian Refugee Crisis on the Development of Amman, 1947–1958,” *British Journal of Middle Eastern Studies* 41, no. 4 (October 2, 2014): 461–82.

fundamental to the resettlement of both groups of refugees, but with divergent outcomes. On the one hand, the Ottoman state, viewing *muhajirs* as permanent settlers, granted them agricultural land; they cultivated the lands, registered their property in courts, and eventually accumulated real estate. On the other hand, Jordanian authorities viewing Palestinians as citizens with an internationally recognized right of return to Palestine assisted UNRWA in establishing “temporary” refugee camps.

As I see it, the key difference between the Ottoman empire’s response to Muslim *muhajirs* and that of the Jordanian state and the international humanitarian regime to Palestinian refugees is, how land was flipped from allocation to *muhajirs* (based on a common religion and in reference to the Islamic framework of *Hijra*) to temporary expropriation for refugees (based on their foreign national origin). Ottoman *muhajirs* were considered permanent subjects and settlers—after all, the Ottoman regime’s philosophy towards refugees was one of land grants. In contrast, Palestinians in refugee camps were considered foreign nationals in temporary settlements. They were thus dispossessed of the possibility of “legally” owning property, and left in legally ambiguous spaces.

This brings me to another significant shift in the transition from empire to nation-state. In one case, land was allocated for refugees as a part of an imperial project of agricultural development. In the other case, land was expropriated for refugee camps but excluded from urban development plans, thus becoming a site of urban impoverishment. Geographer Myriam Ababsa, has shown that urban poverty in eastern Amman is the result of large pockets of poverty developing inside official camps and the “informal” camps extending from UNRWA camps or built near the city center.¹³⁹

The key to understanding this changed vision of refugees is the 1948 Universal Declaration of Human Rights, which enshrined the legal category of refugee in international law as one of statelessness.¹⁴⁰ The modern refugee (in a western sense) is born out of the mass dispossession entailed in the transition from empire to nation-state.¹⁴¹ Even in cases when the transition to the nation-state did not itself produce conditions of statelessness, as in the nation-states carved out of the Ottoman case, the nation-state system intensified statelessness. Jordan, like Lebanon, is a non-signatory of the 1951 Refugee Convention, thus regards Syrian refugees as “guests,” a category with no legal meaning.¹⁴²

As we will see next, such longer historical views help us better understand contemporary land ownership patterns and legal battles in Palestinian and Syrian camps.

¹³⁹ Myriam Ababsa, *Atlas of Jordan: History, Territories and Society* (Presses de l’Ifpo, 2014), 393.

¹⁴⁰ Benjamin Thomas White, “‘Refuge’ and History: A Critical Reading of a Polemic,” *Migration and Society: Advances in Research* 2, no. 1 (June 2019): 107–18, <https://doi.org/10.3167/arms.2019.020111>.

¹⁴¹ Ibid.

¹⁴² As mentioned in Lewis Turner, “Explaining the (Non-)Encampment of Syrian Refugees: Security, Class and the Labour Market in Lebanon and Jordan,” *Mediterranean Politics* 20, no. 3 (September 2, 2015): 386–404. For more on the discourse of guesthood in Jordan see, Oroub El-Abed, “The Discourse of Guesthood: Forced Migrants in Jordan,” in *Managing Muslim Mobilities: Between Spiritual Geographies and the Global Security Regime*, ed. Anita H. Fábos and Riina Isotalo, Religion and Global Migrations (New York: Palgrave Macmillan US, 2014), 81–100.

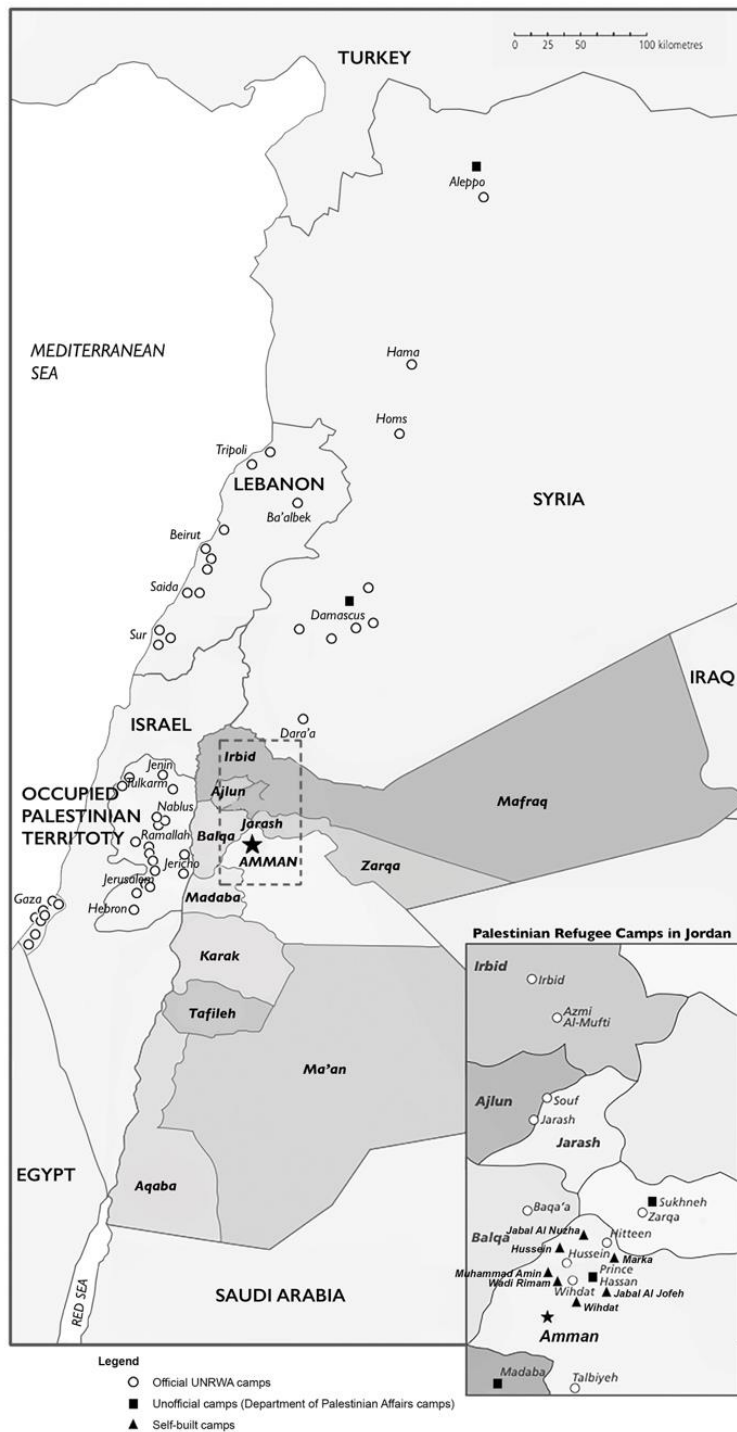


Figure 2-3. Map of Palestinian refugee camps in the West Bank, Gaza, Jordan, Lebanon, and Syria. The map of Jordan shows ten official UNRWA camps, three unofficial ones, and eight self-built camps. Map by author based on UNRWA maps.

Official, Unofficial, and Contested Palestinian Refugee Camps

[illegible]

Figure 2-4. Ottoman Title Deed. Source: Personal Archives of Abdelrahman Qatarneh.

In 2021, I met Barjas al-Hadid, sheikh (tribal leader) of the Hadid tribe and former member of the Parliament of Jordan, at his house in al-Qweismeh, near Wihdat Camp, a Palestinian refugee camp established by UNRWA in 1955. Spanning more than a century and covering large parts of Amman through documents, photographs, and oral histories, sheikh Barjas meticulously narrated a genealogy of his tribe's lands in Amman.¹⁴³ When asked whether his tribe owns land in Wihdat Camp, he confirmed that members of al-Hadid own plots of land inside the camp, adding that UNRWA leased these lands in the 1950s and that there are cases regarding their use of the lands in court now. Then, he informed me that the Balqawi Qatarneh tribe also owns land in Wihdat Camp.

Following this clue, I interviewed Abdelrahman Qatarneh, one of the inheritors of a 28 Dunam (2.8 Hectare) plot of land in Wihdat Camp.¹⁴⁴ I asked about the origin of his lands in Wihdat. He began by telling me that the name Wihdat came with the camp in reference to the division of the area into housing units (*wihdat sakania*); making sure to let me know that his family was the last camp landowning family to file a lawsuit.¹⁴⁵ Later, Abdelrahman shared an early-twentieth-century Ottoman title deed (*sanad*) of his family's land in the then-village of al-Hadid (see Figure 2-4). The plot of land on which Wihdat Camp was built is part of the land they registered during the Ottoman period.

Half a century later, on September 20, 1958, the then-Ministry of Construction and Restoration (later to become the Department of Palestinian Affairs (DPA)) temporarily acquired the land of Salameh Qatarneh for the purpose of setting up a refugee camp for Palestinian refugees. Its lease was for five years. On that land, which belonged to members of the Balqawi al-Hadid, al-Qheiw, al-Ajarmeh, and Shahwan tribes, totaling 480 Dunam (48 Hectares), UNRWA set up Wihdat camp (otherwise known as Amman New camp).¹⁴⁶ Since the expiration of the 5-year acquisition of land, the camp land has been used without compensation for the owners or contract renewal. Well over a century after the initial registration, in response to the state's usurpation, Abdelrahman Qatarneh joined his brother, two sisters, two nephews, and niece in court in Amman to demand that the state pay them rent estimated on the occupied property. So did the Hadids.

As the lawyer of the Qatarnehs told me, it is a case of "*wada' yadd*" (understood here as usurpation or violation, although as al-Naber and Molle show, *wada' yadd* can also mean direct reclamation of unused public land).¹⁴⁷ They demanded that the DPA, pay them "*badal ajar al-mithl*" (rent estimated on the leased property in the event of the expiry of contract or acquisition period). In the court case documents, the following clause is included:

¹⁴³ Interview with Sheikh Barjas al-Hadid, August 4, 2021.

¹⁴⁴ Personal communications with Abdelrahman Qatarneh, March 22, 2022; "Amman New Camp," UNRWA, accessed April 15, 2022, <https://www.unrwa.org/where-we-work/jordan/amman-new-camp>.

¹⁴⁵ Personal communications with Abdelrahman Qatarneh, March 22, 2022.

¹⁴⁶ DLS-R 0224423-E; "Amman New Camp," UNRWA, accessed April 15, 2022, <https://www.unrwa.org/where-we-work/jordan/amman-new-camp>.

¹⁴⁷ Personal communications with Ola Bdeir, attorney. March 22, 2022; Al Naber and Molle, "The Politics of Accessing Desert Land in Jordan".

Four: - The defendant has built housing units, commercial buildings, schools, and opened streets in it (i.e., the property) and refuses to return it (i.e., the property) to its rightful owners and/or pay estimated rent (*badal ajar al-mithl*) for this violation.¹⁴⁸

The court ruled in favor of the plaintiffs, ruling that DPA pay the amount of 24,478 JOD (34,525 USD), covering the three preceding years from the date the lawsuit was filed.¹⁴⁹ The court's decision was as follows:

Considering Article (279) of the Civil Code, the defendant is obligated to pay the estimated rent (*badal ajar al-mithl*) year by year, month by month, according to the rise or fall of prices and according to the situation, and since that experience concluded that the equivalent rental fee (*badal ajar al-mithl*) for the property, the subject of this lawsuit, for the three years preceding the date of the suit was filed on 03/11/2019 is in the amount of (24478,019) dinars (twenty-four-thousand-four-hundred-seventy-eight dinar and nineteen fils).¹⁵⁰

Despite the court's decision in favor of the plaintiffs and the comparatively small amount that the government must pay to the property owners, however, the case is still pending, as are the cases of numerous camp landowners in Amman and Zarqa. Abdulrahman and his siblings are still waiting for the state to act upon the court's decision: the now DPA still refuses to pay rent.¹⁵¹ The case shows, however, that the family has maintained legal control over land for 150 years, despite the territory's sovereign jurisdiction shifting between three different governing regimes—Ottoman empire, British mandate, and the Hashemite nation-state.

If official UNRWA camps in Jordan are privately owned, how did the state gain the use of those lands? Humanitarian rhetoric, academic literature, and expert reports all commonly claim that UNRWA rented Palestinian refugee camp lands for 99 years. Implied in such claims is that UNRWA is the lessor in a formal rental agreement and that its camp land rental is orderly, in contrast to the disputes present in “squatter” or “informal” camps. However, my fieldwork in DLS archives, DPA offices, and among landowners, attorneys, and camp inhabitants has demonstrated that UNRWA is not the land lessor, and that landownership is complex and disputed across different types of Palestinian refugee camps. In the rest of this section, I describe the disputes over land ownership and degree of recognition between Palestinian camps using the examples of Wihdat Camp (official), DPA Camps (unofficial), and Mahatta and Jana'a Camps (contested). I do so to illustrate how land and built objects become sites of control and political claim-making for people and institutions alike. Contrary to the claim in the academic literature on Palestinian camps that low compensation and a

¹⁴⁸ Case Number 4464/2019 (Mahkamat Bidayat Hukuk Amman March 11, 2019), 3. My translation from the original Arabic.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Personal communications with Abdelrahman Qatarneh, March 22, 2022.

boom in land prices drove landowners to courts,¹⁵² I argue that the lack of legal resolution prompted the landowners of different types of camps to take their cases to court.

In the case of DPA camps, the Jordanian government is also the responsible party for land lease. As mentioned earlier, there are three DPA camps in Jordan, Madaba camp, Sokhna camp, and Prince Hassan camp. All are considered “unofficial” camps by UNRWA. The director of DPA, Rafiq Khirfan, clarified the reasons for this classification as follows: the first reason is related to the built object itself. Since UNRWA did not distribute tents and housing units, and since the agency did not manage construction, it is not an official camp. Second, UNRWA is not the party responsible for camp management (i.e., services, cleaning, appointing a camp manager); the DPA is, making it unofficial in the UNRWA’s eyes as well. Third, since UNRWA did not distribute housing units, it did not keep records. Therefore, it does not have authority over DPA camp archives. In comparison, in DPA camps, Jordanian authorities distributed housing units and DPA registered rights to housing property rights in their archives. Such documents prove the right to inherit housing units and sell usufruct rights; the court also recognizes these. For example, if camp residents wish to build or improve a unit, they can submit a request to the DPA’s office in the camp. However, as Rafiq Khirfan made sure to inform me, these property rights do not include the right to land.¹⁵³ After all, the right to land (and not nationality, housing, education, or employment) is what the Jordanian state considers *tawteen* (permanent settlement). The Jordanian government pledged temporariness to private landowners, promising that the land would be returned to its original owners when the Palestinian refugees’ right of return was resolved.¹⁵⁴ In such a logic, granting land rights to refugees would render them permanent settlers, while maintaining the camp on temporarily rented land is the witness to the right to return of Palestinian refugees. (In the next Chapter, I describe the use of Ottoman *hujja* contracts to buy and sell property in the absence of rights to land title.)

¹⁵² For instance, historian Jalal al-Husseini argues that the status of most official camps as private land rented by the Jordanian host authority (and not UNRWA) for 99 years is part of the explanation for such temporary regulations. Al-Husseini, “The Evolution of the Palestinian Refugee Camps in Jordan. Between Logics of Exclusion and Integration.”, 197. For instance, the informal real estate market in Wihdat camp saw an increase in house prices from an average of 3,000 JD in 1970 to around 19,000 JD in the 2010s. 19,000 JD is the equivalent of 26798.65 USD. Currency Exchange Rate, April 15, 2022. Blandine Destremau, “Les camps de réfugiés palestiniens et la ville, entre enclave et quartier,” in *Amman : Ville et société*, ed. Jean Hannoyer and Seteney Shami, Contemporain publications (Beyrouth: Presses de l’Ifpo, 2019), 527–52, 532. Conceptions of temporariness in Palestinian camp space are changing, however, as Lucas Oesch points out. For example, in al-Hussein camp (UNRWA camp, est. in 1952), houses are almost continuously being extended vertically with little push back by state authorities, reflecting how the meaning of temporariness has evolved for both camp residents and the state. Oesch Lucas, “The Politics of Temporariness and the Materiality of Refugee Camps,” in *Arrival Infrastructures: Migration and Urban Social Mobilities*, ed. Bruno Meeus, Karel Arnaut, and Bas van Heur (Springer, 2018), 240.

¹⁵³ Blandine Destremau, “Les camps de réfugiés palestiniens et la ville, entre enclave et quartier,” in *Amman : Ville et société*, ed. Jean Hannoyer and Seteney Shami, Contemporain publications (Beyrouth: Presses de l’Ifpo, 2019), 527–52, 532.

¹⁵⁴ Interview with Rafiq Khirfan, Director General of the Department of Palestinian Affairs, July 7, 2021.

¹⁵⁵ Al Husseini, “The Management of the Palestinian Refugee Camps in Jordan between Logics of Integration and Exclusion.”

One day, I interviewed Muhammad Qublan, the lawyer representing the interests of the landowners of Mahatta Camp, a contested camp in downtown Amman with an estimated population of 80 thousand residents. When asked about camp land, he said the following:

The camp sits on two plots of land: plots 1166 and 1167. As you know, the al-Mahatta camp is not a UNRWA camp. Those have a lease contract for 99 years, typically through the acquisition of usufruct right by the Ministry of Public Works and Housing. Our last lawsuit was in 2005/2006 against the Ministry of Public Works and Housing. Before that, we filed three or four lawsuits. The response we got was that “these lands are not among the lands designated for establishing camps to house Palestinian refugees from 1948.” After that, landowners filed lawsuits against camp residents. They got a hold of their names and national identification numbers. The right to have squatters removed is absolute. Then, camp residents petitioned the Parliament. As a result, the government suggested that the municipality acquire camp lands and compensate landowners with municipal lands elsewhere within the master plan. It was a “gentleman’s agreement” in the presence of members of the Parliament, the Senate, the House of Representatives, and the Prime Ministry. The case is still pending on this basis.¹⁵⁵

Qublan’s statement showcases how, despite the absolute rights of private property, in a situation where lack of legal resolution towards camp status is persistent, landowners are pitted against both government and residents. Such cases are still pending on empty promises of reparation. This sense that promises of reparation are empty echoes those of other contested camp landowners. For instance, the Chechen landowner of Jana’a camp in Zarqa, told me how in 2019, during Omar Razzaz’s term as Prime Minister, the cabinet decided to settle the case. The decision was to expropriate the land, compensate landowners with treasury lands, and sell land plots to residents at reasonable prices.¹⁵⁶ Jana’a case is also pending on these pledges. There is a persistent lack of resolve towards the conflict, no matter the change in government officials. This is true even during the prime ministry of Razzaz, a political and intellectual figure whose tenure as Minister of Education saw overhauls to the education system and whose scholarly writings on property disputes in informal settlements continue to be seminal in the fields of urban studies and property studies. Government pledges and decisions continue to be unfulfilled.

Land conflicts in Mahatta and Jana’a Camps are also the topic of newspaper accounts. For example, in July 2021, a journalist reported on the case by interviewing the lawyer representing the landowner of Jana’a Camp. In the report, the lawyer stated that if the government did not abide by its pledge to settle the case by compensating the original landowners with land equal in value, they would resort to implementing the court decision to evict the residents. Since then, the specter of eviction has loomed over the lives of the residents of Mahatta and Jana’a, which necessitated the

¹⁵⁵ Interview with Muhammad Qublan, July 30, 2021.

¹⁵⁶ Interview, July 30, 2021.

resident's organization of sit-ins calling on the government to solve the problem, especially since the situation is not through a fault of their own.¹⁵⁷

The irony of Palestinian refugees appropriating empty land to build what came to be considered as “squatter settlements” should not be lost. It highlights the elasticity of “*wada'yadd*” in Jordanian law: ranging from positive legal understanding as a reclamation of unused public land, thus legitimate for legal registration, to state usurpation and the bypassing of court decisions, finally to negative illegal squatting that is not open for legal registration.

Land and property disputes showcase how individuals, groups, institutions, and the state make claims to land, housing, and natural resources. As in the late nineteenth century, land has been particularly contentious in moments of regional crisis when refugee resettlement projects are designed and implemented, often followed by market booms and capitalist investments. As I discuss next, in the wake of Syrian war, the state displayed new interest in desert lands heretofore deemed marginal.

Syrian Camps on Desert Lands

In response to the 2011 revolution-turned-civil war in Syria, the Jordanian host authorities, in conjunction with UNHCR (United Nations High Commissioner for Refugees), decided to open camps for Syrian refugees. Following negotiations with government officials and tribal leaders in northern Jordan, state authorities set up camps in the northeastern rangelands and desert lands, historically known as the Syrian *Badia*, a semi-arid desert stretching across present-day Jordan, Syria, Iraq, and Saudi Arabia (see Figure 2-5).¹⁵⁸ The first camp, Za'atari, was opened in July 2012 on an 8,500 dunams (8.5 HA) semi-arid land area in Mafraq. Then, in March 2013, Marjeeb al-Fahood was opened on arid plains near Zarqa (also known as the Emirati-Jordanian camp because the United Arab Emirates funded it). Finally, in April 2014, Azraq camp was opened on a 15 kilometers stretch (9.3 mi) in the desert terrain of northern Azraq.¹⁵⁹

¹⁵⁷ “ملف إخلاء المحطة و”جناعة” يعود للواجهة من “Jana’a” y’oud lil-wahija min jadid” “Malaf Ikhlā’ al-mahatta’ wa “Jana’a” y’oud lil-wahija min jadid” *Watan News*, July 3, 2021, <https://watananews.com/?p=93737>.

¹⁵⁸ Lewis Turner, “Explaining the (Non-)Encampment of Syrian Refugees: Security, Class and the Labour Market in Lebanon and Jordan,” *Mediterranean Politics* 20, no. 3 (September 2, 2015): 386–404.

¹⁵⁹ The camps are under joint administration of the Syrian Refugee Affairs Directorate (SRAD) and UNHCR, with SRAD responsible for security and UNHCR for protection.

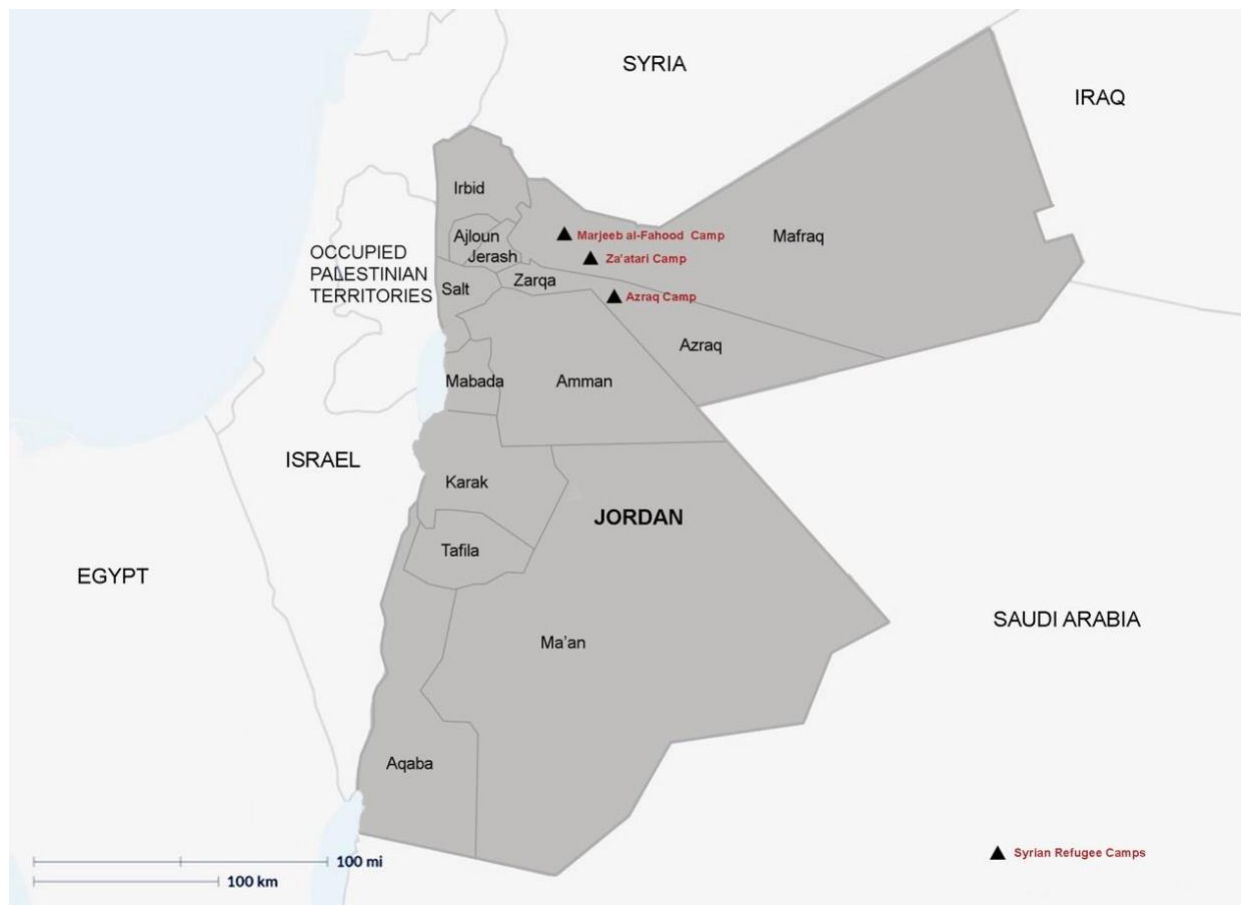


Figure 2-5. Map of Syrian refugee camps in Jordan. Illustration by author.

According to official statements, all camps are located on state lands. Yet, during my fieldwork in Za'atari and Azraq camps, I repeatedly heard conflicting rumors about land ownership. As Jordanian property scholars and journalists have revealed, both the category of “state-land” and “desert land” represent domains of contestation, imparting their highly political and historical character.¹⁶⁰

¹⁶⁰ See for example, Razzaz, “Contestation and Mutual Adjustment.”; H.J. Madanat, “Land tenure in Jordan,” *Land Tenure Journal* 1 (2010): 143–70.

Shaheen Mofady Al-Sirhan, “Managing Rangelands: Learning from Institutional Experience in Order to Promote Bedouin Participation in the Badia of Jordan” (Masters Thesis, Durham University, 1998); Gabriel Baer, “Land Tenure in the Hashemite Kingdom of Jordan,” *Land Economics* 33, no. 3 (1957): 187–97, <https://doi.org/10.2307/3144527>; Myriam Ababsa, “Fifty Years of State Land Distribution in the Syrian Jazira. Agrarian Reform, Agrarian Counter-Reform and the Arab Belt Policy (1958-2008),” *Cairo Papers in Social Sciences, Volume 32, Number 2, Summer 2009*, January 1, 2013; Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”; Al Khatab Haron, “Legal Measures to Stop the Attacks on Land and Property of the Municipality of Ma’an (Ijraat Qanoonia li-Waqf al-i’tidaat ’ala Aradi wa Mumalakat li-Baladiyet Ma’an),” *Al Rai Newspaper*, August 23, 2015, <https://alrai.com/article/728913/محليات/اجراءات-قانونية-لوقف-الاعتداءات-على-اراضي-وممتلكات-بلدية-معان>.

Desert lands and rangelands, formally under the ownership of the treasury, stand at the confluence of several claims: local Bedouin tribes consider these lands as part of their tribal domain (*dira* or *wajha*); investors in agriculture, especially in Azraq, where surface water and groundwater is abundant, consider their right to reclaim/revitalize desert land as legitimized by the 1977 Law of Land Delegation (*tafwid*, a procedure through which people, private or public companies can rent state-land for cultivation or construction). All the while, the state stands firmly by its claim to these lands because of future needs to access land (e.g., for refugee camps, military camps, and the construction of universities and airports).¹⁶¹ As mentioned earlier, the value of land in Jordan has increased with each wave of refugees: beginning with Ottoman refugees and skyrocketing with Palestinian refugees (1948, 1967, returnees from the Gulf war of 1990-1), Iraqis, and most recently Syrians. As a result, urban sprawl into desert areas not surveyed or settled by the Ottoman, British, or the Hashemite regimes, has brought the contested status of those lands to the surface.¹⁶²

The British mandate administration juridically separated “the desert” from the “sown” (as in arable land), employing separatist categories for land and people.¹⁶³ As Joseph Massad shows, British mandate officials consciously constructed regimes of separation, creating separate jurisdictions for Bedouin communities deemed nomadic with new institutions like the 1924 Tribal Courts Law and enacting the Law of Supervising the Bedouins in 1929.¹⁶⁴ Tribal claims to land were further disputed in the British mandate period and the Land Settlement Law of 1933, in which the traditional tribal land tenure system *musha*’ (communally shared land) was dismantled; stripping tribes of rights to roam the lands and replacing it with individually based land tenure system (i.e., clearly defined individual land titles).¹⁶⁵ This technical rationality of control, administrative control, and modernization based on agricultural productivity continued into the postcolonial period.¹⁶⁶ The Jordanian government focused on agricultural land during this period. Consequently, the most fertile areas in the country were given priority for settlement of rights and registration of title.¹⁶⁷ The British, however, were less interested in dismantling the *musha*’ tenure system for semidesert and desert land. Therefore, most of these areas, as Razzaz writes, were registered as “state land,” with the understanding that tribes claiming these areas as their domain could inhabit it, use it for herding,

¹⁶¹ As discussed in Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

¹⁶² Ibid.

¹⁶³ Barakat, “An Empty Land?”

¹⁶⁴ This law effectively put all power in relation to the Bedouin population in the hands of the head of the army, or his deputy (in this case Glubb), thus relegating all Transjordanian Bedouins to living under martial law. As discussed in Massad, *Colonial Effects*.

¹⁶⁵ Omar Munif Razzaz, “Law, Urban Land Tenure, and Property Disputes in Contested Settlements: The Case of Jordan” (Ph.D. Dissertation, United States - Massachusetts, Harvard University). Ohoud Kamal also writes that, in contemporary Jordan, *musha*’a land constitutes over 25% of the lands of Amman. Ohoud Kamal, “Temporary Space in Amman: A Co-Creation of Everyday Activism and State Flexibility” (Ph.D. Dissertation, Newcastle University, 2020)

¹⁶⁶ Barakat, “An Empty Land?” See also, Martin Thomas, “Bedouin Tribes and the Imperial Intelligence Services in Syria, Iraq and Transjordan in the 1920s,” *Journal of Contemporary History* 38, no. 4 (2003): 539–61; Robert S. G. Fletcher, *British Imperialism and “The Tribal Question”: Desert Administration and Nomadic Societies in the Middle East, 1919-1936*, Illustrated edition (Oxford, U.K: Oxford University Press, 2015).

¹⁶⁷ Razzaz, “Contestation and Mutual Adjustment.”

and even register it formally and obtain individual land titles if cultivated for three consecutive years.¹⁶⁸

At the same time, as Barakat argues, mandate and postcolonial land policies in both Jordan and Syria preserved the ambiguities of “public domain” in Ottoman law, which rest on a contradiction between encouraging agricultural expansion and investment, on the one hand, and controlling land allocation, on the other.¹⁶⁹ As a result, British and postcolonial land registration efforts largely followed the work of their Ottoman predecessors closely, leaving swathes of “state land” under the sovereignty of Bedouin tribes.¹⁷⁰ For this reason, in many parts of present-day Jordan, but especially in “marginal” areas, local Bedouin tribes still consider themselves as the “real owners,” seeing the state as an external actor.¹⁷¹ Thus, state-led registration efforts often reignite tribal claims to land, giving way to contestation.¹⁷² This is also true in other Arab countries (such as Egypt, Sudan, and Syria), where the category of “state land,” — especially desert/unused/marginal land — came to be inflated with land nationalization policies.¹⁷³ In the case of Jordan, “state land” is also often contradicted by the principle of *wada' yadd* (reclamation of unused public land). An example of the contradiction between practices and the law is that although the use of state land is prohibited by law, exploiting state land through cultivation with the hope of later regularizing land is a key strategy for both agricultural expansion and access to land.¹⁷⁴ And, as I have shown in the previous section, in Palestinian camps, the same principle is used by refugees to claim space and by landowners to sue the government for usurpation of private lands.

In 2000, the Jordanian government launched the “Unsurveyed Lands Project” to survey the eastern and northeastern parts of the country with the purpose of registering desert lands in the name of the Treasury and those occupying them.¹⁷⁵ Indeed, at that time, only 25% of the total area of Jordan was surveyed and registered, with the remaining 75% unsurveyed, thus open for appropriation by people. For example, in Mafraq, between 2006 and 2012, 145 land settlements (*taswiya*) were announced. Through these settlements, lands were registered to the Bedouin Srour tribe.¹⁷⁶ The politics of land allocation in Jordan are deeply enmeshed with broader national politics and often mediated by social and political power, with land policy following a carrots and sticks strategy, alternating between coercive measures and land regularization. For example, the “Unsurveyed Lands Project” opened a period of land regularization in Azraq governorate. Azraq is home to two major Bedouin tribes (Bani Sakhr and al-Sarhan), as well as Chechen and Druze

¹⁶⁸ Ibid.

¹⁶⁹ Barakat, “An Empty Land?”

¹⁷⁰ Ibid. See also, Fischbach, *State, Society, and Land in Jordan*.

¹⁷¹ Shaheen al-Sirhan makes this argument in his research on Bedouins in the Jordanian Badia. Al-Sirhan, “Managing Rangelands.”

¹⁷² Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

¹⁷³ Ibid. For Egypt, see David E. Sims, *Egypt's Desert Dreams: Development or Disaster?* (Oxford University Press, 2014). For Sudan see, Jrg Gertel, Richard Rottenburg, and Sandra Calkins, *Disrupting Territories: Land, Commodification & Conflict in Sudan* (Boydell & Brewer Ltd, 2014).

¹⁷⁴ Madanat, “Land Tenure in Jordan.”

¹⁷⁵ Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”.

¹⁷⁶ As documented by Al Naber and Molle based on DLS records. Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

minorities. As discussed earlier in this chapter, Chechens were settled in Azraq by the Ottomans in the early 1900s, while the latter sought refuge in Azraq following the French persecution faced by Druze in Jabal al-Druze and Jabal al-Arab.¹⁷⁷ State land dedications mainly were targeted at the Chechen and Druze inhabitants of the area, but Bedouin tribes also benefited from these land grants, largely reminiscent of Ottoman land grants. Paradoxically, as Al Naber and Molle show, a Chechen farmer reported that he cultivated an empty plot only to have the government destroy his crops. He later cultivated the same plot again for ten years, after which he attempted to register the land at DLS. Following the unrest of the Arab Spring, the distribution of “state land” was also used as a mechanism to mitigate and control tribal protests, most notably in Ma’an, an area known for its riots and rebellions.¹⁷⁸

Agricultural investment in desert lands, however, is not new. As Majd Al Naber and Francois Molle show in their work on the politics of accessing desert land in Jordan, local sheikhs began to invest in Azraq in the late 1960s, with the second wave of Palestinian refugees, expecting the establishment of a refugee camp in the area. Then, in the wake of the 1990-1991 Gulf war and the 2003 American Invasion of Iraq, people began to invest in the northeastern Badia region, expecting that the availability of water and the proximity to Iraq would lead to the establishment of refugee camps.¹⁷⁹ For instance, what is today Azraq camp for Syrian refugees, had been previously used as a transit camp for displaced Iraqis and Kuwaitis during the Gulf War. Accessing state land, whether to set up camps, cultivate, or for speculative investment, illustrates how land registration, purchase, or reclamation intertwines with expectations of the changing importance of desert lands in times of regional crisis when refugee projects are designed and implemented. Accessing land for refugee camps is further testament to the genealogy of refugee camps in Jordan.

The war in Syria also generated a thirst for land and an increase in land value and cultivated area in Azraq, Mafraq, and Zarqa.¹⁸⁰ This came at the tail end of a thirst for agriculture based on groundwater irrigated agriculture in these areas. These trends have spurred tensions between local tribes, claiming historic ownership of land, desert land appropriators, investors, and a state unwilling, under the prevailing conditions of market boom and speculation, to give away what it considers as state land. Among the investors are powerful state figures such as former ministers, heads of the public security and intelligence apparatus, senators, and members of parliament (perhaps spurred hearsay on refugee camp land ownership as mentioned earlier).¹⁸¹ But also many are investors of

¹⁷⁷ Ahed Quntar, “The Druze Communities in Jordan,” n.d., www.druzeheritage.org.

¹⁷⁸ Ibid. See also, Al Khatab Haron, “Legal Measures to Stop the Attacks on Land and Property of the Municipality of Ma’an (Ijraat Qanoonia li-Waqf al-i’tidaat ’ala Aradi wa Mumalakat li-Baladiyet Ma’an),” *Al Rai Newspaper*, August 23, 2015, <https://alrai.com/article/728913/محايات-إجراءات-قانونية-لوقف-الاعتداءات-على-أراضي-وممتلكات-بلدية-معان>.

¹⁷⁹ Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

¹⁸⁰ In Mafraq, for example, one dunum of land which was sold at 30 JD in 1995, reaching 1000 JD in 2015, with current land prices in Azraq Chechen at around 4500–5000 JD/du. As mentioned in Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”

¹⁸¹ Ibid.

Palestinian origin. In some cases, renters of state lands for cultivation are Syrian refugees.¹⁸² Syrian refugees also spurred an increase in land and apartment sales.¹⁸³

Syrians in Jordan are granted “asylum seeker” certificates by UNHCR. This document certifies their status as refugees, their claim to persecution, and their nationality as Syrian (see

Figure 2-6). While this document entitles refugees to protection, it prohibits them from both residency and work. Since 2011, UNHCR has registered over 620,000 Syrian refugees in Jordan, although the accurate figure is likely to be significantly higher; the Jordanian government claims that there are over a million Syrian refugees.¹⁸⁴ Za’atari hosts around 80,000 refugees, Azraq, around 18,000, and Emirati Jordan Camp, approximately 6,000, totaling less than 150,000.¹⁸⁵ As I show in Chapter 3, over eighty percent of Syrian refugees in Jordan have chosen to find housing outside of refugee camps, in cities, among communities that are largely refugees themselves. The complexities of humanitarianism and everyday life in Syrian refugee camps in Jordan go beyond the scope of this chapter, and so do the coercive and military dimensions of encampment, and much has been written elsewhere.¹⁸⁶ My interest in this section lies principally in examining how desert lands were used to provide shelter for yet another influx of refugees and what the politics of accessing “marginal” land can tell us about state and community responses to refugees.

In 2013, Ali Bibi, a high-level official at UNHCR, stated that the UNHCR does not rent the lands of Za’atari camp but is owned by the Jordanian host authorities, adding that after the return of refugees, the land will revert to the state. He stressed that the permanent settlement of Syrian refugees in Jordan is out of the question.¹⁸⁷ Of course, these are just fictions of temporality. In a similar statement later in the year, Jordan’s then-Prime Minister, Abdullah Ensour, asserted that two parties own the 8,500 dunams (8.5 HA) land of Za’atari: the Jordanian Armed Forces own 6,700 dunams, and the Industrial Cities Corporation owns the rest.¹⁸⁸ These statements came in response to Parliament members’ questions about Za’atari’s land ownership, themselves the result of some

¹⁸² Majd Al-Naber, “JORDAN – AZRAQ BASIN CASE STUDY. IWMI Project Report, Groundwater Governance in the Arab World,” December 2016.

¹⁸³ “DLS Annual Report” (Department of Lands & Survey, May 2018), https://www.dls.gov.jo/ar/dlsDocuments/AnnualReports/DLSAnnualReport_2018-5.pdf.

¹⁸⁴ Za’atari’s population grew from 15,000 refugees in the summer of 2012 to a peak of 150,000 refugees in the spring of 2013, down to around 80,000 in 2022. “Situation Syria Regional Refugee Response,” unhcr.org, accessed March 23, 2022, <https://data2.unhcr.org/en/situations/syria/location/53>; “DLS Annual Report” (Department of Lands & Survey, May 2018), https://www.dls.gov.jo/ar/dlsDocuments/AnnualReports/DLSAnnualReport_2018-5.pdf.

¹⁸⁵ Ibid.

¹⁸⁶ See for example, Sophia Hoffmann, “Humanitarian Security in Jordan’s Azraq Camp,” *Security Dialogue* 48, no. 2 (April 1, 2017): 97–112; Ayham Dalal, “The Refugee Camp as Urban Housing,” *Housing Studies* 0, no. 0 (June 23, 2020): 1–23; BJ Jansen, “The Protracted Refugee Camp and the Consolidation of a ‘Humanitarian Urbanism,’” *International Journal of Urban and Regional Research*, 2016; Azra Aksamija, Raafat Majzoub, and Melina Philippou, *Design to Live: Everyday Inventions from a Refugee Camp*, The MIT Press (Cambridge: MIT Press, 2021). For the military origins of camps, see also, Benjamin Thomas White, “Humans and Animals in a Refugee Camp: Baquba, Iraq, 1918–20,” *Journal of Refugee Studies* 32, no. 2 (June 1, 2019): 216–36.

¹⁸⁷ “Al-Bibi: The Lands of Za’atari are not rented and the Syrians will return after the end of the crisis,” *ammannet.net*, November 4, 2013, sec. News.

¹⁸⁸ “‘Al-Za’atari’...Who Owns It?,” *Jordan Zad*, accessed April 12, 2022, <http://www.jordanzad.com/print.php?id=116425>.

yellow journalism and hearsay on land ownership in Za'atari. During my fieldwork in Za'atari camp, refugees, Jordanian humanitarian aid-workers, and locals from the Jordanian Bedouin communities living nearby, when asked about Za'atari land, reported in hushed fearful whispers that Salameh Hammad owns a large portion of the land. Hammad is a Jordanian politician from the Bani Hassan tribe who has served as Minister of the Interior several times, the last of which was during Omar Razzaz's prime ministry. Although it is difficult to substantiate these claims, what official statements and ordinary talking claims impart is the growing value of desert land.

Syrian refugee camps in the desert have also brought to the fore longstanding debates on water scarcity in Jordan. Such a discourse stresses that Syrian refugee camps increased water demand in the country, therefore exacerbating water scarcity and that those refugees steal the jobs of locals.¹⁸⁹ Yet, the profitability of irrigated agriculture based on groundwater has generated a demand for land in Mafraq, Zarqa, and Azraq. After all, this opportunity for high returns on investment in groundwater-based agriculture has fueled demand for non-registered and little-valued arid land that has spurred land tenure conflict between local tribes, agricultural investors, and the state—concomitantly resulting in overexploitation of groundwater resources.¹⁹⁰ Before the Syrian war, migrant workers in agriculture were predominantly from Egypt. Following the establishment of refugee camps in the Badia region and the settlement of Syrian refugees in Mafraq and Zarqa, the composition of the agriculture workforce changed, many of which were informal workers: men, women, and children escaping from the camps early in the morning to labor for 10-hours in the desert heat, as I was told during my fieldwork at Za'atari camp, and as I witnessed through my camera's lens (see Figure 2-9).

Finally, and, perhaps most obviously, efforts to maintain the temporary character of refugee camps have been reflected in land and property relations and often, initially at least, in architecture. In all three Syrian camps, shelters, or caravans as the refugee inhabitants call them, were built with zinc and steel to withstand the hot desert conditions. Cement and concrete were not used to emphasize that Jordan is not a permanent settlement for Syrian refugees. To further emphasize the temporary character of the camps, caravans were bolted to the ground and kept above the ground, without foundations. To clear ground for the caravans, the basalt stone cover of the semi-arid desert was also cleared (see Figure 2-7). Black basalt, an abundantly available material in the Syrian Badia (also called the Basalt Desert), has traditionally been used as a building material because of its property as a thermal insulator and its ability to withstand harsh climates. Basalt stone is the fossilized, hardened lava product of thousands of years of volcanic eruptions. This connection

¹⁸⁹ In October 2014, the then Minister of Water and Irrigation, Hazem Nasser, said that Jordan had borne the burden of hundreds of thousands of Syrian refugees, stressing in a statement e-mailed to the Jordan Times that the influx of refugees caused water demand to increase by 40 per cent in the north. As discussed in Hussam Hussein et al., "Syrian Refugees, Water Scarcity, and Dynamic Policies: How Do the New Refugee Discourses Impact Water Governance Debates in Lebanon and Jordan?," *Water* 12, no. 2 (February 2020): 325. See also, Hana Namrouqa, "Jordan Needs \$750m to Meet Water Demand over next Three Years," *Jordan Times*, January 7, 2014, <http://www.jordantimes.com/news/local/jordan-needs-750m-meet-water-demand-over-next-three-years%E2%80%99>.

¹⁹⁰ Al Naber and Molle, "The Politics of Accessing Desert Land in Jordan"

between architectural solutions, construction materials, climate adaptation, and land builds on a long history of domestic architecture in the Syrian desert.¹⁹¹ To endure the harsh climate of thermally ineffective steel caravans, Syrian refugees have been smuggling thermal comfort devices: solar panels to generate electricity, HVAC systems, and fans. They have also been buying and selling caravans, with some families buying up to three extra caravans, not only to expand living space but also to adapt the space of the caravan thermally, welding higher roofs to improve ventilation (see Figure 2-8). The inflow of smuggled devices is made possible by the mobility of Jordanian Bedouin tribes living nearby. In the context of refugee camps in the Syrian desert—and its surveying, regularization, and securitization—smuggling activities with help from local communities reveal the limits of both governmental and humanitarian control.

¹⁹¹ See A. V. G. Betts, “The Prehistory of the Basalt Desert, Transjordan: An Analysis,” *Doctoral Thesis, University of London*. (Doctoral, University of London, 1986); Nabeel Al-Kurdi, “Hard Building Material and Suitable Architecture. The Case of Umm El-Jimal Jordan,” *Arkhitektura I Sovremennye Informatsionnye Tekhnologii (Architecture and Modern Information Technologies)* 1, no. 26 (2014): 1–8.


UNHCR
 United Nations High Commissioner for Refugees
 Haut Commissariat des Nations Unies pour les réfugiés

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UNHCR Asylum Seeker Certificate

Date of Issue: _____
 First date of Issue: _____
 Name: _____
 Date of Birth: _____
 Nationality: Syrian
 Alias Name: _____

وثيقة إثبات طلب اللجوء لدى مكتب المفوضية السامية للأمم المتحدة لشؤون اللاجئين
 تاريخ الإصدار: _____
 تاريخ إصدار أول وثيقة: _____
 الاسم: _____
 تاريخ الميلاد: _____
 الجنسية: Syrian
 اسم الشهرة: _____

To Whom it May Concern

This is to certify that the above-named person is an asylum seeker whose claim for refugee status is being examined by the Office of the United Nations High Commissioner for Refugees.
 As an asylum seeker, she is a person of concern to the Office of the United Nations High Commissioner for Refugees, and should, in particular, be protected from forcible return to a country where she claims to face threats to her life or freedom, pending a final decision on her refugee status.
 Any assistance accorded to the above-named individual would be most appreciated.
 This certificate does not entitle the holder to a residency permit or a work permit in Jordan. The issuance of such permits is solely within the competence of the Jordanian authorities.
 Questions regarding the information contained in this document may be directed to the Office of the United Nations High Commissioner for Refugees at the address above.
 This document is valid until : 17-05-2018

يشهد مكتب المفوضية السامية للأمم المتحدة بأن الشخص المذكورة أعلاه هي طالبة لجوء وفهم المكتب حالياً بدراسة طلبها (لتقرير وضعها النهائي).
 وبصفها طالبة لجوء، فإنها تعتبر من الأشخاص المشمولين برعاية مكتب المفوضية، و بموجب بشكل خاص حمايتها من العودة القسرية إلى بلدها حيث تدعي أنها تواجه تهديداً لحياتها أو لحياتها، إلى أن يتم اتخاذ قرار نهائي بشأن طلب الحصول على صفة اللجوء.
 كما يعرب مكتب المفوضية السامية للأمم المتحدة عن فائق تقديره لأي مساعدة تقدم إلى الشخص المذكور أعلاه.
 هذه الوثيقة لا تخول حاملها الحصول على تصريح عمل أو إقامة في الأردن، إن أصدرت هذه الوثائق المتعلقة بتصاريح العمل أو الإقامة تقع حصراً ضمن سلطة الحكومة الأردنية.
 يمكن توجيه أي سؤال يتعلق بالمعلومات الواردة في هذه الوثيقة إلى مكتب المفوضية السامية للأمم المتحدة لشؤون اللاجئين على العنوان المذكور أعلاه.
 إن هذه الوثيقة صالحة حتى تاريخ : 17-05-2018



Figure 2-6. UNHCR Asylum Seeker Certificate. Document courtesy of the personal archives of a Syrian refugee.



Figure 2-7 (top). 2x6 m steel sheet caravans, cleared basalt stones in the foreground. Za'atari Syrian Refugee Camp. Photograph by author, 2017.

Figure 2-8 (bottom-right). Thermally adapted caravan: Higher roof welded to improve ventilation, fan, and solar panels . Photograph by author, 2018.

Figure 2-9 (bottom-left). Syrian refugees carrying tomatoes and produce on their way from informal labor in farms in Mafraq and Azraq at around 3pm. Photograph by author, 2017.

Conclusion: Land as Shelter

Through the lenses of land tenure and property relations, this chapter responds to Dawn Chatty's call to examine how dispossession and forced migration have become a defining feature of life in *Bilad al-Sham* (Greater Syria or the Levant) from Ottoman imperial policy, carried further by the colonial encounter, then revitalized in the postcolonial period. In this chapter, I considered how land was/is given to provide shelter for refugees. In discussing a historiography of North Caucasus refugees in the Syrian interior, I showed the Ottoman bureaucratic capacity to manage the resettlement process and allocate agricultural land to refugees and how the *muhajir* is not a temporary but part of state efforts to modernize and develop, and how this can be seen in land tenure, property transactions and disputes, and building activity. Then, I identified how the legal structures of the Ottoman empire were carried forward and readapted in the Jordanian state's responses to Palestinian and Syrian refugees.

I traced the shift from Ottoman land grants to Circassian and Chechen refugees to land expropriation for the purpose of setting up camps for Palestinian and Syrian refugees and the unfulfilled pledges to landowners and to desert land dedications to Bedouin tribes and Chechens in the 2000s. The changes and continuities of refugee land tenure cannot be understood without taking into account changing state policies, movement of people, property relations, building activities, claims and counterclaims, agricultural expansion, sedentarization, and urbanization. As such, this chapter contributes to our understanding of how forced migration and dispossession have come to be a defining feature of state responses and everyday life in Jordan. It historicizes how refugee camps come into being, where and how the state gets the land for them, and how both camps and land are contested by local Bedouin tribes and different groups of refugees.

In the following chapters, I will examine the afterlives of *hujja* use in contested Palestinian camps. Then, drawing from legal pluralism, I show how it is that within the collision of these plural legal orders, refugees can stake claims on space through appeals to Ottoman property regimes, thus challenging the legal centrism of the Jordanian state. In the final chapter, I will show how the descendants of Caucasus refugees maintained their cultural heritage while achieving significant economic success and how they will act as providers and hosts for Syrian refugees of Circassian and Chechen descent in the wake of the Syrian refugee crisis.

Chapter 3 builds on this chapter's historicization of property in Palestinian camps; foreshadowing the continued adaptation of Ottoman regimes of property in the localized case of Muhammad Amin Camp. The final empirical chapter examines the urban and architectural dynamics through which abandoned houses in Muhammad Amin Camp become re-inhabited by Syrian families and how Circassian diasporic kin become a considerable segment of the sanctuary provided to Syrian refugees that descend from late 19th-century Ottoman Circassian refugees. Furthermore, building on this chapter's focus on how Ottoman refugee resettlement came under the general

framework of *Hijra* (migration), Chapter 4 also traces *Hijra's* continued significance in the everyday practices of Circassians, Palestinians, and Syrians.

CHAPTER 3

CLAIMS OVER SPACE

Hujja and Legal Pluralism in a Contested Palestinian Refugee Camp

Historically, in Islamic Sharia courts across the Ottoman empire, *hujja* contracts (literally translated as proof) were the only written documents effecting the only proof for property transactions. In present-day Jordan, the use of *hujja* has been declared illegal by the Department of Lands and Survey (DLS).¹⁹² In Palestinian refugee camps, hand-written *hujjaj* (plural for *hujja*) continue to be used as contracts for inheritance, buying and selling houses, establishing building guidelines, demonstrating occupancy for utility connections, and as dispute prevention tools. This is particularly true in contested Palestinian camps. One such case is Muhammad Amin camp, a contested Palestinian camp in eastern Amman. Since the *Nakba* of 1948 (Arabic for the Palestinian Catastrophe), Palestinians have continuously built what they call in “talking claims” and written documents a camp (*mukhayyam* in Arabic).¹⁹³ The space of the camp is located on a plot of land that remains the private property of the descendants of the descendant of late-nineteenth-century Ottoman Circassian refugees.¹⁹⁴ In the 1960s, the Jordanian host authorities recognized the settlement as a refugee camp, planned to develop it, and recorded it as such in state archives. And now, the land’s status as private property conflicts with the state’s authorization of *hujja* use within it. The camp’s landowners contest the government’s lack of effective dispute resolution, and attorneys make their cases in court based on the presence of a Palestinian refugee camp on privately owned property.

Through the theoretical lens of legal pluralism, this chapter illustrates how Palestinians use *hujja* contracts to facilitate inhabitation. While nil from the Jordanian legal point of view, Ottoman *hujja* contracts continue to be authorized by the state, a form of governmental flexibility to refugee housing transactions in the lack of resolution towards counterclaims to private property. This focus

¹⁹² Omar M. Razzaz, “Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan,” *Law & Society Review* 28, no. 1 (1994): 7–39, <https://doi.org/10.2307/3054136>.

¹⁹³ For an excellent discussion on the practice of claim-making, including “talking claims,” “grounding claims,” and “representing claims,” see Kronenburg García and van Dijk, “Towards a Theory of Claim Making.”

¹⁹⁴ As discussed in Chapter 1, *muhajirs* (refugees) were Muslim refugees from the Caucasus, the Balkans, Crimea, North Africa, and Afghanistan.

foreshadows how camp residents are not self-contained within their own institutional arrangements but make claims outside of the space and time of the camp, in various parts of the city, and with reference to older regimes of property. Second, this chapter examines how private property gets entangled with spatially grounded claims to housing and the overriding power of the state after the events of Black September (1970). Finally, it shows how the camp went from being recognized as a Palestinian refugee camp by the Jordanian host authorities in the 1960s to becoming a “squatter settlement” in World-Bank funded “Third World” development projects in the 1990s.

The legal pluralism represented by the *hujja* complicates the dichotomous understanding of “informal” and “official” refugee camps in a way that helps us put the “squatter settlement” back into refugee studies, Palestine studies, and Ottoman regimes of property. At the same time, the focus on how processes of claim-making and how the text of *hujja* contracts shape and translate into the built environment of Palestinian refugee camps help us broaden law’s context to encompass physical structures, urban artifacts, and the architecture of refugee camps. More so, by demonstrating how property claims happen in relation to, and not in isolation from the official system, this chapter challenges the flattening lenses of “informality” and the common assumption in urban and architecture studies that legally contested settlements are part of the so-called “informal” growth of Middle Eastern cities.

Informality, Claim-Making and Legal Pluralism

Since the 1960s, the emergence of “informal settlements” in the Middle East, Africa, Latin America, and Southeast Asia has received significant attention among academics, policymakers, and practitioners.¹⁹⁵ The trope of “informality” has taken on a powerful hold within literature about urban development and governance in the “Third World.”¹⁹⁶ Such tropes also echo Orientalist depictions of chaotic, unruly, and dirty Oriental cities.¹⁹⁷ A strand of this literature, underpinned by a codified understanding of the law and the teleological movement towards individual private

¹⁹⁵ During this time, Latin American cities were a leading center for debate on housing policy, illegality, community development, and self-help. For example, architects such as John Turner have written extensively on housing, community organization, and slum upgrading programs in Peru. Other noted scholars and practitioners affiliated with the Joint Centre for Urban Studies of MIT and Harvard University include Lisaa Peatti, William Doebele, and Reinhard Goethert. For particular reference to Egypt, see Nasamat Abdelkader and Sayyed Ettouney’s work.

¹⁹⁶ For an excellent analysis of the making of the “Third World” as a site of underdevelopment, see Escobar, *Encountering Development*.

¹⁹⁷ For more see, Janet L. Abu-Lughod, “The Islamic City--Historic Myth, Islamic Essence, and Contemporary Relevance,” *International Journal of Middle East Studies* 19, no. 2 (1987): 155–76.; Nezar AlSayyad, “The Study of Islamic Urbanism: An Historiographic Essay,” *Built Environment* (1978-) 22, no. 2 (1996): 91–97.

property, has argued that legalization (turning informal houses into legally owned assets) would help lift informal settlers out of poverty.¹⁹⁸

The study of Palestinian refugee camps has also generated considerable scholarship. Yet, despite the academic recognition of the camp as a space of politics, surprisingly little attention has been devoted to those camps that are unrecognized by UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East).¹⁹⁹ Most scholars within this literature accept these camps' official labels, referring to them as "informal," "squatter," "illegal," "self-built," or "spontaneous." UNRWA labels thus continue to prescribe the legitimacy of the study of some camps over others. Some architecture and urban studies scholars have called for "linking refuge and squatting" and "converging" camps and informal settlements.²⁰⁰ However, everyday realities in refugee camps are often more complex than a mere convergence of "informal" settlements and "exceptional" humanitarian camps.

An exception to the relative lack of scholarly research on property in Palestinian camps is Nadya Hajj's work. Drawing on new institutional economics (NIE), game theories, and the evolutionary advantage of cooperative behavior, Hajj shows how Palestinians rely on their own efforts to protect themselves and create property rights in UNRWA camps in Jordan and Lebanon.²⁰¹ While Hajj's careful research stands as a significant intervention, her work atomizes the camp by accepting evolutionary thinking and NIE's assumption that property rights emerge organically from within the community. Because of this theoretical grounding, she also shuns aside the adversarial nature of property relations and dismisses the historical developments in the legal constructions of property. With this chapter, I contribute to the emerging study of property rights in Palestinian refugee camps by putting legal complexity at center stage.

I argue that legal pluralism deserves a central position in analyzing the contradictory notions of land tenure and property in refugee camps. For it highlights the ways in which legal constructions of refugee camps in state and international law operate under plural legal conditions, often a result of colonial and Ottoman rule, as scholars of legal pluralism have amply shown. By following property disputes and *hujja* documents at Muhammad Amin Camp, I demonstrate how physically grounded claims to the built environment are created, dismantled, and recreated in convergences

¹⁹⁸ A key interlocutor is Hernando De Soto (1989), whose arguments about "unlocking" economic stagnation via legal ownership of property in the informal settlements of the developing world have been received with worldwide praise. As discussed in Kuyucu, "Law, Property and Ambiguity."

¹⁹⁹ Legal geographers and sociologists have shown how the Agambian "state of exception" is resisted on the level of everyday practices. See, among others, Sari Hanafi's work. In similar lines of inquiry, urban and architecture studies scholars have underscored the central role of space in analyzing the relations between refugees and power structures. See, for example, Achilli, *Palestinian Refugees and Identity*; Ramadan, "Spatialising the Refugee Camp"; Maqusi, "Acts of Spatial Violation."; Abourahme, "Assembling and Spilling-Over."

²⁰⁰ Sanyal, "Squatting in Camps"; Huq and Miraftab, "We Are All Refugees."

²⁰¹ Hajj, *Protection Amid Chaos*. New Institutional Economics is influenced by the seminal work of Elinor Ostrom (1994), which has opened the door to a systematic analysis of institutions and property rights. For game theories, see, for example, Axelrod, *The Evolution of Cooperation*. This tradition is influenced by the work of Max Weber on the relationship between property, law, and economic efficiency.

with plural legal orders across contesting legal regimes pitted against one another in interactions over territory.

As a result of my understanding of unrecognized camps as sites of legal contestation and plurality, instead of abiding by arbitrary and ahistorical classifications such as “informal,” “squatter,” “illegal,” “self-built,” and “spontaneous,” throughout this chapter, I use the term “*contested camps*.” This is because far from a simple informality, the camp instead has a fraught and contested relationship to formality. More so, the built environment of the camp is not “self-built” (i.e., in the absence of governmental intervention, without control, contractors, or formal contracts) but built through “transversal” engagements with the state and its institutions by ordinary people, non-architects and contractors alike, using contracts.²⁰²

This understanding, and the argument of this chapter, draw on the scholarship on legal pluralism, or the “presence in a social field of more than one legal order.”²⁰³ This scholarship has offered a more sophisticated take on property than scholarship about informality and refugee camps. It moves beyond market-oriented ownership (the land titling that Hernando de Soto and his proponents argue for) to consider the wide variety of land tenures and the range of property documents that were introduced in different historical periods and continue to have relevance today. I draw on Boaventura de Sousa Santos’ “porous” view of the law in the squatter settlements in Rio de Janeiro, Dupret and Webber’s rejection of the static legalist boundaries formed by the state, and Solomon Benjamin’s “occupancy urbanism.”²⁰⁴ Benjamin’s work is particularly relevant because he identifies legal pluralism as a theoretical frame to explore the territorial processes deemed external to the “masterplan” (i.e., slums, squatters, informal sector, piracy) yet shape land development and disrupt master-planning.²⁰⁵ To understand how individuals and groups make claims to land and housing, I follow Sikor and Lund’s definition of property as “legitimized claims, in the sense that the state or some other form of politico-legal authority sanctions them,” what legal geographers and anthropologists call “grey zones”, “gray sovereignty”, and “gray cities”.²⁰⁶ In addition to Kronenburg García & Van Dik processual approach to claim-making.²⁰⁷ Closer to this chapter’s geographic and historical context, I build on Omar Razzaz’s work on the continued use of Ottoman *hujja* contracts to claim tribal lands in Jordan, and on the work of scholars who have shown how *hujja* continue to be used in post-Ottoman Arab nations.²⁰⁸ Driven as it is by the property claimants in their quest at

²⁰² For transversal engagement with official logics in peripheral urban areas, see Caldeira, “Peripheral Urbanization.”

²⁰³ Griffiths, “What Is Legal Pluralism?”

²⁰⁴ Santos, “The Law of the Oppressed”; Benda-Beckmann, Benda-Beckmann, and Wiber, “The Properties of Property”; Webber, “The Grammar of Customary Law”; Dupret, “Legal Pluralism, Plurality of Laws, and Legal Practices.”

²⁰⁵ Benjamin, “Occupancy Urbanism.”

²⁰⁶ Sikor and Lund, “Access and Property.” See also, Yiftachel, “Theoretical Notes On ‘Gray Cities.’”

²⁰⁷ Kronenburg García and van Dijk, “Towards a Theory of Claim Making.”

²⁰⁸ Razzaz, “Contestation and Mutual Adjustment.” For *hujja* in the late Ottoman state see, Barakat, “An Empty Land?”; Agmon, “Recording Procedures and Legal Culture in the Late Ottoman Shari’a Court of Jaffa, 1865-1890.”; Doumani, *Rediscovering Palestine*. For contemporary uses of *hujja* in Jordan, see Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”; Ababsa, “Public Policies Toward Informal Settlement in Jordan (1965-2010).”; Al-Hamarneh,

making refugee camp housing their own, my focus on those who claim (camp residents), those who legitimize (various entities of the state), and those who contest (landowners) underscores the complex processes of appropriation (turning access into property), claim-making (land and housing is the resource that is given most attention to here), and contestation (counterclaimants who dispute the state and challenge claims).

The Historical Landscape of the Hujja



Figure 3-1. Hujja document in the late Ottoman Sharia court of Jaffa, mid-1860s.
Source: Iris Agmon, "Recording Procedures and Legal Culture in the Late Ottoman Shari'a Court of Jaffa, 1865-1890," *Islamic Law and Society* 11, no. 3 (2004): 333–77.

"The Social and Political Effects of Transformation Processes in Palestinian Refugee Camps in the Amman Metropolitan Area (1989-99)."

The use of *hujjas* has been documented in Islamic Sharia courts across the Ottoman empire. In the Ottoman context, *hujja* documents such as the one in Figure 3-1, were used for registering property transactions, as proof of sales, and as credit agreements.²⁰⁹ For example, historian Nora Barakat, in her work on property relations in late Ottoman Transjordan has shown how in the 1880s the Salt Sharia court provided documentary evidence of property claims in the form of standardized legal documents, *hujjas*.²¹⁰ Until the Ottoman Reforms (the *Tanzimat* of 1839 – 1876), the *hujja* was the only written document effecting the transaction between buyer and seller and the only proof for transferring the possession of land. However, in light of increasing anxieties over sales of state-owned land using sharia-court issued *hujjas*, the Ottoman state institutionalized the 1858 Ottoman Land Code as part of its effort to regulate and assert control over land transactions.²¹¹ With the Ottoman Reforms and the British Settlement of Land Rights (1933), registration required a title deed (*sanad*) along with a *hujja*.²¹²

British and postcolonial policies towards land in both Jordan and Syria preserved the ambiguity of the late Ottoman construction of public domain.²¹³ This ambiguity combined with the persistence of an Ottoman-Islamic legal framework are the background for the continued use of *hujja* to legitimize claims to land.²¹⁴ In present-day Jordan, the use of *hujja* has been declared illegal by DLS. However, a *hujja* remains a legally adequate means of transferring ownership for land that has not been settled and registered.²¹⁵ Non-court issued *hujjas* endure as means for the sale of unregistered land.²¹⁶ This extra-legal real estate market constantly adapts in response to state-sanctioned practice.²¹⁷ In some cases leading to trenchant conflict between Bedouin claimants to state lands and the Jordanian state, with armed forces starting demolition campaigns, targeting “illegal” houses and other construction built on state land.²¹⁸ The extent to which the state is ready to accept the legitimacy of a *hujja* is variable, thus reflecting a typical situation of legal pluralism.²¹⁹

²⁰⁹ See Nora Elizabeth Barakat, “An Empty Land? Nomads and Property Administration in Hamidian Syria” (Ph.D. Dissertation, University of California, Berkeley, 2015); Nora Barakat, “Regulating Land Rights in Late Nineteenth-Century Salt: The Limits of Legal Pluralism in Ottoman Property Law,” *Journal of the Ottoman and Turkish Studies Association* 2, no. 1 (2015): 101–19; Iris Agmon, “Recording Procedures and Legal Culture in the Late Ottoman Shari‘a Court of Jaffa, 1865-1890,” *Islamic Law and Society* 11, no. 3 (2004): 333–77; Beshara Doumani, *Rediscovering Palestine: Merchants and Peasants in Jabal Nablus, 1700–1900* (University of California Press, 1995).

²¹⁰ Barakat, “An Empty Land?”

²¹¹ Ibid.

²¹² Omar M. Razzaz, “Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan,” *Law & Society Review* 28, no. 1 (1994): 7–39.

²¹³ Barakat, “An Empty Land?”

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ See Razzaz, “Contestation and Mutual Adjustment.”; Ala Al-Hamarneh, “The Social and Political Effects of Transformation Processes in Palestinian Refugee Camps in the Amman Metropolitan Area (1989-99),” in *Jordan In Transition*, ed. G Joffe (New York, N.Y: Palgrave Macmillan, 2002); Majd Al Naber and Francois Molle, “The Politics of Accessing Desert Land in Jordan,” *Land Use Policy* 59 (2016): 492–503.

²¹⁷ Razzaz, “Contestation and Mutual Adjustment.”

²¹⁸ See Razzaz, “Law, Urban Land Tenure, and Property Disputes in Contested Settlements.”

²¹⁹ Al Naber and Molle, “The Politics of Accessing Desert Land in Jordan”.

Therefore, while the formal Jordanian land system is centralized, Jordan is a classic case of legal pluralism, whereby several registers of legitimacy (Islamic, tribal, official, international) are simultaneously mobilized and resorted to when dealing with land tenure and property.²²⁰

Like in the late Ottoman period, courts and various entities of the state recognize *hujjaj* as valid claims to property before land settlement (*tasniya*), as noted in the previous chapter. And, in contentious spaces such as Palestinian refugee camps, the state continues to authorize *hujjaj* as sufficient proof for the provision of municipal services (water and electricity), and for issuing compensation for demolition. As I discuss further below, understanding property relations in Palestinian camps requires analyzing their internal structure and pluralistic legal relations with the official system.

“This Camp is Full of Hujjaj!”



Figure 3-2. Multigenerational family building in Muhammad-Amin Camp. Photograph by author, August 2019.

²²⁰ Majd Al Naber and Francois Molle, “The Politics of Accessing Desert Land in Jordan,” *Land Use Policy* 59 (2016): 492–503.

بسم الله الرحمن الرحيم
 اليوم ١١/٨/٢٠١٧

حجوة ملكية استفتة

الطرف الاول: [REDACTED]
 الطرف الثاني: [REDACTED]
 اقر الطرف الاول بان الطابق الثالث الواقع في منزله في
 جبل النظيف (مخيم خمرامين) والذي يحده من الشرق دار البزم
 ومن الشمال بيت [REDACTED] ومن
 الغرب والجنوب الشارع العام والواقع خلف مسجد طارق
 ابن زياد ملحق للطرف الثاني وقد اتفق الطرفان على
 عدم البناء على سطح الطابق الرابع لأي من الطرفين
 او ابناءهما ويمنع بيع او تأجير أي من شقق العمارة
 الا لورثته [REDACTED] الزكور فقط
 وفي الاختلاف على ثمن او اجرة أي شقة يستعان
 بمحكمين حريكين قرارهم ملزم لكافة الاطراف
 ١٤٤٠ بان التنازل عن ملكية الشقة اعلاه بشؤون عائده
 حادي للطرف الاول نظراً لانه الطرف الثاني هو من قام ببناء

طرف اول [REDACTED]
 طرف ثاني [REDACTED]

شاهد اول [REDACTED]
 شاهد ثاني [REDACTED]

شاهد ثالث [REDACTED]

Figure 3-3. A handwritten hujja. Source: Personal archives of camp inhabitants, 2019.

One day, one of my interlocutors, whom I call Karim, shared a *hujja* contract with me. I first met his family in their apartment on the third floor of a multigenerational building in the camp (see Figure 3-2). The family building is one of more than 300 buildings and around 1200 households that together form the built environment and population of the camp.²²¹

The piece of paper shown in Figure 3-3 is the *hujja* that the family uses to prove homeownership. The handwritten headings on the piece of paper read, “In the name of God the Beneficent, the Merciful/*Hujja* of Apartment Ownership.” The *hujja* contract claims that Karim’s father is the owner of the apartment. The main clause states that the first party (the older brother) agrees that the third floor of his house is the second party’s property (the younger brother). Both parties agree not to build beyond the fourth-floor nor sell or rent except to male descendants. The first party waives his right to monetary return since the second party built the apartment. Both parties and three male witnesses sign the contract. In the absence of street names and building numbers, the house’s location is described using cardinal directions, the names of next-door neighbors, a nameless public street, and the name of a nearby mosque.

In material form, the *hujja* is handwritten on paper, with the wording and arrangement of text resembling official contracts: the signatures of two or three witnesses as well as the buyer and seller. As Razzaz compellingly argues, by using the traditional term “*hujja*” instead of the generic legal term “*aqd*,” the contracting parties invoke the historical legitimacy of this form of contract.²²² In the context of Muhammad Amin Camp, Palestinians have also documented the existence of the camp into the written content of the *hujja*, as written above: “the third floor of his house in Jabal Al-Nathif (Muhammad Amin Camp).” And as the geographer Ala Al-Hamarneh has shown in his work on UNRWA camps in the 1990s, *hujja* are even recorded in real estate offices located within camps.²²³ In this sense, the *hujja* is not a mere application of an Ottoman document; Palestinians have consciously and strategically manipulated it. They have carefully used the document to articulate alternatives to siloed property systems and proved the existence of a Palestinian camp amid a lack of UNRWA recognition and continued irresolution towards Palestine and Palestinians.

Historically, *hujja* were used for transferring the possession of land. But, in the process of establishing property in the camp, Palestinians have also developed the role of *hujja* from a land sale contract to acquire new roles and meanings—namely, the act of owning and the regulation of what one can or cannot do with the thing owned, in this case, the house (but not the land). If one were to read the above *hujja* contract through a more interpretive lens: first, it spells out the mutual obligations of buyer and seller in a practical way. Thus, it serves as a reasoned point of reference for future internal disputes around inheritance. Second, the *hujja* serves as a preventive measure. In this

²²¹ These numbers are based on a cross-checking between the Housing and Urban Development Corporation (HUDC) maps of the “squatter settlement” and Alnajada et al., *Mapping Jabal Al-Nathif*.

²²² Razzaz, “Contestation and Mutual Adjustment,” 25.

²²³ Al-Hamarneh, “The Social and Political Effects of Transformation Processes in Palestinian Refugee Camps in the Amman Metropolitan Area (1989-99).” Oesch also notes that Palestinian refugees in Jabal Al-Hussein Camp pay utility companies for their consumption.

case, used to avoid damaging the multistorey apartment building, explicitly prescribing that: “both parties have agreed not to build on the roof of the fourth floor,” putting a limit on vertical expansion; in more technical terms, it sets “maximum building height.” Third, the written text of the *hujja* is a description of space and spatial relations. Finally, the *hujja* is not isolated from the social construction of gender; women are written out of property under claims of preserving family lines and houses that male breadwinners have financed. The signatures of two male witnesses satisfy the requirements of the *hujja*. Therefore, in an area that supposedly has no order, where people violate the law, zoning ordinances, and building codes, the *hujja* acts as a calculated guideline for building construction and spatial description. The gendered nature of this *hujja* also reveals how historical documents are reinterpreted and redefined according to contemporary gendered differentials of property.

Clearly, those building guidelines were not developed in isolation from official guidelines. Suppose one were to compare the *hujja*'s guideline of floor limit to those of the National Building Code for Housing Zone D (the residential zoning ordinance for Jabal Al-Nathif, the neighborhood in which Muhammad Amin Camp is located). The guidelines are the same; both prescribe four floors as the limit.²²⁴ At the same time, from the point of view of the order of the *hujja*, the actual transaction only involves the house, but not the land, as exemplified in following the four-stories guideline and not legal guidelines concerning land-to-building ratio. A questionnaire distributed among 100 of the camp residents confirms that *hujja*s are used for inheritance; house division, defining family member's shares in apartment buildings; buying and selling between relatives; dispute prevention between male family members; proof of occupancy for utility connections; and as permits for shops in apartment buildings. (The use of *hujja* as a permit is comparable to the legal permits required to open a shop in a residential building). All participants deny ownership of land; the majority, that is eighty percent confirm Muhammad Amin as the rightful owner, while the rest attribute land ownership either to the government or UNRWA. Most participants use the word *tabab* (literally, occupation) to describe their house's relation to the land. The questionnaire results also show that ninety percent of the houses are two to four stories high and that less than five percent are higher than five stories; street elevations also confirm the same point (see Figure 3-4 for home sale announcements and a street view of the camp and Appendix II for questionnaire). I argue that these selective borrowings from official building codes in the now illegal *hujja* format are instances of legal pluralism.

During a three-hour-long interview with Karim's family, his mother told me an anecdote that seems apposite to recount here, “in the camp,” she said, “there is *hujja* for water, a *hujja* for electricity,” going on to say, “this camp is full of *hujja*!” When I asked what she meant, Umm Karim explained that in place of *ithin ishghal* (official occupancy permits), the municipality accepts *hujja*s as

²²⁴ See “Qanun Al-Bina' Al-Watani (National Building Code),” 2004 and “Nitham Mu'adal Li-Nitham al-'abniya Wa al-Tanthim Fi Madina Amman Li-Sanat 2019,” 2019. For Amman's housing zones map, see “Greater Amman Comprehensive Development Plan.”

demonstration of occupancy. Therefore they receive electricity formally, not by connecting to the city's infrastructural networks informally (i.e., without meters). The findings of the questionnaire also show that all participants use *hujjaj* to apply for utility services; they do so through the municipality and call it *hujjat beit* (i.e., home *hujja*). While visiting houses in the camps, I noted the widespread presence of electric meter boxes installed by JEPSCO (Jordanian Electric Power Company, see Figure 3-5). And as Karim, a law student in his early twenties, explained, buyers and sellers need to register meter transfers at utility companies in order to receive official transfer documents.

As alluded to above, the phenomenon of *hujja* use for utility meters is not an isolated event; it happens in relation to the official system. For example, a director at JEPSCO confirmed the government's authorization for supplying connections, and had the following to say when asked about *hujja* use:

Camp improvement committees in municipalities issue service delivery for the camps. In the case of slums, people go to the municipality to get a “no objection” letter stating that the municipality has no objection to supplying electrical current to the “name of applicant” house. Based on that letter, we provide electricity—those who have a *hujja* use it.²²⁵

This statement demonstrates the government's flexibility towards a settlement defined as “illegal,” as well as its authorization of *hujja* use. Myriam Ababsa has underscored how the government also used *hujjaj* to calculate compensation levels during “slum” upgrading projects in Amman.²²⁶ It is fair to assume that the government's strategy is adjustment towards the widespread use of *hujja* documents and the need for utility connections. Ohoud Kamal, in her work on temporary spaces in Amman, calls this “state flexibility;” such flexibility sustains temporary permanence.²²⁷

Therefore, between legality and the “squatter settlement,” there is a middle space where the government sanctions “illegality.” It could even be said that the expression “this camp full of *hujjaj*!” is metonymic of what it takes to inhabit a contested Palestinian camp for more than 70 years. Thus conceived, the camp is not an isolated environment, neither simply “illegal” nor a convergence of “squatting” and camps, but rather the result of complex overlaps of plural legal orders. As I show next, the government's adjustment to the status quo lessens considerable resentment toward the lack of resolution towards land tenure.

²²⁵ Interview with Radwan Al-Humaimat, Director of Jordanian Electric Power Co. (JEPSCO) Branch, February 6, 2021.

²²⁶ Ababsa, “Public Policies Toward Informal Settlement in Jordan (1965-2010).”

²²⁷ Kamal, Ohoud. “Temporary Space in Amman: A Co-Creation of Everyday Activism and State Flexibility.” Ph.D. Dissertation, Newcastle University, 2020. <http://theses.ncl.ac.uk/jspui/handle/10443/5118>.



Figure 3-4. Half-built home for sale, the sign sprayed on the wall on the right reads: “lil-bay’ (for sale).” Photograph by author, August 2019.



Figure 3-5. Image of electricity meter boxes installed by the Jordanian Electric Power Company. Photograph by author, August 2019

Muhammad Amin Camp as a Contested Space

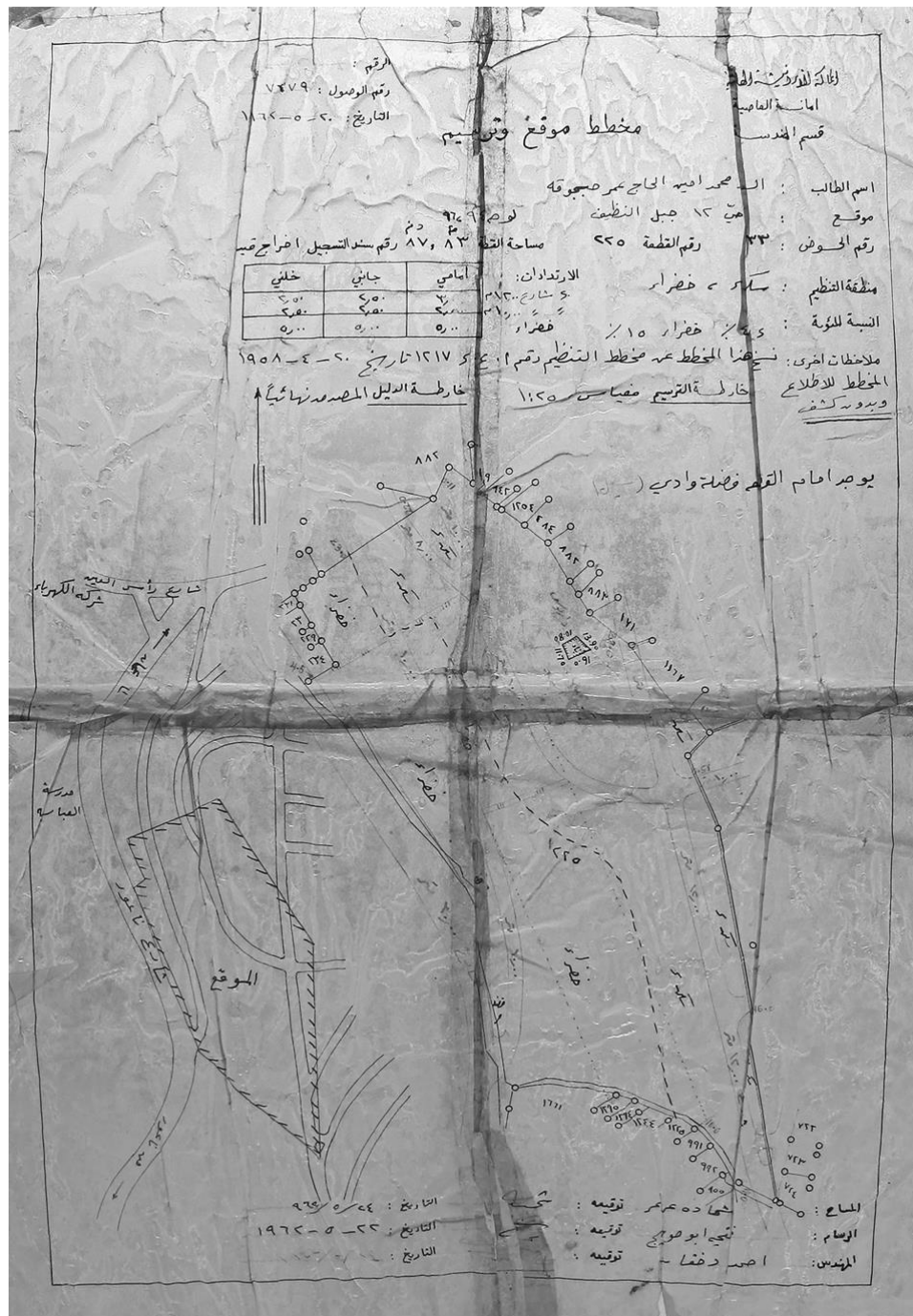


Figure 3-6. 1962 hand drawn site plan issued by Amman Municipality.

Source: Personal Archives of Haj Yousef Abu Awwad, 2013.

Muhammad Amin Camp was built on a plot of land that remains the private property of a Circassian man, the descendant of late-nineteenth-century Ottoman refugees. The site plan above, hand-drawn by municipal engineers, was issued on May 20, 1962, upon the request of Mr. Muhammad Amin Habjoka. The irregularly shaped plot of 87 dunum (8.7 hectares) is shown to be vacant of buildings. Yet by the early 1960s, a portion of the camp was already built—not just with tents but with brick houses. In 1965, the state expropriated Muhammad Amin's plot of land to develop a housing project for the Palestinian refugees occupying the land. In other words, Muhammad Amin Camp became the site of one of the government's Palestinian camp development projects. The aerial photographs that I acquired from the archives of the Royal Geographic Center confirm that by 1978 the land was fully built up; today's municipal GIS maps indicate some 300 buildings and 100 street light poles on Muhammad Amin's undivided plot of land. Muhammad Amin's family is now suing the state entities to obtain compensation for their property.

In my meetings with municipal engineers, Muhammad Amin Camp's legal status was described in conveniently vague terms, such as rented property, either by the King or the DPA. The latter is a misconception that echoes other statements I heard in meetings with community organizations and NGOs: "the DPA rents the land for 99 years."²²⁸ Studies of the camp reproduce such misrepresentations. For example, in a report written by a French humanitarian development consultant, we find such a statement: "The King had rented the land to Ahmad Amin Habjoka, but has never given it to UNRWA."²²⁹ A number of scholarly texts that take Muhammad Amin Camp as an object of study sustain and circulate the same "fact" about land tenure.²³⁰ In all these accounts, the rental status of the land is narrated in terms that avoid the messiness of land tenure, shunning aside questions vital to understanding property relations: From whom is the land rented? By whom? For how long? And, on what terms?

The reason for this vagueness is the contestations over the camp's land. In 1965, the-then Ministry of Construction and Restoration passed *istimlak manfa'a* (expropriation of property for public use) and temporarily expropriated Muhammad Amin's land to build refugee housing.²³¹ The ministry's decision was part of the larger project of using the construction industry in national development planning.²³² During this period, the refugee camp on Muhammad Amin's land was

²²⁸ Meetings with community organizations and NGOs in the camp (conducted between 2012 and 2019).

²²⁹ Chatagnon, "Active Research on Jabal Al Natheef," 16.

²³⁰ For example, in a peer-reviewed article, the authors state, "the government negotiated leasing the land property for a hundred year from the owner." Tomah, Dumour, and Abed, "Assessment of Slums' Upgrading Interventions," 4.

²³¹ DPA is the heir of several government institutions. It went from being under the umbrella of the Ministry of Refugees in 1949 to the Ministry of Construction and Restoration (1950-1980), then to the Ministry of the Occupied Land Affairs (1980-1988), and finally to the Ministry of Foreign Affairs (1988-Present). Interview with Rafiq Khirfan, Director General of the Department of Palestinian Affairs, July 7, 2021. See also Al Hussein, "The Evolution of the Palestinian Refugee Camps in Jordan. Between Logics of Exclusion and Integration."; "Department of Palestinian Affairs," The Official Site of the Jordanian e-Government, accessed April 7, 2022. www.portal.jordan.gov.jo

²³² The 1960s were marked by the growing influence of the US and an unprecedented influx of economic aid, what Paul Kingston calls 'breaking the patterns of the mandate.' For the masterplans of Amman and the role of the camps in Jordan's national development planning, see, Abu-Dayyeh, "Persisting Vision."; Kingston, "Breaking the Patterns of the Mandate: Economic Nationalism and State Formation in Jordan, 1951–57."

included in the government's construction projects. In fact, Oroub El-Abed, in her study of the integration of Palestinian-origin Jordanians in eastern Amman, writes that it was recorded as "Muhammad Amin Camp" in DPA's archives of the 1950s, indicating that plans for the camp had been underway many years before the expropriation of 1965.²³³

But the construction project was never realized, and, as a consequence, the expropriation contract, which was for just five years, was never renewed. However, at the outbreak of the 1967 war with Israel, the Jordanian government reinstated martial law.²³⁴ In the then nation of three million people, many of whom were Palestinians, martial law gave the government broad powers. As Joseph Massad writes, "curfews were imposed in Amman and other cities, politicians were arrested, Parliament dismissed, parties banned ... and the constitution was suspended."²³⁵ Only in 1989, after more than twenty years of martial law and several days of riots in the south of Jordan over price hikes and political repression, did the King reinstate parliamentary life.²³⁶ By this time, the legal owner of the camp land, Muhammad Amin, had died. During those twenty-plus years, his family could not pass down or sell the property. Kamal Jalouqa, a Circassian academic and urban planner who worked for the municipality for more than twenty years, introduced me to the Habjoka family. I met Nabil Tou, Muhammad Amin's son-in-law, a Circassian in his early sixties, in the family's villa in the hills of Jabal Amman (one of the areas to which the rich migrated in the 1950s, while the poor dwelled near the city center).²³⁷ When I asked about the land, he answered:

The camp is a *'ashmawiya* (slum). It is illegal. After the initial five-year contract [in 1965], no other expropriation occurred. The land was never returned. The ownership of the land has never been transferred. The land cannot be used. People cannot be removed...Every three years, we go to court...I feel like I cannot do anything, constantly dragged into courts. Today, the land is worth millions.²³⁸

The reason the family's claim to the land is so complicated is that though the state construction project was never realized, the temporary camp nevertheless became permanent. During the martial law period, Palestinians continued to build housing on the land—and as I described earlier, and solidified their claims to their property through the only means at their disposal, *hujja* contracts.

The 1960s state involvement, and the construction thereafter, also figured into the oral histories of camp elders—but they told the story differently. The site plan shown in Figure 3-6 was collected from the personal archive of Al-Hajj Yousef Abu-Awwad, an elder who is also the

²³³ El-Abed, "In the Cracks of the Big City," 72

²³⁴ See Massad, *Colonial Effects*; Lawrence Tal, "Britain and the Jordan Crisis of 1958."

²³⁵ Massad, *Colonial Effects*, 197.

²³⁶ Razzaz, "Group Non-Compliance."

²³⁷ Al-Asad, *Old Houses of Jordan*.

²³⁸ Interview with Nabil Tou, July 15, 2019.

camp's *mukhtar* (chief).²³⁹ By using the torn, taped, glassine-wrapped document as a reference, the mukhtar narrated the following:

In 1962, the decision to evacuate and demolish the camp area was announced in favor of Muhammad Amin Habjoka, the rightful owner of the land, leading camp residents to sign a petition of appeal and write a letter to King Hussein in 1963 to describe the camp's situation. In 1964, the Minister of Construction wrote a letter to the Minister of Justice pleading for the police to stop terrorizing the residents. Later that year, King Hussein gave an order to provide electricity for the area. In 1975, 11 years later, he instructed the provision of sewage. The main reason behind the random (*'ashwai*) growth of the camp was that after the newspapers declared the royal will to acquire the 87 dunum land to develop housing units for the refugees [in 1965], nothing happened for five years. So, the residents started building randomly without abiding by the Jordanian codes for building.²⁴⁰

The mukhtar gives nuance to the history of land tenure, showing the resident-state negotiations that preceded the expropriation of 1965, where Nabil's story of the camp starts. One could also suggest that the mukhtar's use of the carefully preserved hand-drawn map as background is in itself a counterclaim to the site plan's neat representation of an unbuilt plot of land. While Nabil's account narrates state intervention from the landowner's perspective, then, the mukhtar's gives a "view from the bottom."²⁴¹ By putting the two stories side by side, the dynamic processes of land tenure are revealed. Across the two men's stories, the state's actions seemed to be of two minds: on the one hand, recognizing the landowners' property rights as exemplified by land expropriation, but on the other hand, authorizing the residents' contestations of demolition and incrementally supplying the infrastructure for camp construction to continue (connection to the city's electricity network in 1964, and then to the water network in 1975).

These stories break down the state as a monolith, and reveal an instance of legal pluralism. The state that possesses the legal power to bestow legitimacy on some claims and illegitimacy on others is overridden with overlapping claims and counterclaims—the sympathy of state officials, the petitions of Palestinian refugees, and the competing interests of the landowner whose right to property is lost. Such complexity demonstrates how property is not just individual rights to a parcel of land (rights to use, derive income, inherit, protect from illegal expropriation, etc.) but constitutes a paradoxical relationship, in which claims over land seem to develop proportionally to the states' efforts to recognize "legal" claims and authorize "non-legal" property documents, as Christian Lund points out.²⁴² Here, land tenure is constituted of the overriding interest of state power, the competing rights of the landowners, and the overlapping claims of the inhabitants. Such an understanding of

²³⁹ A mukhtar is a chosen chief, an institution that goes back to the Ottoman era and is still part of Jordan's administrative hierarchy from the minister of interiors, the governor, and the *mutasarrif* down to the *mukhtar*.

²⁴⁰ Interview with Al-Hajj Yousef Abu-Awwad, October 2013.

²⁴¹ Santos, "The Law of the Oppressed," 7.

²⁴² Lund, "Seeking Certainty and Aggravating Ambiguity On Property, Paper and Authority in Niger."

property differs from Ananya Roy and Donald A. Krueckeberg's notion of the "difficulty" or "complexity" of property premised on more evolutionary logics and anxieties towards urban planning in informal settlements.²⁴³

Land Tenure in the Shadow of Black September

The claims, contestations, and lawsuits between Circassian landowners, camp residents, and the state are also heightened because of the political history of Palestinian guerilla groups in Jordan. Between 1968 and 1970, the *fedayeen* (Palestinian militant organizations that adopted armed struggle) virtually developed a state within a state in Jordan. Based in the refugee camps, the *fedayeen* threatened King Hussein's authority, directly confronting Jordan's sovereignty. When the Jordanian army sought to disarm the camps, guerilla-government confrontations occurred, and the army put a brutal end to the guerrilla groups.²⁴⁴ These events came to be known as Black September, a defining point in the country's nation-building project and one of the most consequential episodes in the region's history.

Despite their importance, the events remain an obscured and an understudied topic.²⁴⁵ Since this struggle over control, the government has expanded state control and authority. In order to maintain political stability, the government has discouraged court challenges, as exemplified by Nabil's assertion that the family could not use the legal system to regain control over their property. Although, as an attorney informed me, martial law does not prevent courts from considering lawsuits.²⁴⁶

While battle lines were not strictly along ethnic lines (both Palestinians and Jordanians supported the *fedayeen*), there was noticeable ethnic tension in Nabil's narrative. Midway through our interview, Nabil got up to show me bullet holes that remain visible on the front façade of his father-in-law's villa. The villa is located in one of the neighborhoods where the army-*fedayeen* confrontations took place. These inflections were perhaps partially related to the Circassian communities' largely pro-Hashemite position and, perhaps, related to the security Nabil felt confiding in me due to my identity as a Jordanian of Balqawi origin (and not of Palestinian origin). During those years, the Jordanian state pervasively represented refugee camps as "independent republics" encroaching on its sovereignty and as a political risk to the country's stability.²⁴⁷ The theatricality of the state's power to crush Palestinian nationalist insurgency was displayed in newspapers. For instance, the images of hanging *fedayeen* or the like were front-page news alongside headlines about defending against

²⁴³ Roy, "Urban Informality;" Krueckeberg, "The Difficult Character of Property."

²⁴⁴ Massad argues that Black September was the last instance to shake the Hashemite regime's foundations. Massad, *Colonial Effects*. See also Brand, "Palestinians and Jordanians: A Crisis of Identity."

²⁴⁵ See, among others, Quandt, *Decade of Decisions*; Sayigh, *Armed Struggle and the Search for State*; Nevo, "September 1970 in Jordan."

²⁴⁶ Interview with Attorney Mohammad Al-Qublan, August 2, 2021.

²⁴⁷ Salibi, *A Modern History of Jordan*.

violence and chaos in *Al Ra'i* (a newspaper that at the time transmitted the government's point of view).²⁴⁸ As a result, many Circassian landlords have deployed their Circassian identity as loyal Hashemite subjects to leverage their cases and expressed horror at the squatters whom they wanted to evict.

Frustration, and perhaps even resentment, towards the camps and the judicial system became more pronounced by the landowners' inability to cash in on the decade of Land Speculation, a period in which the capital earned during the Gulf oil boom of the mid-1970s began to pour into the country, making its most obvious mark through a construction explosion in Amman and the display of the wealth that a portion of Palestinians retained from their migration to Gulf countries. This continuing inability to accrue value from the property is reflected in Nabil's comment that "today, the land is worth millions."²⁴⁹

Strikingly, in Nabil's reconstruction, the land whose value as property is lost is directly connected with the rupture of 1970. He narrated:

In 1970, during the September war, the country was put under martial law. Courts were suspended. I left Jabal al-Nathif [the neighborhood where Muhammad Amin Camp is located] in 1971. I was born and raised there. It was a nice neighborhood. Most of the neighborhood were Circassians. We did not know who was Palestinian and who was not until the *fedayeen* entered. The neighborhood changed.

In Nabil's story, it is as if his family's loss of the right to use and benefit from the land as a market commodity collapses with his childhood memories of Jabal Al-Nathif as a historically Circassian neighborhood intruded on by the *fedayeen* and the Palestinian camp. Thus conceived, in the shadow of Black September, property becomes a site of ethnically encoded politics. Since the reinstatement of the Parliament in 1991, Muhammad Amin's children, along with the other predominantly Circassian landowners, have been suing the government for some resolution that would involve buying, renting, or evacuating the lands. (These lawsuits have been the topic of several newspaper articles.)²⁵⁰ Today, the landowners sue the government every three years to receive retroactive compensation.

What is significant about the oral histories and material artifacts taken up here—hand-drawn site-plan, aerial maps, GIS maps, bullet holes—is the way they expose the transformative impact of the events of Black September on land tenure. On the one hand, the national narrative of Palestinian camps encroaching on state sovereignty and the state's authorization of continued construction pitted the landowning family against the camp. On the other hand, the lack of official resolution towards the land pitted the landowners against the state. Processes of claim-making also showcase

²⁴⁸ "Al-Rai, Vol.1, No.52."

²⁴⁹ As Massad and Hanania have pointed out, the sense of materialistic loss is related to Circassians gradually losing the preferential and prominent political and military positions they used to occupy before the 1970s. Massad, *Colonial Effects*; Hanania, "From Colony to Capital."

²⁵⁰ For a recent newspaper article, see Jamal, "Mukhayyam Al-Mahatta fi Al-Urdun: Hawajis al-ikhla' wa tikrar al-luju'!"

how identity (Circassian counterclaims to property) and historical documents (Palestinian *hujja* use) are deployed to leverage interests. Furthermore, as I show next how “orderly” construction is bided against “chaotic,” “unruly,” and “illegal” construction, epitomized what came to be deemed as a “squatter settlement.”

When the Palestinian Camp Became a “Squatter Settlement”

In 1999, the Hashemite Kingdom of Jordan received 30 million dollars from the World Bank to “improve the living conditions of poor residents through the provision of essential physical and social infrastructure.”²⁵¹ The resulting Community Infrastructure Development Project (CIP) followed the success of the 1980 East-Wihdat Upgrading Program, which received the prestigious Aga Khan Award for Architecture in 1992.²⁵² The Housing and Urban Development Corporation (HUDC) was selected as the implementing agency for the multimillion-dollar project, because of its prior experience in East-Wihdat and other World Bank-assisted urban development projects. HUDC identified 13 refugee camps and 14 squatter settlements for infrastructure upgrading, one of which was Muhammad Amin Camp. In the eyes of the project, “refugee camps” referred exclusively to those recognized by UNRWA; contested camps were categorized for the first time as “*sakan ashwat*” (squatter settlement). Muhammad Amin Camp therefore fell under the latter category. As a result, it came to be called by its location “Jabal al-Natheef Site,” with no mention of its Palestinian residents nor being previously recognized as a refugee camp by Jordanian host-authorities.²⁵³

The development project’s premise was simple, and went something like this: the selected sites were deprived of infrastructure, formal property rights, and, by extension, economic opportunities because of the temporary, order-less, and lawless manner in which its poor dwellers (whether Palestinian refugees or not) had built their houses and livelihoods. According to World Bank criteria, these physical and socio-legal characteristics are a symptom of poverty, and poverty, in a development project, is a signifier of underdevelopment. The solution, it follows, lies in upgrading physical infrastructure—roads, water, and electricity supply networks, drainage, waste disposal—and

²⁵¹ World Bank, “Implementation Completion Report (SCL-42150 TF-26801) on a Loan in the Amount of US\$30 Million to the Hashemite Kingdom of Jordan for a Community Infrastructure Development Project” (Washington, DC: World Bank, December 22, 2004)

²⁵² See East Wihdat Upgrading Programme, <https://www.akdn.org/award-cycle/1992-cycle>. 1990-1992 Cycle : Master Jury consisted of Balkrishna V. Doshi, Frank O. Gehry, Renata Holod, Fumihiko Maki, Adhi Moersid, Azim Nanji, Ali Shuaibi, Dogan Tekeli, and Saïd Zulfikar.

²⁵³ National Banks such as financed by international institutions (the World Bank, the International Bank for Reconstruction and Development (IBRD), and the German development bank Kreditanstalt für Wiederaufbau), donor-states (the Italian Government) and co-financed by national financial institutions such as the Islamic Bank, as well as the Government of Jordan itself. World Bank, “Implementation Completion Report (SCL-42150 TF-26801) on a Loan in the Amount of US\$30 Million to the Hashemite Kingdom of Jordan for a Community Infrastructure Development Project” (Washington, DC: World Bank, December 22, 2004)

social infrastructure, through training programs. This project will benefit not only the poor dwellers but also their countries, by building the capacity of “Third World” government agencies.²⁵⁴ Poverty is formulated as a “problem” to be solved—a diagnosis that isolates the “problem” from the contingency of history and politics.²⁵⁵ In such a logic, the complex history of land tenure discussed above and the state’s recognition of the Palestinian character of the camp in the 1960s and its authorization of construction have been ignored in favor of simple interventions to address poverty.

Paradoxically, *hujja* documents were accepted by HUDC and GAM as proof of homeownership and used to calculate compensation levels for demolition.²⁵⁶ This point was confirmed to me by HUDC employees regarding demolition in this project, and also demonstrated in compensation decision letters written by HUDC and GAM. Such official documents re-inscribe seemingly technocratic development projects with bygone property regimes. The paradox of *hujja* being recognized by development agencies that ignore the contested history of a Palestinian refugee camp in favor of a universal model for squatter development sheds lights on how the government reconciles the continued use of documents from bygone legal regimes with technocratic squatter development projects and their grand teleological narratives of “Third World” development.²⁵⁷

The project should not be understood solely through the lens of development, but rather as the entwined product of two intervention-effective sectors: humanitarian aid and development aid. As historian Jalal Al Hussein has shown in his work on UNRWA and Palestinian refugees, UNRWA’s shift towards emphasizing a “Human Development” paradigm began as early as the early 1950s by promoting the “integration”, “resettlement,” and “re-establishment” of Palestinian refugees in host countries.²⁵⁸ Concurrent with this shift is how, since the 1960s, the trope of “informality” took a powerful hold within urban development projects in the “Third World.”²⁵⁹ Culminating in the United Nations Millennium Declaration (2000) that committed world leaders to

²⁵⁴ A grant from the German government contributed to building the capacity of the agencies involved in the implementation of the project.

²⁵⁵ Horst W. J. Rittel and Melvin M. Webber, “Dilemmas in a General Theory of Planning,” *Policy Sciences* 4, no. 2 (June 1, 1973): 155–69, <https://doi.org/10.1007/BF01405730>.

²⁵⁶ Myriam Ababsa, in her work on land tenure in informal settlements in Jordan, has underscored the government’s use of *hujja* documents to calculate compensation levels during several slum upgrading projects. Myriam Ababsa, “Public Policies Toward Informal Settlement in Jordan (1965–2010),” in *Popular Housing and Urban Land Tenure in the Middle East: Case Studies from Egypt, Syria, Jordan, Lebanon, and Turkey* (American University in Cairo Press, 2012).

²⁵⁷ For a comparative perspective of squatter settlements see, Nezar AlSayyad, “Informal Housing in a Comparative Perspective: On Squatting, Culture, and Development in a Latin American and a Middle Eastern Context,” *Review of Urban & Regional Development Studies* 5, no. 1 (1993): 3–18, <https://doi.org/10.1111/j.1467-940X.1993.tb00120.x>.

²⁵⁸ Jalal Al Hussein, “UNRWA and the Refugees: A Difficult but Lasting Marriage,” *Journal of Palestine Studies* 40, no. 1 (November 1, 2010): 6–26, <https://doi.org/10.1525/jps.2010.XL.1.006>.

²⁵⁹ During this time, Latin American cities were a leading center for debate on housing policy, illegality, community development, and self-help. For example, architects such as John Turner have written extensively on housing, community organization, and slum upgrading programs in Peru. Other noted scholars and practitioners affiliated with the Joint Centre for Urban Studies of MIT and Harvard University include Lisaa Peatti, William Doebele, and Reinhard Goethert. For particular reference to Egypt, see Nasamat Abdelkader and Sayyed Ettouney’s work. For an excellent analysis of the making of the “Third World” as a site of underdevelopment, see Escobar, *Encountering Development*.

combat poverty.²⁶⁰ A key interlocutor of such projects has been the Peruvian economist Hernando de Soto, whose arguments in the late 1990s and early 2000s about “unlocking” economic stagnation via legal ownership of property in the informal settlements of the developing world have been received with worldwide praise.²⁶¹ Faced with growing pressures to reconcile the presence of Palestinian refugees with the requirements of World Bank development, the Jordanian government engaged in the rehabilitation of refugee camps and squatter settlements, establishing the Urban Development Department in 1980 (which would become the HUDC in 1989).²⁶² Thus, Jordan became the first country in the Middle East to follow the developmental ideology instigated by the World Bank in South America and Asia.²⁶³ As demonstrated by the Aga Khan winning East-Wihdat project, a “squatter settlement” near UNRWA’s Wihdat Camp, in which land was bought from the legal owners and mortgaged to the squatters.²⁶⁴ Within this context, the HUDC’s 1999 upgrading project in Muhammad Amin Camp can be located within a history where two supposedly separate aid sectors get intertwined with one another.²⁶⁵

²⁶⁰ United Nations Human Settlements Programme, “The Challenge of Slums - Global Report on Human Settlements 2003” (United Nations Human Settlements Programme, Revised 2010), <https://unhabitat.org/the-challenge-of-slums-global-report-on-human-settlements-2003>.

²⁶¹ See his superselling book *The Mystery of Capital*, in which he presents an image of informality as “heroic entrepreneurship.” Hernando de Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (Black Swan, 2001).

²⁶² Intensive investigations of illegally developed settlements in Greater Amman have been carried out since 1979-80, which showed that in 1980 a quarter of the city was occupied by informal Palestinian refugee settlements. Myriam Ababsa, “Public Policies Toward Informal Settlement in Jordan (1965-2010),”

²⁶³ Settlement Upgrading Programme, *Informal Settlement Upgrading: The Demand for Capacity Building in Six Pilot Cities: Amman, Ankara, Caracas, Concepción, Ibadan, and Nkayi* (Nairobi, Kenya: The Programme, 1999).

²⁶⁴ “East Wahdat Upgrading Program,” Archnet, accessed June 26, 2020, <https://archnet.org/sites/555>.

²⁶⁵ Of course, Jordan’s recourse to international financial institutions and foreign aid since the 1980s has contributed to the country’s ever-increasing dependence on foreign assistance and ensuing structural adjustment agreements, which has recently culminated in protests against IMF-backed austerity measures. Approved on 31, August 1997, five settlements out of the 14 urban squatter settlements in or around Amman, Zarqa and Russeifa and three refugee camps. The project was implemented with strong collaboration from the Department of Palestinian Affairs at the central level and the Camp Improvement Committees at local level attracted external funding to reach 450.000 inhabitants.



Figure 3-7. Jabal Al-Nathif Upgrading Site: As-Built Demolition Plan, 2002. Source: HUDC. Map edited by author.

The architectural plan above is the HUDC's demolition plan for Muhammad Amin Camp. The project only deals with the material elements of poverty. Its rationale serves to justify house demolition to provide paved streets and vehicular accessibility. The HUDC quite literally carved roads out of the intricate network of houses and alleys. In the process, some 100 housing units were demolished, and the families bought out of their homes. Huda Dabbas, a former architect at HUDC, informed me that “in refugee camps, physical intervention was minimal, we could not widen streets more than 1 meter, but in squatter settlements, we were able to demolish and open streets up.”²⁶⁶ When I asked why, she answered with the following statement: “because of the danger of Palestinian settlement (*tawteen*) and the loss of their right to return.”²⁶⁷ To be sure, Huda Dabbas knew very well that the residents of Muhammad Amin Camp, like most of the so-called “squatter settlements” such as al-Nuzha near Jabal al-Hussein camp, are predominantly Palestinian refugees. She told me so. In such a bureaucratic context, demolition is only possible because the Palestinian camp in Jabal al-Nathif is no longer a refugee camp but a squatter settlement.

In the reports, studies, architectural plans, and maps that comprise the project's archive at HUDC, Jabal al-Nathif (taken as a unit of analysis) is represented as a poverty-stricken site, with no

²⁶⁶ Personal Communications with Huda Dabbas, former architect at HUDC. September 2021.

²⁶⁷ Ibid.

trace of a Palestinian camp nor Palestinian residents. In the World Bank completion report and HUDC studies, the words Palestine or Palestinian are not mentioned even once, apart from introducing DPA as a developing partner in refugee camps.²⁶⁸ By turning a contested camp into an impoverished “squatter settlement,” the project’s plans conflate the lack of political and legal resolution towards contested Palestinian camps with Third World poverty, in which, lack of infrastructure is just a marker of urban decay and not marked by the prolonged absence of the government intervention and protracted nature of UN recognition. Yet the geographer Myriam Ababsa has shown how impoverishment goes hand in hand with Palestinian camps in Jordan, mapping how large pockets of poverty have developed around Palestinian camps and “informal” settlements built near UNRWA camps.²⁶⁹ Poverty economist Ibrahim Hejoj has also made this point, arguing that policies of urban exclusion have contributed towards luring and ‘locking’ a large number of camp refugees in poverty.²⁷⁰ So, unlike the proposed 1965 housing project discussed previously, intervention in this case is not to construct housing for Palestinian refugees, but to demolish houses in what is now deemed—according to Third World development criteria that overlooks the site’s status as a refugee camp—a “squatter settlement.” By conflating Palestinian refugees with the urban poor, the contested refugee camp is dehistoricized and decontextualized, making the transplantation of international best practice models easier.

Today, twenty years later, the project’s archives sit in a room on the third floor of HUDC as folders lined up in a single bookshelf, the only piece of furniture in the room. This room used to be the office of Yousif Hiyasat, the project’s Director. None of the engineers, architects, and accountants that worked on the project have remained in HUDC. The mission of the agency has also transformed. One HUDC architect told me: “the whole department has disappeared. We no longer work on camps and squatter settlements. All our housing projects now are commercial.” Then, another employee said, “Well, at least someone will look at these folders before they are sent for shredding.”²⁷¹

Still, the project’s archives live on as references in academic articles and expert reports that continue to accept such terms as ‘marginalized,’ ‘squatter,’ and ‘informal’ without any critical inquiry into the history of such categorizations. For example, in a report written by a French development consultant about Muhammad Amin Camp, the camp is incorrectly categorized as “unofficial camp,” then identified as a “squatter area,” then, uncritically zooming out to a different scale, the whole neighborhood of Jabal al-Nathif, including the surrounding ‘legally’ owned houses, is homogenized

²⁶⁸ While the title refugee camp appears 40 times in the report, not once is it said that it is a Palestinian refugee camp. Even the Acronym UNRWA is written as “United Nations Relief Works Agency” and not “The United Nations Relief and Works Agency for Palestine Refugees in the Near East”. The World Bank, “Implementation Completion Report (SCL-42150 TF-26801) on a Loan in the Amount Of US\$30 Million to The Hashemite Kingdom of Jordan for a Community Infrastructure Development Project” (The World Bank, December 22, 2004),

²⁶⁹ Myriam Ababsa, *Atlas of Jordan: History, Territories and Society* (Presses de l’Ifpo, 2014): 393.

²⁷⁰ Ibrahim Hejoj, “A Profile of Poverty for Palestinian Refugees in Jordan: The Case of Zarqa and Sukhneh Camps,” *Journal of Refugee Studies* 20, no. 1 (March 1, 2007): 120–45, <https://doi.org/10.1093/jrs/fel025>.

²⁷¹ Personal communications.

as an “urban informal popular neighborhoods of East Amman.”²⁷² Such unsuspecting citations are both ahistorical and orientalist—making up the area and its people with no account to actual socio-legal realities on the ground.²⁷³

The “squatter settlement” category would not have been possible without the decades in which national authorities and international authorities (humanitarian agencies and international development institutions) reduced Palestinians and the camps they inhabit to universal squatter settlements or poor urban areas. Thus, removing the record of expulsion and the labor of Palestinians who have been at the center of reconstructing their lives in exile. It is difficult, here, not to echo Edward Said’s conclusion as to how Palestinians are denied presence in the record of institutions: “as with most of the other matters in the question of Palestine, we need to connect things with each other, and see them, not as they are hidden [...] but as they are ignored or denied.”²⁷⁴

Yet still, some people who have remained in the camp contemplate the remains of demolition, wishing their houses were demolished, too. Today, the inhabitants of Muhammad Amin Camp use the traces of demolition to tell stories about the fortunes of those bought out of their houses. One day, as Umm Karim showed me around the house, she directed me to a window to say: “See, this was our neighbor’s bathroom.” I looked up to see the pink ceramic tiles that remain plastered to the street façade. Then, she sighed:

They demolished the house next to us. They compensated them. Our neighbors moved out and bought a piece of land. *Irtahu min il-mukhayyam* (They rested from the camp)! Some people got as high as 60,000 dinars and got to live in Al-Yadouda. We tried to convince them to demolish our house.

Her account makes visible the project’s inherent spatial injustice: those outside the “area of intervention” are left outside of the possibility to legally own a house, remaining without compensation or resolution, while the ones inside the demarcation lines were enabled to legally possess, albeit elsewhere. After all, unlike the East-Wihdat project, the plot of land was not bought from the legal owners to be mortgaged to the “squatters.” Instead, true to its focus on physical infrastructure (and not the legal and political histories that shape a built environment), demolition is only a means to physical development.

²⁷² Lucie Chatagnon, “Active Research on Jabal Al Natheef,” Needs Assessment Report (Ruwwad, 2010): 18-20

²⁷³ Edward Said writes that orientalism is a citational system that creates the image of the Orient.

²⁷⁴ Said, *The Question of Palestine*



Figure 3-8. The Visual Remains of Demolition – Outlines of Room Cut in Half, Broken walls, and Hanging Ceramic Tiles. Photos by author.

Conclusion: The Politics of Inhabitation

Camps emphasize what Nasser Abourahme calls “politics of inhabitation,” when the camp itself becomes the site of a politics of everyday life that takes shape around the act of inhabitation.²⁷⁵ The histories and layers of land tenure, property relations, construction, and infrastructure in Muhammad Amin Camp underscore, I argue, similar notions of inhabitation. The key difference, however, as I see it, is that inhabitation is mediated by the continued adaptation of Ottoman regimes of property, which emerge through ongoing, dynamic encounters between buildings and their constituent actors and elements: inhabitants, landowners, engineers, historical events, contracts, documents. Therefore, as I have shown, the framing of legal pluralism and the focus on its material artifacts—handwritten *hujjas*, preserved site plans, electric meters, petitions, lawsuits, ads spray-painted on walls—is more illuminating than the flattening lenses of “informality,” and “squatter settlements.”

This perspective also counters the assumption that in the absence of state law, “illegality” is the norm, thus foreclosing other legal possibilities. The historical and contemporary realities on the ground of Muhammad Amin camp reveal a politics of inhabitation that creates property from the depository of other property regimes. It is within the collision of plural legal orders that Palestinians stake claims to space through appeals to other property regimes, ultimately challenging the legal centrism of the Jordanian state. To relate Ottoman regimes of property and post-Ottoman plural legal orders—that is, to put side-by-side what are usually told as entirely separate stories, temporally and on opposite sides of the law—I contend, is necessary for understanding the overlapping and competing claims over land and housing in refugee camps in post-Ottoman societies.

The consistent production of *hujja* as instruments for all things concerned with property is one of the several ways through which Palestinian refugees fight the politics of dispossession and repossession in Jordan.²⁷⁶ Considering the risks involved in disclosing information about property, secrecy is part of the repertoire that the inhabitants of Muhammad Amin Camp deploy. After all, fear of illegality is also the fear of possible loss of property. Dense with claims and counterclaims, the history of land tenure points towards the plurality of political positions and paranoias (the camp as the quintessential space of Palestinian guerrilla movements, the camp as illegal). In the shadows of a now obscured civil war and its entanglement with the decade of Land Speculation, land disputes, I have argued, become a site of meaningful inquiry. Therefore, we have to look through multiple layers, archives, and narratives. Such histories illustrate the power of land not just as an object but as a layered web of relations, in which notions of property are thoroughly enmeshed in contested practices of building, petitioning, suing, resisting, archiving, and performing state sovereignty. It could even be said that the layered history of land tenure itself is a witness to the histories of

²⁷⁵ Nasser Abourahme, “The Camp.”

²⁷⁶ For Edward Said, the role of the intellectual is to show the multiple forms of Palestinian survival. Said, *The Politics of Dispossession*.

dispossession and repossession that go hand in hand with wars, refugee influx, and the periods of urban growth and economic boom.

The story of the state's erasure of Palestinian camp into "squatter settlement" is, first and foremost, a story of denial, misrepresentation, and demolition. It is a story in which the production of official narratives of illegality, informality, illegitimacy amount to apolitical categorizations, unfolding with the erasure, denial, and active silencing of Palestine itself. Amidst an abundance of UN resolutions certifying the Palestinians as a people, their struggle as a legitimate one, their right to have an independent state as "inalienable," the case of a refugee camp turned "squatter settlement" points to the inefficacy of political resolution or downright irresolution towards Palestinians and the spaces they inhabit or have inhabited. This chapter has attempted to recapture ground lost to the term "squatter settlement." Hence the archives of this camp history are the oral histories, personal documents, architectural artifacts, and the remains of state interventions. Oral histories and architectural artifacts reveal political irresolution as it is inscribed onto the lived spaces of camp. Contrary to a developmental project predicated on an idea of poverty that glosses over decades of impoverishment and discursive constructions of the category "squatter settlement," I have argued that we need to look for camp histories in family stories and official statements; in peeling wall paint, bare bricks, and surviving ceramic tiles; in governmental maps and reports. Such empirical materials are portals to other historical moments. In the next chapter, we will see how in the wake of the Syrian refugee crisis, narratives of migration, houses, and furniture objects resuscitate Prophet Muhammad's seventh-century *Hijra* (migration) from Mecca and sanctuary among the locals of Medina and Arab and Muslim traditions of hospitality and neighborliness.

CHAPTER 4

FROM ABANDONMENT TO RE-INHABITATION

Hijra and the Entitlements of the Syrian Neighbor

In the summer of 2018, seven years into the war in Syria, I arrived at a house in Jabal al-Nathif occupied by a Syrian woman named Zahra. She had left Damascus in 2013, when Palestinian relatives offered her an apartment, rent-free. The apartment, previously occupied by Palestinian refugees, had been abandoned—“*mahjura*”—she said, and was therefore available for re-inhabitation. Several days later, Basil, a Syrian of Circassian origin told me a similar story. He and his family were given an abandoned house, rent-free. Their house, also occupied prior to his family by Circassians, the descendants of Ottoman refugees, was provided by the Circassian Charity Association (CCA) for almost five years.²⁷⁷ The house is located in the Circassian quarter of Jabal al-Nathif. Two other Syrian women who were also living in the Circassian quarter told me that neighbors had helped them furnish their apartments.

That Syrian refugees found sanctuary in the houses of earlier refugees may at first seem surprising, at least to someone expecting Syrian refugees to find shelter solely through international humanitarian aid. However, if situated within Amman’s interwoven refugee histories, it is not at all surprising, but a clear part of a longer history of migration that includes Arab and Muslim customs and traditions of sanctuary, hospitality, and neighboring. These customs and traditions are not static, but have evolved with successive generations of refugees. In the current period of the Syrian War, processes of abandonment, re-inhabitation, and furnishing constitute key ways in which Syrian refugees have come to find sanctuary and make homes in Amman. This chapter examines the urban and architectural processes through which these “abandoned” houses built by earlier refugees become re-inhabited by newer ones.

²⁷⁷ As discussed in more depth in Chapter 1 of this dissertation, Circassians are part of a diasporic community of Ottoman Muslim *muhajirs* (refugees). The Ottoman government granted subjecthood and land to those North Caucasus *muhajirs* who resettled in Ottoman Syrian and the then peripheral province of Amman.

Employing a fine-grained analysis of the neighborhood of Jabal al-Nathif, which has become one of the densest Syrian refugee clusters in the city, this chapter makes four interconnected arguments.²⁷⁸ The first argument is that the houses currently being given or rented to Syrian refugees are part of longer refugee histories in Amman. This long history—a thread connecting late 19th-century Ottoman refugees to Palestinian survivors of 1948 to contemporary Syrian refugees—remains overlooked within the overstudied Syrian refugee crisis. Second, in contrast to recent work in refugee studies that uses hospitality as a critical analytic, most notably Derrida's neologism of *hostipitalité*, where the host has the power to provide generosity to the stranger/guest, I argue that hospitality is mobilized in combination with Arab and Islamic traditions of *hijra*, sanctuary, and neighborliness.²⁷⁹ While scholars in the fields of migration studies and Islamic studies have underscored the role of Islamic traditions in shaping migratory decisions and community-level responses, the spatial dimensions of these traditions remain remarkably understudied.²⁸⁰ With house blueprints, interior arrangements, furniture objects, family photos, and gardening pots, I foreshadow the urban and architectural dynamics through which houses become re-inhabited by Syrian families, showing that *hijra* is practiced across scales and makeshift living spaces. Third, I argue that gifts of furniture and objects by neighbors create what I refer to as an “aesthetic of the unfinished,” in which living spaces embody an openness to contingency and change of which *hijra* is constitutive.

²⁷⁸ At the time of writing, the Syrian war was in its eighth year, the number of Syrian refugees in Jordan stands at 665,834 million, of which less than 20% live in UN camps, the rest that is more than 80%, have chosen to settle outside of officially administered United Nations (UN) camps, among communities that are largely refugees themselves. In 2015, the Department of Statistics (DoS) reported that Jabal Al Nathif is one of the highest Syrian refugee cluster areas along with Marka, Jabal Al-Ashrafiyyah, Jabal Al-Taj. The UNHCR also published a map that shows that the number of “non-camp” refugees in Eastern Amman is the highest in Jordan. See, “Syrians Living Outside Camps in Jordan: Home Visits Data Findings, 2013.”

²⁷⁹ This scholarship has presented a spectrum of divergent interpretations, from “duty to be generous” to “refugee hospitality” to overt hostility and “unwelcoming.” More specifically, the literature on Palestinian camps has demonstrated how camps have become “shared spaces” and how Palestinians have become “hosts” to newly displaced communities. Such frameworks often rely on poststructuralist philosophy around hospitality, most notably Derrida's neologism of *hostipitalité*. See, Chatty, “Guests and Hosts: Arab Hospitality Underpins a Humane Approach to Asylum Policy;” Fiddian-Qasmiyeh and Qasmiyeh, “Refugee Neighbours & Hostipitality;” Carpi and Şenoğuz, “Refugee Hospitality in Lebanon and Turkey. On Making ‘The Other;’” Sharif, “Refugee-Led Humanitarianism in Lebanon's Shatila Camp;” Ramadan, “The Guests' Guests.” This is an example of what has been referred to as what has been called “refugee-refugee humanitarianism,” “refugee hospitality,” or “south-south humanitarianism.”²⁷⁹ Questions about the flexibility of informal settlements and pre-existing Palestinian refugee camps in responding to Syrian refugees have also figured into the recently emerged literature on urban humanitarianism. See for example, Mona Fawaz, “Planning and the Refugee Crisis: Informality as a Framework of Analysis and Reflection,” *Planning Theory* 16, no. 1 (February 1, 2017): 99–115, <https://doi.org/10.1177/1473095216647722>.

²⁸⁰ Dave Eickelman and James Piscatori's (1990) key contribution to the field of Muslim mobilities established the analytical significance of religious travel and migration for Muslims. In the wake of the Invasion of Iraq (2003) and the eruption of the war in Syria (2011), the analytic of Muslim mobilities has received increasing academic attention across the social sciences and humanities. Scholars in the field of refugee studies have underscored the role of the Islamic notion of *umma* (an imagined community of believers transcending national borders) and Islamic traditions of *hijra*, sanctuary, and neighboring in shaping migratory decisions and community-level responses. Anita Fabos and Riina Isotali's (2014) volume on spiritual geographies is one such example. There has also been interest in transnational ties and the widespread networks of families that cut across national, ethnic, and religious lines in the Arab region and that have remained significant factors when Syrians came to deciding the destination of their migration. See for example, Dorai, “Iraqis in Exile;” Achilli, “Back to Syria?;” Lokot, “Blood Doesn't Become Water?”

Finally, I argue that these dynamics—the convergence of transnational networks of family and kin, refugee socio-economic mobility, and the persistence of Arab and Islamic traditions—have enabled an alternative project of sanctuary for Syrian refugees in Jordan. As detailed in the opening vignette, the mobility of people and objects literally makes space and makes ‘home’ possible for new refugees.

Hijra and its Scales

During the course of my many conversations with refugees and host communities – Palestinians, Jordanians, Syrians, Circassians, Chechens – people would often use words that spring out of the Arabic root *h-j-r* to mark historical events, to stand in solidarity with fellow refugees, or to describe specific architectural (and symbolic) elements. In the Arabic language, roots are important; etymologies are known and recognizable. The novelist and translator Sinan Antoon has said that “language is not just a means of communication,” it is “a reservoir of memory, tradition, and heritage.”²⁸¹ The root *h-j-r* carries the weighty symbolism of the Prophet’s *Hijra* (move or migration) from Mecca to Medina.

In the Islamic tradition, the *muhajir* (refugee) is a welcome figure rather than a hostile entity, and refugees are entitled to sanctuary and protection.²⁸² The Prophet’s *Hijra* marks the beginning of the Islamic calendar and the establishment of the Muslim community (*Umma*).²⁸³ The significance of the *Hijra* lay not only in the spiritual journey of self-renewal but also in its material and social implications – the response of the locals of Medina to the economically and socially disadvantaged refugees.²⁸⁴ During the Prophetic period, anyone who sought protection in a mosque or among the Prophet’s Companions was assured protection. The Quran and the Sharia affirmed the practice, identifying certain places, notably the Ka’aba in Mecca, as inviolable.²⁸⁵ Later, the medieval theologian Ibn al-Arabi (d. 1240) specified the offer of protection as obligatory upon Muslims in the face of injustice and intolerance.²⁸⁶ Various notions of sanctuary have since been integral to Islamic policy and practice. As discussed in Chapter 2, during the late Ottoman period, the resettlement of North Caucasus Muslim refugees (Circassians and Chechens) was framed within a discourse of *hijra*.

²⁸¹ As quoted in Malcolm Forbes, “Iraqi Writer Sinan Antoon on His Novels about His Embattled Homeland,” *The National*, May 14, 2015,

²⁸² For more see, Abd al-Rahim, “Asylum: A Moral and Legal Right in Islam,” *Zaman, Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 26.

²⁸³ As discussed in Hodgson, *The Venture of Islam, Volume 1*: 33.

²⁸⁴ As discussed in Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 32. No sooner had the Prophet emigrated to Medina than the migrants and the locals built up a mosque to serve as the mainstay of the newly Islamized community. This place of worship is known as the Prophet’s Mosque. For a more in-depth analysis of the intellectual history of the nature of the Prophet’s building at Medina see, Essam S. Ayyad, “The ‘House of the Prophet’ or the ‘Mosque of the Prophet?’”

²⁸⁵ As discussed in Kirmani, Khan, and Palmer, “Does Faith Matter?: An Examination of Islamic Relief’s Work with Refugees and Internally Displaced Persons.”

²⁸⁶ Ibn al-’Arabi, *Abkam Al-Qur’an*, vol. 1 (Beirut: Dar al-Ma’rifa, 1972). See also Arnaout, *Asylum in the Arab-Islamic Tradition*; Eickelman and Piscatori, *Muslim Travellers*; (Arnaout 1987; Eickelman and Piscatori 1990).

Scholars have also shown how, despite the emergence of national borders, contemporary state responses in post-Ottoman Arab nations are still constructed within Islamic notions of brotherhood and a discourse of Arab hospitality.²⁸⁷

Despite hijra's clear significance in this living cultural tradition, it is treated as analytically insignificant in most studies of contemporary Arab and Muslim refugees, taken for granted at the level of everyday life and conflated with the humanitarian label "*laji*."²⁸⁸ An exception to this academic trend is Tahir Zaman's work on Islamic traditions in the crises of Iraq, Rosemary Sayigh's attention to Palestinian women's "hijra stories," and Stefania Pandolfo's ethnography of hijra attempts among Moroccan youth.²⁸⁹ My focus on the urban and architectural dimensions of hijra contributes towards further understanding the influence that Islamic traditions have on contemporary Muslim societies. My fieldwork demonstrates how a shared culture of hijra remains a rich resource or reference or quality that may act as the vehicle of change, solidarity, and struggle for many people. Analyzing the use of words that spring from the root *h-j-r* is useful for understanding how a long-standing culture of hijra gets mobilized in moments of crisis.

At Za'atari refugee camp in the Jordan-Syria borderlands, Syrians used words that spring out of *h-j-r* to describe their experience of migration and only use the term *laji* to adopt a humanitarian label or to plead assistance.²⁹⁰ During that time, I also noticed that Syrian and Palestinian youth mobilize the language of hijra to communicate attempts at travel for education or employment.²⁹¹ These examples serve to illustrate the capaciousness and dynamism of hijra, a tradition that is alive,

²⁸⁷ In "The Discourse of Guesthood: Forced Migrants in Jordan," Oroub El-Abed argues that the Jordanian government's use of a wide range of terms to refer to its displaced populations, calling them 'refugees', 'asylum seekers', even 'guests' (*diyuf*) – has implications around Arab hospitality. Victoria Mason makes a similar argument, showing how pan-Arab policies of 'hospitality' have enabled high levels of spatial mobility between Arab countries. Dawn Chatty also underscores that Arab states refusal to sign the 1951 United Nations Refugee Convention as a sign of unwillingness to move against the norms and customs of hospitality, rather a reflection of a lack of concern regarding refugees. See Mason, Victoria. "The Im/Mobilities of Iraqi Refugees in Jordan: Pan-Arabism, 'Hospitality' and the Figure of the 'Refugee.'" *Mobilities* 6, no. 3 (September 1, 2011): 353–73; Chatty, "Guests and Hosts: Arab Hospitality Underpins a Humane Approach to Asylum Policy."

²⁸⁸ To this date, very little published work on Syrian refugees considers the influence of the Islamic tradition of hijra on Syrian resettlement. Some exceptions include Tahir Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria* (Palgrave Macmillan UK, 2016); Marco Demichelis, "'Fasad, Hijra and Warlike Diaspora' from the Geographic Boundaries of Early Islam to a New Dar al-Hikma: Europe," *Religions* 10, no. 4 (April 2019): 277.

²⁸⁹ Rosemary Sayigh, "Palestinian Camp Women as Tellers of History," *Journal of Palestine Studies* 27, no. 2 (January 1, 1998): 42–58; Stefania Pandolfo, "The Burning," in *Knot of the Soul: Madness, Psychoanalysis, Islam*, (University of Chicago Press, 2018), 192–220.

²⁹⁰ Roger Zetter (1991) in his seminal article "Labelling Refugees: Forming and Transforming a Bureaucratic Identity" provides valuable insights as to how the label of "refugee" is deliberately constructed to exclude and to disempower, he also argues that refugees "inhabit an institutionalized world of NGOs, intergovernmental agencies and governments, in which a highly developed framework of public policy exists to provide emergency and developmental assistance" Ibid: 40–41. For a semiotic analysis of the use of *muhajir* versus *laji* in the media and its effects on change the attitudes of people and governments see, Haider and Olimy, "The Representation of Laji'een (Refugees) and Muhajireen (Migrants) in the Headlines of Jordan News Agency (PETRA)."

²⁹¹ One such example is a twenty-year-old Syrian engineering student living in Jabal Al-Nathif and currently applying for master's degrees in Turkey. Another example is that of Palestinian youth in Muhammad Amin Camp applying and getting jobs in the UAE.

open to adjustment, and change as required by circumstance.²⁹² While such words carry the symbolism of the Prophet's Hijra, my interlocutors did not use them within a strictly or "age-old" Islamic framework, nor within the limits of particular Islamic practice. The terms were used because of religious and secularized meanings that extend to ordinary people adjusting traditions to act on their worlds in times of crisis. After all, not everything Muslims do stems from Islam.

In Jordan, people of different ethnicities, faiths, nationalities, and classes make specific references to hijra. One such example is Palestinian's use of the word *al-tahjir* (the expulsion) to mark their forced migration from Palestine.²⁹³ By using *al* (the) *tahjir*, and not just *tahjir*, Palestinians remove the vagueness of migration and bring a definition to it, a definition that perhaps carries the shattering nature of Palestinian expulsion.²⁹⁴ Another such example can be found in newspaper obituaries and, more recently, Facebook posts honoring relatives who have died from COVID-19. In such obituaries, Palestinian, Syrian, and Lebanese families include names of family members, country of residence, and the word *al-mahjar* to describe the family's global diaspora. Another example is a Facebook post by a Circassian organization in Jordan that received hundreds of likes, comments, and shares, in which the language of hijra is mobilized to articulate a shared experience of forced displacement, in light of the 2020 Israeli aggression on Palestinians in Sheikh Jarrah saying, "We, the sons of Circassia, know exactly what it means to be displaced from your motherland (using the word *tatahajar*) ... We stand with you heart and soul!"²⁹⁵ These examples demonstrate the reach of hijra in the everyday, lived experiences of different groups of refugees and their engagement with Islamic tradition, re-calibrated as a piercing description of the politics of migration, or as a practice of solidarity across diasporic communities.

Hijra appears not only in etymological connections but also at the different theological, political, and urban scales of migration. Scholars of Islam have suggested that "departure," "abandonment," and "building anew" are constituent elements of migration. The historian Marshall Hodgson writes that the Prophet's Hijra "was not merely an escape from an untenable immediate

²⁹² The historian Marshall Hodgson makes this point in *The Venture of Islam, Volume 1*: 79. In his influential essay "The Idea of an Anthropology of Islam," Talal Asad (1986) makes the point that anthropologists should understand Islamic traditions not as timeless and essential but as part of an evolving debate or discursive tradition, which operates within a field of power and authorization, writing "A practice is Islamic because it is authorized by the discursive traditions of Islam and is so taught to Muslims—whether by an 'alim, a *khatib*, a Sufi *shaykh*, or an untutored parent."

²⁹³ Based on over 30 interviews conducted with Palestinians in Jabal Al Nathif and in Amman.

²⁹⁴ In Arabic *al* renders the noun on which it is prefixed definite. For an understanding of how the expulsion (*tahjir*) of Palestinians is not an event but a structure in which the 1948 *nakba* is part and parcel of Israel's settler colonial structure and a logic of elimination, dispossession, and uprooting of Palestinians from their lands and homes, and a 100-year international war on Palestine (backed by the US, Europe and the Arab states) see, Wolfe, "Purchase by Other Means: Dispossession of the Natives in Palestine."; Pappé, *The Ethnic Cleansing of Palestine*; Said, *The Politics of Dispossession*; Khalidi, *The Hundred Years' War on Palestine*; Salama et al., "Past Is Present."

²⁹⁵ This post was found on a Facebook page called 'We are Circassians', a page with a relatively large number of followers. The full post reads as follows: "We, the sons of Circassia, know exactly what it means to be displaced from your motherland and your warm home and to have a temporary life in another part of the world... Humanity is indivisible... It is the same struggle ... Free Palestine... Free Circassia... God, grant victory to Islam and to the Muslims... We stand with you heart and soul!" (My translation). The images of the Palestinian flag and the Circassian flag are added to the post Facebook, accessed June 6, 2021, <https://www.facebook.com/wearecircassians/>

position in Mecca. It was an opportunity to build a new order of social life.”²⁹⁶ Similar to Hodgson, anthropologist Stefania Pandolfo, argues that the theological dimension of abandonment sets the conditions for Moroccan youth to view migration to Europe as part of a spiritual struggle against the death of one’s desire for life.²⁹⁷ My research has led me to understand hijra as interconnected, dynamic, and multi-scalar. Hijra, I argue, shifts from the scale of the house to that of the neighborhood, the city, and from the transnational scale of migration to the scale of the self. The scales of hijra become modes through which refugees migrate from a place of war to a place of sanctuary; socio-economically mobile city-dwellers abandon places in favor of more luxurious living; and youth with immigrant dreams transform their livelihoods, and ultimately themselves. In this dialectic relationship, abandonment sets the conditions for re-inhabitation and self-improvement.

Hijra and its scales are on display in Jabal Al-Nathif – in people’s movement, in the construction, abandonment, and re-inhabitation of houses. As discussed in Chapter 2, what is today a densely populated neighborhood was a sparsely built area at the edges of the city in the early 1940s. Having arrived at Amman in the late nineteenth century as Ottoman Muslim *muhajirs* (refugees), Circassians established agricultural villages that, with time, became urban centers and ethnic quarters. The western slopes of Jabal al-Nathif is one such case. Circassian families had built houses nestled between the slopes of this mountainous area. With the *Nakba* of 1948 and the consequent waves of expulsion, Palestinians built houses in the area, too. Some bought land parcels to do so, while others squatted on one large plot to build their own camp. The plot of land on which the Palestinian camp is built remains the legal property of Muhammad Amin Habjoka, a Circassian-Jordanian, after whom the Palestinian camp is named: Muhammad Amin Camp.

But the urban scale brushes over the intimate scale of people moving in and out of their houses. With the encroachment of the Palestinian camp on the then middle-class Circassian quarter, Circassians began to move to the more affluent neighborhoods of Amman; Palestinians followed. Those who had the means left the camp to buy houses in the more well-to-do neighborhoods of eastern Amman, leaving their houses abandoned. Today, both groups refer to their houses in Jabal Al-Nathif as *mahjur* (abandoned). With these cycles of urban movement, many of those dwellings have come to be rented by refugees and migrant workers of various ethnicities and religions: Egyptian, Sri-Lankan, Bangladeshi, Iraqi, Sudanese, and Syrian. The loaning and rental of abandoned houses is a form of *hijra* at the same time as the dwellings allow new refugees to practice it themselves.

The following sections examine the ways in which Syrians have come to find sanctuary, rent houses, and make homes in Jabal al-Nathif. The empirical terrain from which I want to think through these issues is personal archives, family portraits, interviews with Syrian refugees, Palestinian and Circassian homeowners, and organization officials, house arrangements, and furniture objects.

²⁹⁶ Hodgson, *The Venture of Islam, Volume 1*: 172

²⁹⁷ Pandolfo, “The Burning.”: 192-221.

Zahra's *Hijra* from Damascus to Amman

I first met Zahra through a women's empowerment organization that works in Jabal al-Nathif. I wondered how a Syrian woman came to live in Muhammad Amin Camp. When I visited her in her home to hear her story, she welcomed me into the living room and asked whether I would like to have coffee. I said yes – after all, to be a good guest, one cannot refuse hospitality.²⁹⁸ She brought a Turkish coffee tray and a glass of cold water. She also treated me to homemade *ma'amool* cookies leftover from Eid Al-Adha, the Islamic festival honoring Ibrahim's willingness to sacrifice his son at God's command. (In Bilad al-Sham and the larger Arab region, these little treats are a staple to serve to guests during Eid, Christmas, and Easter celebrations.)²⁹⁹ I told her that I would ask questions about her life in Syria and in Amman, and she agreed to respond.

In her work on Palestinian refugee camps in Lebanon, Rosemary Sayegh regards women's "hijra stories" as a source of history.³⁰⁰ Zahra's "hijra story" is a fruitful entrée into how migration, abandonment, and sanctuary connect in the wake of Syrian war. In her story, abandonment is not the passive byproduct of circumstance, but rather the active dimension of migration. It involves a double movement, a departure from a place of war, and a pursuit of a place of refuge. Zahra's story reveals three things about the relationship between abandonment, hospitality, and vacant space. First, it is possible to think about hospitality beyond the act of hosting inside the house. Second, her story draws our attention to the scale-shifting quality of hospitality.³⁰¹ Finally, and perhaps most importantly, the mobilization of hospitality to provide sanctuary for distant family members is made physically possible by multiscalar acts of hijra, ranging from the abandonment of houses to the abandonment of neighborhoods and countries.

I began my interview with Zahra by asking, "Why did you leave Syria?" She responded:

I have seen nothing from what happened in Syria. I only saw headlines. I only heard firing guns and snipers. One day, I went down to my neighbors' house and heard stories of kidnapping and rape. I feared for my children. I am a Muslim. Along with my neighbors and my family, we left the outskirts of Damascus in a vegetable truck [...] My sister was in Amman. Her husband has family there, he has three brothers, one in Dara'a and two in Jordan. His family are Palestinians. His family gave her a room for

²⁹⁸ Anthropologist Ann-Christin Wagner calls this "hospitality choreographies." Wagner, "Giving Aid Inside the Home."

²⁹⁹ As a region Bilad al-sham coincides to a large extent (but not identically) to the geography known in the West as the Levant – today encompassing Jordan, Syria, the occupied Palestinian territories, Israel. As a concept, Bilad al-Sham is shaped through millennia of human mobility and dynamic cultural transformation. In classical Islamic geographical literature, the term Sham is considered Islamo-Arabic, while Syria refers to the Byzantine Christian identity of the region. 'Levant', 'Mashriq', 'Orient', 'the East', 'Asia', and 'Anatolia' are all concepts that have to do with the rising sun. *Le Levant* was the French concept used to translate the Arabic *mashriq* (the rising of the sun) in the wake of the formalization of French Ottoman diplomatic relations in the sixteenth century. As discussed in Issa and Wigen, "Levantine Chronotopes."

³⁰⁰ Sayigh, "Palestinian Camp Women as Tellers of History."

³⁰¹ For more on the scale-shifting quality of hospitality see, Ann-Christin Wagner, "Giving Aid Inside the Home: Humanitarian House Visits, Performative Refugeehood, and Social Control of Syrians in Jordan," *Migration and Society* 1, no. 1 (December 1, 2018): 36–50, <https://doi.org/10.3167/arms.2018.010105>.

free for a year. The neighbors gave her mattresses and kitchen utensils. Her husband went to Britain by sea and applied for family reunification. Before she left for Britain, she called me and encouraged me to leave Syria, she told me: “It’s your opportunity, the room is for free.” We left Syria. The Palestinian owner gave us the room for free for almost three years. The whole building was inhabited by Syrians.³⁰²

Rather than the material effects of the war, the image of an empty house initiated Zahra’s *hijra* from Damascus to Amman. Indeed, to seek a house in Amman (about 200 km from Damascus) is not a just matter of metric proximity but part of a mental map of family networks, part of a region where Arabic-speaking communities were tightly and intensely interwoven for centuries. Anthropologist Suad Joseph observes that using the idiom of the family, people in the Middle East “call up the expectations and morality of kinship.”³⁰³ Tahir Zaman calls such spaces “home-like spaces.”³⁰⁴ Therefore, a house offered by distant Palestinian relatives in another country could easily be located, pinpointed, and imagined before actually being seen. On this poetic map, the vacant and the distant could be converted into meaning and action – warping the distance between two Levantine cities.³⁰⁵

Upon crossing the Syria-Jordan border through the main checkpoint, the Jaber border crossing, Zahra and her family were permitted entry by Jordanian police officers, then escorted by humanitarian aid workers to Za’atari camp, the world’s largest camp for Syrian refugees, where they were registered and granted ‘asylum seeker’ certificates that certify their status as refugees and include their name, date of birth, and nationality. Their destination, however, was not the camp in the desert but the house in Amman. Several days later, with the help of Palestinian relatives who waited at the nearest street past the berms bordering the camp, they escaped Za’atari. Zahra, and her family, arrived at Muhammad Amin Camp in March 2013. She described the house that the Palestinian family gave her in this way:

“My sister spent three days cleaning the room. It was *mahjura* (abandoned).”

I ask about her house in Syria.

“My house in the outskirts of Damascus has been damaged by the war, the walls were hit by bullets, the furniture was stolen, the electricity sockets were cracked [...] I know this from my sister-in-law. The house is *mahjur* (abandoned).”

³⁰² Author’s interview with Syrian refugee in Jabal al-Nathif, June 27, 2019

³⁰³ Joseph, “Gender and Family in the Arab World.”

³⁰⁴ Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*.

³⁰⁵ The French philosopher Gaston Bachelard once wrote that “space calls for action, and before action, the imagination is at work,” Bachelard, *The Poetics of Space*: 30-34. Here, I also draw on Ash Amin’s topological approach to study space. Amin offers a helpful visualization of topological space quoting Michel Serres in conversation with Bruno Latour: “If you take a handkerchief and spread it out in order to iron it, you can see in it certain fixed distances and proximities. If you sketch a circle in one area, you can mark out nearby points and measure far-off distances. Then take the same handkerchief and crumple it, by putting it in your pocket. The two distant points suddenly are close, even superimposed. If, further, you tear it in certain places, two points that were close can become very distant. This science of nearness and rifts is called topology, while the science of stable and well-defined distances is called metrical geometry.” Amin, “Re-thinking the Urban Social:” 100–114.

Zahra uses the Arabic word *mahjur* to describe the condition of both houses. Another term sprung from the root *h-j-r*, the word means to leave, abandon, migrate.³⁰⁶ Whereas the house in Damascus is abandoned and eventually ruined (i.e., electricity sockets pulled out, doors taken, furniture stolen), the abandoned house in Amman is cleaned up and made inhabitable.³⁰⁷ At a subsequent meeting, I asked Zahra to show me the house they were given for free. We walked up the alley and crossed the street. She pointed out the locations to me. “There it is,” she said, gesturing toward the first floor of a two-story apartment building, “that is the room they gave us.” I noted that she said room (Arabic, *al-ghorfa*), not house or apartment (Arabic, *beit*, *dar*, or *shaqqa*). Today, the ground floor apartment is vacant, windows shut with wooden boards. The first-floor apartment, where Zahra was hosted, has a separate stairway entrance (see Figure 4-1). The situation of allowing distant relatives to live in an abandoned apartment without monetary return requires us to consider hospitality as possible in the vacant and non-occupied. While the Syrian family shares the camp with the Palestinian hosts, they do not share family spaces. In this hijra story, abandonment involves a double movement: an abandonment of a place of ruin and a pursuit of an abandoned place in which inhabitation is possible.

I followed the clue of refugee-to-refugee sanctuary in Zahra’s interview by interviewing other Syrian refugees in Jabal al-Nathif.³⁰⁸ As might be expected, there were variations among them in terms of point of entry (border checkpoint, illegal border crossing, or airport), mode of travel (by car, truck, bus, airplane), and place of origin. But there were other common patterns: all of my interviewees wanted to live in the city, not the camps, and all could find housing through family and kin networks. Several refugees interviewed said they chose to settle in Jabal al-Nathif because they held a relative, an existing network of ethnic kin, or friends who could support them. Others were provided housing for free or at discounted rent.³⁰⁹ Unlike individual testimonies told to humanitarian case workers, the stories of these refugees were recounted over days and unfolded together with the stories of other people, neighborhoods, cities, and ultimately themselves. I regarded their stories as an archive of everyday practices of sanctuary.

Still, there are limits to refugee-to-refugee sanctuary just as there are limits to humanitarian aid. Indeed, three years later, the Palestinian hosts asked Zahra’s family to move out after finding a buyer willing to pay a decent price for the apartment. Their actions expose the calculability of

³⁰⁶ My translation based on the translation available in Lisan Al-Arab dictionary.

³⁰⁷ For more on the effects of the war in Syria on civilians and rebels, see Martínez and Eng, “Stifling Stateness.”; Joseph Daher. For news articles see, “What Happened in Aleppo?” Jacobin, 15 January; “Death from the Skies,” Human Rights Watch (New York), April 10, 2013; Max Fisher, “Russia’s Brutal Bombing of Aleppo May Be Calculated, and It May Be Working (Published 2016),” *The New York Times*, September 28, 2016, sec. World; Gopal, Anand. “America’s War on Syrian Civilians,” *The New Yorker*, December 21, 2020.

³⁰⁸ Between 2018 and 2019, I conducted twenty semi-structured interviews. My interviewees were aged 18–60, mainly from Dara’a, Damascus, and Homs.

³⁰⁹ Fourteen of my twenty interviewees in Jabal Al-Nathif were provided housing for free or at discounted rent (six hosted in relatives’ houses, five were given rent prices at 20% less than the market price, and three families were provided housing through local charity organizations).

hospitality: as we saw in Chapter 3, in a camp where property remains a site of contestation, one cannot miss out on an opportunity to sell. After moving out, Zahra rented another apartment in the camp, which is the house I interviewed her in. Her landlord, also a Palestinian who left the camp to live in the more well-to-do neighborhoods of eastern Amman, is flexible about rent collection and never mentions eviction.³¹⁰

In addition to the way that providing new refugees with housing is a form of hospitality, houses also provide refugees with terrain on which to practice hospitality—as Zahra was hosting me and treating me to food and drink, for instance. Yet this, too, has its limits, challenges, and adaptations of making-do. The material culture of hospitality in the Arab world is replete with architectural expressions: most notably guest houses (*madafa*), but also in domestic architecture, guest rooms, courtyards, and even in the divisions of the Bedouin house (*beit al-sha'ar*). As a family's economic means improve, the amount of capital they invest in their house's hospitality showrooms increases. Hospitality is also often showy, with guests receiving the best food, the best décor, and the best utensils. Anthropologist Andrew Shryock calls this “the stagecraft of hospitality,” a space in which the pleasures and anxieties of hospitality are expressed architecturally, in interactional styles, and in the use and display of special objects.³¹¹ For instance, prominent families in Jordan build a *madafa*, a hospitality suite adjacent to their house, so that large numbers of guests can visit without bothering to enter the host's ‘real’ living space or infringing on the sanctity (*burma*) of family spaces.³¹² Zahra's apartments in the camp had none of these architectural expressions of hospitality.

Zahra lost many of these material pleasures of hospitality when she left her home in Syria. One day, I asked if I could see pictures of her house there. She opened the bottom drawer of a dresser and pulled out a stack of photographs. One photo was of a guest room furnished with a neoclassical armoire with brass accents and a divan. Another showed her children posing in front of a large neoclassical wardrobe. Her house in Syria was undoubtedly more than 150 square meters, comprising ‘family living’ rooms, as well as a ‘guest’ room. This was a stark contrast to the “room” that the Palestinian gave her, which included only a kitchen, a bathroom, a bedroom, and a living room.

The Palestinian families that built the camp in Jabal al-Nathif were predominantly peasants from the mountain ranges of Hebron and they employed some of the building techniques experienced in Palestine. In the architecture of the Palestinian rural house, there is no separate room or section for hosting guests; it consists of an all-purpose room where all household activities take place.³¹³ In building the camp, Palestinians adapted the rural house to the limited space of the land

³¹⁰ Personal communication with the Palestinian landlord.

³¹¹ Shryock, “Breaking Hospitality Apart.”

³¹² Maffi, “The Madafa in Jordan.” To be sure, “sanctity” here is more than a static Orientalist idea of Arab honor or sacred versus profane space; it takes different forms, changes over time, and in some house arrangements, as I show next, does not have space.

³¹³ In Levantine villages, guest houses were built separate from rural houses. See, Shawash, “Architecture in Amman during the Emirate of Transjordan, 1921-1946;” Fuchs, “The Palestinian Arab House and the Islamic ‘Primitive Hut.’”

and the materials available. They also transformed it to receive guests. In some of the Palestinian homes I visited, a separate room is dedicated to guests, accounting for more than 25% of the total floor area. In others, extra rooms were purposely designated for guests, often with improved economic means. However, both houses that Zahra resided in have no space set apart for guests. Both consist of a central hall flanked by rooms on one side and a kitchen and bathroom on the other. In such domestic architecture, Zahra has no room set apart for fulfilling hospitality duties.³¹⁴ On many of the days I visited, for instance, Zahra's husband was sitting in the living room, and I, the guest, had to be hosted in the bedroom. However, hospitality has a scale-shifting quality: capable of making houses, where the pleasures of hospitality cannot be fulfilled, feel smaller while also making distant cities feel close and, in turn, migration from a place of war to a place of refuge imaginable. As Ann-Christin Wagner argues, hospitality functions as "a scale-shifter between the local and the national."³¹⁵

Zahra's hijra story reveals how houses given or rented to Syrians are part of a thread connecting contemporary Syrian refugees to Palestinian survivors of 1948. It also points our attention to the complex ways in which the scales of hijra, from the abandonment of a legally contested Palestinian camp for improved living conditions to migration from a place of war, intersect in a moment of crisis to make space available for new refugees. In the context of Jabal Al-Nathif, a microcosm of Jordanian neighborhoods with dense Syrian refugee clusters, alternative spaces of sanctuary come to the fore. As we will see next, such spaces are privileged over UN camps. Moreover, with the long history of refugees in Amman, sanctuary through channels other than familial relatives, such as ethnic diasporic kin, become a considerable segment of Syrian refugees that descend from late 19th-century Ottoman Circassian refugees.

³¹⁴ Wagner makes a similar observation in her house visits. She writes: "most Syrians can hardly afford to set a room apart for fulfilling their hospitality duties. Guests are received in the ordinary living room, equipped with mattresses and cushions." Wagner 2018: 43

³¹⁵ Wagner, "Giving Aid Inside the Home.": 37



Figure 4-1. An abandoned house given to a Syrian Family in Jabal Al-Nathif. Photograph by author, 2019.

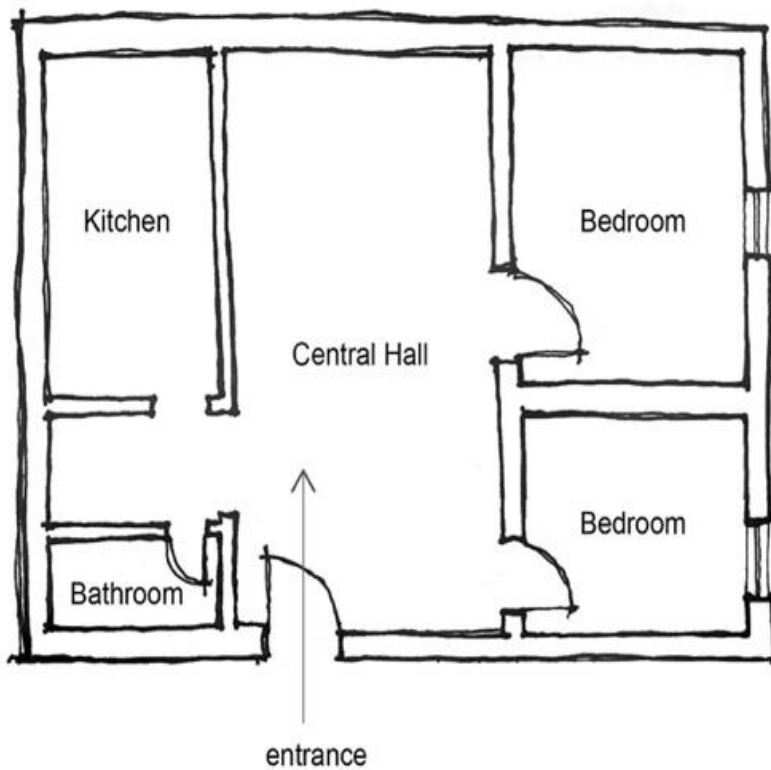
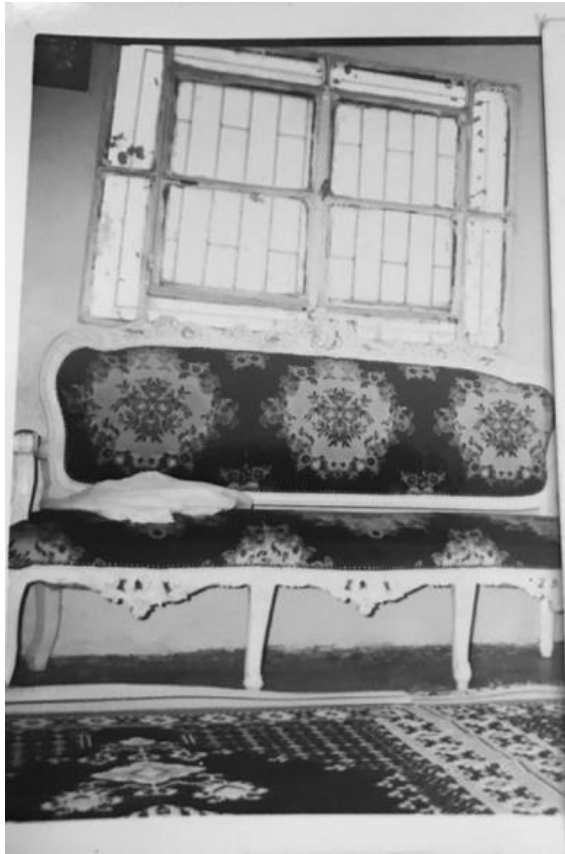


Figure 4-2 (top). Photographs of Zahra's House in Damascus. Courtesy of my interlocutor's personal archive.

Figure 4-3 (bottom). Sketch of Zahra's apartment plan. Drawn by author.

“Emplacing” Circassian-Syrians in Circassian-Ammani Quarters

Basil is a Circassian-Syrian in his early twenties who has been living in the Circassian quarter of Jabal al-Nathif since 2012. His parents are of different ethnic backgrounds: his father is of Circassian origin, his mother is Arab. He was born and raised in Damascus, in *Hay al-Muhajirin* (literally, immigrant quarter). In Amman, there is another such quarter, also called Hay al-Muhajirin, an area in which a wave of Circassian immigrants settled in 1892.³¹⁶ Before moving to Damascus, Basil’s family lived in the Golan Heights, in ‘Ain-al-Qurra, one of the villages depopulated by the Israeli occupation of the Syrian Golan heights. His family visited Amman many times before the war in Syria. They have many Palestinian friends here; his aunt is also married to a Jordanian of Chechen origin. When asked about how his family ended up in Jabal al-Nathif, Basil answered:

We left Syria when the confrontations began in *Hay al-Muhajirin*. We took a flight from Damascus to Queen Alia Airport on 11/11/2012. We stayed with my parents’ Palestinian friends in eastern Amman for three weeks. Then, when we felt some tension and after hearing some unkind words, my mother decided to leave their house. My parents had heard about the Circassian association and how they were giving houses to Syrian Circassians. We took a taxi and went to the association; within an hour they gave us a house. From their storage, they gave us four beds, mattresses, a new portable heater, cooking pots, two gas cylinders, new bed covers, clothes, pantry essentials, and dinner meals. They even assembled the beds for us. Later, the association got us a used a tv and a used couch set. These were donations from Circassian people.³¹⁷

This extract of Basil’s chronicle captures how a Syrian family has come to find sanctuary in Amman, first in the house of Palestinian friends, then in a house provided by the Circassian Charity Association (henceforth cited as CCA). Like Zahra, Basil’s family initially relied on networks of friendship and kinship. But when the Palestinian hosts expressed discomfort with their guests, they tapped into an ethnic network to secure housing. The CCA rented a house for them and fully furnished it through organized donations, almsgiving (*ṣakat*), and voluntary charity (*sadaqah*). The house is located in *hay al-sharkas* (Circassian quarter), on the western slopes of Jabal al-Nathif.

Since the beginning of the war, the CCA has provided housing for over 200 Syrian-Circassian families, mainly in Circassian neighborhoods such as Wadi al-Seir, Na’our, Jabal al-Nathif, Marj al-Hammam (see Figure 4-4). The CCA’s chairman clarified the logic of ethnic ‘emplacement,’ saying, “We housed them among Circassians, in Circassian neighborhoods. We gave them access to Circassian-Jordanians who were looking to hire Circassian-Syrians.”³¹⁸ Then, CCA’s treasurer clarified the mechanism of the Circassian community’s response to the Syrian refugee crisis

³¹⁶ For more on the history of *hay al-muhajirin* in Amman see, Shawash, “Architecture in Amman during the Emirate of Transjordan, 1921-1946.”: 49.

³¹⁷ Author’s interview with Syrian refugee living in Jabal Al-Nathif, July 2019.

³¹⁸ Author’s interview with Dr. Ibrahim Varouqa, June 14, 2021. Chairman of Circassian Charity Association.

describing how Jordanian officers would call to inform the CCA of the arrival of Circassian refugees and how Circassian youth picked them up from the borders.³¹⁹ During my fieldwork, a Circassian-Jordanian who used to live in Jabal al-Nathif echoed this remarking that, “We left no Circassian-Syrian in the camps.”³²⁰ The “we” here refers to the Circassian community in Jordan. A retired Brigadier General and respected elder in the Circassian community echoed these comments, emphasizing the *nasab* (lineage, marital relationships) between Circassians in Jordan and Syria. He even invited me to a Circassian *madafa* – a stark indicator of how Circassians in Jordan have incorporated also Arab material culture of hospitality into ethnic community making strategies.³²¹ The Circassian owner of Basil’s house described the CCA as “an assembly for Circassian families,” “a network.”³²²

Jordan’s religious and ethnic plurality has made it possible for groups such as Circassians, Armenians, Kurds, Palestinians, and Syrians to establish and maintain cohesive identities while simultaneously being part of the “political community” of the Hashemite Kingdom.³²³ And, as Seteney Shami shows, the Circassian community has maintained a cohesive ethnic identity while simultaneously belonging to the city and the state by establishing organizations such as the CCA and the Circassian Jordanian Tribal Council and building schools, sports clubs, cultural clubs.³²⁴

³¹⁹ He said: “Our youth picked up Circassians from the borders, the association organized this, Jordanian officers would call to inform us of the arrival of Circassian-Syrian refugees.” Author’s interview with Arafat M. Hakouz. June 14, 2021. Circassian Charity Association Treasurer.

³²⁰ Personal communications with Ghalib Hinna, June 2019.

³²¹ Author’s interview with Omran Khomsh, August 2019.

³²² Author’s interview with Rami Hinna, June 2019.

³²³ For Dawn Chatty, this “local cosmopolitanism” is the lingering trace of several hundred years of the Ottoman millet system, she writes: “Al-Sham is a complex association with the imagined past of the Ottoman empire, of belonging to a millet rather than a piece of land . . . It is a re-affirmation of the commonality of cultural differences in this region, where cultures, languages and religion are not rooted in particular spaces but are carried in kinship and social networks.” Dawn Chatty, *Displacement and Dispossession in the Modern Middle East*, (Cambridge University Press, 2010), 295.

³²⁴ The Circassian Charity Association was established in 1932. It is the first ethnic association in Jordan. The CCA’s establishment is related to the city’s growth and the integration of the Circassian neighborhoods, such as al-Muhajirin, Jabal al-Nathif, Bayadir Wadi al-Seer, into the wider urban fabric and to the socio-economic position of the Circassians of Amman. As discussed in Shami, “The Circassians of Amman.”: 303–22

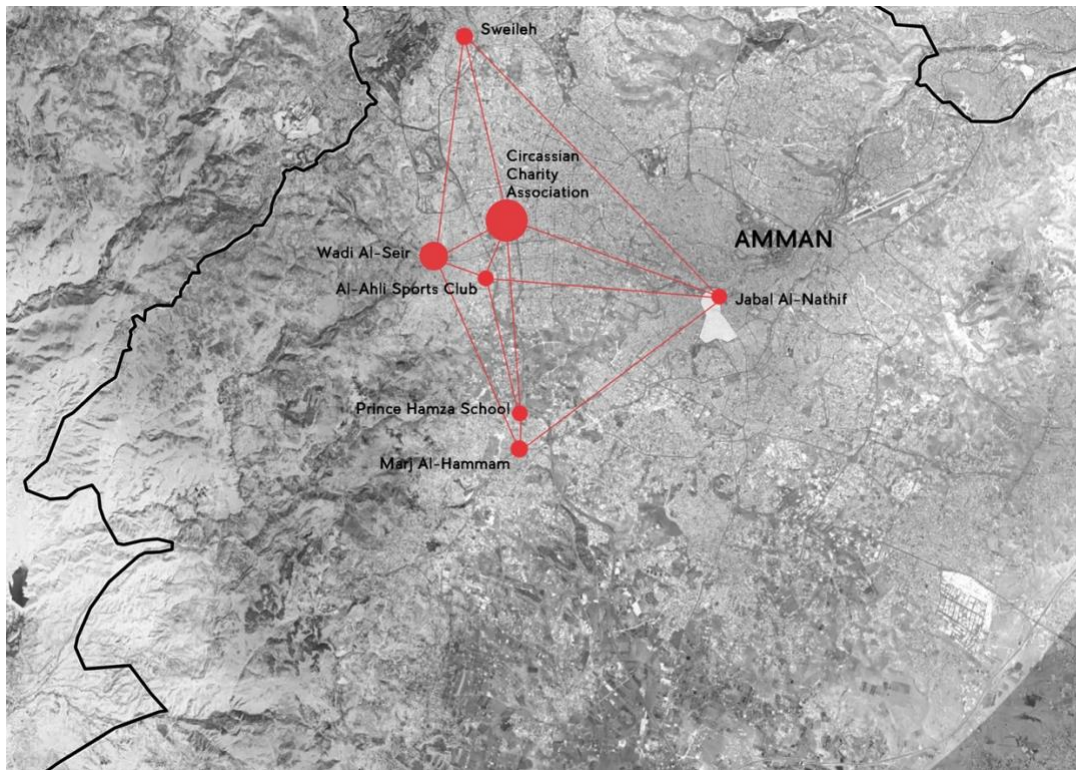


Figure 4-4. Circassian Network Across Amman: Neighborhoods, Quarters, Association, Clubs, Schools.
Illustration by author.

Scholars of diaspora studies have observed that solidarities and ethnic ties can be found across regions in a vast area of transnational actors.³²⁵ The CCA is one such actor, nested within the Circassian diasporic community in Jordan; it facilitates the creation of solidarities and performances of hospitality. Hospitality, as Jordanian Bedouins described it to anthropologist Andrew Shryock, is a quality of persons and households, tribal and ethnic groups, and even nation-states.³²⁶ In rejecting the camp and the humanitarian notion of separating the refugee from the rest of the community, the CCA reclaims sovereignty over the Circassian diasporic community when other options such as ethnoreligious nationalism have waned. It does so by mobilizing houses, ethnic quarters, people, donations, and religious practices to assist refugees – reconfiguring understandings of refugee-sanctuary away from positivist legal frameworks and toward scaffolds of solidarity with ethnic kin. However, such emplacement strategies have boundaries that are set at the level of ethnic kin. The CCA's terms of inclusion are based on ethnic differences among Syrian nationals and transnational commonalities between refugees and host communities.

³²⁵ Pnina Werbner (2010) observes that shared cultural consumption across a region comprising of more than six nation-states and five world religions facilitates the creation of public arenas and solidarities. By engaging with Werbner's notion of a "complex" or "segmented diaspora," Tahir Zaman shows how solidarities and cross-cutting ties can be found between a vast array of transnational actors—including faith-based actors—nested within and across diasporic communities. As discussed in Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 186

³²⁶ Shryock, "Breaking Hospitality Apart."

Additionally, with the CCA's *wasta* (brokerage connections), Basil enrolled in a public school in west Amman.³²⁷ Basil's family made recourse to *wasta* to secure access to a neighborhood with "good" public schools instead of the underperforming schools of eastern Amman, which have two shifts, to increase classroom space for Syrian refugees.³²⁸ A Circassian neighbor even dropped Basil at school every day on his way to work. Here, *wasta* presents itself in the guise of ethnic diasporic relationships in which Circassian-Syrian refugees position themselves in relation to Circassian-Jordanians and their ethnic organizations, wherein ethnic networks and neighborhoods allow access to spaces across the city. In other words, emplacing Circassian-Syrian refugees in Circassian quarters provides them not only with housing but also sanctuary in networks, in which access to ethnic associations and *wasta* connections grant access to various spaces across a new city – they may be houses, schools, charity associations, and clubs.

The owner of Basil's home is Rami Hinna, a retired Circassian-Jordanian in his mid-sixties who had moved to one of the more affluent neighborhoods of west Amman. When describing the abandonment of the house, Rami said:

I left my house in Jabal Al-Nathif in 1990. My father bought an apartment in Madina Munawara Street. He bought apartments for his two male sons next to him. My aunt and my cousin still live there. My cousin rented my house in Jabal Al Nathif for some time. Then the house was left empty. We do not rent to *ghorob* (strangers).

I asked how the house came to be rented to Basil's family.

My cousin works at CCA. He called to ask if I was willing to rent the house to Circassians from *al-Sham* (Damascus in common parlance). Within a week, the Syrian family moved in. They rented the house for 200 JD a month for nearly five years.³²⁹

While the house was abandoned and given rent-free to refugees, as was the case with Zahra, this situation is distinct in terms of the limitations and formality of the rental arrangement. First, prescribing rental to ethnic kin, not to "strangers." Second, providing housing through formal rental agreements between homeowners and charity organizations, not informal arrangements between relatives. As such, the formal responses of CCA can be used as a means to map the Ottoman Circassian refugee field in Jordan, and possibly the Levant.

In our next meeting, Rami took me to the house, which sat on a separate plot of land in a villa-like manner, surrounded by a yard, enclosed by a fence that opens onto an orchard. One could enter the house through stairs that connect to a portico. The portico opened through a set of doors

³²⁷ *Wasta* is an Arabic term that loosely translates to middle person, go-betweens, intermediaries, a commonly accepted cultural norm in Arab countries including Jordan. It is also a term that has come to be equated with favoritism and corruption. For the anthropological perspective on *wasta* in the Arab Middle east see, Helen Lackne 2016. For *wasta* in the context of Iraqi displacement in Syria see, Zaman 2014.

³²⁸ Kubow, "Systems of Social Identity."

³²⁹ Author's interview with Rami Hinna, July 2019.

on two spaces, the guest room, and the family spaces. The family door led to the central hall of the house (*sala*), which opened onto a long corridor axis and a staircase. On one side of this narrow corridor, two bedrooms and a large bathroom are flanked. On the other side, a stairway and a storage space, and the kitchen at the back. Unlike Zahra's house earlier, visitors can access the guest room without passing through or seeing the family spaces. In this architectural arrangement, Basil's family could fulfill hospitality duties. For instance, Basil told me how, when his grandmother died, they hosted the men's ceremony in the guest room. Then, warmly remembered how a Circassian neighbor hosted the women's ceremony for the whole three days (typically, Muslims and Christians in the region receive condolences in distinct places for men and women for two to three days). While walking through the Circassian quarter, I also noticed the proverb "Do not hurt your neighbors" sprayed on a house's fence.

Shifting our gaze towards the experiences of those refugees whose ethnic diasporic ties and kin networks have constituted a key role in their access to housing moves us beyond a material understanding of the house and towards a relational understanding of the home as personal, familial, neighborly, and social. One way this relational emplacement is achieved is through ethnic affinity groups; they help newcomers by providing access to housing, jobs, education, and organized donations. Relational aspects of homemaking lie at the heart of what Zaman calls "emplacement strategies."³³⁰ In his work on Iraqi refugees in Damascus, Zaman draws attention to the idea that homes are more than merely a habitat or shelter; homes are relational spaces that move refugees from being "out of place" to becoming "in place." For instance, Basil told me that although the CCA fully furnished the house, his mother had made the place feel like home by hanging handmade curtains, sewing cushion covers, and planting pots. The house that the CCA rented for Basil's family is one such relational space in which socio-cultural practices – such as hosting guests, attending to neighbors' needs, especially in times of death – and I would add architectural expressions – such as maintenance of houses, gardening, graffiti of neighborly proverbs on walls – "emplace" refugees in a new city: not any refugees, and not in any part of the city, but diasporic kin in ethnic quarters.

Today, Rami's house stands abandoned next to his grandfather's 1930s three-bay type villa, parts of which stand in ruin (see Figure 4-8).³³¹ While walking through the *Bustan* (Arabic for orchard

³³⁰ Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 101; 150

³³¹ The three-bay type house is a domestic type that originated in Mount Lebanon in the nineteenth century – used by Druzes, Christians, and Muslims alike. Whereas three-bay 'prestige' in Lebanon was a rural phenomenon, in Palestine and Transjordan, the three-bay house was an urban one, typical of the wealthy urban elite. Of course, the three-bay type is not the product of the circumstances of Mount Lebanon in the 1860s alone but can be traced back to the Byzantine era and then through diffusion processes across the eastern and western parts of the Mediterranean. As architectural historians have pointed out, the Lebanese three-bay type has three analogous yet distinct ancestors: the Syrian *imam* house, the Turkish *sofa* house, and the Italian *sala* house. Between the 1920s and 1950s, Ammanis – a rich and interwoven human tapestry of Arabs and non-Arabs, Muslims, and non-Muslims – merged the already hybridized Levantine three-bay house with modern models of building and western conceptions of domestic space into a new dynamic composition – what Rami Daher calls a "domesticated modernity. For more see, Friedrich Ragette, *Architecture in Lebanon*. For the diffusion of the Lebanese model in the interior towns of Palestine see, Meyer-Brodnitz and Fuchs, "The Emergence of the Central Hall. House Type in 19th Century Palestine."; Daher, "Understanding Cultural Change and Urban Transformations."

or garden), Rami compared life in Jabal Al-Nathif to life in west Amman, recalling an abundant environment that turned strange. He told me about his happy upbringing in the Bustan and, then, about his decision to move out when the neighborhood's character began to change, to feel "strange"—no longer a middle-class Circassian quarter but "overcrowded" with Palestinian refugees and later migrant arrivals. As discussed earlier in this chapter, Circassians began moving out in the 1970s, with the encroachment of the Palestinian camp. Rami said that since then, he rented the house twice, once to a distant Circassian cousin and then to the CCA; at other times, it had been left empty. He did not rent outside of his ethnic kin. The complexity of ethnic and sectarian differences in the Arab region goes beyond the scope of this chapter, and much has been written elsewhere, but I want to underscore that while an ethos of solidarity continues to shape attitudes towards refugees and neighbors, in this case it is attached to membership in an ethnic group.³³² In other words, it is not a cosmopolitan ethos. What this refugee sanctuary story entails is the convergence of transnational networks of ethnic kin, an ethnic group's ability to establish and maintain a cohesive identity, and people's mobility across the city—enabling an organized project of sanctuary for Circassian-Syrian refugees in Jordan.

In 2017, Basil's parents moved back to Damascus, while Basil stayed to finish his undergraduate studies. He moved out of Rami's house to a smaller apartment nearby—his parents insisted that he stay in the Circassian quarter. Basil took four of his mother's pots and gave the rest away to Circassian neighbors. They became part of the next part of this chapter: objects that move between neighbors and kin as they furnish empty houses.

³³² See for example Ussama Makdisi's important work on sectarianism and coexistence. Makdisi, *The Culture of Sectarianism*; Makdisi, *Age of Coexistence*.



Figure 4-5: Villa given to a Syrian-Circassian family for around five years. Today, the villa is abandoned again. Photograph by author, 2019.

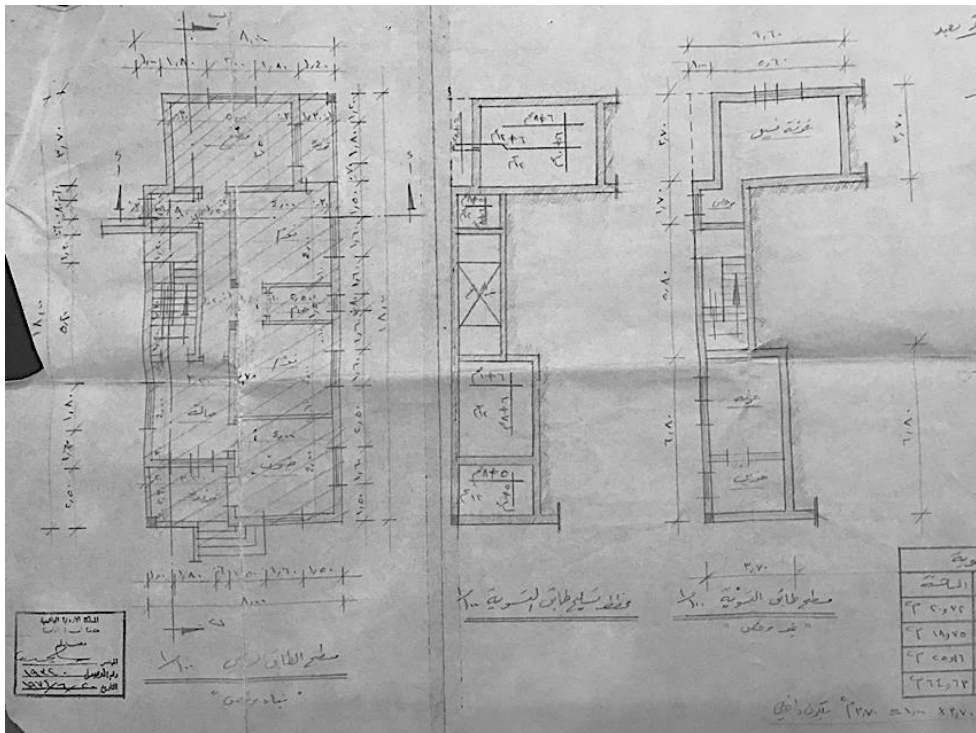


Figure 4-6: Villa Plan. Photograph by author, 2019.



Figure 4-7. The Circassian quarter. The writing on the wall reads: "Do not hurt your neighbors." The Hinna family Orchard and Houses can be seen on the right. Photograph by author, 2019.



Figure 4-8. 1930s Three-Bay House in the Circassian Quarter. Today, the villa is abandoned. Photograph by author, 2019.

Neighborhood Objects: An Aesthetic and Politics of the Unfinished

On my visits to Syrian families in Jabal al-Nathif, many interlocutors told me about furniture that moved between neighbors and kin. While showing me around, Syrian women would tell me the source of each household object, mostly from next-door neighbors. One day when I was sitting in a Syrian woman's living room, her relative, who was also her next-door neighbor, asked me to join her at her apartment. The invitation had come up towards the end of a long conversation about the war in Syria and the poverty that had colored their lives since. She showed me the place, telling me about a striped, grey sofa that neighbors had given her and how hanging a sheer voile curtain had made the space feel like a living room (see Figure 4-10). Her tour echoed Basil's earlier remark about his mother's handmade curtains, cushions, and gardening pots making the house a home. The woman later told me that her next home project was to get a carpet for the living room and repair the water leakage in a bedroom wall. She also took much pride in refurbishing a neighbor's TV stand into kitchen cabinet. Listening to her home décor choices, I was also reminded of my interviews with Zahra, who also took pride in how her husband refurbished a broken cupboard into kitchen cabinets and repaired an armoire that Palestinian neighbors had given her. Their aesthetic of repairs, refurbishing, and décor additions demonstrate the vital role of neighborly relations in homemaking practices and duties pertaining to neighborhood and neighborliness.

The entitlements available to a Syrian refugee in Jordan are composed of legal, social, and cultural resources, and as we will in this section access to neighborly resources. Zaman suggests that a right to neighborhood guided solidarity towards Iraqi refugees in Damascus; pointing out that an open Islamic tradition toward migration in which entitlement to the neighborhood and city is contingent on residency (*jus domicilii*) rather than birthright (*jus sanguinis*) continues to be inscribed in the social and cultural practices of people in the Arab Middle East.³³³ Such locational relations to neighbors echo Michelle Lokot's observation that neighborly ties became safer than familial ones for Syrian refugees in Jordan.³³⁴ To paraphrase Zaman: displacement is not only about loss but also about "emplacement," a process by which Arab and Muslim traditions of neighboring (*mujawara*) enable a relational project of homemaking.³³⁵ From an architecture and aesthetic perspective, I add that houses furnished with neighborly objects push us to consider the role of neighborly relations in

³³³ Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 27; 188. He draws here on Zygmunt Bauman's proposition that cognition plays a fundamental role in the production of social space, observing that social space is constructed through a knowledge of proximity. The knowledge of the other is charted along a continuum at which one end can be found anonymity, and, at the other, intimacy. Strangers are therefore those of whom we have little knowledge. Zygmunt Bauman, Bauman as discussed in Zaman, *Islamic Traditions of Refuge in the Crises of Iraq and Syria*: 146-148; Bauman, *Postmodern Ethics*. See also, Tahir Zaman, "Jiwār: From a Right of Neighbourliness to a Right to Neighbourhood for Refugees."

³³⁴ Michelle Lokot, "Blood Doesn't Become Water? Syrian Social Relations during Displacement."

³³⁵ It should be noted, however, that Zaman argues that the conflict in Syria can be read retrospectively as a case where the right to neighborhood had been eroded by decades of subjection to an insidious politics of entrenched sectarianism. Zaman, "Jiwār: From a Right of Neighbourliness to a Right to Neighbourhood for Refugees." See also; Rosenthal, "The Stranger in Medieval Islam."

turning migration to unknown places into a familiar space in which homemaking is possible. Here, neighborly relationships rather than financial capital contribute to an experience of domesticity – furnishing, décor, and interior aesthetic – in which houses, neighborhoods, cities, and nation-states can be domesticated. And, in the case of the house, translated into a home.

In the field of aesthetic studies, however, there is a long tradition that maintains that the poor have no aesthetic perception because they focus only on need, what Bourdieu calls the “choice of the necessary.”³³⁶ The dialogues above and many other interviews with Syrians about their home décor demonstrate that they do not view furniture given by neighbors as a function of necessity, but rather as unfinished objects, open to adaptation, a code I call an “aesthetic of the unfinished.” For some, refurbishing such objects was a source of much pride; for others, these small additions would make a space feel like home; others would choose to deliberately leave their homes in an undecorated transitory aesthetic. In contrast to the way in which refugees are forced to perform “suffering,” so they could qualify for humanitarian assistance, these Syrian refugees did not perform destitution.³³⁷ For many, these neighborly objects filled emptiness—not only empty houses but also the voids left by host states and humanitarian organizations. In 2017, due to the protracted nature of the Syrian crisis and reduced donor funding, approximately 6,000 cases in Jordan were defined as having potential for “self-sustainability” and rotated off cash assistance.³³⁸ Several Syrian families I interviewed in Jabal Al-Nathif reported that, based on their housing conditions, they did not qualify for cash assistance or rental support. Humanitarian categories such as “self-sustainable” or “self-settled” push aside is the way mutual support between different groups of refugees makes the process of homemaking possible. In such a social context, the neighborhood is a social place wherein citizens and non-citizens alike are recognized as neighbors, not just case numbers. Here, the perception of unfinishedness, a perception that in this case enables homemaking, is distinct from the temporary protected status of a refugee outside of their home country and the unfinished war in Syria. This distinction is key.

The neighborly objects that arrive in refugees’ homes through generosity also provide a contrast to objects that remind them of their precarious situation. In one of our many meetings, Zahra opened the bottom drawer of a chest. Inside the drawer was a strange assortment of personal valuables, she pulled out a stack of photographs to tell me about decorative objects – vases, bowls, accessories, and tablecloths – that she made to decorate her house in Damascus, to gift to family and friends, or to display in exhibitions (see Figure 4-9). Then, on her smartphone, she showed me some fifty handmade pieces, some crochet, some embroidered, others sewed with beads that she sells to make rent. At this point, she opened another drawer to take out some of these handmade pieces. I

³³⁶ As discussed in Caldeira, *City of Walls*: 68. See also, Bourdieu, *Distinction*.

³³⁷ In her work on humanitarian house-visits to Syrian refugees in Jordan, anthropologist Ann-Christin Wagner argues that refugees are forced to perform “suffering,” so they could qualify for humanitarian assistance, and their cultural and religion obligation to be generous towards guests, particularly revealing. Wagner, “Giving Aid Inside the Home.”

³³⁸ UNHCR, “Cash Assistance: Protecting the Most Fragile and Supporting Resilience,” Post Distribution Monitoring Report 2017

began to notice how the armoire and shelves of her house in Muhammad Amin Camp were left undecorated, the sole exception being Islamic décor (Allah engravings). When I asked why she no longer decorates her house with handmade items, she said the following:

“Here (in Jordan), I make pieces for money. In Syria, I never sold pieces; I made them for my own pleasure.”

I asked her to describe her work conditions.

“I work on the pieces in my bedroom. I can see better here (the bedroom) because of the window. Some employers pay well. Others pay very little. I do not make enough to cover rent.”³³⁹

Zahra works for local organizations that hire women in poor, marginalized neighborhoods. To describe her work conditions further, Zahra showed me the image of a phone cover next to 1-1/2 Jordanian dinars (equivalent to 2 Dollars and 12 cents).³⁴⁰ She used the photo on her smartphone to tell me about the exploitation of working on tiny stitches for twelve consecutive hours to get paid so little, saying, “this piecework has no *rahma* (mercy), paying less than ten *qirsh* (piaster) per hour,” going on to say, “as soon as I finish, the piece is no longer mine.”

But *rahma* is not just mercy. The Arabic noun *rahma* stems from the root *r-h-m*, of which the Arabic word *rahm* (womb) springs, directing us to non-desirous and nurturing forms of care and figuratively the bonds that tie families together.³⁴¹ To further understand the close connection between mercy and the organ of the womb, one can turn to a sacred hadith considered the word of God: “I am *al-Rahman* (merciful) and created the *rahm* (uterus) – And I named it after Me.”³⁴² In Zahra’s everyday critique of overexploitation, objects have mercy, and mercy is calculable. In such logic, the handmade object becomes an agent of alienation. As opposed to the hospitality of the womb, an organ that hosts, the exploitation of labor lacks mercy. Therefore, in Amman’s landscape of women empowerment organization, Zahra is exiled from pieces she loved to make in Syria. This alienation paralyzes her from decorating her house in Muhammad Amin Camp. Here, the handmade object and the undecorated armoire reveal how exploitative labor is constitutive of an unfinished

³³⁹ Interview excerpt: August 2019.

³⁴⁰ Conversion rate, July 2020.

³⁴¹ In *Hospitality and Islam*, Islamic studies scholar Mona Siddiqui shows how, in Islamic thought, the overarching narratives of justice (*‘adl*) and mercy (*rahma*) emerge as the basis for a moral thinking towards others. She also points out that *al-Rahman*, the Merciful, is the most repeated of the divine titles, and that it derives from the same root as *rahm* or womb. In one couplet, Jalāl ad-Dīn Mohammad Rūmī draws attention to both God and mother as refuges for humanity and the child respectively (as referenced in Siddiqui, *Hospitality and Islam*: 205):

Like a child that dies on its mother’s lap

So will I die on the lap of Mercy

³⁴² The *Hadeeth qudsi* continues, “I have drawn close one who has drawn it close and have cut off one who has cut it off.” (Ahmad, who deemed its chain sound, and others)

aesthetic experience, a home still waiting to be decorated.³⁴³ But object alienation is not totalizing. Zahra sent one of her pieces to her son, a blue thread basket that she describes as merciful (i.e., it was not exploitative). Today, the blue basket decorates her son's apartment in Germany.

Of course, neighborly objects have politics too. They move not only in physical space but also on social networking apps. Aware of women's labor exploitation in Jabal Al-Nathif, as soon as Zahra finished the phone cover, she took a picture of the phone cover side-by-side to the 1-1/2 Jordanian dinars she made. She then circulated the image via WhatsApp to her friends and neighbors. The photo alerts of possible exploitation while at the same time articulating an act of *rahma* on the bodies of other women who do piece work (see Figure 4-11). From the space in-between the hospitality of the neighborhood and the inhospitality of exploitative labor, Zahra found a willingness to imagine, articulate and live relationships that are more hospitable to one another. While the phone case is alienated from all forms of affective energies, the circulation of the image is recharged with affective and spiritual energy.³⁴⁴

Images of exploitation embody an openness to change and contingency, as do houses furnished with objects by neighbors of which *hijra*, traditions of neighborliness, community-level responses to refugees are constitutive. In such a social and cultural context, objects and images do not operate on a model of exchange (service for money), but rather circulate in networks of giving, accumulating meaningful, fluid, intimate relationships, charged with multifarious responsiveness and bonds of solidarity with the neighbor – the next-door neighbor and the Syrian border neighbor.

³⁴³ For more on the aesthetics of homemaking, see Miller, *Home Possessions*; Clarke, "The Aesthetics of Social Aspiration."

³⁴⁴ Islamic studies scholar Mona Siddiqui also points to a relational understanding of hospitality and solidarity, proposing that they involve making space for others in the consciousness Siddiqui, *Hospitality and Islam*: 218.



Figure 4-9: Handmade decorative objects made by Zahra in her homes in Damascus and Amman. Courtesy of my interlocutor's personal archives. Photograph by author, 2019.



Figure 4-10: Furniture objects given to Syrian women from Palestinian neighbors. Photographs by author, 2019.



Figure 4-11: Mobile cover embroidered for 12 consecutive hours and only received 1 Dine and a half. This photo was taken as evidence of exploitation. Photography by author, 2019

Conclusion: Formations of Sanctuary

My ethnography of refugee-to-refugee sanctuary has revealed the persistence of spatial practices that draw on the Islamic history of *hijra*, Islamic tribal and Arabian customs of hospitality, neighboring and solidarity, and the ecumenical logic of the Ottoman suzerainty over the region.³⁴⁵ This follows the invocation of historian Ussama Makdisi, who asks us to ponder both the vulnerability and resilience of coexistence in the geopolitical context of the post-Ottoman Middle East. My account of the mobilization of the traditions and customs of *hijra* is not a rose-tinted manifesto, but also reveals the tensions and limits of sanctuary, hospitality, solidarity, and coexistence. Sanctuary is at times conditional limited to a certain ethnic group, yet a model of coexistence transcends the social and political reality on the ground. Within this context, abandoned houses, given for free and filled with neighborly objects, become witness to the persistence of Arab and Islamic traditions amid the growing role of international humanitarian protection. Such places and objects are more than just shelter; they are relational and ethical spaces in which lived traditions, past struggles are drawn on, referenced, reinterpreted, revived, and embodied.

What are some of the implications of tilting our gaze to community-level responses for thinking about processes of refugee settlement and refugee rights to housing, neighborhood, and migration? This chapter has illustrated that the actions of people and the spaces that refugees inhabit reveal important insights into complex, local, regional, and place-based processes of refugee settlement. The cases of Syrian refugees finding sanctuary in the abandoned houses of previous refugee groups illuminates the value of an architectural and urbanist lens to the study of refugees. The experiences of sanctuary illustrated in this chapter are capable of anchoring refugees in host communities precisely because they privilege refugees' lived, everyday experiences and their engagement with transnational family networks, re-calibrated as a spatial practice of sanctuary, over humanitarian shelter. The host communities' efforts are radically open, flexible, and provisional. The sanctuary they provide to refugees is not just "age-old" or "unchanging" Arab culture, as Orientalist representations would have it; they are constantly changing, enabling host communities comprised of earlier refugees to become active providers to newcomers. Although these formations reference Islamic traditions and rely on transnational solidarity between diasporic kin and Ottoman legacies of coexistence, they have produced new forms of refugee responses, new articulations of neighborliness, and new ways of being in society. Understanding this formation contextually also challenges universal, generic, and decontextualized forms of humanitarian shelter provision. In contrast to the humanitarian prototypes of the packaged tent and the prefabricated caravan, we rediscover varied types of dwellings for refugees and a rich socio-cultural formation of sanctuary.

³⁴⁵ Makdisi, *Age of Coexistence*: 201

CHAPTER 5

CONCLUSION

Most western ideas of refugee life are entangled with international humanitarianism. In this dissertation, I have challenged the discourses and epistemological assumptions about refugees by writing an alternative history of refugees in Jordan, one of the world's largest refugee host-states. I have argued that over the past 150 years, the spatial, legal, and socio-cultural responses to refugees in Jordan took various forms. These include Ottoman state-lands given as shelter to late-nineteenth-century Muslim European refugees; Palestinian camps that remain unrecognized by UNRWA (the UN body responsible for Palestinian refugees); and Arab and Islamic traditions of sanctuary as put into practice during the contemporary Syrian refugee crisis. I moved between different periods, places, people, and institutional settings, conceiving of my case study site, Jabal al-Nathif, as a "topological space" that transcends the boundedness of national borders, the physical limits of the neighborhood, and the temporal limits of the present.³⁴⁶ I have also argued that the spatial history of refugees is inherently multilayered and multiscalar, and that contemporary refugee settlements are interconnected with the cultural, architectural, and religious traditions of generations of people moving to and within the Levant.

This is not a simple story of the inclusion of refugees during the Ottoman imperial regime into their exclusion in Jordan's nationalist history. Instead, I have underscored complex histories of contestation and mutual adjustment, ethnic tension and coexistence, and the persistence of Arab and Islamic traditions across three different periods and governing regimes: the Ottoman empire, the British mandate, and the Hashemite nation-state. As I have shown in Chapters 2 and 3, the intertwined stories of Ottoman refugees, Bedouin tribes, and Palestinian refugees and their struggles over property are just one example of the struggles that unfolded over land, the built environment, and the status of refugee camps. And as I have shown in Chapter 4, refugee-to-refugee sanctuary in the wake of the 2011 Syrian war has revealed the persistence of spatial practices that draw on the Islamic history of *hijra* (migration), Islamic tribal and Arabian customs of hospitality, neighboring and solidarity, and the ecumenical logic of the Ottoman suzerainty over the region.³⁴⁷ In this

³⁴⁶ Ash Amin, "Re-thinking the Urban Social," *City* 11, no. 1 (April 1, 2007): 100–114, <https://doi.org/10.1080/13604810701200961>.

³⁴⁷ Makdisi, *Age of Coexistence*. 201.

dissertation, the spatial history of refuge is not understood as a chronological succession of past, present, and future; instead, it is described and analyzed as a simultaneity of various time spaces.

Temporality, Legal Pluralism, and Living Cultural Traditions

In everyday scenes and real-world situations, the temporalities of refugee regimes, property, and kinship shape refugees' lived spaces and experiences. Faced with such temporalities, this dissertation has attempted to challenge questions of linearity in refugee history. I have shown how multiple temporalities intersect with questions of dispossession, Ottoman and Jordanian laws, people's interactions with land and buildings, and national and transnational solidarity movements.

The official conception of "temporariness" has seldom been the only conception of space and time. On the grounds of different types of Palestinian refugee camps—official, unofficial, and contested—the contradictions of planning refugee camps over more than 70 years have come to fore. As I have shown in Chapter 2, the notion of temporariness in Palestinian camps is combined with a structural pressure on existence and permanence. In such cases, land is neither "temporarily" leased nor owned as private property but constitutes a paradoxical relationship in which claims to property seem to develop proportionally to the state's efforts to recognize "legal" claims to land and authorize Palestinian refugees' "non-legal" claims to the built environment of camps. Yet, at the same time, Bedouins and the descendants of Ottoman refugees have maintained legal control over land they registered over 150 years ago, and camp residents continue to cement the permanence of camps through continued construction and claims to property, using now illegal yet state-authorized Ottoman property documents.

In Chapter 3, I argued that World-Bank-funded rehabilitation projects of refugee camps and squatter settlements should not be understood solely through the lens of development. But rather as the entwined product of humanitarian aid, development aid, and the powerful hold that the trope of "informality" took within "Third World" urban rehabilitation projects. Concurrent with this is the Jordanian state's shift from recognizing contested Palestinian camps as refugee camps to deeming them "squatter settlements." In such projects, physical intervention in refugee camps was minimal because of the threat that Palestinian settlement (*tawteen*) posed to their right to return. While in so-called "squatter settlements," demolition was only possible because they were no longer considered refugee camps.

Furthermore, in the wake of the Syrian war, government and humanitarian officials have stressed that the permanent settlement of Syrian refugees in Jordan is out of the question. Institutional debates on Syrian refugee camps in the desert also took place in temporal terms. But, of course, with the deterioration of the civil uprising against the longtime rule of the Assads into a protracted civil war, such statements and debates are mere fictions of the "temporariness" of building camps for Syrian refugees. This dissertation has aimed to show how relationships and

interactions on the grounds of refugee resettlement projects were shaped by shifting conceptions of refugee temporality and historically sedimented understandings of property. And how land itself is an archive of refugee land tenure and how it has changed over time.

The temporalities of refugee regimes across the Ottoman empire, the Hashemite nation-state, and the UN-based humanitarian aid agencies featured legal changes in the definition of “refugee.” The Ottoman state’s conception of North Caucasus Muslim refugees fleeing Tsarist Russian expansion was one of permanent settlement. By contrast, the Jordanian state has always adopted the legal standpoint of regarding refugee camps as temporary settlement. The government shifted from viewing Palestinian refugees as Jordanian nationals with UNRWA ration cards who were provided shelter in “temporary” refugee camps across the country to viewing Syrian refugees as non-nationals with UNHCR “asylum seeker” certificates confined to “temporary” refugee camps in the desert border regions. This “temporary” conception of camps is reflected in temporary land rentals and the supposed temporariness of the built environment. For instance, efforts to emphasize the temporary character of Syrian refugee camps have been reflected in land tenure and architecture. In all three Syrian camps, to emphasize that Jordan is not a permanent settlement, shelters were built with zinc and steel and not with cement and concrete to emphasize their temporary status.

My research shows that the framing of legal pluralism or the “presence in a social field of more than one legal order” is more illuminating than abiding by arbitrary and ahistorical classifications such as “informal,” “squatter,” “illegal,” “self-built,” and “spontaneous.”³⁴⁸ Especially to consider the wide variety of land tenures and the range of property documents introduced in different historical periods and continue to have relevance today. In Chapter 3, I examine the afterlives of Ottoman *hujja* contracts and their contemporary use in contested Palestinian camps. The consistent production of now illegal *hujja* as instruments for all things concerned with property is one of the several ways Palestinian refugees fight the politics of dispossession and repossession in Jordan. Contrary to developmental projects that gloss over decades of constructing the category “squatter settlement,” I have argued that we need to look for camp histories in personal archives, peeling wall paint, bare bricks, surviving ceramic tiles, and governmental archives. Such empirical materials and architectural artifacts are portals to other spaces and historical moments.

In the final empirical chapter, I have underscored the persistence of spatial practices that draw on lived cultural traditions of Islamic *hijra*, tribal and Arabian customs of hospitality, neighboring, and solidarity amid the growing role of international humanitarian protection. I show how the descendants of North Caucasus refugees maintained their communities’ cohesion while achieving significant economic success and acting as providers and hosts for Syrian refugees of Circassian and Chechen descent, while Palestinian relatives and neighbors host Syrian refugees and give furniture to them. Such places and objects are more than just shelter; they are relational and ethical spaces in which lived traditions and past struggles become resources and are referenced,

³⁴⁸ Griffiths, “What Is Legal Pluralism?”

reinterpreted, revived, and embodied. However, the mobilization of the traditions and customs of *hijra* is not without issues; quite the reverse, it reveals the tensions and limits of sanctuary and hospitality, sometimes in relation to a particular ethnic group, at others limited to a certain period of time or a specific part of the house.

Avenues for Further Research

No comprehensive history of refugees in Jordan exists. The microhistories of Jabal al-Nathif and Muhammad Amin Camp, and the history of land tenure in Wihdat Camp, Mahatta Camp, and Syrian camps in the desert, involving Circassian, Chechen, Palestinian, and Syrian refugees, the Ottoman, British, and Jordanian governing regimes, UNRWA, UNHCR, is one piece of this wider history.

This focus, however, has produced gaps and silences. The first of these is the comparative dimensions of my research. As with any written text and its author, my work is limited.³⁴⁹ Further comparative work needs to be done about the practice of *hujja* use across Palestinian refugee camps in Jordan, Lebanon, Syria, and the Occupied Palestinian Territory, and perhaps even recent Syrian refugee camps. Another possibility would be to evaluate Palestinian refugee camps in the broader universe of cases where scholars have considered property relations where refugee, ‘informal’, and ‘marginalized’ communities live in plural legal settings, legally ambiguous spaces, and anarchic conditions around the world.³⁵⁰ Thus, situating a local problem in relation to global perspectives and analysis of migration, marginalization, inequality would open up potential new avenues for the comparative dimensions of the functioning of the law in Palestinian camps. In addition, more knowledge about the role of Islamic law in refugee camps across the Arab and Muslim worlds, especially *waqf* (charitable endowments at the service of the community), will provide important information about the facts of land use and rights asserted in Islamic law. Such comparative work will provide valuable counterpoints to my study of property disputes in Palestinian camps. It will provide a broader view of “gray sovereignty,” political claim-making, and how ordinary people define themselves as citizens, as well as a better understanding of the entailed power relations.

Another of these gaps is the transnational dimensions of Islamic traditions. My focus on acts of hospitality and sanctuary between relatives and ethnic kin spread across *Bilad al-Sham* is based on what I see as their significant role when Syrian refugees came to deciding the time, the place, and the destination of their migration. I do not pretend to be able to map the full scope of local community response to Syrian refugees in Jordan. More knowledge of individuals, organizations, and places, especially the wealthier neighborhoods of Amman that I have not been able to cover will provide

³⁴⁹ Santos argues: “Conversely, if orature, by inverting the dominant practices, were to bring its logic to bear on written texts and their authors, it would show the limits of the latter's rigor and thus contribute to de-monumentalizing them.” Santos, *The End of the Cognitive Empire*: 56-57

³⁵⁰ I would like to thank an anonymous reviewer at *Comparative Studies of South Asia, Africa and the Middle East* for this insightful comment.

useful insights into how over eighty percent of Syrian refugees in Jordan fulfill their housing needs outside of UN camps. On a more transnational and transhistorical level, comparative research of the Muslim tradition of *hijra* and Islamic ethical and legal traditions of asylum could provide new avenues of thoughts about how *hijra* has been put into practice in Muslim societies, states, and migrant groups such as, partition refugees (*muhajirs*) in South Asia, North African migrants, Iraqi and Sudanese refugees, and more.

A third gap that a focus micro-histories and first-person experiences has produced is a lack of empirical evaluations of the urban dimensions and more of a macro scale analysis of the impact of these refugee groups, their struggles over property and their solidarity and tensions over time. Further in-depth study is needed to investigate how aspects of refugee settlement happen in tandem with city growth, how refugees concentrate in urban areas over time, and the different dimensions of contemporary Syrian refugees' location choices at the urban/neighbourhood level and a statistical study of these patterns. Additionally, such analysis would be a fruitful avenues for further research on the role of the state and other forces like the political economy of migration at a macro level.

Fourth, while my positioning as a woman provided me access to Syrian and Palestinian women and my identity as a Jordanian of Bedouin Balqawi origin provided me access to government archives and certain ethnic groups, this dissertation's focus is not on gender, class, race, and ethnicity. An intersectional perspective can bring to the fore gendered experiences of home spaces and property relations and how such experiences illuminate the new roles of refugee women and how they negotiate complex social, economic, and religious issues. A women's perspective on socio-spatial relations will undoubtedly shed unique light on the power dynamics between men and women and how these changing power relations cannot be separated from questions of migration. A situated knowledge of gender relations and their spatial manifestations would also contribute toward a critique of grand narratives and totalitarian positions.

To identify refugees as one group is not only reductive (reality is messier and more unpredictable), but also threatens to paper over the intersecting challenges of race, nationality, religion. Therefore, in this dissertation I have examined Syrian refugees as connection to, not separate from, Palestinian and Ottoman refugees. Yet, there is opportunity for further intersectional study on land tenure and property that treat it not as an abstract system of exchange or an empty legal debate but as an embodiment of power, race, ethnicity, class, and gender relations. Such approaches will contribute to the understanding of the tensions between political changes, landowning classes, downward economic mobility, and the larger urban and architectural impacts of land disputes. While this dissertation briefly describes the events of Black September as referenced in the oral history of Circassian camp landowners, Palestinian revolutionary politics, and the role of Palestinian camps, Palestinian women, and Palestinian lives and bodies remain a crucial issue to be expanded on.

Finally, a focus on the emergence of a civilizational and racial discourse in the resettlement of North Caucasus Muslim refugees could contribute to recent global conversations on race in the study of the Ottoman Empire—not from the perspective of land conquering in a colonial framework but how it sits in a framework of Arab-Ottoman encounters, Bedouin sedentarization, religious identity, citizenship, and the multiple forms of control over land that precede Ottoman modernization and European colonialism. This would broaden the conversation about how racial and religious differences came to be reproduced and resisted in the registration of land and the building of houses in the late Ottoman state. Evolutionary thinking.

Implications for Refugee Resettlement Projects, Architecture Practice, and Education in the Arab and Muslim worlds

In the contemporary Arab and Muslim worlds, there are occupations, invasions, revolutions, civil wars, and proxy wars taking place in several countries. The war in Syria that led to the internal and external displacement of more than 11 million Syrians is still ongoing.³⁵¹ It seems very difficult to find solutions to the Syrian war and the later semi-sectarian clashes.³⁵² The 2003 US-led invasion of Iraq also led to the displacement of millions of Iraqis. The US presence in and later withdrawal from Afghanistan also caused significant displacement. Furthermore, North American right-wing politicians and European nationalists today see migrants of Middle Eastern wars as an existential threat to their homelands.

Excavating an alternative historical genealogy of refugee responses in the Middle East, one that moves beyond canonical histories of disaster relief that are dominated by narratives of UN intervention, might not provide solutions to these real-world problems, but it does reveal several issues that might have implications towards contemporary refugee resettlement projects and policies. First, it elucidates the repetitive nature of the conundrums once faced by imperial power and now faced by postcolonial ones, and how the notion of refugees and refugee shelter has changed in the contexts of imperialism, colonialism, postcolonialism, and neoliberalism.

Second, it shows how struggles are connected, foreshadowing the local links between the colonization of Palestine, the war in Syria, the invasions of Iraq and Afghanistan, and the broader economy of imperialism and war. This improves our understanding of global issues in local contexts with their own specificities and their own cultural and historical trajectory, in connection with architectural and urban processes and spaces. The shift away from canonical and presentist explanations that have been conditioned by the UN to an explanation that endeavors to take

³⁵¹ There are 5.5 million persons displaced outside of Syria and 6.2 million displaced within Syria, UNHCR, 2020.

³⁵² I use the term “semi-sectarian” after Christopher Phillips suggestion that, given the multiple other fault lines of contention, notably class, ideology and other non-sect, sub-state ties, the Syrian conflict is ‘semi-sectarian’. See, Phillips, Christopher. “Sectarianism and Conflict in Syria.” *Third World Quarterly* 36, no. 2 (February 1, 2015): 357–76. <https://doi.org/10.1080/01436597.2015.1015788>.

seriously alternative histories and cultures of refugee resettlement, shelter, and sanctuary, and references to Muslim traditions and the value of hospitality is a call to rethink the architectural discourse on refugees and the tendency among architecture and urban practitioners to design and plan for refugee shelter in the here and now, rendering earlier refugee settlement frozen in time and obsolete.³⁵³ Such alternative histories can, in turn, challenge the normative role of the contemporary architecture practitioner as a detached problem solver to situate spatial problems in lived experience and historical contexts. Added to this, it can inform the way we can teach the architectural history of refugees and the stories we tell about Arab and Muslim migrants and refugees.

Finally, excavating an alternative genealogy of refugee settlement tilts our gaze to community-level responses for thinking about processes of refugee settlement and refugee rights to housing, neighborhood, and migration. The cases of Syrian refugees finding sanctuary in the abandoned houses of previous refugee groups illuminates the ability of community-level practices to anchor refugees in host communities. The sanctuary they provide to refugees is not just “age-old” or “unchanging” Arab culture, as Orientalist representations would have it; they are constantly changing, enabling host communities comprised of earlier refugees to become active providers to newcomers. They privilege refugees’ lived experiences and their engagement with transnational family networks, over humanitarian shelter. Understanding these spatial practices contextually challenges the universal, generic, and decontextualized forms of humanitarian shelter provision. Identifying the spatial manifestations, urban typologies, and practices of informal and formal patterns of social cohesion could be successfully implemented by humanitarian and governmental refugee resettlement projects in parallel contexts across the world.

On a practical level, such theoretical investigations require us to consider their implications for architecture practice. Namely, how architecture is not aesthetic but dependent and contingent. It is difficult not to reach Jeremy Till’s conclusion that architecture as a profession and discipline “depends” on multiple external forces (people, events, processes). These upset the autonomous realm of architecture and the architect’s plan.³⁵⁴ Such an understanding brings the architect’s ethical duty to others and their role as an open-ended listener and interpreter of ordinary people’s visions and aims. Thus, challenging the voice of authority to come down and listen to the stories of others and the figure of the architect as an agent of hope. And a push away from the delusion that architectural forms and aesthetics alone can productively intervene in the social world.³⁵⁵ To do this, architects need to abandon the paradigm of problem-solving; instead focus on first-person experiences, microhistories, people’s everyday struggles, and claims over space. Such an open-ended

³⁵³ For an excellent essay on the temporality of human rights and humanitarianism see, Stefan-Ludwig Hoffmann, “Human Rights and History,” *Past & Present* 232, no. 1 (August 1, 2016): 279–310, <https://doi.org/10.1093/pastj/gtw013>.

³⁵⁴ Till writes “In its multiplicity, time presents diversity that architecture has to accept – the linear, the cyclical, the personal, the instant explosion of the event, the *longue durée* – and, in order to do that, has to relinquish its mythology of stability and strength.” Jeremy Till, *Architecture Depends* (MIT Press, 2009), 95.

³⁵⁵ *Ibid.*

approach to practice might help architects conceive of their interventions in refugee communities through a situated knowledge of lived experiences, history, culture, and a continuous negotiation and accommodation of difference.

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APPENDIX I.
TABLES, PHOTOS AND MAPS

Area	No. of Families, 1878-1908	Representative Family Names	Ethno-national Classifications	Tribal Affiliation
<i>Center of Amman</i>	109	Haghanduka, Shurdum, Shuqum	Circassian	Kabartay
Shabsough Neighborhood	53	Khorma, Khawaj, Khoshat	Circassian	Shabsough
Muhajirin Neighborhood	61	Wardam, Nashkho, Qazan	Circassian	Kabartay
<i>Village of Wadi al-Sir</i>	63	Majaj, Khot, Hababek	Circassian	Abzakh, Bjedug, Shabsough
<i>Village of Na'ur</i>	52	Abdoh, Boran, Hatqi	Circassian	Abzakh, Bjedugh, Shabsough
<i>Village of Suweileh</i>	41	Babuq, Nasib, Khoran	Circassian	Kabartay
<i>Village of al- Rusaiifa</i>	25	Taf, Lostan, Zarmuk	Circassian	Kabartay

Figure 5-1. Circassian families in Amman (1878-1908). Source: Marwan D. Hanania, "From Colony to Capital: A Socio-Economic and Political History of Amman, 1878-1958" (Ph.D. Dissertation, Stanford University, 2011)



Figure 5-2. Circassians in Amman, 1914. Source: History of Jordan Photo Collection, <https://www.historyofjordan.com/jordan2/jh/collection1.php?id=75&page=13880>



Figure 5-3. Circassian agricultural village in Wadi al-Sir, 1905. Source: Bernhard Moritz, *Ostjordanland Tsberkessenkolonie in Wâdi Šîr. 1905* (East Transjordan : Circassian Colony in Wadi al-Sir. 1905), Berlin: Dietrich Riemer 1916, 1 photograph; photomechanical print, Berlin: Dietrich Riemer 1916, Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA, <https://www.loc.gov/pictures/item/2014648724/>.

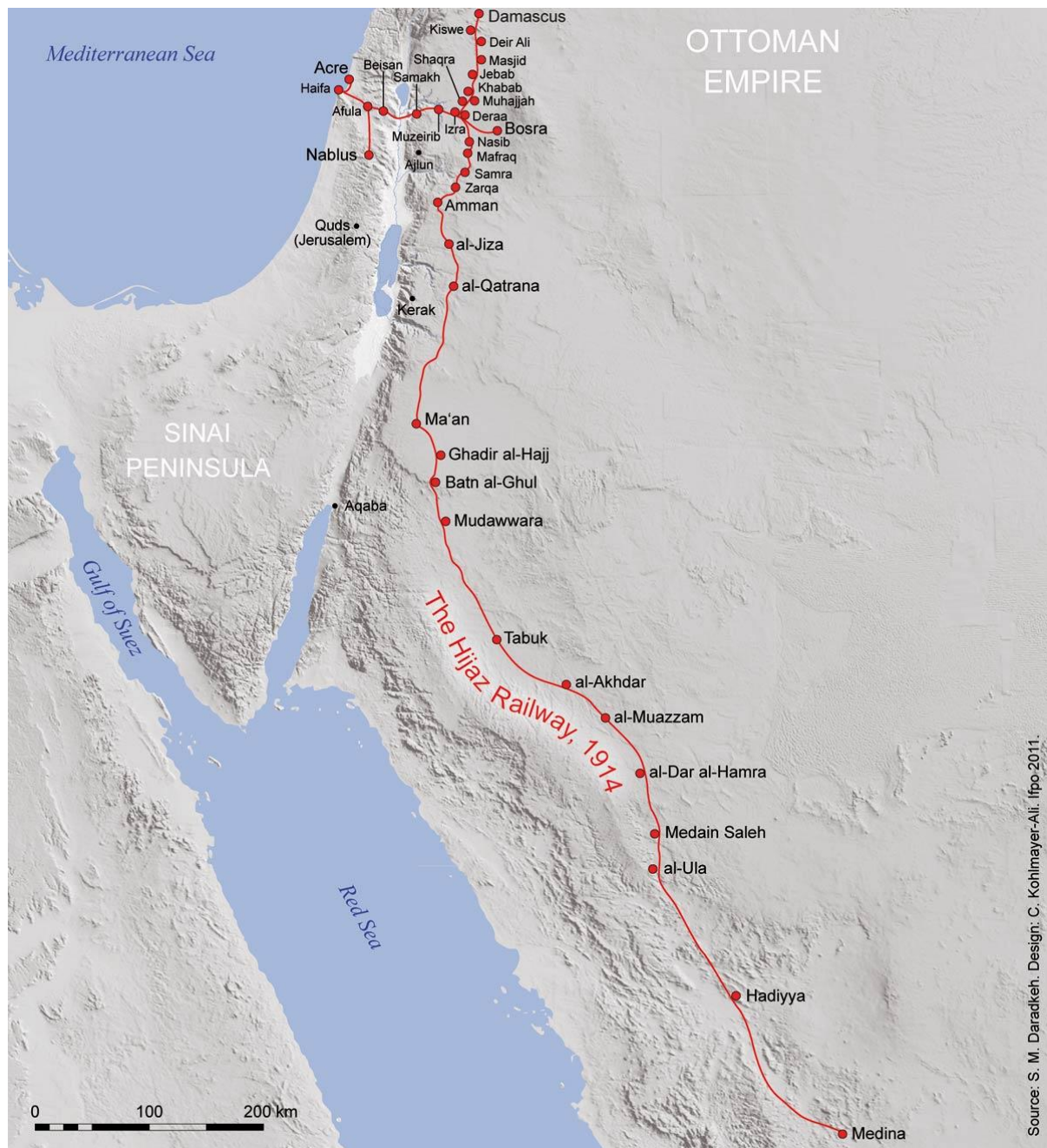


Figure 5-6. Hijaz Railway, 1914. Source: Ababsa, Myriam. *Atlas of Jordan: History, Territories and Society*. Presses de l'Ifpo, 2014, 20.

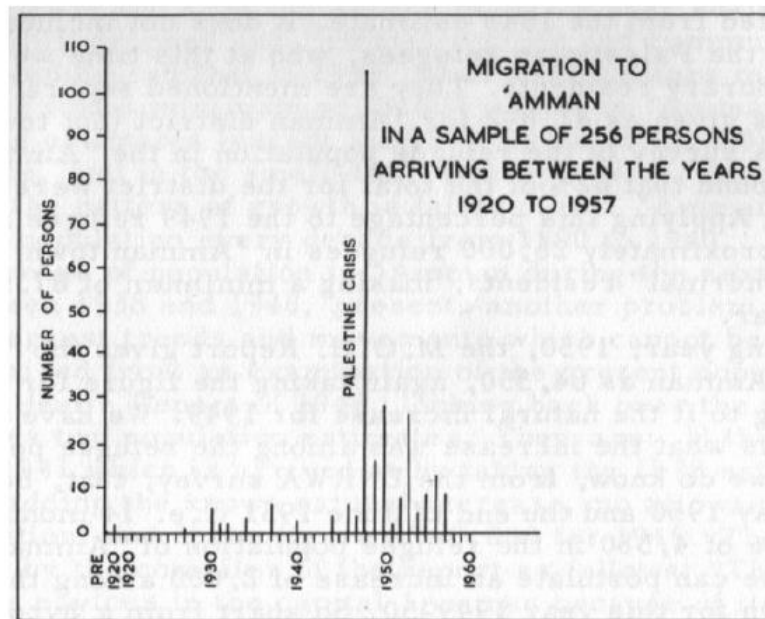


Figure 5-7. Migration to Amman, 1920-1957. Source: Hacker, Jane M. *Modern Amman: A Social Study*. Durham: University of Durham, Department of Geography, 1960.



Figure 5-8. Baqa'a camp, Jordan, 1969, George Nehmeh, UNRWA Archive. Source: <https://www.paljourneys.org/en/timeline/highlight/22473/evolving-infrastructure-palestinian-refugee-camps>



Figure 5-9. Talbich camp, Jordan, 1983, Munir Nasser, UNRWA Archive. Source: <https://www.paljourneys.org/en/timeline/highlight/22473/evolving-infrastructure-palestinian-refugee-camps>



Figure 5-10. Za'atari Camp in Desert Lands, Jordan, 2018. Photo by author.



Figure 5-11. Azraq Camp in Desert Lands, Jordan, 2018. Photo by author.



Figure 5-12. Caravan in Azraq Camp in Desert Lands, Jordan, 2018. Photo by author.

APPENDIX II.

INTERVIEWS

Interview I: Urban Refugees (English Version)

The questions in this semi-structured interview instrument are meant as guides and they are all open ended. Re-formulating the question might be required during the interview process in order to make the question clear and to ensure that study participant understands what is being asked. The interview is expected to last anywhere from 30 to 90 minutes.

Note to study participants before beginning the interview: During this interview, please refrain from revealing the identity or information of other individuals.

Questions:

1. Tell me about how you got to live in this area. You can be as specific as you want, but I want you to focus on your reaction when you first arrived here.
2. Where did you live before coming to this place?
3. Who did you live with before coming to this place?
4. Why did you leave the place where you used to live before coming to this place?
5. What were you expecting to find in terms of a community when you first moved here?
6. What did you think of your house when you first got to this place?

7. Describe your community in this area. You can be as specific as you want, but remember to refrain from identifying other individuals.
8. Tell me about your experience living in this area. What are some things you like about it and some things you dislike? What would you change about it? You can be as specific as you want.
9. What do you like about this place?
10. How have you changed your house?
11. Among the things you want to change in this place, which one is the one you would change first if you had the chance? Why?
12. Are there things in this area that you think need to change immediately? If so, what are they?
13. Tell me about the larger community in this area. What are some good things that you notice that affect you and your family directly?
14. What are some things about living in this area that you think make your life easier and more amenable?
15. What are some of the problems that affect you and your family? How do these problems affect your daily life?

Interview II: Urban Refugee-Hosts (English Version)

The questions in this semi-structured interview instrument are meant as guides and they are all open ended. Re-formulating the question might be required during the interview process in order to make the question clear and to ensure that study participant understands what is being asked. The interview is expected to last anywhere from 30 to 90 minutes.

Note to study participants before beginning the interview: During this interview, please refrain from revealing the identity or information of other individuals.

Questions:

1. Tell me about how you got to live in this area. You can be as specific as you want, but I want you to focus on your reaction when you first arrived here.
2. Where did you live before coming to this place?
3. Who did you live with before coming to this place?
4. Why did you leave the place where you used to live before coming to this place?
5. What were you expecting to find in terms of a community when you first moved here?
6. What did you think of your house when you first got to this place?
7. Have you ever hosted a refugee in your home for a long time?
8. For how long?
9. Where did they come from?

10. How did you host them?
11. Where are they now?
12. Tell me about the larger community in this area. What are some good things that you notice that affect you and your family directly? What has changed over the past years?
13. What are some things about living in this mukhayyam that you think make your life easier and more amenable?
14. What are some of the problems that affect you and your family? How do these problems affect your daily life?
15. Describe your community in this camp. You can be as specific as you want, but remember to refrain from identifying other individuals.

Interview III: Humanitarian Worker (English Version)

The questions in this semi-structured interview instrument are meant as guides and they are all open ended. Re-formulating the question might be required during the interview process in order to make the question clear and to ensure that study participant understands what is being asked. The interview is expected to last anywhere from 30 to 90 minutes.

Questions:

1. When did you begin to work for this organizations? You can be as specific as you want, but I want you to focus on your reaction when you first arrived here.
2. How did you begin to work for this organization?
3. What motivated you?
4. What is are the current projects you work on? You can be as specific as you want, but I want you to focus on your experience in projects you are working on.
5. For how long have you been working on this project?
6. What are the shelter design projects that your organization works on?
7. Could you tell me how the design and project management of shelter design projects?
8. What is the main design focus?
9. How many organizations work on this project?

10. What is the design and implementation process like?
11. How many people work on this project?
12. Could you tell me about a typical day for you as an employee in this organization? You can be as specific as you want, but I want you to focus on your reaction when you first arrived here.
13. Could you tell me about the process of working with refugees and migrants?
14. Now that it's been around 6 years since the opening of Zaatari, how does this organization work between emergency or immediate needs and future development of the camp?
15. How many refugees still come in?
16. What is the average stay of a refugee?

Interview IV: Circassian Charity Association (English Version)

Interview with Eng. Ibrahim Varouqa, Chairman of Circassian Charity Association and Name, Treasurer of Circassian Charity Association

Date: July 16th, 2019

Location: Circassian Charity Association, 7th Circle, Amman

Questions:

1. Can you tell me about yourself? Your work in the association?
2. Can you tell me about the history of the association? And the type of work it does?
3. How has the association responded to the Syrian refugee crisis?
4. Is there a special committee responsible for these tasks?
5. How many houses were provided to Syrian-Circassian refugees?
6. How did you reach them?

7. Who are the houses owned by? In what areas are they located?
8. A Circassian told me, “We left no Circassian-Syrian in the camps.” Do you think that is accurate? Why do think they is this feeling?
9. Donations? Furniture? How were they acquired?

Interview V: Department Of Palestinian Affairs (Arabic Version)

Interview with Eng. Rafiq Khirfan, Director of Department of Palestinian Affairs

Location: Department of Palestinian Affairs, Jubeiha, Amman

مقدمة

مساء الخير عطوفتك

شكراً إنك أعطيتنا من وقتك

ما راح أزعجك وأخذ من وقتك كثير أن عرفت مشاغلك

بدي ا طرح عليك بعد الأسئلة عشان استفيد من معلوماتكم

المعلومات غايتها رسالة دكتوراه في تاريخ العمارة في جامعة بركلي

وهذا العمل ان شاء الله يكون مفيد

وهذه الرسالة الغاية منها نشر مقالات أكاديمية تفيد الأردن من خلال تقديم بحث يقدم تاريخ حول حسن استضافة الأردن للاجئين العرب

دائرة الشؤون الفلسطينية

متى تم تأسيس دائرة الشؤون الفلسطينية؟

ما هي المخيمات الخاضعة لإدارة الدائرة؟ (الامير حسن، السخنة، مأدبا)

هل القاطنين في المخيمات الخاضعة لإدارة الدائرة حاصلين على جوازات السفر الأردنية أم يحصلون على هوية أو إثبات شخصيات من نوع معين؟ ممكن تشرح لي عنهم؟

ما هو الفرق بين مخيمات الدائرة الشؤون الفلسطينية والمخيمات الخاضعة لإدارة الامم المتحدة (الاونروا)؟

ما هي المعايير المعتمدة لاعتراف بالمخيم كمخيم لاجئين؟

هل تعتمد أسس تنظيم المخيمات على مصادر التمويل من الأمم المتحدة أو الحكومات الأردنية؟

سؤال ممكن يكون بسيط نوعاً ما، لماذا دائرة الشؤون الفلسطينية تحت وزارة الخارجية ومفوضية شؤون اللاجئين السوريين تحت وزارة الداخلية؟

البناء/ الأراضي

في مخيمات الدائرة، هل تم اختيار الارضي ثم بناء إعطاء ملاجئ أو بناء مساكن للاجئين أم بدأ البناء عشوائيا ومن ثم، بناء على استقرار مجموعات من اللاجئين، تم حصر هذه التجمعات؟

هل تم اصدار رخص لبناء البيوت السكنية؟ وهل صدر من الادارة اسس تنظيمية للمخيمات؟

متى تم توصيل الكهرباء والماء؟

هل تم تخصيص اراضي معينة للمخيمات؟

هل الاراضي التي بني عليها المخيمات اراضي اميرية ام كانت الاراضي ملكية خاصة وتم استمالتها او استأجرها؟

هل يملك قاطنين مخيمات الدائرة بيوتهم؟

المخيمات العشوائية

هل تعترف الدائرة بجميع المخيمات الموجودة في الاردن وما هو وضع المخيمات الغير منظمة وما يعرف بالعشوائيات؟ وانت ادرا بهذه المخيمات (القاطنين وأصحاب الأراضي هيك بسموها) وطبعاً، مثال على ذلك مخيم المحطة، مخيم محمد أمين في جبل النظيف.

ما هي الأسباب التي تغير صفة مخيم من مخيم إلى تصنيفه كعشوائية؟ مثال ما يعرف بمخيم محمد أمين في جبل النظيف، ذكر ببعض

المصادر والدراسات الاكاديمية بانه في السجلات المحفوظة في دائرة الشؤون الفلسطينية أن مخيم محمد أمين كان مصنف وموثق كمخيم في الخمسينيات، ومن ثم في التسعينات صنف كعشوائه أو "informal settlement" من قبل المؤسسة العامة للإسكان والتطوير الحضري لغاية مشاريع التطوير الحضري

نهاية

في أي شيء تحب تصنيفه أو تفيدنا فيه بالنسبة لا هي الدراسة؟

Interview VI: Attorneys (Arabic Version)

لمن ارض التي يوجد عليها ارض المحطة؟

هل المحطة مخيم رسمي؟

كم مساحة الأرض؟

متى بدء اللاجئين بسكن الأرض؟

هل تعلم منذ متى العائلة تملك الارض ومن من تم شراء الارض؟

هل تم استئجار الارض من قبل من، الحكومة ام ال PUNRWA؟

كم مدة الاجار؟ وكم هي قيمة الاجار؟

هل يوجد اي إجراءات حاليًا؟

كيف يتم الدفع؟

اسال عن مخيم جبل الحسين ومخيم الوحدات.

APPENDIX III.

QUESTIONNAIRES**Questionnaire: Homeownership (English Version)**

Case Study: Muhammad Amin Camp, Jabal al-Nathif, Amman

Questions:

1. How long have you lived in Muhammad Amin Camp?

If the answer is a short time, ask:

Where did you live before coming here?

If the answer is a long time, ask:

When did your parents move here?

2. How many people live in your household?
3. Do you live in a separate apartment?
4. Do members of your family live in the same building?
5. How many apartments are in your building?
6. Do you know when this building was first built?
7. Do you own your house?

If the answer is YES, ask:

Do you use a hujja?

If the answer is YES, ask:

What do you use the hujja for? (Examples: buy and sell the house, inheritance etc.)

How many hujjaj does your family have?

Are they handwritten?

If the answer is NO, ask:

What do you use to prove ownership, buy and sell, or inherit?

8. Do you own the land on which your house is built?

If the answer is YES, ask:

What do you use to prove this?

If the answer is NO, ask:

Who owns the land?

9. Do you have water and electricity meters?

If the answer is YES:

Who installed them for you?

Did you submit an application to the water company or the electricity company?

What did you use to prove your occupancy of the house?

If the answer is *hujja*:

Do the employees of the water and electricity company accept it as proof?

Do you need *wasta*?

Do you need to explain why you are using *hujja*?

Questionnaire Results

	1	2	3	4	5	6	7	8	9	10	11
How long have you lived in Muhammad Amin Camp?	1972	1970	1972	1975	1975	1990	1969	1980	1972	1972	1975
Origins from Palestine	Ain Al Sultan, Al-Khail?	Ain Al Sultan	Ain Al Sultan (Bani Dawaymeh)	Ain Al Sultan	Ain Al Sultan (Bani Awad)	Dawaymeh	Ain Al Sultan (Dawaymeh)	Al-Qubaymeh	Ain Al Sultan	Ain Al Sultan (Dawaymeh)	Ain Al Sultan (Dawaymeh)
When was your building first built?	1970	1970	1970	1975	1969	N/A	1973	No	1970	1970	1970
How many people live in your building?	10	10	22	7	23	18	7	20	21	25	27
Do your other family members live in the same building?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you live in a separate apartment?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
How many apartment in your building?	2	2	5	2	3	4	1	2	3	4	6
Do you own your house?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you use a hujja?	No	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes
What do you use the hujja for?	N/A	Inheritance	Inheritance	N/A	N/A	Buying the house	N/A	Buying our house from previous owner Abu Ismael Al-Awad	N/A	Inheritance	Tafwid Zawat but 3a22ia
How many hujja does your family have?	1	1	1	1	1	2	1	1	1	1	1
Are they handwritten?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you own the land on which your house is built?	No	No	No	No	No	No	No	No	No	N/A	No
Who owns the land?	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	N/A	Muhammad Amin
Do you have water and electricity meters?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes
Who installed them for you?	The Company	The Company	Me/The Company	Me/The Company	My father/The Company	Previous Owner	My father/The Company	Previous Owner	My father/The Company	N/A	My uncle/The Company
Did you submit an application to the water company or the electricity company?	Yes	Yes	Yes	Yes	Yes	N/A	Yes	N/A	Yes	N/A	Yes
What did you use to prove your occupancy of the house?	Hujja	Hujja	Hujja	House Hujja	Hujja	N/A	Hujja	N/A	Hujja	N/A	Hujja
Is the hujja accepted by the municipality or do you need wasta?	Yes	Yes, the municipality	A letter from municipality instead of tarshes mabani	Yes	Idin from the municipality	N/A	Yes, easily	N/A	needed a letter from municipality in place of tarshes mabani and plans	N/A	Idin from municipality
	26	27	28	29	30	31	32	33	34	35	36
How long have you lived in Muhammad Amin Camp?	1970	1969	1975	1972	1970	1970	1972	1970	1970	1976	1970
Origins from Palestine	Ain Al Sultan (Dawaymeh)	Ain Al Sultan (Bani Awad)	Dora Al-Khail, Ain Al Sultan	Dora Al-Khail	Ain Al Sultan (Bani Awad)	Ain Al Sultan (Al Dawaymeh)	Ain Al Sultan	Ain Al Sultan Bani Awad	Ain Al Sultan	Dawaymeh	Ain Sultan Dawaymeh
When was your building first built?	1969	1975	1970	No	1970	No	1960	No	1972	1970	1970
How many people live in your building?	23	10	19	21	20	19	27	7	19	27	19
Do your other family members live in the same building?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you live in a separate apartment?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
How many apartment in your building?	5	3	3	4	3	3	6	2	2	5	3
Do you own your house?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you use a hujja?	Yes	No	Yes	No	No	No	Yes	Yes	No	Yes	No
What do you use the hujja for?	Inheritance	N/A	Inheritance	N/A	N/A	N/A	Inheritance and divisions	Inheritance	N/A	Inheritance/ I bought the house	N/A
How many hujja does your family have?	1	1	1	1	1	N/A	1	1	1	1	1
Are they handwritten?	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes
Do you own the land on which your house is built?	No	No	No	No	No	No	No	No	No	No	No
Who owns the land?	Muhammad Amin	The Government	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin
Do you have water and electricity meters?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Who installed them for you?	Me/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	Myself/The Company	Myself/The Company	My father/The Company
Did you submit an application to the water company or the electricity company?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
What did you use to prove your occupancy of the house?	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja	Hujja
Is the hujja accepted by the municipality or do you need wasta?	Easily	Yes, Easily	Idin from the municipality	Yes, easily	Idin from the municipality	yes easily	Yes, Idin from municipality	Yes, easily	through the municipality	yes easily	kitab min al amaneh

12	13	14	15	16	17	18	19	20	21	22	23	24	25
1971	1974	1977	1969	1970	1971	1970	1970	1972	1970	1969	1972	1970	1972
Ain Al-Sultan Bani Awad	Ain Al-Sultan Al-Dawaymeh	Dora Khalil/Al-Karak	Ain Al-Sultan	Ain Al-Sultan	Ain Al-Sultan	Ain Al-Sultan	Ain Al-Sultan	Ain Al-Sultan (Bani Awad)	Ain Al-Sultan (Dora Al-Khalil)	Ain Al-Sultan (Al-Dawaymeh)	Ain Al-Sultan (Al-Dawaymeh)	Ain Al-Sultan Qbeibet Bani Awad	Ain Al-Sultan Al-Dawaymeh
1970	1971	No	1972	No	1970	1973	No	around 1970	1972	1972	1970	No	1970
17	16	19	26	17	23	19	26	13	18	7	21	9	17
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2	2	2	5	2	4	4	2	2	4	2	6	2	5
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
N/A	N/A	Buying and Selling	Taqseem 7 usas	Inheritance	Buying to my brother's son	N/A	Inheritance	Inheritance	Taqseem al 7 usas	N/A	Buying from relatives	Inheritance and fasel	Inheritance
1	1	1	1	1	1	1	1	1	1	1	1	1	1
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No	No	No	No	No	No	No
Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	The Government	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
My father/The Company	Me/The Company	Previous Owner	Me/The Company	My father/The Company	Me/The Company	My father/The Company	My grandfather/Th	My grandfather/Th	My uncle/The Company	My father/The Company	Me/The Company	My uncle/The Company	My father/The Company
Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
House huja (huilat best)	Huja	N/A	House huja (huilat best)	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja
Yes easily	Yes	N/A	Yes	Kitab from the municipality	Yes	Itin from the municipality	Yes	Itin instead of plans	Yes	Yes	Yes	Yes easily through the municipality	Yes

37	38	39	40	41	42	43	44	45	46	47	48	49	50
1972	1970	1972	1972	1995	1970	1972	1970	1971	1971	1969	1975	1972	1972
Ain Al-Sultan (Dawaymeh)	Al-Ramleh/Jericho	Dora Al Khalil / Ain Al Sultan	Ain Al Sultan Qbeibet Bani Awad	Wasat Al Baled From Jaffe	Ain Al Sultan (Qbeibet Bani Awad)	Ain Al Sultan	Ain Al Sultan (Dawaymeh)	Ain Al Sultan (Dawaymeh)	Ain Al Sultan Dora Al Khalil	Ain Al Sultan (Dawaymeh)	Ain Al Sultan Dora Al Khalil	Ain Al Sultan (Qbeibet Bani Awad)	Ain Al Sultan (Dawaymeh)
1972	1972	1972	1970	No	No	1971	1972	No	1970	1973	1971	1970	1970
20	17	3	27	7	9	7	13	9	19	11	19	9	16
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2	5	1	6	1	2	1	2	2	5	4	3	3	3
Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	No	No	Yes	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No
Inheritance	N/A	N/A	For knowing who owns what apartment and for disputes between brothers	N/A	Buying from relatives	N/A	Inheritance	Inheritance	N/A	Inheritance	Inheritance	Inheritance	N/A
1	1	1	3	N/A	1	1	1	1	1	1	1	1	1
Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No	No	No	No	No	No	No
Muhammad Amin	The government	Muhammad Amin	Muhammad Amin	Yes	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
My father/The Company	Myself/The Company	Myself/The Company	My father/The Company	The Company in the name of the homeowner	Myself/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	My father/The Company	Myself/The Company	My father/The Company	Myself/The Company
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Huja	Huja	N/A	Huja		Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja
Yes, easily	Itin from the municipality	Yes, easily	Yes easily kitab min al amaneh		Itin from the amaneh instead of tarhees bine2	Yes easily	Itin from the amaneh	Yes easily	Yes	Itin from the amaneh	Yes easily	Itin from the amaneh	Yes we have 6 meters

	51	52	53	54	55	56	57	58	59	60	61
How long have you lived in Muhammad Amin Camp?	1971	1970	1971	1975	1972	1972	1972	1971	1970	1975	1975
Origins from Palestine	Ain Al Sultan Dawaymah	Dora Al Khalil Ain Al Sultan	Ain Al Sultan Dawaymah	Qiblat Bari Awad Ain Al Sultan	Ain Al Sultan Dawaymah	Qiblat Bari Awad Ain Al Sultan	Ain Al Sultan Dawaymah	Qiblat Bari Awad Ain Al Sultan	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Dora al Khalil
When was your building first built?	1970	1970	No	1970	1970 built on phases	No	1972	1970	1970	No	1975
How many people live in your building?	21	16	9	19	29	16	21	20	17	21	19
Do your other family members live in the same building?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Do you live in a separate apartment?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
How many apartment in your building?	5	5	2	4	5	5	5	4	4	5	5
Do you own your house?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you use a huja?	No	No	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes
What do you use the huja for?	N/A	N/A	Inheritance	N/A	Inheritance	Inheritance	Buying and selling between relatives	N/A	N/A	Inheritance	N/A
How many huja(s) does your family have?	1	1	1	1	1	1	1	1	1	1	1
Are they handwritten?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you own the land on which your house is built?	No	No	No	No	No	No	No	No	No	No	No
Who owns the land?	The Government	Muhammad Amin	Muhammad Amin	The Government	Muhammad Amin	Muhammad Amin	UNRWA	Muhammad Amin	Muhammad Amin	Muhammad Amin	Muhammad Amin
Do you have water and electricity meters?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Who installed them for you?	My father/The Company	My father/The Company	Myself/The Company	My father/The Company	Myself/The Company	Myself/The Company	Myself/The Company	Myself/The Company	The company	The company	The company
Did you submit an application to the water company or the electricity company?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
What did you use to prove your occupancy of the house?	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja
Is the huja accepted by the municipality or do you need waqf?	this from the municipality	this from the municipality	8 meters and there are Madamat for al-hal al-jabal	this from the municipality	this from the municipality	this from the municipality	Yes easily	this from the municipality	Easily	Yes	No
How long have you lived in Muhammad Amin Camp?	76	77	78	79	80	81	82	83	84	85	86
Origins from Palestine	1975	1970	1970	1974	1971	1971	1970	1972	1971	1973	1969
When was your building first built?	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Dora Al Khalil	Dora Al Khalil	Dora Al Khalil	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Ain Al Sultan Dawaymah	Beit Noka
How many people live in your building?	1970	on phases foundations in 1972	No	1970	1980	No	1972	1971	No	No	No
Do your other family members live in the same building?	15	26	11	14	5	13	7	14	13	13	26
Do you live in a separate apartment?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
How many apartment in your building?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you own your house?	4	5	2	4	2	2	2	4	3	3	6
Do you use a huja?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes
What do you use the huja for?	Buying to family members only	To prove ownership and to install water and electricity meters.	Inheritance	Buying	Inheritance	Inheritance	Inheritance				Inheritance
How many huja(s) does your family have?	2	1	1	1	1	1	1	2	1	1	2
Are they handwritten?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do you own the land on which your house is built?	No	No	No	No	No	No	No	No	No	No	No
Who owns the land?	The government	Muhammad Amin	The government	Muhammad Amin	Muhammad Amin	Muhammad Amin	The government	The government	The government	The government	The government
Do you have water and electricity meters?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Who installed them for you?	The company	My father/The Company	My father because he is the owner there was no meter when we bought the house	My/The Company	My father/The Company	My father/The Company	My father/The Company	My father	Previous owner	My father/The Company	
Did you submit an application to the water company or the electricity company?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
What did you use to prove your occupancy of the house?	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja	Huja
Is the huja accepted by the municipality or do you need waqf?	Kitah amane	Kitah amane	Yes	Kitah amane	Kitah amane badei rith	Kitah amane badei rith	Kitah amane badei rith	Kitah amane badei rith	I don't know	Kitah amane badei rith	

62	63	64	65	66	67	68	69	70	71	72	73	74	75
1968	1971	1971	1974	1990	1995	1970	1970	1968	1972	1972	1967	1980	2003
Qibet Bani Awad Ain Al Sultan	Ain Al Sultan Dawayneh	Ain Al Sultan Dawayneh	N/A			Qibet Bani Awad Ain Al Sultan	Qibet Bani Awad Ain Al Sultan	Ain Al Sultan Dawayneh	Gypse	Ain Al Sultan Dawayneh	Dora Al Khalil	Dora Al Khalil	Wildat Camp
1967	No	1970	1964	1970	1969	1975	No	1968 I built my house the house I bought I don't know who built it	No	1970	1975	No	no
18	16	20	6	9	4	16	23	I own two houses, one in which I live with 8 members of family and the other I bought house who I rent to Egyptians	19	25	5	9	6
No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
N/A	5	5	7		6	3	5	2	2	5	1	3	2
Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes	I bought through huja from also later infront of shaykas mosque	Rented from Ibrahim al sahel
No	No	No	Yes		Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	
N/A	N/A	N/A	Inheritance			Inheritance	Inheritance	To prove buying a house	For electricity and water meters		Inheritance	buying and getting a rubba in a part of a building for a supermarket	
1	1	1	1			1	1	I have a huja for each house	1	1	1	1	
Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
No	No	No	No		No	No	No	Yes	No	No	No	No	No
Muhammad Amin	Muhammad Amin	Muhammad Amin	the Government		Muhammad Amin	Muhammad Amin	I don't know		The Government	Muhammad Amin	UNRWA	Muhammad Amin	Muhammad Amin
Yes	Yes	Yes	Yes	Yes	Yes	Yes			Me	Yes	Previous Owner	Previous Owner	Owner
My father/The Company	Myself/The Company	Myself/The Company	Myself/The Company	Owner	Owner	My father/The Company	In my house I did but in the house I bought the previous owner did and I used like it		Yes	My father			
Yes	Yes	Yes	Yes			Yes	huja	huja	Yes	Yes			
Yes	huja	huja	huja			Yes	huja	huja	huja	huja			
Yes	huja from the municipality	huja from the municipality				Yes	huja from the municipality		Kita min Amanah	Kita min Amanah			

87	88	89	90	91	92	93	94	95	96
1970	1971	1972	1972	1976	1971	2005	1972	1971	1970
Beit Safat	Bani Awad	Gypse	Ain Al Sultan Atha	Dora Khalil	Dora Khalil	Wildat	Dawayneh	Dora Al Khalil	Ain Al Sultan
1972	No	1970	1970	1975	1965		1970 then over phases		1971
7	12	10	25	12	12	8	10	11	16
yes	yes	yes	yes	No	No	yes	yes	yes	yes
yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
2	3	2	5	4	3	no	2	4	yes
yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
buying and selling between relatives	Inheritance	Inheritance		Inheritance	Inheritance		water and electricity meters		Inheritance
1	1	1	1	1	1		1	1	1
yes	yes	yes	yes	yes	yes		yes	yes	yes
No	No	No	No	No	No		No	No	No
Muhammad Amin	The Government	The Government	Muhammad Amin	Muhammad Amin	Muhammad Amin		Muhammad Amin	Muhammad Amin	Muhammad Amin
yes	yes	yes	yes	yes	yes		yes	yes	yes
My Father	My father/The Company	My father	The Company	The Company	The Company		The Company	My brother	My brother
Yes	Yes	yes	yes	yes	yes		yes	yes	yes
huja	huja	huja	huja	huja	huja		huja	huja	huja
Kita min Amanah	Kita min Amanah	Kita min Amanah	Kita min Amanah	yes	yes with difficulty		yes through huja from Amanah	Kita min Amanah	Kita min Amanah