

Performing a Private Desert Rearranging Property in Azraq, Jordan

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Much like property, this research is the effect of a long series of events, personal relations, ideas and material and discursive practices. It was brought into being through an endlessly large rhizome of relations that knows no end. Yet, when finishing, these relations are cut by a simple (but necessary in order to obtain a title) claim to ownership over the final result: 'The long network of [individuals] that was formerly such an aid to knowledge becomes hastily cut. Ownership thereby curtails relations between persons; owners exclude those who do not belong' (Strathern 1996: 524). Before making this cut, I would like to acknowledge the many people that have contributed to this research.

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List of Abbreviations

AGP	Azraq Groundwater Project
ANDI	Azraq National Dialogue Initiative
ANT	Actor-Network Theory
ASAL	Agriculture Sector Adjustment Loan
AWSA	Amman Water and Sewerage Authority
BI	Black Iris
BMEO	British Middle East Office
CT	Conservation of Terrestrial Communities
DLS	Department of Land and Surveys
DoA	Department of Agriculture in Azraq
FAO	Food and Agriculture Organisation of the United Nations
FO	Foreign Office
GEF	Global Environment Facility
GID	General Intelligence Directorate
GIZ	Gesellschaft für Internationale Zusammenarbeit (formerly GTZ)
GoJ	Government of Jordan
GDP	Gross Domestic Product
IBP	International Biological Programme
IBRD	International Bank for Reconstruction and Development
IHD	International Hydrological Decade
IMF	International Monetary Fund
IPC	Iraq Petroleum Company
IUCN	International Union for Conservation of Nature
IWMI	International Water Management Institute
JD	Jordanian Dinar
JT	Jordan Times
MCM	Million Cubic Metres
MECA	Middle East Centre Archive
MESC	Middle East Supply Centre
MoA	Ministry of Agriculture
MoE	Ministry of Environment
MoI	Ministry of Interior
MoL	Ministry of Labour
MP	Member of Parliament
MRAD	Monthly Report on the Administration of the Transjordan Deserts
MW&I	Ministry of Water and Irrigation
NA	inhabitant of North Azraq
NAL	National Archives London
NGO	Non-Governmental Organisation
NRA	National Resource Authority
NWMP	National Water Master Plan
PLO	Palestine Liberation Organisation
PLUSD	Public Library of United States Diplomacy
PROF	Professor

QIZ	Qualified Industrial Zone
RAM	Ramsar Advisory Missions
RCAJ	Royal Central Asian Journal
REDD	Reducing Emissions through Deforestation and Forest Degradation
RGS	Royal Geographical Society
RSCN	Royal Society for the Conservation of Nature
SA	Inhabitant of South Azraq
SAP	Structural Adjustment Programme
SEZ	Special Economic Zone
STS	Science and Technology Studies
TCL	Tribal Court Law
UN-BTAO	United Nations Bureau of Technical Assistance Operation
UNCC	United Nations Compensation Commission
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNRWA	United Nations Relief and Works Agency for Palestine Refugees
USAID	United States Agency for International Development
WAJ	Water Authority of Jordan
WAJ-L	Azraq Regional Office of the Water Authority of Jordan
WB	World Bank
WHO	World Health Organisation
WWF	World Wildlife Fund

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Note on Anonymisation

All the names of my interlocutors have been anonymised. This was a personal decision; none of my interlocutors requested me to be anonymised. However, Jordan is known to have a strong intelligence agency (mukhabarat) and land and property issues are highly political issues in the country. Consequently, in order to avoid endangering any of my interlocutors, I have chosen to refer to them either through pseudonyms or through codes.

If a pseudonym is mentioned for the first time, a short personal description is given. The codes refer either to the interlocutor's function or, in the case of Azraqi inhabitants, to their residence.

The following abbreviations are used for interview references:

DLS	Department of Land and Surveys
DoA	Department of Agriculture in Azraq
GIZ	Gesellschaft für Internationale Zusammenarbeit
GoJ	Government of Jordan
MoA	Ministry of Agriculture
MoE	Ministry of Environment
MW&I	Ministry of Water and Irrigation
NA	Inhabitant of North Azraq
PROF	Professor
RSCN	Royal Society for the Conservation of Nature
SA	Inhabitant of South Azraq
WAJ	Water Authority of Jordan
WAJ-L	Azraq Regional Office of the Water Authority of Jordan

Note on Language

Place as well as personal names are written in English-language version in order to ensure the readability. Arabic terms, especially those which express a particular property or ownership relation, have equally been transliterated into a simplified form for the same reason. However, given the importance of the proper usage of terms in the context of thinking and writing about property, I have listed the full diacritical transliteration¹ of the simplified transliterated nouns in the table below. These particular nouns have systematically been italicized throughout the text.

Simplified transliteration	Fully transliterated
hujjeh	ḥujjah
mawat	mawāt
tabu	ṭābū
tafweed	tafwīḍ
tanteem	tantīm
taswiyeh	taswīh
taqseem	taqsīm
wad al-yadd	wad' al-yadd
wajihat asha'eriyyah	wājihāt 'ashā'iriyyah

Terms which are only mentioned once are fully transliterated in the text itself.

¹ According to the Romanisation guidelines set by the American Libraries Association-Library of Congress. See <http://www.loc.gov/catdir/cpsol/roman.html>

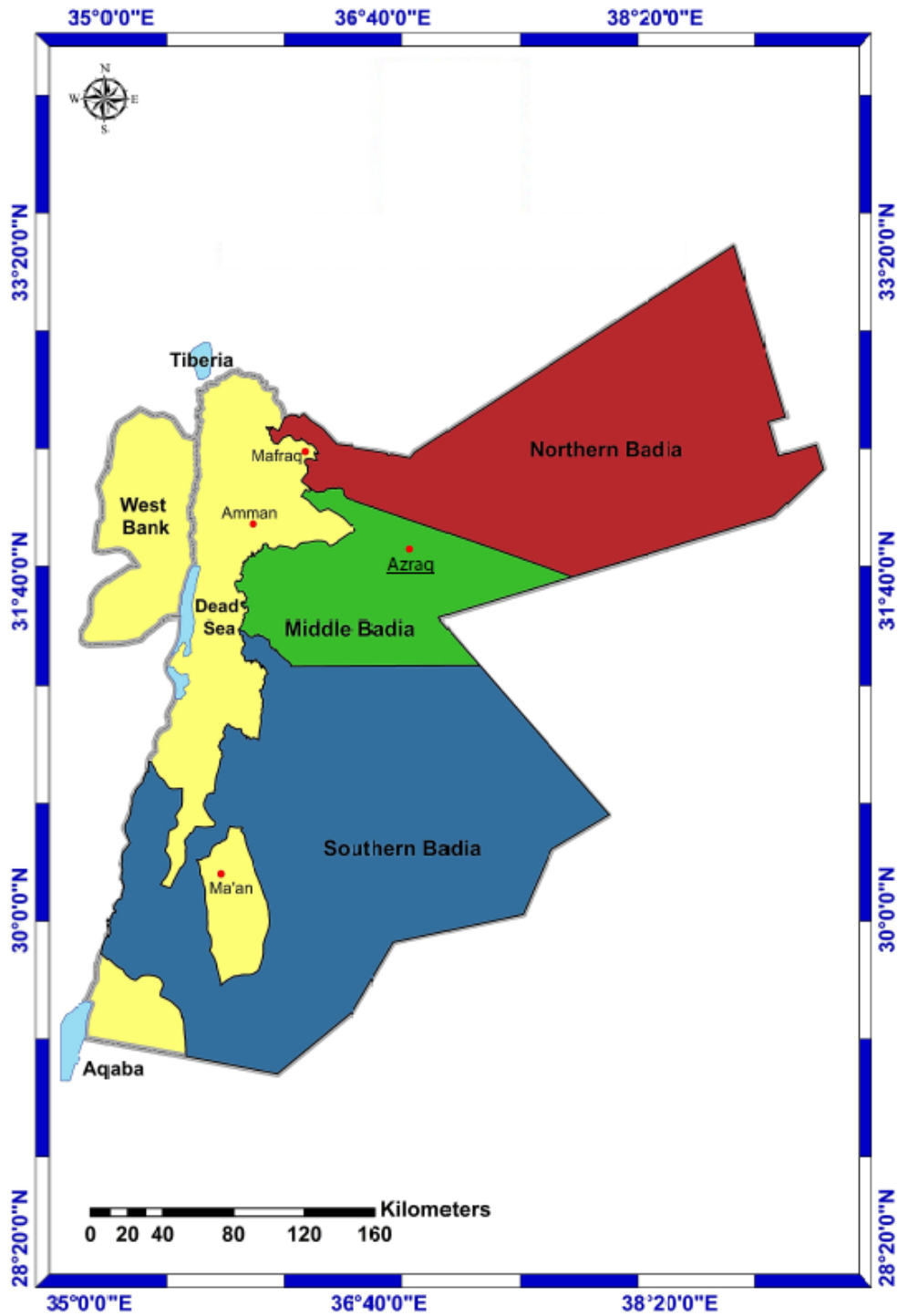


Figure 1: Azraq, Middle Badia, Jordan (Courtesy of Sari Shawash).



Figure 2: Farming area in Azraq. (Source: Google Earth).

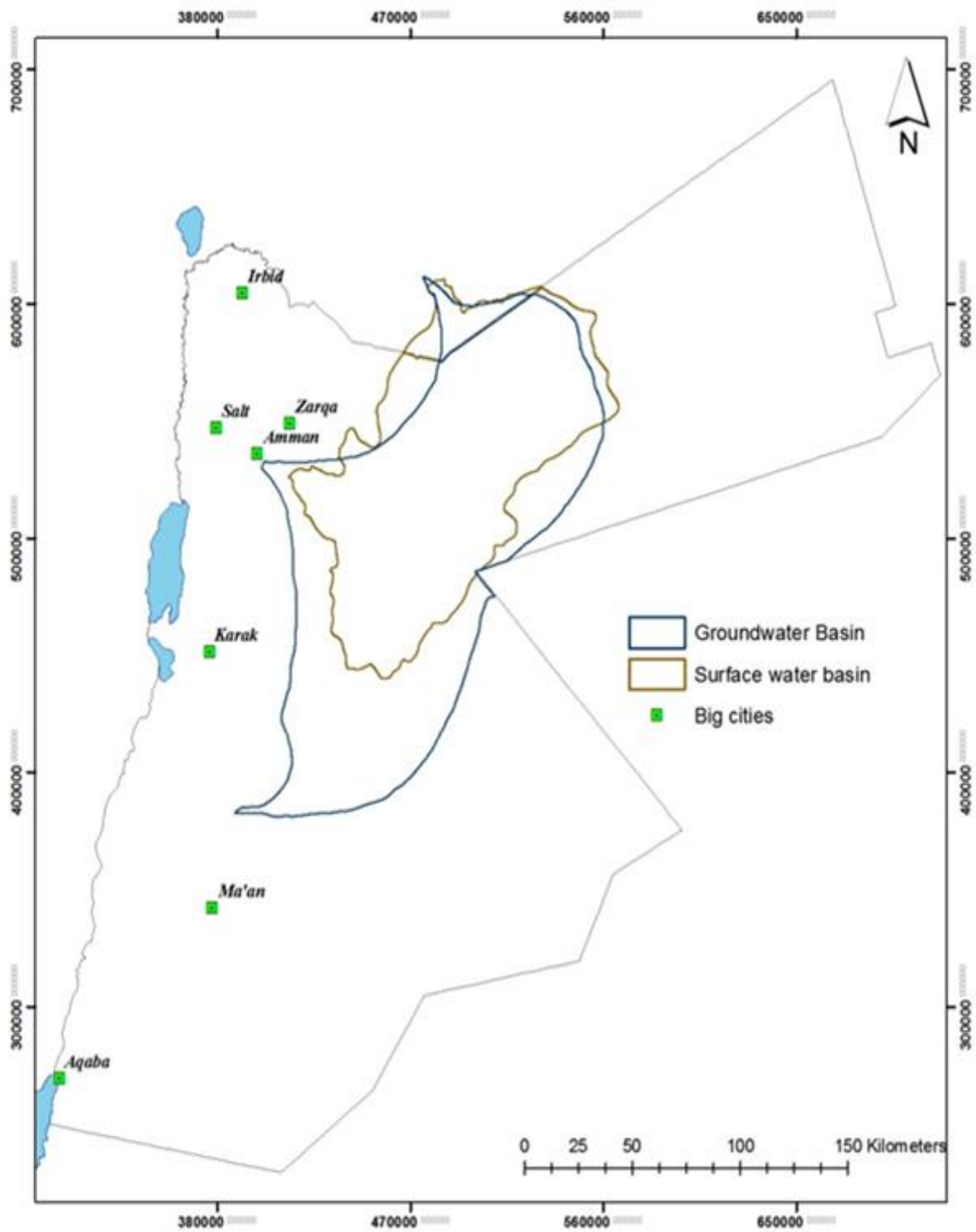


Figure 3: Azraq Basin (Courtesy of Dr. Alraggad).

General Introduction

*The history of private property is rather **silent** on the conditions that produced it and the precedents incorporated into it. [...] If its emergence has something to do with individual appropriations, exceptional decisions, or acts of violence, these belonged to the past, from which the present was now ruptured.*
Mitchell 2002: 57 – emphasis added

Field Notes Against the Silence

From Jordan's Bustling Streets –

In the early days of my fieldwork – in the midst of the Arab Uprisings and long before I travelled to my field site Azraq – Friday was no longer only associated with family, holiday or congregation. Instead, it had become the day to express popular discontent. Throughout the Arab world, Fridays were variously labelled with nouns and verbs that expressed people's particular emotions of, and demands for, economic and political change. In Egypt alone, there has been a 'Friday of Anger', a 'Friday of Departure', a 'Cleansing Friday', a 'Friday of Retribution', a 'Friday of Correcting the Path' and a 'Friday of Determination' to name a few. Although less extensive, Jordan's Uprising had its own list of symbolic Fridays, featuring the 'Day of Anger', the 'Friday of Rescue' and several 'Days of Rage'.² Less well-known however is the so-called 'Friday to return lands' on 23 December 2011. That day several segments of Jordanian society gathered all over the country to convey to the world 'that Jordan is not for sale, not its land and not its people' (Luck 2011b). The protest came in the wake of a recent wave of successive revelations and new pieces of information about the widespread and opaque privatisation processes including the arbitrary appropriation and privatisation of state land which people 'claim have been "sold for the benefit of the political regime"' and its protégés (Luck 2011a).

To be sure, protests and conflicts over state land are not new phenomena in Jordan. At least since the 1970s there have been disputes about tribal claims over so-called *wajihat asha'eriyyah* or tribal front lands – lands currently classified as state land but over which Jordan's tribes claim usufruct and even ownership rights. These conflicts intensified throughout the years but became especially critical since

² For an interesting discussion of the term's global circulation during the past half century, see: NBC News – World Blog (18 February 2011), *Where does the term 'Day of Rage' come from?*, <http://worldblog.nbcnews.com/news/2011/02/18/6079054-where-does-the-term-day-of-rage-come-from>

the accession of King Abdullah II to the throne in 1999. Since then, public discontent was no longer directed at the (mis-)management of wajihat but of public land more broadly. This was evidenced in 2008 when the government's unfortunate handling of the eruption of a public debate concerning three state land deals further fuelled public consternation (which, in turn, was capitalised by political opposition groups such as the Islamic Action Front which turned the matter of public land deals into 'a hot-button issue and a proxy for widespread popular discontent with the economic situation' (Hale - PLUSD, May 2008)).³ The highly contentious sale of 3200 dunum of land to an Emirati conglomerate which triggered a strike in the country's southern port of Aqaba in July 2009 (Debruyne 2013: 195) - the strike generally seen as the precursor to an announced 'Jordanian Spring' - is a further case in point.

This growing agitation over the regime's illegal and non-transparent appropriation of state land erupted in early 2011 with the onset of Jordan's Uprising (Schenker 2013). In January that year, several tribes took to the streets to demand ownership rights over large swaths of land which they consider to be their wajihat asha'eriyyah and which they claim 'were taken from them and handed over to entrepreneurs and private developers as part of the King's privatization and economic policies' (Varulkar 2011). 'The plundering of [the tribes] historical lands', one observer wrote, 'was being seen as a criminal social and economic manoeuvre since it would have been possible to transform the lands into a source of wealth for the nation, enriching Jordan by sparing it the costs of importing a number of basic foodstuffs' (Jaber 2014).

At the time, public media and (inter)national commentators predominantly described these protests as a purely tribal issue and even, often in a contemptuous tone, as misguided tribal opportunism: 'Tribes are the main category that is attempting to exploit the situation by demanding the return of the pre-state system of tribal wajihat' (Kheetan 2011). In short, the demonstrations were framed as the tribes taking advantage of the current 'climate of openness' brought about by the Arab Uprising. As the protests evolved over the course of 2011, it became increasingly difficult to maintain this claim. Frustrations went beyond mere tribal ones: it was about successive and ongoing attempts to liberalise the Jordanian economy and open its market to foreign and private capital - processes often imposed or at least conditioned by international (financial) organisations such as the World Bank (WB), the International Monetary Fund (IMF) or otherwise.

Most markedly during the protests were the scathing allegations about the King's consent of illegal transfer of state land to close family members (notably Queen

³ These concern (1) the alleged sale of the King Hussein Medical Centre and an adjoining military complex in Jordan's capital Amman; (2) the cancellation of a deal to construct a casino on the Dead Sea; and (3) the sale of Aqaba's commercial port (Hale - PLUSD, May 2008). All these deals were conducted behind closed doors.

Rania and her family⁴) and the questionable registration of treasury land in his own name, especially between 2000 and 2003 (Varulkar 2011). A chant song during a summer protest outside the capital Amman reflects this most clearly:

Abdullah, son of Hussein, where is the land, where? (Fahim 2011).

Overall, the response to people's ongoing concerns about corruptive processes of state land allocation, registration and privatisation has generally not been to refute or deny these accusations, but to explain them away as a necessary means to an end – the end being the public interest conceived in neoliberal terms as 'the reputation of the Kingdom and its investment environment' (Obeidat 2015). The bluntest expression of this was the fact that the Royal Court officially justified the much-disputed registration – and *de facto* privatisation – of state land in the name of the King as necessary to preserve and expedite Jordan's investment climate and to facilitate the implementation of national development projects:

[It] was not intended in any manner for material or personal benefit, [...] those Treasury lands [were registered] under His Majesty's name in order to speed up implementation of projects to improve the level of public services and directly benefit citizens in those areas (Tarawneh 2011).

In other words, Jordanians' increasing grievances over the violent and ambivalent nature of the regime's (dis)possessive practices were shushed under the pretext that the acceleration of a property arrangement more accommodating to the neoliberal market is the ultimate panacea to their economic hardship. This justification perfectly fits with the policies of privatisation which formed part of the Structural Agreement Program (SAP) imposed by the IMF on Jordan in 1989, and which accelerated under Abdullah II and his neoliberal economic reforms. It also, moreover, seamlessly resonates with the Peruvian economist Hernando de Soto who proclaimed that the proliferation of private property is 'the secret to reviving the Arab Spring's promise' (de Soto 2013).

⁴ In particular, the public allegations in November 2011 against the Queen's brother Majdi al-Yassin who was accused of having registered tribal front lands by controversial means – all dismissed by al-Yassin himself as 'fabricated allegations' (Jordan Times 2011).

- to the Dusty Fields of the Badia

Winter 2012 – travelling to Azraq, a small village of approximate 10,000 inhabitants and located in the North-East of the Badia, Jordan’s semi-arid steppe area which covers more than 80 per cent of the country’s surface.⁵ The road connecting Jordan’s second largest city Zarqa to Azraq carves itself through a rocky and dusted landscape offering me little distraction. Buses can take up to two hours as they slowly weave back and forth across the highway to avoid potholes. Apart from a short strip of relatively recently asphalted lanes – which one friend from Azraq sarcastically accredited to left-over ‘pocket money’ from the United States Agency for International Development (USAID) – state authorities have put little effort in maintaining the road in good condition.⁶ For many Azraqis, the highway materialises the negligence of, and general disinterest in, Azraq by ‘the state’. Abdullah, a Druze in his fifties and my neighbour during the first year of fieldwork, voiced this sentiment most explicitly at the end of my third year. Discussing the research subjects of some of my fellow Ph.D. colleagues in Jordan, I asked him what he would study if he were given the chance to pursue one himself. Without hesitation he immediately responded that he would study why the government has forgotten about Azraq – a negligence articulated in the absence of land’s formal registration: *‘Why are lands registered in other parts of Jordan but not in Azraq?’*⁷

His question, as well as the underlying sense of abandonment and injustice, is not new. Already in 1979, Azraqi Druze voiced their complains about the land situation to a journalist of *al-Rā’i*, a national newspaper:

[W]hy was the arrangement [of registration] done in other regions and not in Azraq? [...] This is the big question we ask ourselves and we have no answer to it.⁸

Four decades later, Abdullah is still left without an answer. Why does so much land within the administrative boundaries of his village remain unregistered despite the fact that people have been living on it for decades? Why is the government refusing to recognise the Druze claim to communal ownership of land within and outside the village? People in Azraq are increasingly pressed for land as family plots are

⁵ The Badia is commonly defined in two different ways. Ecologically, it refers to all the areas in the country that receive less than 200 mm of rainfall annually. In socio-culturally terms, it is understood as containing those areas where the Bedouin (*al-badu*) live (Bocco & Chatelard 2001).

⁶ Reconstruction of the roads finally commenced in early 2014. This was initiated predominantly under pressure from Saudi-Arabia which lost several of its citizens to the bad conditions of the road. In a gesture most telling of Jordan’s general financial deficit and larger political ties in the region, Saudi-Arabia granted Jordan 170 million Jordanian Dinar (JD) (roughly \$240 million) to cover the costs of the project (JT, 8 January 2012).

⁷ 9 October 2014.

⁸ 23 April 1979.

being parcelled to their limits with little to no ability to buy new lands. This starkly contrasts with the fact that the bulk of the land outside the village is currently classified as state land which is not accessible to Azraqis: it is not for sale and there has been no (approved) land use designation for the area.

Villagers in Azraq respond to this situation in various ways. When I first met Abdullah for example, he was illegally working a tract of state land in the vicinity of his house. Together with this brother, he had paid for a well and a pump, planted trees and installed a basic irrigation system. The plot of land belonged to his family because, as everyone on the village allegedly knew, Abdullah's grandfather once built a construction on it. However, the Department of Land and Survey (DLS) – the department responsible for cadastral surveying, registration of land property, and the management of treasury land (Madanat 2010: 154) – does not officially recognise the Druze claim to communal lands nor individual claims to ownership based on historical right. Abdullah thus took matters in his own hands and tried to obtain an official title deed by revivifying the land. Others have equally set out to acquire a deed, including for example the man who single-handedly and illegally fell a tree (of a protected species) and then reported the incident to the police. When the police officer drew up a report of the incident, he noted that the 'crime' had taken place on the property of the man who initially reported the incident. Subsequently, the latter currently holds an official document stating the land is his property and he is trying to use it to acquire title deed. Still others are organising themselves along kin lineage in an attempt to use the power of numbers. The extended family of Jamal, my Druze host for the last three years of my fieldwork, was compiling a list of its members and their individual property claims to petition the government to recognise each of them. None of these attempts of property-making were legal and most were random, makeshift and, as far as I am aware, unsuccessful.

This is not to state that all attempts fail; some have proven remarkably successful. Most often, these concerns stories that centre around the use of violence such as that of the man who tied two government officials to a tree and subsequently called their superior to 'come and collect his dogs'. Another involves a man who claimed state land by simply putting a fence around several thousand dunums. When government officials aimed to stop the man, *'there were about fifty guns pointed at them from every direction so they just left'*.⁹ In other words, as Khaled, an agricultural scientist employed by the German Gesellschaft für Internationale Zusammenarbeit (GIZ) at the time, complained, it concerns stories that involve *'guns and F16s'* and, as his colleague complemented him *'relations and pressure on the government'*.¹⁰

For Hasan, a Druze in his early forties who was key to my research, all these illegal land claiming activities, as well as the arbitrariness of their success or failure,

⁹ Khaled, 18 March 2012.

¹⁰ Khaled & GIZ1, 17 April 2012.

were related to one thing: the unsettled nature of the current property arrangement in Azraq. I here reconstruct one of our conversations:

There had been a good system, he said, whereby lands were distributed through agreement within the community (most often by the elders). This system was disturbed by a new system which never replaced the old one. He did not want to call it a hybrid, though, and instead referred to the current situation as a 'third' regulatory framework. As he saw it, the problem was that the civil system has not had enough time to impose itself. When it was a tribal and traditional system, everybody agreed on the whereabouts of the boundaries between the Chechens, Druze and others. Lands were also communal: it was the community that decided where one could own land and you had to get permission and approval from the others. When civil law came, these boundaries suddenly became unclear and the ownership of the different groups' land was no longer recognised. At the moment there was thus not one system and some people are profiting from this situation. They have profited from the fact that the state is absent but has already broken the 'communal' land system. These 'sharks', as he called them, have started to take lands and sold these to outsiders.¹¹

Hasan did not know how to 'fix' the property arrangement. He just knew that their problems had started *'when the state came in'*.¹² Since then, there has been an uncontrolled rush to obtain land, one which has wracked irreversible ecological havoc and is accompanied by huge social inequality and mistrust amongst Azraq's inhabitants.

¹¹ June 2015. Excerpt from our conversations.

¹² 11 June 2014.

Questioning (Universal) Property

In their latest report on 'Property Rights and Resource Governance' in Jordan, USAID asserts that the latter's land tenure situation is characterised by

a gradual and deliberate movement toward land privatization [and] a gradual and deliberate withdrawal of the state from land ownership toward privatization (USAID 2018: 6-7).

This privatisation 'movement' is only mentioned in passing, portraying it as straightforward, self-evident and natural. It is a desirable 'final stage' that is yet to be fully attained in Jordan. Nevertheless, we are made to believe, Jordan is heading in the right direction and, even more, it is doing so deliberately.

The statement, however, contrasts starkly with the two situations sketched above which clearly foreground the frustrations of Jordanians and Azraqis with some of the manifestations through which this privatisation process takes place: the prioritisation of (foreign) private investors' and companies' interest over that of the 'wealth of the nation'; the fact that real estate projects are regarded as more legitimate and productive reasons to own land than centuries of grazing or living on it; and the arbitrary ways in which access to land is arranged. Clearly, private property is far from 'self-evident' in the country. Quite the opposite, contrary to how some of the Jordanian media framed it, people's concerns go beyond questions of who (the King, the state, or the people) has ownership rights to what tract of land; they are about what kind of value(s) should inform property's form and function, what kind of relationships property should entail (what are 'proper' relations), how it should be practised, what role property should play in society, and, not in the least, with who should have a (final) say on these matters.¹³ In other words, they are about the very *nature* of private property.

Azraqis such as Abdullah share these concerns, yet they also share commonalities with the King. Indeed, both Abdullah and the King bring property into being through illegal, concealed and forceful appropriations. Moreover, both of them aspire *private* property, positing it as the seemingly 'natural' solution to their (different) concerns. In other words, while both cases demonstrate that privatisation is far from a straightforward, simple or evident process, they equally demonstrate the extent to which private property is desired and conceived of as the more successful and workable property arrangement.

¹³ These questions are not confined to contexts where private property has supposedly not yet fully settled. Think, for example, about contemporary discussions in the United Kingdom about 'who owns the country' in England (Carrell 2019 - *The Guardian*), or about the 'unhealthy land ownership in Scotland' (Shrubsole 2019 - *The Guardian*).

My aim in this research is to question this observation by critically reflecting on the realisation of private property in Azraq in order to explain *how* – through what processes – private property emerges as evident, hegemonic and universal. That is, I aim to understand *why* private property is gradually emerging as the more effective arrangement to Abdullah and others. Azraq offers an interesting case to study these questions because, unlike Jordan’s arable zone, land in the Badia has not (systematically) been surveyed or registered, there is no active land privatisation policy, and land tenure has always been (and still continues to be) organised predominantly along customary lines. This makes Azraq an interesting case to examine the intricate ways in which a private property arrangement is brought into being.

To be sure, these questions are not particularly new (although they have rarely been posed in the context of Jordan, see *infra*). Within anthropology – the discipline that initially shaped and stimulated my interest in, and approach to property – questions with regards to the seemingly natural, gradual and linear emergence of private property have become common following the discipline’s restored interest in the concept in the wake of international developments in the 1980s. Two developments in particular are often earmarked to have spurred scholarly interest in property (Hann 1998 & 2007; Humphrey & Verdery 2004). The first concerns the fall of the Soviet Union and the ensuing process of de-collectivisation which hastened the global spread (and seeming victory) of *private* property as opposed to a socialist property regime. The second development was the radical character and daunting speed of the ‘propertization’ – the penetration and expansion of the concept of property – into different sites of everyday existence (including the human body itself) since the end of the previous century. Indeed, as Maurer and Schwab (2006: 6) notice, ‘[p]roperty is seemingly everywhere, and everywhere outpacing us, yet also everywhere coming undone’. Proprietary logics are vigorously penetrating ever more aspects of our lives, often at such a speed, intensity and seeming naturalness that it not only covers its own trail but also, once laid out, leaves many of us uncomfortable.

Both developments represent different manifestations of the march of a neoliberal ideology with its emphasis on free market and private property. Interestingly, they have put the traditional, liberal understanding of property – based on the archetypical private property form in land (Hann 1998: 5) – under strain as scholars increasingly demonstrate how present-day (re-)reconfigurations and imaginations of property do not fit neatly in clearly bounded categorisations of either a socialist or capitalist logic (Maurer & Schwab 2006), nor do they conform to a (Euro-American) dichotomous subject-object world view (Strathern 1999). Indeed, our quickly transforming age forces us to think outside the conventional property boxes that have shaped our lives and which were forced upon (and given shape by)

others through processes of (neo-)colonialization (see e.g., Fischbach 2000; Mitchell 2002).

Reflecting this profound awareness and critique of (the limits of) the concept's particular Euro-American ideological legacies, human and social scholars are doing away with attempts to better define property. Instead, they have begun to take apart its core definitional elements (person – relation – thing) (e.g., Mundy & Smith 2007).¹⁴ Anthropologists thereby react against the propensity to essentialise (e.g., Pottage 2004), to submit to the Western object-subject perspective (e.g., Strathern 1999) or, also, to readily take the 'thingness' or materiality of things for granted (e.g., Strang 2011). This reassessment of the 'persons-things-relations' nexus has importantly destabilised any 'fixed' notion of property (Humphrey & Verdery 2004: 7) and has proven productive in drawing attention to the flawed yet common tendency 'to see this historically contingent property form as universal, natural and neutral' (Verdery 2003: 17).

A second, and related, strand of reactions to the critique of the concept's ideological legacies has been to propose conceptual shifts towards, amongst others, 'appropriation' or '(spaces of) belonging' (e.g., Busse & Strang 2011; Cooper 2007; Keenan 2010); to focus on the work the concept of property *does* in the world (e.g., Humphrey & Verdery 2004; Verdery 2003); or also, as Marilyn Strathern suggested, to altogether abandon the concept and 'disappear' property by 'offering our descriptions and analyses without worrying what these say about the meaning of property, or whether the events they describe are really about property, or how we might redefine property' (Humphrey & Verdery 2004 : 11).

Still others within the (predominantly legal) anthropological discipline have advocated a return to 'earlier foundations, such as the metaphor of "property as a bundle of rights" which, while useful, has rarely been used consistently' (von Benda-Beckmann, von Benda-Beckmann & Wiber 2006: 3). With the aim to further our understanding of (global) transformations in property regimes, these authors have outlined a general analytical framework that builds on the metaphor and which consists of four basic layers – 'ideologies, institutions, concretized property relationships, and the social practices affecting all three'. It is, these authors posit, through the analysis of these layers as well as their mutual interdependence, that we can study and understand changes in property (ibid.: 29).

All of the above approaches have and continue to be extremely valuable to provide further insight into the inherently Anglo-European premises that underly

¹⁴ This approach aims to take a step back from the more standard anthropological view of property as 'as social relations among persons by means of things' (Humphrey & Verdery 2004: 14). They reject this definition's inherent presupposition of the existence of 'relata' (persons/things) between which relations can subsequently be formed (Barad 2003). By taking a profoundly relational ontological approach, these authors aim to give more attention to the processes and relations through which 'persons' and 'things' emerge and to the 'fulness of their becoming' (ibid.: 812).

the contemporary concept of private property. Indeed, all of them constitute different ways to emphasize the fact that private property is a deeply 'western' native category (Verdery 2003: 17).

My aim in this research is to study the realisation of private property through a performative lens and to examine what this can add to the existing approaches within anthropology. Applying a performative lens to property means that I understand its 'realisation' as the successful actualisation of a particular socio-technical arrangement. A socio-technical arrangement consists of enumerable and heterogeneous elements, including stories, discourses, declarations, values, desires, scientific concepts, identities, expectations, rules, ideas, written contracts, trees, cultural meanings, water, a survey, a title deed and so on. Private property then, is successfully performed when particular elements align, cohere and stabilise: 'Property is not property unless it is actualized in particular relational arrangements' (Blomley 2014b: 163-164). A performative perspective enables me to draw attention to the elements that are enrolled in the arrangement, and to critically reflect on the ways in which each of them (re)orders the world in such a way that the latter becomes available and receptive to private property. That is, it enables me to examine how these elements help perform a world in which a private property arrangement can become (and remain!) successful.

A performative lens, for example, enjoins me to think of the USAID statement not as simply a recording of reality – a 'representation' of what is happening in Jordan – but as a discursive practice that helps set up the world in a particular way. In this case, the statement constitutes the private property arrangement as 'natural', desirable and even inevitable. It does so, first, by silencing the many instances of violence, arbitrariness and social conflicts that condition the realisation of private property. Second, by emphasising the 'deliberate' nature of the movement (even by 'the state'), private property becomes desirable. As such, the statement does not represent a world but 'spreads its world with it' (Callon 2006: 26).

In a similar vein, a performative approach encourages me to go beyond the question of whether or not the King had the right (i.e., whether it was justified) to register state land in his name to facilitate the Kingdom's investment climate (and, as such, 'benefit citizens'). Instead, it draws attention to the ways in which the King's practices *effect* a particular private property order by (re)arranging subjectivities, relations of power, values and knowledge. Such rearrangements include, amongst others, the abrupt reframing of land's value from one emerging from relations of belonging (whether tribal or national) to one dictated by a market logic; the repositioning of different subjectivities' right to claim land; the discursive reordering of current property arrangements as somehow defective and therefore – literally – out of 'order'; and, not in the least, the violent character of all these rearrangements.

Additionally, by examining the realisation of private property in Azraq through a performative lens, I also want to provide a counterbalance to a still dominant tendency within studies of ownership and landed property in the region to 'generally assume a simple, unilinear progress from premodern to modern (Western) forms of property and private ownership' (Owen 2000: ix). By drawing attention to the complex work of rearranging through which property is realised, a performative lens emphasises the profoundly complicated, undetermined and contentious nature of private property (Macpherson 1978; Blomley 2004; Campbell 2015; Verdery 2003). In addition to stimulating a new approach to property in the region, this research also aims to contribute to the Jordanian case in particular. Overall, within the country itself, the issue of private property's realisation remains underexposed. As one local commentator lamenting 'the King's real estate' put it: the politics, hopes, contingencies, arbitrariness, contradictions and irregularities of property's emergence are 'often talked about, just not in any documented fashion' (Tarawneh 2011). The fact that the 'Friday to return land' passed relatively unnoticed is but one expression of this. Indeed, while the calls for 'bread and freedom' have been thoroughly analysed by local and foreign researchers and development institutions, the subject of land ownership received scant (scholarly) attention. Jordan's case substantiates the more general observation that

[l]and ownership – its many modes, its distribution, its history – is the great ignored in politics today, gingerly taken up if at all and quickly put down again in favour of more fashionable topics: capitalism, urbanisation, democracy, industrialisation, the role of the state (Mount 2014).

This academic 'apathy' is unfortunate and all the more surprising given that property runs like a thread through each of these 'more fashionable' themes. One only needs to pay attention to the debates on the Jordanian streets and (social) media to apprehend the power of property as an idiom through which notions of modernity, 'the state', capitalism and democracy themselves are questioned. It is in this light that my research advocates a (re-)turn to the study of property.

On Performativity, or Making Happen

[P]erformativity is not about creating
but about making happen.
Callon 2006: 22

The Performative Approach

Performativity covers many layers; it does not constitute a coherent, monolithic field but refers to divergent uses and approaches (Rose-Redwood & Glass 2014: 2; Gregson & Rose 2014 [2000]). Moreover, it has been applied in variegated ways across (sub-)disciplines which pay tribute to its epistemology without, however, always explicitly referring to the performativity tradition. The approach upon which I build can be traced back to the (language) philosopher John L. Austin and his ‘speech act theory’ developed in his 1962 book *How To Do Things With Words*. Austin’s theory constituted a reaction against the ‘logical positivism’ which conceives of language as essentially *constative*: ‘the only legitimate role of language is to describe or represent the world by means of verifiable, factual statements’ (Loxley 2007: 7; Rose-Redwood & Glass 2014: 4). Austin questioned this representationalism and argued instead that language is *performative*: ‘to say something is to do something’ (Austin 1962: 12, *Op. Cit.* Rose-Redwood 2008: 880 – emphasis in original). Thus, when, for example, the sheikh Sattam ibn Fandi al-Fayez claimed land in contemporary Jordan ‘by “proclamation”, thrusting his lance into the ground, or firing a shot, at several ruined villages scattered across the plain and announcing in the presence of witnesses that “this land is mine”’ (Lewis 1987: 129), he was not simply describing a situation; he was bringing property into effect. In (early¹⁵) Austinian terms, the sheikh’s issuing of the utterance was not merely *constative*; it was *performative*.

Crucially, Austin posits that this utterance ‘acquires its performative force by virtue of its conformity to an established set of social conventions’ (Rose-Redwood 2008: 876) implying that the speaking must be done by an “authorized” spokesperson who is following an established set of procedures in the appropriate circumstances’ (Rose-Redwood & Glass 2014: 6). This view has been termed ‘sovereign performativity’¹⁶ or ‘a sovereign conception of the performative’ (Rose-Redwood & Glass 2014: 7):

¹⁵ Later in his lectures, Austin moves towards the observation that all utterances are performative (Callon 2006: 10).

¹⁶ A term which the authors have adopted from Judith Butler’s 1997 book *Excitable Speech: A Politics of the Performative*.

the belief that the performative force of an utterance is enacted through the exercise of sovereign authority, whether by a representative of the state or a non-state actor who is recognized as a legitimate authority to uphold the protocols of social customs. In either case, the question of sovereign performativity is framed in terms of deciphering who has the legitimate right to authoritative speech within a pre-defined set of circumstances (ibid.).

Thus, Austin would maintain that the sheikh's proclamation of the land as his individual property following the customary act of planting his lance in the ground (Fischbach 2000: 14), only has effect because the sheikh, contra for example a non-Bedouin, was authorised to perform this practice and did so in accordance with legitimized social conventions.

Many critical theorists have taken issue with this point – e.g., Austin's account of *how* performative force is acquired – including Pierre Bourdieu, Michel Foucault and Jacques Derrida. Arguing against the idea that it is a mere function of a subject's power or will that something comes into being, the latter significantly asked whether

a performative utterance [could] succeed if its formulation did not repeat a "coded" or iterable utterance, or in other words, if the formula I pronounce in order to open a meeting, launch a ship or a marriage were not identifiable as conforming with an iterable model, if it were not then identifiable in some way as a "citation"?...in such a typology, the category of intention will not disappear; it will have its place, but from that place it will no longer be able to govern the entire scene and system of utterance [*l'enonciation*] (Derrida 1988: 18, *Op. Cit.* Butler 1993: 13).

Derrida thus posits that all speech acts are citational of prior iterations of related performances and it is through this process of reiteration and citationality that the performative force is acquired. Thus, to return to sheikh Sattam ibn Fandi al-Fayez, his performance was effective not because of his supposedly pre-given authority, but because his actions successfully cited prior performances (generating their own future temporalities).

For Judith Butler¹⁷, who reworked and re-appropriated Derrida's notions of iteration and citationality,

¹⁷ Butler has drawn on performativity theory to rethink our conceptualisation of subjectivity (in particular that of gendered and sexualised subjectivities). She argues that these do not pre-exist any action but are performed through them; There is no 'doer' before the deed.

performativity is thus not a singular “act”, for it is always a reiteration of a norm or set of norms, and to the extent that it acquires an act-like status in the present, it conceals or dissimulates the conventions of which it is a repetition. Moreover, this act is not primarily theatrical¹⁸; indeed, its apparent theatricality is produced to the extent that its historicity remains dissimulated (and, conversely, its theatricality gains a certain inevitability given the impossibility of a full disclosure of its historicity) (1993: 12).

Nicholas Blomley’s example of fence-building nicely illustrates this:

The performative power of a fence [...] cannot be explained by some originating act of will, but is always derivative, taking hold and becoming real in the world to the extent that it successfully cites other such performances and, in so doing, compels future similar performances (2013: 36).

In other words, when we build a fence, we are citing innumerable other fences, hedges and ways of delineating ownership. Crucially, the acts which we cite must be (and, through their reiterations of them, are made) *intelligible* to us: alternative enactments of a fence (e.g., singing a song about the land’s boundaries) will not do. At least not in a Euro-American context (see *infra*). In Azraq, as I demonstrate in my third chapter, people work hard to naturalise the presence of trees as a successful enactment of property, thereby building on the culturally and historically specific performative power of trees to signal ‘productive investment’. It highlights that the question of *what* becomes citational and reiterative – the struggle ‘to constitute and naturalize the conditions that will come to appear as the “appropriate circumstances”’ (Rose-Redwood & Glass 2014: 6) – is a deeply political one. I return to this issue in the next sections.

It is not sufficient, however, to constitute certain conditions as appropriate: even a fence can fail to acquire performative power. The fact that performances become effective (performative) through reiteration and citationality critically points out the politics of performativity: the disruptive power precisely lies in the fact that it is iterative, that it needs to be re-enacted again and again. This means that there are

¹⁸ Butler here refers to another important strand of thinking about performativity which was developed by scholars such as the sociologist Erving Goffman and the anthropologist Victor Turner, and which is characterised by a dramaturgical and theatrical take on performativity (Loxley 2007; Rose-Redwood & Glass 2014). Some of the most fundamental differences between the two approaches to performativity (linguistic/Butlerian vs. theatrical/dramaturgical) revolve around ‘the sense of anterior agents; the separation of performer and performance; the sense of performances occupying particular pre-given kinds of spaces; and a notion of a (constraining) script’ (Gregson & Rose 2014 [2000]: 42).

always-already possibilities for disruption: repetition might fail. Performativity, in this sense, is always 'threatened with its own instability' (Gregson & Rose 2014 [2000]: 41)¹⁹ because there is never an absolute certainty that a performance will be effective – a point which Butler, building on Derrida (1988), insists must inform our research if we want to stay away from cultural construction 'which presumes that performativity describes the process by which certain kinds of phenomenon are made or brought into being' and thus merely traces the ways in which a phenomenon is made (2010: 152).

Performativity as the Actualisation of Worlds

In his work, Callon aims to extend Austin's notion of performativity by focusing on 'the actualization of the *contexts* and subjectivities that are implied by the utterance' (Callon 2006: 11 – my emphasis). This context, Callon (*ibid.*: 21) crucially posits, can 'not be reduced to institutions, norms or rules; it is a socio-technical arrangement'²⁰ in which the latter entails 'a combination of heterogeneous elements that have been carefully adjusted to one another' (*ibid.*: 13).

Inherent in Callon's attention to 'contextualisation'²¹ and the term 'socio-technical arrangement' are two crucial ideas of which the legacy can be traced back to science and technology studies (STS), and particularly to actor-network-theory (ANT):

- (1) the proposition that contexts comprise both semiotics and materiality, and that each must receive equal attention (it is *socio-technical*);

¹⁹ Building on Derrida, Butler has criticised contemporary conceptualisations of performativity on this point of potential 'breakdown' in the sense that she claims that not enough attention is given to the 'in-built' failure of performativity: 'Performative operations can be seen to be driven 'temporally' by their own 'in built' failure, rather than failure being somehow contingent upon temporal (empirical, historical) circumstances' (du Gay 2010: 173).

²⁰ Or, as he most commonly refers to it, a 'socio-technical *agencement*'. There is no accurate English translation of the French 'agencement' which refers to a particular arranging of heterogeneous elements into an appropriate combination. While not the same, its meaning is close to that of 'arrangement' or 'assemblage'. However, given the fact that both these terms can imply a distinction between those that arrange or assemble (i.e., human agents) and those things which are being assembled, Deleuze & Guattari (1998) have opted for the notion *agencement* – a choice adopted by Callon (Callon 2006: 13). Moreover, Callon continues, '[a]gencement has the same root as agency: *agencements* are arrangements endowed with the capacity of acting in different ways depending on their configuration. This means that there is nothing left outside *agencements*: there is no need for further explanation, because the construction of its meaning is part of an *agencement*' (*ibid.*).

²¹ See Morita 2014 for an interesting short overview of (the discussions) about the adoption of the ethnographic practice of "contextualisation" by ANT as a 'response to the growing dissatisfaction with holistic contextualizations that has dominated ethnography since the Malinowskian revolution' (230), and the ways in which it differs from other forms of contextualisation.

(2) the relational ontology of contexts and the proposition that it are the particular relationships between, and the composition and assembling of, different elements which generate an effect.

In contrast to Austin's emphasis on the fulfilment of 'social conventions', for Callon it is through the actualisation of a socio-technical arrangement that performative force is acquired: 'We can agree to call *performation*²² the process whereby socio-technical arrangements are enacted' (Callon 2006: 25). Consequently, it is the process of actualising a particular world²³ or socio-technical arrangement which takes central place in Callon's conceptualisation of performativity. As such,

[w]e are no longer in the register of truth as a reference [critiquing logical positivism and representationalism] but – to stick to the same word – in that of truth as success or failure, in truth as fulfilled conditions of felicity' (Callon 2006: 14).

Timothy Mitchell's riveting chapter on the law of property in Egypt neatly exemplifies Callon's point. In this chapter, Mitchell questions how modern law acquires its power and authority. According to colonial officers, it derives from its claim to 'universality' – the fact that it is 'true in every country'. In other words, the performative force of the rule of private property in Egypt was acquired because it conformed to a 'universal system of rules' applicable everywhere. This proposition resonates with Austin's claim that an utterance acquires a performative force because it conforms to 'an established set of conventional rules'. However, in a move similar to Austin's critics, Mitchell subsequently urges the reader not to take this 'universal' quality as a 'given' but to investigate 'the genealogy of what is taken to be a universal system of rules' (Mitchell 2002: 55).²⁴

Thus, Mitchell sets out to de-stabilise this claim to 'universalism' which he aims to achieve through applying 'contextualisation' as his mode of inquiry. More specifically, he aims to reveal the local context – 'the actual circumstances and political struggles out of which [the law] came' (77) – which is often left out of the history of modern law. Crucially, this omission is itself part of the process through which its 'universalism' is effected: by not presenting the law's local origins – the

²² Callon prefers the notion of 'performation' to that of 'performativity' to avoid reading it in Austinian terms as 'a property of statements' but instead to regard it as 'an action: it is performativity as an activity or a material operation' (MacKenzie, Muniesa & Siu 2007: 15).

²³ Callon uses the word 'world' interchangeably with 'a socio-technical arrangement'.

²⁴ See also legal anthropologist Sally Falk Moore (1978: 69) who posited that 'although universality of application is often used as one of the basic elements in any definition of law, universality is often a myth'. Mitchell acknowledges this and goes one step further: taking property law in Egypt as his case study, he powerfully demonstrates *how* – through which practices, processes and mechanisms – this universality comes into effect.

local conditions which enabled its performativity – its origins can be placed outside the Nile valley ‘in the rational scheme of European legal theory’. Yet, it is through the local actualisation of the law that it becomes universal; that it can emerge as a general principle ‘true in every country’. Contextualisation reveals that the law is not merely ‘the local expression or realisation of [a] universal abstraction’ (56) – as if the abstraction precedes its actualisation – but that the context (Callon’s socio-technical arrangement) *effects* the abstraction. Mitchell (77) thus demonstrates that it is not productive to think that the law’s ‘origins lie outside actuality’; instead, we should think about how that ‘actuality’ emerged and became actualised for the principle to become ‘true’ or successful.

As such, his chapter maps this actualisation by retracing the (re)arrangement of heterogeneous elements necessary to perform this universality. Throughout this endeavour, he emphasises the ways in which the ontology of the entities that constitute the context, is (violently) transformed: what makes the rule of law ‘universal’ – what sets it apart from the property order designated as ‘arbitrary’ – is the ways in which it successfully rearranged actions and processes ‘so that some seemed particular and others general’ (ibid.): universal versus singular; general versus particular; concrete objects versus abstraction. It was through these rearrangements that the effect of a ‘universal’, non-local abstract law was created (59). To understand how this rearrangement took effect, Mitchell discusses the estate as one mechanism through which this was obtained.

Focusing on these mechanisms is important. In his article on performing property for example, Blomley (2014) analyses how another such device – the new estate survey – contributes to the particular relational arrangements in and through which property can be actualised. Similar to Mitchell’s estate, this new (cartographic) survey enabled a particular property order to emerge through its attempt to rework the world by arranging ideas, people, objects and truth claims differently from the ‘pre-modern property survey’ (Blomley 2014b: 154). More specifically, the new, cartographic way of mapping property not only caused the spatialisation of property, it equally dis-entangled property from the local, contextualised relations of social customary knowledge, trust and value in order to rearrange it within networks of the (generalizable) rule of law and expert knowledge, (state) violence and market value. As such, the new practice of the modern survey contributed to effect ‘a shift in the conception of property itself [from] an older, relational view [to] a harder and sharper view of property as an exclusionary asset, held against the world, vested in one owner’ (ibid.: 148). Drawing on Mitchell, Blomley (153) advocates that we trace ‘how the divide was produced’ between particular and expert knowledge; aberrant and replicable practices; legible and illegible.

Writings such as those of Mitchell and Blomley underscore two crucial points made by Callon: first (1) the idea that ‘performance is the process of actualising’.

Indeed, both Mitchell and Blomley emphasise and demonstrate that neither the ‘universal principle of property’ nor the new practice of surveying ‘was [...] simply rolled out into a receptive world. [I]t had to constitute a world in which it could become truthful’ (Blomley 2014b: 167). The process of constituting this world is often characterised by violence, dispossession, coercion, exception, injustice and arbitrariness. Second (2), both authors insist that binarisms such as state/society; law/arbitrariness; ideal/material; market/non-market; public/private; modern/a-modern and so on should not be taken ‘as the starting point of the analysis, but as an uncertain outcome of the historical process’ (Mitchell 2002: 74).

Transposing these two points to my research on the performance of private property in Azraq, I place the processes through which particular socio-material mechanisms and elements are rearranged, central. These elements are multiple and heterogenous, including (knowledge production about) water, cultural expectations of labour, development discourses, paper work, identities, trees, ideas of citizenship and belonging, and so on. In my research I particularly focus on the processes through which five elements were rearranged: Azraqis’ relation to land; land’s resourceness; the *hujjah*, (an informal sales contract); the practice of revivification; and the enactment of the scientific concept of the safe yield. I examine not only how each of these are rearranged, and how they, in turn, help constitute a world conducive to a particular property arrangement; I also pay attention to the ways in which these elements align with, and affect, each other.

De-silencing the Literature

Questions about property and the dynamics that mark its unsettled nature have often been marginalised in scholars’ accounts of the country’s political and economic history as well as in their accounts of more recent events. Overall, land and property relations in Jordan (and the entire Mashreq region) constitutes ‘a vast and still largely unexplored field of inquiry’ (Owen 2000: ix). For (Trans-)Jordan specifically, writings prior to the 1970s were mostly responsive to mandate-era and post-dependency political developments and tended to be mostly descriptive in nature.²⁵ The handful of accounts produced during the thirty-odd years after World

²⁵ To my knowledge, there are only a few pre- and interwar academic accounts of the twentieth century which deal, to some extent, with land tenure. Two examples include that by Alois Musil (professor of Oriental Studies in Charles University, Prague) who undertook several expeditions to ‘northern Arabia’ in the first two decades of the previous century and wrote extensively about ‘The manners and customs of the Rwala Bedouins’, including their land use (1928). The other work concerns that by Carl Raswan (admirer of Arabian horses) who spent about seven years amongst the Bedouin of the region. One of his articles deals explicitly with tribal territories in an informative rather than analytical manner (1930). Additionally, a number of academic works that cover the Ottoman legal system, equally write on the matter of land tenure, especially those that discuss the 1858 Land Code (e.g. Tute (1927); Goadby & Doukhan (1935); Hooper (1933-6)). There are, moreover, several travelogues and dairies in which, *en passant*, land use patterns are mentioned (e.g.

War II concentrated mostly on the administrative, legal and (un-)productive aspects of Jordan's land tenure. These studies, generously supplemented by overviews of the country's geophysical features and soil texture, tend to be policy-oriented, descriptive, quantitative and/or regional (comparative) in nature. They reflect the governments' and international agencies' contemporary will to reform the land tenure systems in order to contribute to the new nation-states' financial autonomy and economic viability. Although voices were raised to consider indigenous conceptualisations of ownership or to pay attention to everyday social realities and agrarian relations in Britain's colonies (e.g., Meek 1947), village- or community-level studies which could provide such an approach were practically absent in Jordan until the 1980s.²⁶ Overall, critical research on land ownership remained rare until the last quarter of the 20th century when it witnessed a short but nonetheless important upsurge (e.g., Bocco 1987 & 1989; Razzaz 1991; Fischbach 2000).

The academic output in the last quarter of the 20th century was spurred by a booming political interest in the region following events in the 1970s. During that decade, known as a 'pivot of change', the Mashreq witnessed major political (e.g., Arab-Israeli War) and economic (e.g., the 1973 oil crisis) events which reverberated on the international scene and which profoundly influenced different intellectual fields (e.g., the Middle East 'area studies') (Mitchell 2003). These dynamics also resonated within Jordan's academic scene in the form of a heightened production but also in a change in focus. Indeed, as early as the late 1970s, a growing unease with the thus-far produced historical and political literature on the region arose. Part of this critique posited that the literature was imbued with a hegemonic, traditionally orientalist's gaze on the 'Middle East' – constituted and perceived as one homogeneous, inert and coherent 'culture' (see especially Said 1978). Instead, it called for a focus on the locally variegated *social* histories which, in relation to land and property, translated more thoroughly the socio-economic aspects of, and the social transformations resulting from, changing land tenure patterns (Khalidi 1984). It was a prelude to the 'new social history' that 'swept the Middle East studies after it had already fallen out of fashion among Europeanists and Americanists' (Anderson 2016: 586). Eugene Rogan and Tariq Tell's excellent edited volume *Village, Steppe and State. The Social Origins of Modern Jordan* fit within this tradition.

Charles Montagu Doughty's *Travels in Arabia Deserta* (1888); Thomas Edward (T.E.) Lawrence's *Seven Pillars of Wisdom* (1922)). In the years following the Second World War, attention started to be given to the issue of land, mostly in reaction to the search for rapid economic development in the predominantly agrarian economies of the Mashreq. These studies include those of Walpole 1944 & 1948; Baer 1957 & 1966; Warriner 1948 & 1957; and Goichon 1967. With the exception of Warriner (who devotes a separate chapter to Jordan), all these studies deal exclusively with (Trans-)Jordan.

²⁶ Richard T. Antoun's 1972 book *Arab Village: Social Structural Study of a Transjordanian Peasant Community*, Indiana University Press, London – an ethnographic, village-level study – marks an important exception.

Written against 'the current scholarship [on Jordan which] has been restricted to the high politics of Anglo-Hashemite relations and the Palestinian question' (1994: xix), the volume advocates a focus on the social history or everyday lived experiences. Michael Fischbach's work *State, Society and Land in Jordan* (2000, see *infra*) can equally be situated within this tradition.

At the same time, historians, sociologists and law scholars (mostly within the socio-legal field) critiqued the traditionally static reading of legal texts as constitutive of society (and its institutions). Underscoring their aversion to generalisations about land ownership patterns, they advocated paying more attention to social and legal realities on the ground by consulting primary, local sources, by adopting an interdisciplinary approach, and by doing away with rigid and uncritical translations and transpositions of concepts in favour of more indigenous perceptions.²⁷ Omar Razzaz's doctoral dissertation *Law, urban land tenure, and property disputes in contested settlements: The case of Jordan* (1991) is exemplary here. Razzaz uses Yajouz, a contested settlement in the periphery of Amman, to bridge two strands of literature: urban studies and legal pluralism. While the former has significantly enlarged our knowledge of settlements, they have 'given little attention to the functioning of law in these settlements' (Razzaz 1991: 264). The latter on the other hand has focused on the law-society nexus but neglected the study of tenure relations in contested settlements. As a site in full development in the 1980s, Razzaz uses the case of Yajouz to further both fields.

From 1985 anthropologists took these tendencies further. Commonly, it is said that the anthropology of/in the Middle East came of age in the 1970s (Caton 2015 but see Antoun 1976 for a discussion of earlier works).²⁸ Save for Antoun's social anthropology studies in the 1960s, anthropological studies in Jordan lived their heydays during the late 1980s-1990s.²⁹ Articulating both the contemporary

²⁷ See for example Wählin (1989, 1994a & 1994b) and Mayer (1985).

²⁸ This, however, foremost represents a United States-based perspective. See also Mitchell (2003).

²⁹ Observed from within the country itself, the surge in anthropological writings during the 1980s-1990s can be attributed to the gradual blossoming of research in humanities and social sciences from the late 1970s-early 1980s onwards. In 1984 Jordan's first Department of Anthropology was established as part of the Faculty of Archaeology and Anthropology (founded that same year) at the Yarmouk University in Irbid (Al Husban & Na'amneh 2010). Anthropology, at the time one of the newest academic fields in the country, steadily gained ground as a research discipline with a particular methodology. Several authors of well-respected ethnographic works (e.g. William and Fidelity Lancaster) have taught at that University or have been involved in one of its projects. It was also during this period that Jordanians themselves undertook degrees in anthropology, often at the initiative of PhD graduates having studied abroad in American or European universities (e.g. Mohammed Tarawneh and Abdel Hakim Al-Husban). Professor Martha Mundy, an anthropologist specialised in the Arab World and a founding member of the Department of Anthropology, set up a historical anthropology project studying the transformation of political and economic relations in southern Syria (contemporary northern Jordan) during the late Ottoman period. Some of her earlier work (1994) focused on the ways in which the Ottoman registration processes induced transformations in the social and agrarian relations at the village level. She thereby paid crucial attention to the ways in which the process of translation from local, vernacular, terms into legal terms used and recognized by state agencies constitutes both its subject (the right holder) and its object (land) – an interest which persists in her more recent work (e.g. with Pottage 2004). Together with Fischbach, Mundy was one of the first researchers to consult Ottoman and

disciplinary 'prestige zones of anthropological theorizing' (Abu-Lughod 1989: 279) as well as 'the interests of Western publics and Western governments trying to formulate policies toward a region they knew next to nothing about' (Caton 2015: 75), the rich body of anthropological accounts produced during these two decades predominantly tackled the tribes and/or their relation to the state – a topic especially thriving in Middle Eastern anthropologies since the late 1980s-early 1990s (see Khoury & Kostiner 1990).³⁰ While not their prime interest, land ownership patterns often figure prominently in these studies which, contrary to earlier accounts, pay more attention to indigenous conceptualisations of property (e.g., Bocco 1989 & 1996; Lancaster & Lancaster 1986). Bocco (1989 & 1996) for example takes these conceptualisations as a tool to analyse 'state-society' relations and illustrates the ways in which tribal conceptualisations of ownership interact with national development plans shaped by state policies and international development organisations. The 1980s and 1990s thus witnessed a significant accumulation of academic writings on Jordan and (if often only indirectly) on land ownership.³¹

Looking at this literature, we notice that there has been little interest in the subject of 'real property' in Jordan (Hann 2007: 293) (there is a burgeoning literature on intellectual property though). There has been a call to renew academic interest in the topic from a more 'on-the-ground' approach combining 'an intimate knowledge of the terrain with a thorough study of the archival resources' (Owen 2000: xxiii), but contemporary research has foremost focused on the Ottoman (e.g., Islamoglu 2004; Mundy 2000; Mundy & Smith 2007) and/or Mandate era (e.g., Fischbach 2000; Barakat 2015). With the exception of Razzaz, little interest in contemporary property relations has been produced. Even more, research on contemporary property arrangements in Jordan have all but faded at the turn of the millennium.³² It is beyond the scope of this research to question to what extent this 'silence' helps perform, and is itself performed by, emergent property arrangements, but it is important to stay alert and aware of the fact that 'certain research topics do not travel well to certain areas of the world' (Caton 2015: 6), especially given recent events in the region.

British Mandate land registers, which she combined with oral history. Her research has equally been one of the few studies of property in Jordan that takes an anthropological perspective.

³⁰ See, amongst others, Alon (2007), Bocco 1996; Layne 1994; Shryock 1997; Tarawneh 1999.

³¹ Most notably Bocco 1987 & 1989; Wählin 1989, 1994a & 1994b; Khalidi 1984, Lancaster & Lancaster 1986, 1995 & 1999; Razzaz 1991, 1993 & 1994; Mundy 1994, 1996; Tarawneh 1999; Palmer 1999; and Fischbach 1994a, 1994b, & 2000. Underscored names represent anthropologists.

³² The most recent work on property in Jordan, to my knowledge, is that of Nora Barakat who defended her doctoral study *An Empty Land? Nomads and Property Administration in Hamidian Syria* in spring 2015.

A Note on Methodology



Figure 4: 'If this is an awful mess...
then would something less messy make a mess of describing it?'
(Law 2004: 1)

How do I start to describe, structure, represent or (per-)form (words that all, in one way or another, problematise the act of writing) the field that I encountered? Where do I start? What do I retain from the mass/mess of data – sensory, emotional, descriptive, numerical, historical – that I lived in the field? And, just as crucial, how will what I leave out, shape that which remains?

These (type of) questions are never far away. When I went to view Bruno Latour's theatre play 'Inside' together with friends, a map was drawn of a place that Latour's colleagues had been studying.³³ Despite Latour's best intentions (he discussed and projected the map three times), no one in the theatre hall understood the map – no one was able to 'read' it. Nor were we intend to: the map, Latour reinsured us (the public), had not been made intelligible to us. It could not. Because the moment it did, it would leave out too many relations, emotions, (in-)contingencies, affects and so on. That is, it would leave out messiness. The same applies to my research: what is in front of you is not the strange, fascinating, awful, frustrating, engaging and ever transforming 'mess' I encountered in Azraq. It is still a mess though: as Law posits in his statement above, any attempt to make the mess less messy, is itself a mess. The example of the museum is classic here: stories, photographs, songs,

³³ *Inside*, a lecture performance by Bruno Latour & Frédérique Aït-Touati, Brussels, 24 November 2018.

artefacts and so on are given meaning to the visitor through their particular temporal and spatial (both in the world as well as in the space of the museum) ordering. For those to whom these entities belong, however, the display might come across as random and messy.

This is far from an innocent observation: the attempt to order 'the mess' can make a mess in/of the world not only by the way it chooses to order that mess (cf. Law 2004), but also by the way it presents and renders that ordering *itself* as hegemonic (cf. Said 1978; Callon 2006; Mitchell 2003). Being aware of this risk is important and I wish I had given it more thought throughout my fieldwork and writings. For while I acknowledge the potential performative force of my writings (it is, after all, one of my primary aims: to re-particularise the notion of private property by repeating the argument in a particular setting), there are other elements at play that direct my 'ordering' to which I have not paid much attention. One example concerns the fact that British (Mandate) archives³⁴ – as a source of historical information – assume a hegemonic/dominant status in my research, while other potential archives (in Istanbul, Ankara, Damascus and even Amman) have largely been ignored. Yet, regardless of whether this ignorance is related to issues of access, of the sources' (non)conservation status, of time restraints or of language barriers; they are largely omitted and, through their omission, effect the potential for alternative orderings. A second example is related to the fact that I do not include the family quarrels, household fights and intra- and intercommunal tensions and conflicts over land that I witnessed and encountered in the field. All these deeply affect and direct people's practices, expectations and ideas about land and property. Yet 'the work' they do in the realisation of private property is largely hidden within my account. This brings me to a last point which concerns the methods that I used and through which I gathered my data: participant observation, (semi-structured) interviews and archival work constitute the most important ones. They also constitute the core of the Euro-American, hegemonic method assemblage in the social sciences (Law 2004). Moreover, as Law indicates, the fact that doctoral students are expected to include a section on methodology, helps constitute their performance:

Claims about the general importance of methodological rules also tend to get naturalised in social science debate. Particular sets of rules and procedures may be questioned and debated, but the overall need for proper rules and procedures is not. It is taken for granted that these are necessary. And behind the assumption that we need such rules and procedures lies a further range of

³⁴ Transjordan was part of the British Mandate (1922 to 1946) during which time Azraq was one of the political centres from where the British aimed to control the Jordanian Badia. Moreover, Azraq constituted the main focus of the British conservation project in Jordan in the 1960s.

assumptions that are also naturalised and more or less hidden. These have to do with what is most important in the world, the kinds of facts we need to gather, and the appropriate techniques for gathering and theorising data. All of these, too, are naturalised in the common sense of research (ibid.: 5).

These methods circulate and have become widespread, not only within the context of universities but also of consultancy jobs. Hasan for example, himself engaged in several consultancy jobs, once shared with me his thoughts on how I should go about gathering data: i.e. through surveys, workshops and interviews.

Methods, clearly, importantly order 'the mess' we encounter in our fieldwork. However, *what* aspects of that mess, we encounter, is also always-already importantly ordered through our own being – our positionality – in the field and through the ways in which that being affects our access to the mess of social reality. Before delving more into this, let me first draw attention to the fact that I ended-up living most of my fieldwork period in North Azraq amongst the Druze (rather than, for example, the Bedouin in the area surrounding Azraq village, or the Chechen in South Azraq). This importantly ordered my social relations, views, senses of spatial interconnectedness (the Druze remain closely engaged with their relatives in Lebanon and Syria, the Bedouin move between Syria and Saudi-Arabia, and the Chechen often travel to Zarqa) and general being in the field (Druze women, for one, do not wear a headscarf). It must, therefore, be carefully noted that the data that serves as the basis of this research, largely reflects a Druze perspective.

With regards to my 'being' in the field, I have been (made) aware of the fact that I am white and female – two properties that can prove both an advantage and a liability while doing research in rural Jordan, for both myself as well as my research participants or my host family. Overall, being a white, West-European female researcher has allowed me to access events and private spheres that would have been largely closed off to male others. The mere fact that I was allowed to live with three different families – two of which had young daughters – would not have been possible for a male researcher. Moreover, as a woman, I was allowed to enter both 'male' and 'female' spheres of everyday life.

I was also given access to certain situations and contexts because my research assistants indicated that they wanted to 'employ' the performative force of these properties (which, by doing so, simultaneously reinforced this force). A small example is that of Jamal who asked me to join him to a job interview, wanting absolutely for me to be there. Not 'me', he frankly stated, but the properties that came attached to me: Having applied to a European non-governmental organisation (NGO), showing connection to 'their' culture through my presence (not only white but also female) would no doubt be of help, he argued. He eventually was hired and, although he withdrew from taking the job, continues to assign his successful

interview to my mere presence, unnecessarily minimising his own merits. To me, the interview, which took place in the newly established Azraq refugee camp where strict rules of access apply, allowed me a first entry into the camp.

Unfortunately, not everyone who 'used' my properties did so with good intentions. This happened in at least two instances and it left me deeply upset. First because they demonstrate the extent to which our presence can be actively and negatively deployed by others without us being aware of either the action or its (deeply damaging) consequences for others. The latter bothered me predominantly because, due to it happening behind my back, I could not (try and) rectify the situation for the aggrieved party. Additionally, these actions closed previously opened doors without so much as an explanation (which can be a very stressful event). Second, it upset me because, while I was cautious for this in the village, I did not at all expect it to happen in the context of a formal, single interview arrangement. Indeed, I was aware that my presence in the village might have unintended consequences and I have tried to prevent this as much as possible. Many of my research interlocutors helped me in this by pointing out behaviour that might potentially be perceived as negative for their (and mine) position within the village. A prime example concerns my contacts with a land broker whose reputation in the village was, to say the least, ambiguous. These contacts usually happened late at night (the land broker often worked until past 21h). While my host was aware of this, he also clearly communicated that if his neighbours noticed that I was brought home too late too often (the interviews took place at the other side of the village), it would badly damage my host's reputation. As such, during one interview, I received a message from him that clearly stated 'This is too late', after which I immediately halted the interview. Fortunately, the land broker was aware of this and never made a point of the abrupt endings of the interviews, or of spreading the interviews over several evenings.

However, when I entered a company, a government institution or an international development organisation in Amman, my awareness of, and cautious behaviour towards the fact that I was part of a particular social context in which my presence had effects, was usually dropped – at least the first two and half years of my research before I received the following:

Date: 06/09/13 [12:10:16]
From: ayman dahamsheh <ayman@badiafund.gov.jo>
To: srjansse.Janssens@UGent.be
Subject: To whom it may concern at Hashemite Fund For Development Of Jordan Badia

Dear Sylive Janssens

hope you are doing well , I received this email on Sunday 9/6/2013, please if you send this email confirm that and . I will be thankful for you if you tell me what happened exactly.

Best regards,

Ayman M. Al-dahamsheh
Head of Systems and Information Section
The Hashemite Fund for Development of Jordan Badia
Tel : +962 6 5650671 Ext. 142
mob: +962 7 97124707
Fax : +962 6 5650528

From: Sylive Janssens [mailto:sylivejanssens@hotmail.com]
Sent: Sunday, June 09, 2013 10:55 AM
To: info@badiafund.gov.jo
Subject: [?? Probable Spam] To whom it may concern at Hashemite Fund For Development Of Jordan Badia

To whom it may concern at Hashemite Fund For Development Of Jordan Badia ,

I am Sylive Janssens , a student who came to the fund in 28/4/2013 to take some information and some data . I would like to claim about the bad way of dealing and behaving with me from Mrs Maysoon Al Jassan and Mrs Khansa'a Al Qa'at , I asked them about some information I needed but they replied in a very bad way , and I got shocked about this bad behaving . I will be thankfull for you if you take an action regarding this bad way of behaving with the fund's visitors .

your sincerely ,

Sylive Janssens .

The person who wrote this mail was clearly well up to date about my comings since both the date and my position as a student are correct. However, I had never spoken to the two people mentioned nor was my name/email address correct. Mr. Al-Dahamsheh had been alert enough to inquire about my interview at the institute. One of the employees, whom I had met on previous occasions, noticed the fake email address and handed Mr. Al-Dahamsheh my correct email. The Fund reacted professionally by getting back to me and offering their excuses. In this case, fortunately, nothing happened but it made me realise what one's presence can trigger and a sense of unease stayed with me in subsequent interviews. Eventually, I put it aside as an isolated case or even a bad joke.

Unfortunately, a similar thing happened to me about a year later. A serious incident which I stumbled upon merely by coincidence. In spring 2014 I conducted an interview with a GIZ employee working at the Ministry of Water and Irrigation. The interview had started in a very tensed way (which, I thought, was related to her previous meeting with (inter)national researchers also working on Azraq). She had previously done fieldwork in Azraq – mostly interviewing farmers and connecting to project participants – in the context of the Azraq Highland Water Forum. At the time of my interview, she had been promoted to a higher position which mostly involved office work. Her previous position in the field was now occupied by someone else (a man whom I had interviewed several times and occasionally had joined on his field trips to Azraq). Two minutes into the interview, I inquired about her view on the development of farmers' position vis-à-vis the project. Hearing that question, she suddenly tensed, stating she could not answer that question because she worked in the office. I replied that I understood that but that, given her prior position and the fact that the man doing fieldwork now had to report his findings to her directly, I was merely wondering if she had noticed a change. At that point, she unexpectedly became enraged, saying I should not ask these questions, that the interview was over and that she wanted me to leave at once.

While far from a pleasant experience, I never give it much thought until it suddenly popped up again the next year. In the last two weeks of my last fieldwork period, I took the time to call all my interlocutors to thank them for their help and invite them for a coffee or lunch. I also called the GIZ man whom I had occasionally joined to Azraq and who had been very supportive of my research. However, despite various attempts to call and email, I could not reach him. Eventually, I decided to make a Linked-In account to try and contact him. He replied, stating there must have been something with his phone and called me himself. He seemed shocked that I would contact him after what had happened, and even more shocked that I was unaware about it: a few weeks after my interview with his colleague, he had been fired. Although he did not want to provide details, his colleague had used my presence and that of the other researcher to convince his boss to dismiss him. I

was enraged. His German boss had never even contacted me to verify whichever 'facts' had been presented to him and I insisted that I should talk to his boss. He asked me not to and I eventually respected his request although I still doubt my decision to leave it at that. My interlocutor and I eventually met for hardly five minutes, in front of the university gate. Despite our previously amicable contacts, he now clearly felt too uncomfortable to even have a coffee.

Outline of a PhD

I have organised my research around three elements that have been, or are in the process of being, profoundly reordered: land's value; property's legibility form; and the positioning of Azraq as a particular object of development/knowledge.

Part One - Reordering Values

The first part of this research centres on the notion of value. More specifically, it focuses on a shift in land's value from *use* to *exchange* value as the effect of a particular arrangement of ideas, desires, discourses, technologies and knowledge production. In these first two chapters, which simultaneously serve as historical chapters, I narrate how revolutions in technologies (diesel motors, irrigation systems); processes of nature's compartmentalisation; shifting ideas of, and attitudes towards, the 'resource frontier'; investors desire vis-à-vis land in Azraq; development discourses about 'underutilised' land; processes of ecological destruction; and political privileging all come together to effect a particular kind of value.

My approach to value is based on that of anthropologists such as Alexander (2004), Appadurai (2013), and Verdery (2003) who do not see value as an inherent quality of land, but as contingent on *context*. Consequently, '[i]f values have something to do with context, then any alteration in context perforce changes values' (Verdery 2003: 22). In my first two chapters then, I set out to trace the practices, processes and mechanisms through which the context in Azraq shifted in such a way that it enabled the conditions for land's exchange value to emerge and become dominant. Narrating this shift in value is important to better understand the development of particular practices with regards to land - practices that form the subject of Part Two - which help effect a new property arrangement.

In **Chapter 1**, I sketch how the context that held up land's use value was profoundly altered as a result of the gradual dis-entanglement of Azraq's environmental properties through their compartmentalisation into different fields of government: water, land, and 'nature'. Each of these properties, I demonstrate, became entangled into different world- and state-making projects through which

they were not only rendered intelligible and governable, but were equally subjected to different property arrangements: Water belonged to 'the nation', land to 'the state', and nature to an imagined 'global community'. All this importantly reordered the local relations of access to, and control over, each of these properties in such a way that it deprived Azraqis of their ability to live of the land, whilst simultaneously blocking them from realising land's use value in the form of cultivation.

If I have highlighted (one aspect) of land's dis-entangling in the previous chapter, in **Chapter 2** I further examine the process of its re-entangling. I therefore focus on the emergence of Azraq's informal land market, more specifically on the work that has gone into its realisation and on ongoing attempts today to stabilise it. The focus in this chapter is on the processes and practices through which land in Azraq was rendered desirable to investors. I therefore build on Tania Li's approach to land's 'resourceness' as an assemblage of 'materialities, relations, technologies and discourses that have to be pulled together and made to align' (2014b: 589). I demonstrate how, since the 1970s, a particular arrangement of different elements (such as capital, new technologies, informal land ownership, a national spirit of entrepreneurialism, and development discourses about a 'blooming desert') came into being, leading to a small 'land rush' and enabling the emergence of a local land market. Gradually however, land's 'resourceness' has become unsettled as several of the elements that upheld its success, were dis-entangled. Despite, or more accurately, because of contemporary practices by local land brokers to stabilise the arrangement, land investors are increasingly demanding a formalisation of the land market.

Part Two – In Search of Property's Intelligibility

In Part Two, I explore the effect that the ongoing reordering described in Part One, has on (1) the *forms* through which property relations are rendered 'knowable' and intelligible, (2) the practices through which these forms are brought about, and (3) how these new forms further effect the reordering of the property arrangement. Each chapter in this part discusses one form through which property relations are reified or 'made into objects when they are seen to assume a particular form [...]. This form in turn indicates the properties by which they are known and, in being rendered knowable or graspable through such properties, entities appear (in Euro-American idiom) as "things"' (Strathern 1999: 13). The focus in Part Two, then, is on the processes through which the forms (and properties) of property are reordered, and on how the new forms further land's alienation, tradability, spatialization, exclusivity and individualisation.

The form of property's reification is contingent on the elements through which a property arrangement is brought into being. One of these elements, I indicated in

Part One, is the shifting nature of value. This reordering of value was itself an effect of other rearrangements, most dominantly Azraq's incorporation into state formation processes and the emergence of a land market. These rearrangements are reflected in property's new forms and appropriate properties which are increasingly being tailored to the requirements of both 'the market' and 'the state'. Indeed, throughout the two chapters, it becomes clear that property's new forms emerge as 'state legibility forms' in the sense that their properties are settled in relation to, or at least through negotiation with, the concerned state authorities. As such, these shifts in form effected a *form-al* private property arrangement.

In **Chapter 3**, I examine the gradual replacement of *hujjeh*, an informal sales contract, with *tabu* or a formal title deed.³⁵ I proceed by sketching the elements of Azraq's context that long enabled a successful working of *hujjeh*: ownership relations based on communal landholding, a spatially restricted circulation of information about land, undetermined land boundaries, communal authority over access to, and allocation of land, and a legal arrangement that recognised *hujjeh* as a tool to access means of production (water, labour, energy). It was the existence of the institution of *hujjeh* which facilitated the realisation of the informal land market discussed in Chapter 2. Ironically, it was the market that destabilised *hujjeh*'s performative force. Not, however, as some economists would claim, because *hujjeh* constitutes a 'defective form' (Mitchell 2007: 249) – i.e., it is informal, inaccurate and unrecorded – but because of the new practices to which the land market gave rise. Firstly, in an attempt to control the informal land market, and especially the illegal pumping of water related to it, there was a profound reordering of the legal arrangement in favour of *tabu*. Secondly, the inability of local land brokers to supply the market with (virgin) land, stimulated some of them to change their relation to *hujjeh* and no longer treat it as a contract to be honoured, but as a tool to extract profit. Consequently, land investors now increasingly demand *tabu* – the use of which not only effects a rearrangement of power and authority over land through a relocation of the centre of knowledge, but also furthers land's alienation from its socio-environmental relations.

The heightened demand for *tabu* by outside investors, combined with land's increasing exchange value, put pressure on Azraqis to formalise their land claims. One of the most well-known and oldest ways to do so, is through the practice of revivification. In **Chapter 4**, I focus on this practice and, more specifically, on the ongoing struggle over the 'appropriate properties' through which revivification is recognised as successful. I argue that this struggle results from the inability of state authorities to 'undo' the performative force of the act of revivification. Even more,

³⁵ In Jordan, the word *tabu* can refer both to the right to own land (and to the process of registering it) as well as to the actual piece of paper. *Tabu* however is not the official legal term to refer to a title deed (*sanad tasjil*). Thanks to Michael Fischbach for having pointed this out.

the latter's attempts are further contributing to the practice's performativity. State authorities therefore focus on controlling the practice through the 'appropriate properties' through which it is known.

In this chapter then, I examine the contemporary political dynamics through which the properties of revivification are shaped, contested and (un)settled by viewing it as an 'act of communication' (Rose 1994). I particularly focus on the productive friction between the continuous (re)moulding of revivification's properties into a 'state legibility form' on the one hand, and the absence of properties through which 'the state' is graspable or made know, on the other. In short: attempts to render property intelligible to 'the state', run into attempts to render 'the state' itself intelligible.

Part Three - The Object of Development/Knowledge

In my last part, I want to draw attention to the specific and dominant enactment of Azraq as an object of development and knowledge centred on water. More specifically, I focus on the way in which Azraq is regularly introduced (and performed) as an arithmetic problem within (state) development discourses, projects and reports. This ordering of Azraq in mathematical terms, I argue, affects the conditions of the emergence of the private property arrangement in various ways. To demonstrate this, I return to the process of making Azraq's waters legible, and particularly to the performance of the concept of 'safe yield'. This concept was first enrolled in the context of Azraq in the 1950s-1960s. Since then, it has been the central concept through which Azraq's waters are enacted as ontologically separated from men, through which they are subjected to calculative practices, and are turned into an object of calculative government. The concept, moreover, not only enables the representation of Azraq as a mathematical problem but also enables the solution to be defined in technological terms - i.e., in terms that do not necessitate dealing with the ways in which the unsettled nature of the property arrangement contributes to the problem.

My tracing of the concept's genealogy moreover shows that its enrolment in Azraq actually formed part of the process through which it could be accredited as universally applicable. The transformation of Azraq's waters into an object of calculation was thus at once a product of scientific practices while simultaneously constitutive of the *scientific* character of these practices.

It are these two elements - the concept's scientific character, as well as the fact that its enrolment enables state authorities and development organisations to only pay modest attention to the politically very sensitive issue of land and property - that accounts for the concept's performative force, and explains why it remains successful and dominant despite the concept's proven flaws and erratic nature.

Part ONE

Reordering Values



Figure 5: Aerial Photograph Azraq Oasis 1965 (London, TNA, FT10-14).

1 Changing the Nature of Value

Everything we stayed for has been taken away.
- Jamal, 3 May 2012

*The turning point was the 1990s,
that's when land really became a commodity.*
- Hasan, 7 May 2014

1.1 Introduction

Everyone in Azraq wants land. Those who have it try to acquire more; those who do not are going to great length to obtain it. I vividly remember when Hasan, successfully engaged in consultancy jobs for predominantly environmental (inter-)national organisations, first brought up his imminent and well thought out strategy to secure land ownership for himself and his family. Hasan's days were usually filled with work obligations requiring him to travel back and forth to Amman and even Syria. Yet, as soon as he found a slot, he would call me, check my whereabouts and pick me up with his car to discuss my research or whatever was on his mind.

That afternoon, we passed through the farming and salt production area while Hasan described their respective history peppered with stories from his youth. Going back to the village, he suddenly drives up what turns out to be the beginning of a yet-to-be-finished road to Syria which abruptly stops after hardly a few kilometres. Parking his car at the end of the road, and after a long silence, he starts talking about his youth, about his father's absence due to his work as a truck driver, about his brother's misfortunes when his business went bankrupt due to the First Gulf War, and especially about the responsibility to support his family that befell him shortly afterwards. According to him, much of the hardship he suffered was related to the fact that his family, unlike those of his friends, did not own much land. While his family had received a share of the communal land, irregularities in the allocation process had left his family with considerably less than others. As such, his family's share had been insufficient to serve as a safety net. Terrified that his children might suffer the same fate, Hasan was determined to avoid the past repeating itself. He had therefore recently invested in a tract of land in the area close to where we were parked. His wife, a lawyer who shared her husband's ideas about the importance of land ownership, had recently bought her own tract of land in a quickly emerging, built-up area west of North-Azraq. The more land they acquire, he said resolutely, the better. Clearly, and despite the fact that both he and his wife

held well-paid jobs, securing the future necessitated land ownership: land's market value always delivers.

Hasan's case is paradigmatic of the importance that Azraqis accord to land's function as a safety net or a store of wealth that can quickly be accessed when the need arises. This function came up in most of the life histories that I listened to. One man in his early twenties – at the time employed as a kind of courier for an international NGO in Azraq refugee camp – was well aware of the reason why he had been able to establish a small music business: '*because I sold the land I got from my family*'.³⁶ Clearly, land today is foremost valued for its monetary value, for the ability to quickly be turned into instant and plentiful cash. In other words, it is valued as a commodity. This, as Hasan pointed out in another conversation, is relatively new though: it is only since the 1990s that the Druze have come to treat land as a site for investment, a commodity to be traded on the market. This is not to say that Druze had been completely oblivious to land's exchange value before, but there simply was no need to market it (and there simply was no market). Land was abundant and foremost provided a place to dwell and a source of livelihood until at least the 1970s. Additionally, it was deeply valued for aesthetic and recreational reasons.

In this chapter I question how and why people gradually came to appreciate land's value less for its reproductive qualities (its ability to provide for people's livelihoods) and more for what it can generate on the market. What happened in the intersecting decades since 1970 that effected land's exchange value? What mechanisms turned land into a commodity, into an entity entangled in capitalist relations? These questions have been posed many times over in several contexts, times and places (and with regards to numerous kinds of entities other than land) (Li 2014a & 2014b; Polanyi 2001 [1944]; Tsing 2005). Attention in these studies is often given to (the politics of) the transformations and reorderings of the (social) relations through which land becomes newly entangled (Li 2014a; Verdery 2003), and/or to the production of knowledge that generated and facilitated the commodification process and the (material) effects this has on locals' ways of living and modes of interacting (Appadurai 2013; Cahill 2019). Both processes are, of course, closely interrelated: the way we know an entity and the different relations we built to it, are mutually constitutive and are simultaneously at play in the value we attribute it.

My aim in this chapter is to build on the insights of these two processes to further our understanding of the shifting values of land in Azraq. However, I do so by looking at the processes through which not (only) *land* but Azraq's *other* natural properties were rendered legible (how/what knowledge was produced about them) and/or differently entangled in social relations. What natural properties were (not) rendered legible and re-entangled in property relations, and why (not)? And how

³⁶ NA15, 21 May 2014.

did this affect land's different values? My point of departure is Azraq's incorporation into Jordan's emerging political economy, a development most pronounced between the early 1960s and the mid-1980s. Within Jordanian history, this period was one of state-led development typified by the formation of a national economy and extensive state-building practices (Robins 2004). With the exception of a short interruption between 1967 and 1973 due to regional and internal instability³⁷, this quarter century in Jordan's history noted substantial economic growth related to foreign aid, increased workers' remittances linked to the oil economy in the Gulf region since 1973, and its emergent position as a regional cross-road following regional geopolitical development (Feiler 1994). It was a period when policies were modelled on the development (provider) state and marked by national infrastructure projects, the launching and implementation of long term national and regional development plans as well as the extension of social services and schemes of social redistribution amongst others (see Kingston 1994; Debruyne 2013: 134; Lenner 2014).

Azraq's incorporation into this emerging political economy was expressed in a strong 'will to govern' the Badia through attaining 'the right disposition of things' (Foucault 2007 [1987]: 96). The latter found particular articulation in a plethora of practices aimed at rendering Azraq's natural properties legible and governable. These practices were not only generated by the area's incorporation into Jordan's emergent national economy; they equally arose from Azraq's inscription into both state and world-making projects³⁸ of, amongst others, conservationism, modernity, developmentalism and capitalism. Each of these projects had diverse interests in (different) natural properties and, as such, differently represented the properties in their knowledge production of it. Conservationists and ecologists for example foremost tended to highlight water's quality as a vital, indispensable source of Azraq's particular fauna and flora. (Inter-)national development policies on the other hand focused more on water's quantity and its potential contribution in sustaining Jordan's urbanisation processes. These different projects (and their approach to Azraq's natural properties) importantly embodied particular property logics and regimes of exclusion that deeply reordered (the government of) modes of engagement and the contextual elements through which land is attributed values and meanings. More specifically, the property regimes articulated within these

³⁷ Growth and relative stability were interrupted by two interrelated wars. The first, the Arab-Israeli War in 1967, led to the loss of the West-Bank's rich agricultural lands while causing several hundreds of thousand Palestinian refugees to enter the country. Rising tensions in the refugee camps and the growing gut of the Palestinian Liberation Organisation to act as a 'state within a state' led to the civil war of 'Black September' in 1970 with violent outburst lasting until 1971. Nevertheless, after these tumultuous years, Jordan witnessed a period of prosperity.

³⁸ I draw on Tsing (2000: 347) here who regards 'project' as 'relatively coherent bundles of ideas and practices as realized in particular times and places'.

projects helped narrow the value of land to a purely monetary one – even though not necessarily intentionally. Simultaneously, these property logics (and the ways of ‘knowing’ that shape them) importantly affect the conditions under which land can attain its market value. I demonstrate this by looking more closely at three projects in particular, each of which focus on a different natural property to be governed – in this case land, ‘nature’ and water – and each of which came with a particular property logic. Additionally, I also pay attention to one property, salt, which was not incorporated into any (inter-)national project despite its major value to the local economy. In doing so, I wish to draw attention not only to the politics of exclusion at work in (inter-)national projects, but also in the choice to valorise particular properties instead of others.

In short, this chapter explores the effects that different ways of knowing and attendant property regimes within which each natural property was inserted, had on setting the context for the becoming of contemporary private property relations in land. One effect was that it implied and helped to institutionalise a disentangling and compartmentalising of Azraq’s natural properties – a development that facilitates the emergence of land as a commodity cut loose from its local socio-natural environment (Sawyer 2004). As such, the chapter contributes to studies on how values shift as a result of disentangling entities from their existing networks (Alexander 2004; Humphrey & Verdery 2004) but places particular attention on the (politics of) this disentangling. Indeed, my aim is also to emphasise that the *political* aspect of value creation does not only lie in making *land* legible in a particular way (Li 2014b); or in the power relations employed to ‘freeze the flow of commodities’ or, on the contrary, ‘to invite a loosening of these rules and an expansion of the pool of commodities’ (Appadurai 2013: 60); or also in the political process to try and ‘impose one’s own [value] definition of it over others’ (Verdery 2003: 21). It equally lies in the ways in which the disentanglement of a property occurs as a result of what is incorporated into particular projects, why and to what effect. It is about the deeply political process through which different properties of a landscape are made ‘available’ and the ways in which this (unintentionally) sets the conditions for shifting land’s values.

1.2 Sett(l)ing the Scene

The majority of the Druze living in Azraq today trace their origins back to contemporary Syria, particularly the southern region of the *Ḥawrān*, or to Mount Lebanon in contemporary Lebanon. The latter had been the Druze ‘heartland’ until the establishment of an autonomous, predominantly Christian (Maronite) governorate was established there in 1861 with backing of the French (Firro 1992: 42; Betts 1988: 79). This caused an influx of Druze into southern Syria which

subsequently became the new Druze stronghold and was baptised Jabal al-Druze.³⁹ The Druze quickly adapted their cultivating skills to the region's semi-arid climate and established commercial relations with merchants from cities including Damascus, Beirut and Haifa. By the end of the 19th century they dominated important trade routes and were a largely self-reliant, agricultural community (Provence 2005: 144). It was drought in the late 1880s that forced them to look for greener pastures further southwards into the Syrian desert.⁴⁰ It was allegedly during this period that the Druze first arrived at Azraq:

[B]efore they came and stayed in Azraq as a place to live, [the Druze] used to use it as a field for their animals because it's not so far from Jabal Druze in Syria. So, when they found water and a very rich area, they start coming all the time to feed their animals in the dry seasons.⁴¹

This situation changed following the French occupation after the First World War. From the beginning, the French presence in contemporary Syria was deeply contested. In an attempt to wear off brewing nationalists' movements, the French quickly adopted a divide-and-rule strategy: in 1920 they carved up their Syrian mandate into four states: two 'urban' ones (Aleppo and Damascus) and two more rural, religious-based ones (an Alawite state in the West and a Druze one in the Hawran) (Hitti 1959: 243-244). This strategy aimed to accomplish two things: to separate the urban nationalists who posed a potential threat to French rule while simultaneously recognising the Alawite and Druze minorities in the country. Shortly after, in 1922, frustration over the administrative divisions combined with financial restraints forced the French to reintegrate three out of four 'states' into one federation. The Druze region however remained a separate entity as had been negotiated under the Franco-Druze treaty in 1921 which stated that 'the Druze Mountain would constitute a special administrative unit independent of Damascus with an elected native governor and a representative council' (Rogan 2009: 227-228).⁴² In return for this semi-autonomous Durzi 'state', the Druze were to accept the terms of the French Mandate and allow the presence of French advisers and a garrison of French soldiers in the Jabal (ibid.: 228). This counter consideration – the extend of Druze independence and French Mandate government involvement – soon gave rise to disagreement. In the years following the conclusion of the treaty,

³⁹ Today, the area is officially known as *Jabal al-'Arab* (mountain of the Arabs).

⁴⁰ Oral testimonies by Druze elders in Azraq.

⁴¹ Jad, 4 June 2011.

⁴² This French policy essentially meant a continuation of Druze territorial autonomy and relative internal independence as they had practised it during the Ottoman Empire (the Druze had enjoyed a preferential status as they were exempted from regular taxation, conscription and land registration (Schaebler 2000: 265)) and during the short-lived reign of King Faisal ibn Hussein.

the French Mandate administration made several miscalculations which nurtured frustration and outrage with the Druze. The proverbial straw that broke the camel was the arrest of three prominent Druze leaders in the summer of 1925 (Betts 1988: 88). The arrest and subsequent banishment of the three leaders to Palmyra directly led to what the French referred to as the 'Druze Revolt' – locally known as the 'Syrian Nationalists Revolution' (Provence 2005: 139). The revolt lasted from 1925 to 1927 and was instigated by the Druze Sultan al-Atrash who became a Syrian national(ist) hero because of his role in the rebellion. His portrait still decorates the interior walls of several houses in North-Azraq. The French garrison that was sent as a reaction to the revolt was defeated in 1925 and heralded the complete dissolution of French authority over Jabal al-Druze⁴³ (Betts 1988: 88). It would take the French ten months before their authority could be restored and it is during this period of anarchy that migration to Azraq commenced.

By the first half of 1926 around 1000 Druze women, children and old men had taken refuge in Transjordanian territory.⁴⁴ Much to France's discontent, the British treated any Druze who crossed the Syria-Transjordan border as a political refugee (Barr 2011: 149):

Accordingly a depot was established at Mafrak [northern Jordan] for their reception and an Arab Legion officer appointed to register all animals, disarm them, issue genuine cases of starvation with flour supplied by the Trans Jordan Government, and move them on in batches via Amman, or by Ishid to Semakh.⁴⁵

Samakh is a small village located south of Lake Tiberias in Palestine. It was the High Commissioner for Palestine who had decided, on request of the French authorities, not to settle the refugees in Transjordan but to escort them to Palestine. However,

[b]y the end of August the water at Mafrak gave out, and since no other depot with unlimited water besides Azrak suggested itself, permission was given by Lord Plumer to allow the Druze to establish themselves in that place.⁴⁶

Upon hearing about their relocation, the Druze submitted an application requesting the British to allow the elderly and the young children to remain at Azraq

⁴³ With the exception of Sweida where the French garrison held out for two more months (Betts 1988: 88).

⁴⁴ Col. C. Cox to Chief Secretary, Jerusalem, 5 August 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 102.

⁴⁵ Memorandum by Mr. E. Stafford for Sir J. Shuckburgh, 'Activities in Transjordan undertaken on behalf of the French authorities in Syria during 1926', 4 January 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 83.

⁴⁶ Ibid.

permanently because it was thought to be impracticable to transport them to Palestine. The Druze themselves suggested they would take the responsibility to protect these young and elderly against Bedouin raids, to feed them as well as to keep good faith with the Trans-Jordanian authorities. Their request was granted and by the end of November 1926 the camp at Azraq had grown to three thousand persons, all left in the protection of a mere fifty armed men. Conditions in the camp were far from desirable since the food (which the Druze had pledged to take care of themselves) could not be easily transported to the camp and was even looted at times by the French.⁴⁷ The refugees did receive some help from Egypt, the Hijaz, Palestine, Syria and even the United States from where money was sent 'for the relief of the wounded and distressed'.⁴⁸ By mid-January 1927 the situation had slightly improved and the camp took on a more permanent character: 'houses are being erected, a flour mill has been installed, and a newly developed local industry of salt-panning is yielding substantial profits'.⁴⁹

Given the already strained relations with the French Mandate authorities regarding the Druze situation, efforts were made by the British authorities and international organisations such as the International Red Cross to have the Druze return to Syria on a voluntary basis. Few were willing to do so however and a forced evacuation of the camp was impossible and undesirable on both humanitarian and sanitary grounds (there had been a serious case of cattle plague in the camp).⁵⁰ This soon placed the British in a difficult situation because the French started to accuse the British of allowing Druze insurgents to use Azraq

[a]s a base for Druze bands who returned there to recoup, as a market for animals and goods looted from the French or friendly villages, and as a channel of supply for arms and munitions between Egypt, Palestine and the Jebel.⁵¹

For the British, keen on keeping good relations with the French, the use of Azraq as a base for military operations was unacceptable. Although the first months they had sheltered for the Druze, mounting evidence that the latter were effectively using Azraq as a base camp for insurgencies made them change their mind.⁵²

⁴⁷ Ibid.

⁴⁸ Ibid.: 84. The extent to which this money actually served to help people as was used to support the rebels was intractable.

⁴⁹ Col. G. Symes to Secretary of State for the Colonies, 14 January 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 90-91. Salt extraction is an occupation the Druze learnt during their exile in one of the salt villages of contemporary Saudi Arabia – the most well-known of which are *Kāf*, *Ithra* and *Nabk*.

⁵⁰ Ibid.: 91.

⁵¹ Ibid.: 84.

⁵² Barr (2011: 150-1) argues that this changing attitude of the British towards the camp at Azraq needs to be framed within the wider contemporary geopolitical context. First, the British increasingly perceived the growing power of Ibn Saud – who had expelled Sharif Hussein in 1925 – as a threat to their Mandate's territorial

Consequently, when it was known and generally admitted that the Druze leader Sultan al-Atrash was indeed at the oasis, Amir Abdullah requested him to leave Transjordanian territory – which was neutral and British territory.⁵³ Azraq was subsequently proclaimed under Martial Law in April 1927 and all armed men were asked to leave the area – a request which was acted upon.⁵⁴ By the end of May the situation was estimated to be safe enough to start breaking up the camp. However, those Druze refugees still present at the camp did not wish to return to Syria – a fact which forced the British to continue to provide (the costly practice of) constant surveillance in the area. Moreover, by the end of May 1927, about 454 refugees entered Azraq after an eight-day march from Al-Safa (Southern Syria) with possibly many others to join.⁵⁵ Thus, while all fighting men had been expelled from Azraq in May, by the beginning of June there were still more than 1,500 Druze present in the camp. This annoyed the British for they had never wanted a settlement at Azraq. Yet, they felt unable to evict them:

[W]hile I had warned these refugees that they would not be allowed to settle at Azraq, on humanitarian grounds alone I was unwilling forcibly to eject them without an assurance of safe conduct and assistance to return to their homes.⁵⁶

As a result of these developments, the British decided to request the French to send an Official to Azraq to offer reasonable terms to the refugees and explain them the conditions under which they might return. A group of about 700 accepted this and returned to the Jebel. A second group left the Martial Law area and established a camp in Ameri (still within Transjordan's territory). Convinced to completely expel the Druze from their territory, the British authorities declared 'the area already

integrity. Second, they realised that their chances of preserving their Mandate in the Middle East would be heavily compromised should France give up its Syrian mandate due to continued revolts. Indeed, either Britain was to take over the (financially draining) mandate from the French or it was to allow an Arab government to take its place which would undoubtedly imperil its own position in the region.

⁵³ Col. G. Symes to Secretary of State for the Colonies, 14 January 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 90. To fully maintain this principle of neutrality, and despite the fact that the Druze refugees had been pardoned for the revolution and following events, the British insisted that the Jordanian military force at Azraq was replaced with a British one (Al-Madi & Musa 1959 [1988]: 316).

⁵⁴ Col. C. Cox to Chief Secretary, Jerusalem, 5 August 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 103.

⁵⁵ Letter of L. Rees (Group Captain commanding the Military Law Area - Azrak) to Chief Secretary, Government Offices, Jerusalem, 4 June 1927, NAL (AIR 5/203). Initially, these refugees were told to return back to their place of origin. The latter however refused, stating they would rather commit suicide and drown their children than to go back.

⁵⁶ Col. G. Symes to Secretary of State for the Colonies, 9 June 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 94.

under Martial Law to be extended'⁵⁷, effectively forcing the remaining Druze to either return to the Jebel in Syria or seek refuge in Saudi Arabia. Most of them travelled to Saudi of which some later returned to Azraq.⁵⁸ A third group, consisting of around forty-four men and sixty-four women and children, were allowed to remain in Azraq 'where they can earn a living from the lately developed salt industry'.⁵⁹

1.3 The Land of Milk and Salt

Initially, the fear of Bedouin raids forced the Druze to take up residence inside Azraq castle (*Qaṣr al-'Azraq*) – a big, square-shaped fortress built with black basalt boulders during the Roman era. This situation lasted until 1931 when the British established a desert post in Azraq – allegedly 'the only place from which to feel the pulse of, and control, the whole district and its tribes'⁶⁰. Once outside the protective walls of the castle, the Druze started to clear the land from the black basalt boulders⁶¹ and erected small mud houses using reeds from the oasis as roof and clay as cement. Others built houses with the basalt boulders.

While land and its ownership constituted the central means of production in Jordan's economy until at least the 1960s (Fischbach 2000: 195), the reproductive value of land in Azraq proved negligible (initially at least). In the first decades of the Druze's settlement in Azraq, land was first and foremost a place to dwell and a source of food through its abundant provision of game and fish. According to the British ornithologist Bryan Nelson who stayed in the village at the end of the 1960s, the village at the time hosted a mere eleven farms of which only half were intensively cultivated.⁶² This is not to state that the Druze did not farm – they were known to be industrious farmers in the *Jabal* (see Schaebler 1998 & 2000) – but farming in Azraq simply proved less productive than in Syria. It is noteworthy in this context that several Druze held on to their lands in southern contemporary Syria

⁵⁷ Proclamation of 3 July 1927 signed by Sgd. L. Rees (Group Captain commanding the Military Law Area), enclosed with confidential letter from Mr. G.S. Symes (Officer Administering the Government in Palestine, Jerusalem) to Mr. L.C.M.S. Amery (Secretary of State for the Colonies), 8 July 1927 (FO 371/12303). See Destani 2006: 61.

⁵⁸ The others were further moved to an oasis about 15 miles East of Azraq, Ameri, from which all were expelled from Transjordan by July 25th of that year. (Col. C. Cox to Chief Secretary, Jerusalem, 5 August 1927). In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 104. In July 1927 the French made a press statement that officially ended the Revolt in Syria and announced the reintegration of the Jabal al-Druze into Syria (Barr 2011: 152).

⁵⁹ Col. G. Symes to Secretary of State for the Colonies, 8 July 1927. In Jane Priestland (Ed.) (1996), *Records of Jordan 1919-1965, Volume 3: 1927-1932*: 100.

⁶⁰ Glubb MRAD, March 1934, NAL (CO 831/55/12).

⁶¹ A geological line runs through North and South Azraq separating the basalt desert in northern Azraq from the limestone desert (*Ḥamada*) in the south.

⁶² Including but not limited to tomatoes, pomegranates, almonds, carrots, cauliflowers, beans, dates, figs and grapes (Nelson 1973: 59).

and seasonally commuted to the area to farm their land.⁶³ Talal, a white-bearded Druze elder born in Azraq in 1939 recalled how his father possessed farming lands in the Jabal. These lands actually formed an integral part of his family's household economy: if not engaged in the salt reclamation season in Azraq, his parents would travel back and forth to the Jabal to cultivate their lands, often remaining there for three to four months. This circular migration continued until the 1950s when Talal and his siblings convinced his father to sell his property in Syria. Until this day, several of the Druze living in Azraq hold property in land or houses in the Jabal or in Lebanon although I am not aware of any of them commuting back and forth to manage these properties. The cultivation of land in Azraq was also partly hampered by the biophysical features in North-Azraq: the heavy, black volcanic boulders with which North-Azraq is covered demand strenuous effort to clear the land.⁶⁴ Some Druze recount that attempts to cultivate the land in the village or its surrounding, were undertaken but proved little successful.

Moreover, at the time of their settling, Azraq was a vibrant oasis where water was abundant and readily available through surface waters fed by springs of shallow groundwater. It constituted an open-air freshwater source that bore a unique ecosystem in an otherwise sere and arid environment. It was, many recounted, a land of milk and honey where the environment bountifully provided for people's need. Milk was obtained from cattle, donkeys and horses which were herded in an environment most receptive to them:

⁶³ This relation to land however, must also be understood within the particular context of the Druze's arrival in Azraq. Most of the Druze refugees from the Syrian French Mandate who remained in Azraq did not necessarily do so with the intention of making Azraq their permanent residence. Until the early 1970s – when they received Jordanian citizenship – some assumed they would one day return to their town of origin in Jabal Druze with which close relations were maintained until the late 1940s. (Remark that, until 1944, there has been a policy of waxing and waning proclamations of uniting the 'Druze country' to (Trans-)Jordan (see Destani 2006: 279-290)).

⁶⁴ Mohammed, a Chechen elder from South-Azraq, opined that this particular element of North-Azraq's biophysicality, was constitutive of the fact that, unlike South-Azraq, the area remained relatively clear of the presence of state institutions. The reason for this geographic difference between North- and South-Azraq is almost purely related to the distinct ecological character of both villages: North-Azraq was a stony area seen unfit for agriculture or other activities. South-Azraq on the contrary, as part of the limestone region (*Ḥamada*), lends itself more easily to be exploited, managed and controlled. Most government services and departments (such as the Desert Police station and offices of the Ministry of Interior) were established there – at the exact point where the dusty road from Amman takes visitors. Much to Mohammed's resentment, the Chechens thus settled in that part of Azraq which was most of interest to state policies: *'I talk about land and tell the King the real situation of land in Azraq. There is of Azraq land 12,000 dunum given to RSCN [a royal NGO responsible for managing the country's nature reserves], and I tell him that there is 22,000 dunum given to the Shaumari reserve, and 80,000 dunum given to the military base, and there is more than 300,000 dunum given to the – what we call the land which is prepared for sheep and camels to graze [...], also, there is for the Ministry of Agriculture – they have 200,000 dunum. Then I tell the King: what remains for us? Nothing! Just only 2,000 dunum here beside the road'* (spring 2014).

*[A] lot of families where living from fishing, from hunting, from having cows, having water buffalo's and you never needed to feed it - all you needed to do is just have it because the field is already there.*⁶⁵

In addition to the milk amply available from their cattle – ‘bottles of milk are just new in Azraq, after the 1990s!’⁶⁶ Jad, a Druze in his early thirties once exclaimed – fishing and hunting allowed people to diversify their diet. Azraq’s marshes beckoned millions of migrating birds to its shimmering ponds along with gazelle, ibex, rabbits and other mammals which greatly enhanced people’s diet.⁶⁷ The latter was further supplemented with fish from the ponds and wild plants growing in and around the oasis – plants also used for medicinal practices. In short, Azraq’s exceptional natural environment was essential in the provision of people’s basic needs: pools to fish, numerous birds and game to hunt all year round and areas to graze for their cattle. Additionally, it must also be recalled that there simply was no market available to trade agricultural goods: The caravans passing by had little interest in trading fresh fruit and vegetables, nor was there a decent road connecting Azraq to Transjordan’s (then still embryonic) cities.

There was, however, a vibrant market in salt. I will shortly recount the history of Azraq’s salt industry here because it has been paramount in shaping many Druze’s relation to land and because, as Nelson justly remarked, the ‘village of Druze is founded on salt’ (1973: 56).⁶⁸ Nascent since the mid-1920s, Azraq’s salt industry quickly became a flourishing industry:

Ever since the Druze rebellion in Syria in 1925, a considerable number of Druzes and a few Arab Political refugees, have lived in

⁶⁵ Jad, 29 May 2011.

⁶⁶ Ibid.

⁶⁷ De jure hunting in the area was officially forbidden since 1966 except on Wednesdays, Fridays and Sundays (Letter C.D.W. Savage to Dr. F. Vollmar, 18 August 1972, Nicholson Collection (Box 7), RGS Archives. The law however was not enforced and hunting in the area continued, especially by outsiders who would hunt for a hobby and are often assigned by the local populace as the main cause of the game’s disappearance (Hemsley & Georges 1966: 79; personal interviews in Azraq).

⁶⁸ Little is known or written about salt production in Azraq with the exception of side mentions in travel books, NGO reports in which salt features as a possible means for future redevelopment and anti-poverty programmes; or in conservation studies that cannot ignore the salt basin underlying the oasis. With doubt, salt production holds the key to much of Azraq past and recent developments, equally that of land division between people. Hence, it must be dealt with. The history of salt production in Azraq can be a PhD subject in and of itself for which must more in-depth research would be required. As this was not the subject of this research, its history will only shortly be dealt with before focusing more extensively on the ways people would divide lands amongst them. This salt industry was probably initiated by Druze who already resided in Azraq before the start of the Syrian Revolt: *[T]here was a Community which had been living in the Castle at Azraq since before the insurrection [i.e., Syrian Revolt 1925-1927] began, who were engaged in the Salt industry and though Druze in race, had some claim to be considered as residents of Trans-Jordan. [...] The Community subsisted on grain imported from the Jebel, and other stores purchased in the shops in Azraq from slender funds provided by the Druze Relief Committee of which the greater proportion is stated to be subscribed in the United States of America.* Glubb MRAD, June 1937, MECA (2006 – Box 80).

Trans-Jordan. In the desert a colony of Druzes collected at Azraq, numbering some two hundred and fifty families, men, women and children. A very much smaller group, consisting of about ten families under Shakib Wahhab, a prominent Druze rebel, were at Nebk, in the Wadi Sirhan, in Saudi territory – As a result of the recent amnesty granted to the Syrian political offenders, the Nebk community has completely ceased to exist, its members having returned to Syria. A number of the Azraq community, most prominent of whom was Hussain Al Murshid of Soueida, have also returned to Syria. During their ten years exile at Azraq, however, the Druze have developed there a flourishing salt industry. Kaf and its sister communities in the Wadi Sirhan [contemporary Saudi Arabia] are called by the Arabs “the Salt Villages” [e.g., Kaf, Ithra and Nebk], and formerly lived almost entirely on their production of salt. Azraq, at that time, was uninhabited, being exposed to the constant depredations of the bedouins. With the establishment of a police post at Azraq in 1931, however, Public Security became assured.⁶⁹ It was the Druze exiles who first profited by this new state of affairs to establish the salt producing industry from the springs. They have now almost entirely cut out the salt villages, where scarcely any salt is now produced. Thus, although the political exiles have returned to the Jebel Druze, a strong Druze community is likely to remain at Azraq to continue the exploitation of their salt pans. A number of the inhabitants of the salt villages now work as labourers for the Druzes of Azraq.⁷⁰

Salt is extracted from the *Qa'a* [the mudflat] by pumping the saline water from the underlying water body that contains a very high percentage of salinity:

[T]hey started to dig wells manually and made lakes, put water in there and leave it to evaporate and restart it until they got 10 cm of salt which they then collected and sold to the Bedouins in a crud form.⁷¹

⁶⁹ Before, '[i]f anyone showed any signs of making salt at Azraq, the natives of Kaf came up and chased them away, filled in the wells or mixed earth with the salt'. Glubb MRAD, June 1934, NAL (CO 831/55/12).

⁷⁰ Glubb MRAD, June 1937, MECA (2006 – Box 80).

⁷¹ NA5, 29 June 2011.



Figure 6: Panning salt in Azraq (Source: Bakig 1988: 70).

The 'salt season' started in mid-May when the villagers moved to the salt pans on the *Qa'a*. They would stay there until late July. Druze generally talk about their past salt industry with pride and have fond memories of the time spent on the mudflat away from the village. Stories of these months out in the field are retold with nostalgia and remembered as an activity that nurtured social ties and cohesion amongst the villagers - 'A great camaraderie exists in salt shanty town' (Nelson 1973: 56). The salt pans (see Figure 7) were divided amongst the members of the community with each member holding the rights to the revenue of that parcel of land. These rights could be traded if one family for particular reasons wished to abstain from making salt in a given year.⁷² The land itself was leased from the government.

⁷² Basically, everyone was granted a certain amount of salt production (e.g. Hasan had about 100 ton, his father had 350 - calculated based on family members). This could either be effectively produced and sold, or the production rights could be sold to others. Hasan, his father and brother were all members of the salt cooperative. They paid a yearly membership fee but revenues were high. Members sold their share (or salt production) to the cooperative; (2) the cooperative then sold it to traders. Profits made by the cooperative flowed back to the community since the cooperative was a non-profit organisation.

Once the salt was obtained, lorries transported it to Amman and other cities in Jordan whereas camel caravans took it to contemporary Syria, Iraq and Saudi Arabia (ibid.: 57). Caravans coming from Syria – for which Azraq’s location at the centre of an entire trade economy was of prime importance – brought goods such as wheat, vinegar, grapes and cooking oil.⁷³ Three bags of salt for example would be traded for one bag of wheat. In Amman, salt was traded for sugar which in turn was sold to the Bedouins who preferred buying sugar in Azraq because it was cheaper than in Syria.



Figure 7: Modern day salt pan (Source: Author).⁷⁴

While laborious work, the Druze managed to create an entire economy and support themselves from the salt industry. Already by the mid-1930s, salt production in Azraq had become a major and booming business: ‘It is estimated that 20,000 camel loads of salt were removed from Azraq during the last 12 months.’⁷⁵ This success of Azraq’s salt industry cannot be overestimated. By 1969, more than half of the 202 families living in Azraq were involved partly or fully in the salt

⁷³ Talal, 10 May 2012.

⁷⁴ Whereas salt was previously collected on the ground, people started using plastic bags in the 1980s which considerably eased their work (ibid.).

⁷⁵ Glubb MRAD, June 1934, NAL (CO 831/55/12). As Konikoff (1946: 55) noted, ‘[t]here are no statistical data indicating the quantity extracted for use as the excise duty on salt was abolished in 1929, but it appears to be quite considerable, and not only serves the needs of the country, but is also exported to Syria’.

industry (ibid.).⁷⁶ From 12,000 ton of salt annually in the mid-1960s, the production increased to around 40,000 ton per year in the 1980s giving a revenue of *several million* Jordanian dinar (JD) a year. These revenues flowed back to the community through the Azraq Salt Cooperative which had been established in 1973 and existed until 1998/9. The profit was distributed amongst the members of the cooperative (predominantly Druze) after which the residue was used for charity and social projects such as the establishment of a clinic, the provision of scholarships, poverty relief, subsidies for building the local mosque but also to help the Minister of Communications develop telephone and so on.⁷⁷ In the words of a local inhabitant, *'we took over government services in the area'*.⁷⁸

Clearly, the economic and socio-cultural value of salt was enormous. It was not held privately but the Druze had exclusive rights to its extraction. This helps understand why land ownership did not contribute to a household's income or status since money was not generated through agricultural produce or the exchange of land, nor was land a political asset within the village.

1.4 In the Land of 'the State'

The bankruptcy of the salt industry in the late 1990s together with the gradual receding of the oasis during the 1980s and its complete disappearance by the early 1990s, profoundly altered the Druze's lifestyle. The latter was often talked about nostalgically today although it was seldom romanticised: life was hard but, at least, it came free. Besides nostalgia, another emotion dominated these conversations: a deep sense of dispossession. For my Druze interlocutors, they had not simply 'lost' their former life, they had been actively deprived of it: *'everything we stayed for has been taken away'*.⁷⁹ For some, the rationale behind this dispossession lay with their Druze ethnicity and the community's inability to accumulate political capital. For others, it was foremost related to the government's mismanagement of the area.

People's ability to live autonomously of the land remained relatively stable until the early 1980s, but the mechanisms and processes through which it was undermined, were shaped in the 1960s and 1970s. In the subsequent sections, I discuss these mechanisms through which this 'dispossession' emerged and, more specifically, the effects it had on the way land was valued within the community. I

⁷⁶ The introduction of diesel motors by the end of the 1940s-early 1950s enabled intensification of the work with deeper wells and faster transportation. NA5, 29 June 2011.

⁷⁷ Azraqis also proudly noticed that they aided Jordan in the late 1980s when the economic crisis set in and the JD went down (from 3 USD to 1,5 USD). As a consequence, bread prices were rising. To counter this, the society, offered to sell salt to the bread ovens at a much-reduced price – a gift which, one interviewee calculated, amounted to 2,5 million JD over a period of ten years (Hasan, 12th February 2012; Mohammed 25 May 2013; & NA14, 12 March 2012).

⁷⁸ NA5, 29 June 2011.

⁷⁹ Jamal, 3 May 2012.

begin by retracing the project to make land in the Badia governable. This project started in the 1960s and can be seen as the extension of the British-induced land programme (1927-1952) which focused on the cultivable zone in the north-west of the country (Fischbach 2000). The context in which the Druze lands were formalised however, differed from that which had defined the land programme. Whereas the emphasis of the latter lay with formalising *private* landholdings in order to build the financial viability of the Mandate, the context of the surveying practices in the Badia was foremost one of 'statisation' or the (re)assertion of *state* ownership of land.

Overall, the 1960s and 1970s have been particularly fruitful decades in legislative terms with the promulgation of one law after the other to (re)assert state sovereignty over non-private land (see Razzaz 1991: 113-133). In 1961 for example, the State Land Law – one of the first laws to contain crimes against state property – was declared (ibid.: 119). This law defined all non-privately registered lands as state land and effectively shifted the right of disposal of these lands to 'the state'. It even created a court specifically competent for the protection of state property (previously infringement was dealt with in civil courts). The justification for the creation of this special court included the soaring land prices throughout the country (specifically its urban areas); the fact that enforcement was lenient; and the lack of a sense of urgency in the civil courts (which currently dealt with infringement cases) (ibid.: 120). The process of making land governable was thus set in a logic of articulating *state*, not private, ownership – a development closely intertwined not only with state formation project but also with the unfolding of two projects (conservation and the domestication of water) which I discuss further, and for which this reassertion of *state* ownership proved key.

This need to clarify the status of land as *state* land collided with the Druze expectations and ideas of ownership. For sure, the Druze, the Chechen and the Bedouin tribes roaming/claiming land in Azraq, were well aware that the land was under the authority of the British Mandate/(Trans-)Jordanian state. After all, upon their settlement in the area both the Druze and the Chechen were quickly familiarised with British General John 'Glubb' Bagott and his Desert Patrol who held the authority to manage the Badia and the allocation of land within it (see also Chapter 2).⁸⁰ In 1933 for example, a *taqseem* or land division was signed with the Chechen – who by then had settled in South-Azraq – and the surrounding Bedouin

⁸⁰ In line with his superiors, Glubb opined that emir Abdullah's say over tribal policies in the young Mandate of Transjordan was too influential and unchecked. Eventually, and following British political manoeuvring, the concentration of final authority over tribal affairs was gradually taken out of the emir's hands and placed in those of the army chief (Mostly through the 1929 Bedouin Control Law and the 1933 Tribal Offences Settlement Law which strengthened the decision-making power of the chief commander of the Arab Legion in the Tribal Control Board. The 1936 Bedouin Control Law (which abrogated the Tribal Control Board) gave almost absolute power to the chief commander of the Arab Legion or his deputy (Bocco 1996: 147-152; Massad 2001: 56-58 & 117). Glubb occupied the position of chief commander from 1939 until 1956.

tribes in which the land boundaries of each community were set (see Chapter 3). This document, which is the origin of Wadi Ratami's contemporary boundary marking between North- and South-Azraq, was signed by all concerned parties, including the Badia police – a fact which for all parties attributed an aura of authority and recognition to the document and the divisions agreed within it. Additionally, the Druze also drew up internal allocations: 'they decided on the 23rd of September 1933 that the land would be divided amongst the population on the basis of 24 feddan for each family'.⁸¹ These documents, signed by all families, were equally sent to the concerned state institutions. Overall, most documents that I assembled during my fieldwork attest to the state authority's over land matters either through state regalia such as the official stamp and/or signature of the head of the village council; through reference to state institutions as an authorising witness - 'we are signing below after it was read to us by the head of the land surveying team in Azraq'; or through the mentioning of the state as an authority-granting party – 'to be raised to the concerned authorities to attest and recognize this agreement'. They accepted and deeply solicited the positioning of 'the state' as a ratifying authority in land affairs. Thus, unlike what had been the case for the Bedouin in the early 1920s, the collision experienced by the Druze from the early 1960s onwards was not related to a shift in authority: they had always been aware and recognised state authority over land. What was confrontational was the extent to which land formalisation in the 1960s clearly articulated which kind of property regime would be recognised and accepted, and which not.

The first step towards formalisation happened in 1962 when, in line with the 1954 law on the management of villages, Minister of Interior Kamal Dajani instructed that the land in Azraq (then listed as treasury land [*khazīnah*]) be officially transferred to the village council (*majlis qarawī*).⁸² Importantly, this transfer was to occur without payment of a fee and with the intent that the village council would freely dispose of the land in order to develop (*tanṭīm*) the Azraq region and to use these lands as the council and the people saw fit.⁸³ The decision secured the Druze who regarded it as a hopeful sign that their land claims would be officially recognised (It must be noted that in the early 1960s the majority of those Druze residing in Azraq still did not hold Jordanian citizenship). This belief was further strengthened in the late 1960s by the contemporary director of the Badia police who sent a letter to the acting

⁸¹ *al-Rā'ī*, 23 April 1979.

⁸² The history of the formalisation of the Druze private/communal landholdings in Azraq has only sporadically (if at all) been documented or researched. My reconstruction of it is largely based on a triangulation of oral histories, topographic observations and archival records (newspaper articles and documents collected from inhabitants). These paragraphs must thus not be read as an accurate, historical account of the land formalisation process in North-Azraq but as an indication of the tensions and points of friction that accompanied this process. Some of these – such as the recognition of the Druze's historical claims to land – remain until this day.

⁸³ *al-Rā'ī*, 23 April 1979.

governor (*mutaṣarrif*) of the district (*liwā'*) of Zarqa. In the letter, the director endorses the right of the Druze to village land based on earlier tribal land divisions:

We do not object to giving the land to the residents because according to old tribal divisions [*taqsīm*] it falls within their borders.⁸⁴

However, while the request to transfer the land to the village council was recorded and orders were given to the director of the DLS, 'the hope of registration and formal division [...] was never executed'.⁸⁵

In 1967 the first surveying activities took place. That year a 'survey and parcellation' team (*al-masāḥah wa al-'ifrāz*) visited Azraq to survey the village lands – lands within the *ḥawḍ al-balad* – and surroundings. The team produced a detailed document of figures and tables representing, amongst others, land use in the village. Following this, Azraqis were given the opportunity to register their lands and obtain 'deeds of registration' (*sanadāt al-tasjīl*) on the payment of a fee 'not exceeding two dinar per unit'.⁸⁶ These registration practices – and the ideas about property they embodied – were problematic for the Druze for two reasons. First, the intercommunal land divisions that took place shortly after the Druze settled in combination with the subsequent lenient or confirmative attitude of state authorities towards these divisions, upheld the belief that these lands – while not officially registered yet – nevertheless belonged to the Druze. Indeed, while some Druze paid the set fee of two JD/dunum, others declined because 'they did not know the truth'⁸⁷: they had been living with the belief that these lands were theirs – a belief confirmed in 1962 when the proposition had been to simply register the land in the name of the village council (*majlis*) without any payment. Moreover, they reasoned, they had been the ones to turn these unrewarding and deserts into productive lands and are thus its rightful owners (see Chapter 4). Why pay for something which was, they reasoned, rightfully theirs and would (could!) not be taken from them?⁸⁸

Second, conform to logics of efficiency and productivity, state authorities only regarded *cultivated* or developed land as (a claim to) property, and therefore open to registration (see Chapter 4). This implied that non-cultivated land was formally

⁸⁴ Ibid.

⁸⁵ *al-Rā'i*, 23 April 1979.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Additionally, the added value of having a title deed was unclear to many. For while they apprehended that such documents were a necessary condition to obtain loans and mortgages – which they didn't need – the amount of paperwork and the money necessary to obtain title deeds did not weigh up against its alleged benefits. Still others argued that the land borders proposed by the surveying team did not correspond to the borders agreed upon internally between the villagers or were simply too poor to obtain the title deed (also referred to as *kūshān*).

rendered inaccessible to the Druze. Until then, the communal lands (as agreed upon in the intercommunal *taqsīm* of 1933) served as a kind of commons: all members had equal access to it based on internal consultation. However, given that land was abundant and their demographic numbers small, the majority of the Druze initially cared little about the size of their land holdings:

When the Druze arrived here, they only took the land they needed because there was hardly anyone here and the area was very big. My father said we could clear 5 dunum from basalt stones but not more because we didn't need more. So, he forbade us to clean more to give the land to others that arrived in the area and asked for it.⁸⁹

At the time that the state authorities decided to formalise land holding in Azraq, few of these lands were thus cultivated (partly also for reasons described above). As the aim was to clearly mark state from private ownership, all lands *not* cultivated were, as of then, clearly marked as 'state land'. Sami, an elderly Druze in his seventies, remembers this period as exactly the moment the division between state/non-state land became clear: *'This is really new, not since long ago, around the 1970s, that's when it became treasury land. Since the year of registration, it became treasury land'*.⁹⁰ This effectively meant that many of the communal lands had now, *de jure*, become 'open access': as formal state land, they were open to all. In a sense, the registration process in the late 1960s-early 1970s made it clear, as the British land programme had in the cultivated area (Fischbach 2000), that the only accepted property regimes were either private or state, not communal. Consequently, after registration, the concerned government officials officially regarded land reclamation practices on communal land as an infringement on state land.

Events accelerated in mid-1971. In the wake of Prince Hasan's (the King's brother) visit to Azraq in June that year, ministries and departments were activated to 'develop' the area.⁹¹ One month later, a team of Jordanian specialists came to the area comprising the vice-president and employees of the Business Council and several engineers of the Natural Resources Authority came to the area to observe the most pressing local problems: water, agriculture, land allocation, the local nature reserve and Azraq's future economic (industrial) possibilities⁹², and with drawing up a master plan for the future development of the area.⁹³ Concluding the visit, the vice-president of the Business Council proposed to form committees to deliberate on the observed difficulties. His proposal was approved by Prime Minister Wasfi

⁸⁹ Saleh, 5 May 2012.

⁹⁰ 18 November 2013.

⁹¹ *al-Rā'ī*, 3 June 1971.

⁹² *al-Rā'ī*, 7 July 1971.

⁹³ A. Mouasher, 24 January 1972, Nicholson collection (Box 8), RGS Archives.

Tall⁹⁴ and two ministerial committees were formed. A first committee (consisting of the Ministry of Interior (MoI), the MoI for Municipal and Rural Affairs, and the Public Security Directorate) was tasked to study the situation of the Druze and the possibility to grant them passports. A second committee (consisting of the Department of Land and Surveys, the Natural Resource Authority, the Ministry of Agriculture (MoA) and the Ministry of Interior for Municipal and Rural Affairs) set about studying the land situation in Azraq area and to survey, allocate and title (*tamlík*) the lands.⁹⁵ By July 1971 a newly assigned triangulation team, formed within the new policy at the DLS targeting the expansion of their surveying work to the Kingdom's eastern territories, started working in Azraq.⁹⁶ Those that registered with the surveying team received papers that they had to have acknowledged at the DLS-department in Zarqa to effectively obtain their title deed. Those that failed to travel to Zarqa or to pay the required fee within the set time, lost any opportunity to reclaim their land.⁹⁷ Until this day, those who had been unable to register their lands in the 1970s still inhabit their houses but are unable to formally sell it or receive electricity, water or other municipal services for which a title deed is mandatory.

The perceived hostile attitude towards the Druze's land claims was further concretised in the late 1970s. In 1978, a decision was made to revise the earlier made division of the land. Besides reopening uncertainties, this proved catastrophic because it followed a law concerning the property of the state 1977 in which the valuation of land was changed: this time, the fee set to obtain title deed was not (as it had been in the 1960s) 2-2,5 per cent of the value of the land, but the real value of the land. To make matters worse, the latter was aligned with the standard of lands in urban areas such as Amman where the prices had recently increased dramatically (Razzaz 1991: 120). This implied that some people had to pay more than 1,500 JD at

⁹⁴ Wasfi Tall served intermittently as Prime Minister of Jordan (January 1962 - March 1963; February 1965 - March 1967; October 1970 - November 1971). His political views can be described as leftist-oriented reformist and he was a fervent advocate of the moderate reformist-progressive state policies of the 1960s (Debruyne 2013: 134). His person(ality) positively impressed most of my interlocutors in Azraq, often describing him as a warm politician whose governing presence (particularly through his inclusionary focus on the social and economic development of the rural) left a deep and lasting impact.

⁹⁵ *al-Rā'ī*, 20 July 1971.

⁹⁶ Under then director Mr. Badri al-Mulqi, the DLS shed its 'Founding Stage' (1929-1971) and entered their current stage of 'Development & Modernization' during which cadastral survey work expanded to desert areas: 'This period was marked by the introduction of modern registration and surveying in line with the spirit of modern era. The scope of cadastral survey work expanded to lands where settlement was announced in, especially the areas, which were excluded from settlement work previously, in addition to some desert areas', <https://www.dls.gov.jo/en/Pages/DepartmentHistory.aspx>, Consulted 21 June 2014.

⁹⁷ It is moreover impossible for these people to obtain title deed now. The reason for this pertains to the particular form of registration: the allocation in the 1970s was in the form of *tafweed* (accreditation) – the system whereby state lands are allocated on an individual basis immediately but cannot be sold within the next ten years. This is contrary to those people who registered their houses in 1994 which happened under the system of *taswiye* or settlement. While a payment is demanded, one can go to the land registration office in Zarqa at any time after settlement. The only way these people can obtain title deed is if a second accreditation process is opened with regards to land in the village. DLS4, 24 June 2014.

once. Yet, many people did not – could not – pay; this is one of the reasons why today, in the village centre and within the border of the *tanṭīm* area (the area open for urban planning), around a hundred houses, often more than 50 years old, are still without *tabu*.⁹⁸ These higher fees triggered the emigration of the Shararat tribe from Azraq and many Druze feared to be next. As the media report in 1979 put it: '[h]ow can they pay these thousands of Jordanian dinars for houses of mud and adobe and empty lands? [...] 'the hope now is that we don't let the Druze, the Chechens and the Sirhan leave as well. The door of hope is still open in front of them'.⁹⁹ The problem was that this new valuation was not taking into account the fact that these were desert lands. However, in the absence of a land market: what was land in Azraq worth at the end of the 1970s? It could not, as the people complained, be valued according to the market in Amman. Yet, how and who was to set land's value? For the Druze, it was another mark that these lands were first and foremost considered *state* lands more than belonging to the Druze who reified their claim through cultivation.

As such, unlike what was initially hoped for, the registration process – the process to make legible land use and ownership in Azraq – clearly articulated a state property order: land not cultivated was property of the state, regardless of prior communal claims. The registration process thus rendered land into a scarce resource.

1.5 An Oasis of the World

If the 1960s announced the beginning of a new land property order, it equally heralded the beginning of the enclosure of 'Nature'. It was a decade marked by 'a dawning worldwide recognition at the highest levels of the need for [nature] conservation'¹⁰⁰ expressed in the rise of the international conservation movement and popular environmentalism in the 1960s in North America and Western Europe (Adams 2004: 44). This resulted from a growing realisation that, in order to become a truly 'global' project, conservation needed to find new sites beyond Africa – the continent which, until then, had taken the bulk of conservation in the developing world (Adams 2004). The Middle East, still largely portrayed through British and French colonial environmental imaginaries as 'on the edge of ecological viability or as a degraded landscape facing imminent disaster' (Davis 2011: 2), formed a prime target of inclusion.

⁹⁸ Ibid.

⁹⁹ *al-Rā'ī*, 23 April 1979.

¹⁰⁰ N.a. July 1963, Nicholson Collection (Box 5), RGS Archives. The United Nations, on the initiative of the International Union for Conservation of Nature (IUCN), invited every country to prepare a list of National Parks or Nature Reserves and shortly after, in July 1962, the first World Conference on National Parks was held in Seattle (USA) (Mountfort 1965: 26).

It is in this context that the British ornithologist Guy Mountfort flew to Jordan in spring 1963 as leader of the first of three scientific expeditions. At the request of the World Wildlife Fund (WWF), and with the personal fiat of late King Hussein, Mountfort was to study the country's natural resources and vanishing species and subsequently recommend ways to protect its environment. One of the outcomes of the expeditions was the proposal to create nature parks in Jordan. The map that was assembled throughout the expeditions was extremely ambitious in its goals, suggesting the creation of three national parks and two small reserves which would, if implemented, cover an astonishing 6,5 % of the Kingdom's territory (Clarke 1979: 7). The proposed Azraq reserve covered approximately 1.3 million acres (or around 520,000 hectares)¹⁰¹ and was set to become 'the first wildlife reserve to be created in the Middle East' (see Figure 8).¹⁰²

¹⁰¹ *Azraq Desert National park and Proposed International Biological Station*, 24 November 1965, Nicholson Collection (Box 6), RGS Archives.

¹⁰² G. Mountfort, 14 June 1965, Nicholson Collection (Box 8), RGS Archives.

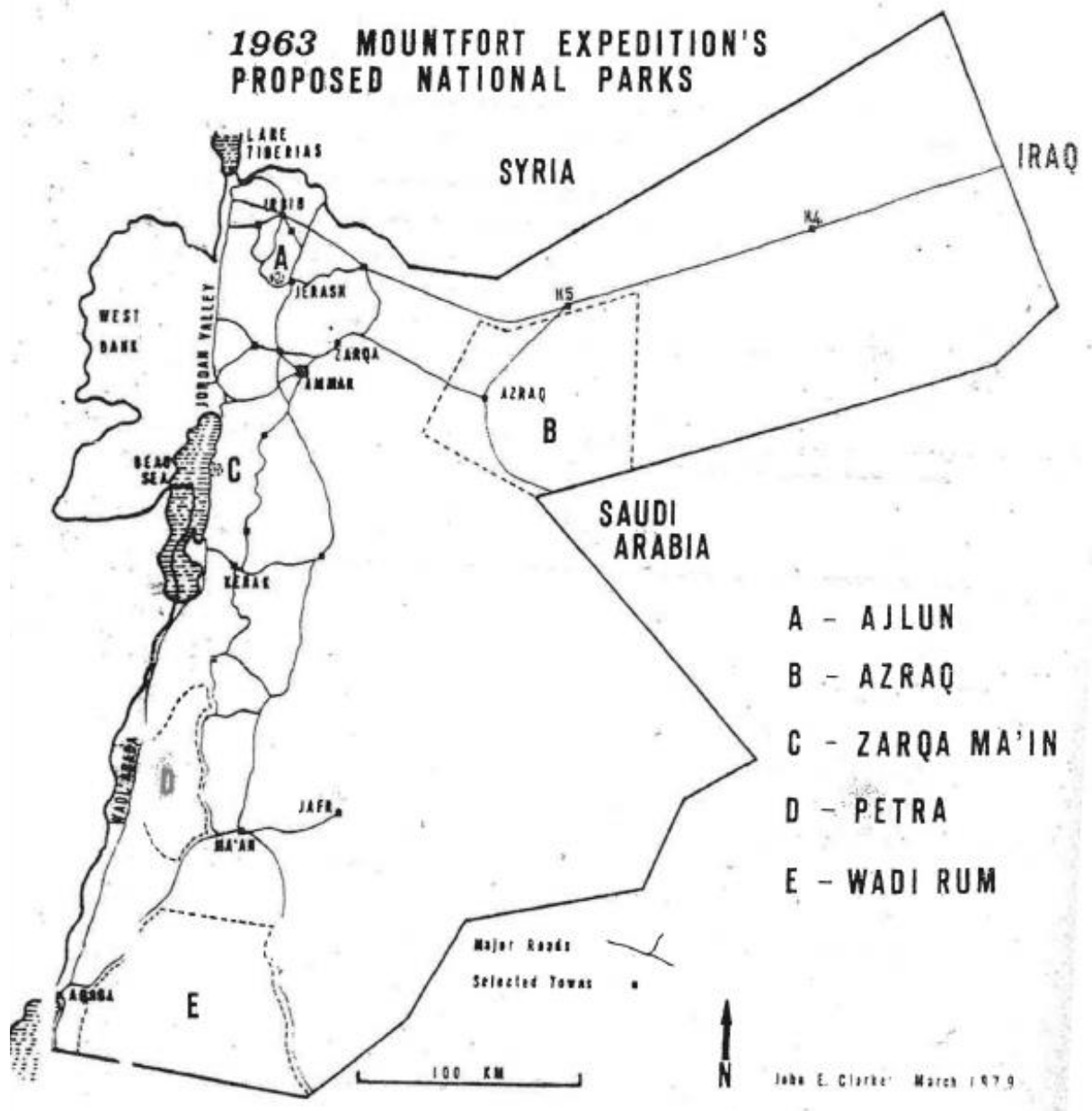


Figure 8: Mountfort's proposal for national parks in Jordan (Clarke 1979).

The particular interest in Azraq was twofold. On the one hand, the motivation for a park fit with the will 'to promote the type of scientifically orientated conservation programme which it is the objective of International Biological Programme (IBP)/Conservation of Terrestrial Communities (CT) to work out and demonstrate in practice'¹⁰³ - a programme still in its infancy shoes and which sought cases to slowly build experience (I discuss this project and its implications more deeply in Chapter 5). Moreover, located in East Jordan which 'reflects an abrupt transition between Mediterranean and desert climates and ecology and a mixture of Asian,

¹⁰³ E.M. Nicholson, 5 January 1966, Nicholson Collection (Box 6), RGS Archives. See Chapter Five for more information on the International Biological Programme/Conservation of Terrestrial Communities (IBP/CT).

European and African elements'¹⁰⁴ and constitutes an important migratory bird route between Europe and Asia, a desert-like place such as Azraq was cast as ideal testing ground.

On the other hand, Azraq proved a fertile case study for a second reason. In a paper entitled 'The changing image of the National Park', Boyd, one of Mountford's expedition members, advocated 'a new definition and image [...] for national parks in the Middle East'. He specified:

I purposely used the words 'to conserve the resources of spectacular areas' – conserve not protect, and resources not wildlife or monuments. The point is that the national park can and should be looked upon as a development area in which the interests of all the resource departments and also those dealing with education and social welfare should be carefully considered. The image of the Park as an area set aside exclusively for amenity, wildlife conservation, antiquities, scientific research or tourism, which is so often adopted, ought not to obscure the final aim of *the balanced multiple use of the area on the entire spectrum of resources*.¹⁰⁵

This new type of park, Boyd argued, was to be based on 'the multiple-resource image [...] already well established in the British National Nature Reserves'.¹⁰⁶ Boyd was reacting against the idea of national parks based on 'the total exclusion of man, except as a passive sightseer' as was still the case in East Africa.¹⁰⁷ At the time of their exploratory expedition, the Middle East still represented a blank spot on conservationists' emerging world map of nature reserves and Boyd reasoned that the application of this new model might set an incentive to implement it elsewhere. Boyd's proposed shift is important, especially in light of the articulation of conservation in the Global South as the protection of (evolving) Euro-American concepts of nature through the protection of physical nature in developing countries. These different conceptualisations of Nature - historically contingent on social and political processes - have often translated in the enclosure of 'nature' at the expense of local populations. The proposals made by Boyd however, would alter and restrict the Druze's interaction with their environment but did not necessarily entail the park management to demand and exercise exclusionary property rights over it. We must remember though that at this point in time, no title deeds had yet been procured despite promises to transfer land to the majles in 1962. Consequently,

¹⁰⁴ N.a. July 1963, Nicholson Collection (Box 5), RGS Archives.

¹⁰⁵ J. M. Boyd, 9 December 1964, Nicholson Collection (Box 5), RGS Archives. Emphasis added.

¹⁰⁶ J.M. Boyd, s.d., Nicholson Collection (Box 8), RGS Archives.

¹⁰⁷ Ibid.

ownership of land within the park seemed of little concern: Although covering a large area, the organisers had been given the 'ascertainment that no serious difficulties exist over land acquisition'¹⁰⁸ and plans were made to transfer to the Tourism Authority 'more than one million acres of land, already *publicly* owned, with a view to bringing the Park into operation in Spring 1966'.¹⁰⁹ (I am aware that my presentation of data here, based on my retracing of events in time, suggests that one project (conservation) interfered with another (formalisation). This drawing of connections between two projects is foremost the result of my position as a researcher with access to personal communications, development plans and project proposals of the 1960s between British, American and Jordanian policy-makers, scientists and development agencies. My access to this particular data – which effect the conservation project through discursive more than material (as in on-the-ground) practices – makes the project appear real enough to have such an effect on the other project. With the exception of one Bedouin man, most of my Azraqi interlocutors spoke of the conservation project as it materialised in the 1970s. Knowing to what extent one project interfered with another, is hard to tell.)

The establishment of the Azraq Park would thus serve a double pioneering role in the sense that it 'may open doors for conservation in many other parts of the world'¹¹⁰ while simultaneously 'fill the role of a pioneer territory [...] to promote the type of scientifically orientated conservation programme'¹¹¹. Within King Hussein's project 'to champion Jordan as a "model state" in the region' (Kingston 2001: 115) it was the prospect of Jordan's potentially pioneering role in the global conservation movement and scientific community¹¹² and the ways this in turn could enhance the emerging state's legitimacy, that pushed the conservation agenda. Effectively, after two years of much lobby work for government and financial support, the park was officially announced on July 25th 1965 by the King himself. The plan however was never realised due to geopolitical developments in the region (the Arab-Israel War of 1967) and internal tensions within Jordan (with the Palestinian Liberation Organisation (PLO) in 1970) which turned the government's attention elsewhere. Moreover, despite the initial enthusiasm from both the King and his Ministers, the government was slow in putting effective legislation in place that would allow conservationists to act decisively on the ground – even during the turmoil.

¹⁰⁸ E.M. Nicholson, 21 May 1965, Nicholson Collection (Box 8), RGS Archives.

¹⁰⁹ E.M. Nicholson, 19 May 1965, Nicholson Collection (Box 8), RGS Archives. Emphasis added.

¹¹⁰ E.M. Nicholson, 29 December 1965, Nicholson Collection (Box 5), RGS Archives.

¹¹¹ E.M. Nicholson, 5 January 1966, Nicholson Collection (Box 6), RGS Archives.

¹¹² In a letter to the director of Jordan Tourism Authority of March 1st 1966 Nicholson wrote: 'In conclusion I should tell you that this expedition is the most important combined enterprise so far arranged by the International Biological Programme and it will not only bring much prestige to Jordan in scientific circles but will broaden out the scientific basis for the Station and help link it up with the International Hydrological Decade in which the Central Water Authority are already participating'. Nicholson Collection (Box 6), RGS Archives.

This 'pause' in implementation meant the death of Mountfort's conservation project due to several events. First, as noted earlier, the 1970s constitute an era in Jordanian history in which political attention was shifted from foreign policy issues to domestic economic development foremost directed at the country's rural hinterland. This policy materialised in Azraq in the form of (military) infrastructure that deeply transformed the area (see Chapter 2). While this might not have posed too many difficulties in the initially envisioned 'multiple-use approach', the conceptual changes that occurred in the field of conservation during the late 1960s, made human presence (in whichever form) within a national park impossible. More specifically, in 1969 a particular understanding of 'national park' was approved at the 10th General Assembly of the International Union for Conservation of Nature (IUCN).¹¹³ This definition considered a national park as any area where 'one or several ecosystems are not materially altered by human exploitation and occupation (...)', where steps have been undertaken to 'prevent or eliminate as soon as possible exploitation or occupation (...)' and where 'visitors are allowed to enter, under special conditions (...)' (Clarke 1979: 13). In other words, unlike Boyd's notion, the 'nature' that needed to be protected was a spatial, pre-social other. Consequently, the area designated in 1966 which was based on the British pro forma of a multiple-use national park (Abu Jafar 1978)

does not provide for a National Park in accordance with the internationally accepted criteria. When the management plan was written in 1966, the IUCN had not issued standard criteria for National Parks. [...] However, an area catering for different forms of land use could not be a National park in the sense recognised by the IUCN (Abu Jafar 1978: 172).

Hence, by the time the King's attention was with conservation matters again, the spatial ordering of Azraq as a natural region with particular status became impossible.¹¹⁴ Eventually a new proposal would be put on the table, based on the

¹¹³ The IUCN was established in 1958 and would come to dominate the global scene of nature conservation till this day.

¹¹⁴ It was first in 1977 that Azraq received significant international attention again. That year a large part (7,372 ha) of the Azraq Basin area, including the contemporary Azraq Wetland Reserve and adjacent mudflat, was declared a Ramsar Site following the Kingdom's ratification of the Convention on Wetlands of International Importance (Ramsar declaration) (NES 1991: 59). One year later, in 1978, Azraq Wetland Reserve was formally established by the RSCN '[t]o protect and preserve as large a portion as possible of the Azraq Oasis to prevent further erosion of its natural features which has been occurring at an accelerating rate during this century' (Clarke 1979: 62-63). This erosion is said to be caused predominantly by human pressure in the form of the grazing of village live-stock and Bedouin camels, the cutting and removing of plants, uncontrolled littering by visitors and villagers alike, washing of motor vehicles in the pools (polluting them with oil and greasy deposits) and the pumping of water to Irbid (ibid.: 63-64). Little could be done against the latter but fencing and patrolling were regarded as necessary and effective measures against further habitat degradation by human interference.

findings of John Clarke, an American whose proposal still serves as a blueprint for present-day conservation efforts in Jordan (Janssens 2009). He re-evaluated the Park's location based on the changed land use and proposed to reduce the size of Azraq Park to 12 km² covering lands that had been classified as 'State domain which the government has already approved for development as a wildlife reserve' (Clarke 1979: 63). Eventually, the Azraq Wetland reserve as it exists today was officially established in 1978 by the Royal Society for the Protection of Nature (RSCN).¹¹⁵

The property logic through which Azraq's nature was enclosed, was of a profoundly different nature than that of land. In the case of nature, what legitimated its enclosure was 'to preserve for the people of our country and *for the rest of the world* our great natural, scenic, historic, and archaeological heritage'.¹¹⁶ In other words, Azraq was lifted to the status of representing the common past of an imagined global community. As such, it no longer solely belonged to Jordanians but to 'the world' who now held a valid claim to enclose it from 'detrimental' practices or land uses. However, unlike the abstraction of water which I discuss in the next section, this 'abstraction' of (a particular idea of) Nature did not radically alter Azraq's landscape. It did, however, have 'an effect on legal rights over an area, such as restricting the legal rights of the inhabitants of the desert and the Azraq villages' (Abu Jafar 1978: 129) as access to the nature park became severely restricted for Azraq's inhabitants. Indeed, in January 1972 an intergovernmental committee charged with producing a master plan for the future development of Azraq under the direction of Anis Mu'asher (later president of RSCN) 'covered the villages in Azraq and the marshes with full statistics in order to buy out all the cattle that live in the marshes so as to simplify the conservation procedure'.¹¹⁷ By the late 1970s their livestock was prohibited from using the area based on the belief that '[t]he area has been subjected to several undesirable pressures. Village livestock – cattle, water buffalo, goats, sheep and donkeys – graze within as well as Badu-owned animals which include camels' (Clarke 1979: 63). Even more, by the end of the 1970s around one third of the proposed reserve had already been fenced off – another sign of a shift in power and control as this now-to-be conserved space was no longer to be managed or used by local inhabitants. Deprived of their cattle and the lands to graze them, Chechen found it hard to rethink their livelihood strategies. Although many turned to opening a shop to accommodate the needs of drivers passing by from Saudi Arabia, others started to focus more on agriculture – enhancing the

¹¹⁵ In 1972 it was decided to take out two large areas on the western side: one part because it was heavily cultivated an irrigated, another part was taken out 'in part of an agreement with the army to cease using the rest of the area as a training ground. [The area taken out] is to be retained as a security zone where no one may enter, not even the army'. C.D.W. Savage, 25 March 1972. Nicholson Collection (Box 8), RGS Archives.

¹¹⁶ Ministry of Information, 25 February 1966, *Letter to the Jordan ambassador in London containing the Announcement by His Majesty, King Hussein*, Nicholson Collection (Box 6), RGS Archives.

¹¹⁷ A. Mouasher, 24 January 1972, Nicholson Collection (Box 8), RGS Archives.

reproductive value of land. By the late 1980s, due to the fact that land had become scarce in South-Azraq as the village was being locked-in by the military airport in the south-west, the nature reserve in the north-east and government buildings (for electricity and water services) in the north-west, land became a scarce and economically valuable asset.

1.6 The Nationalisation of What Flows Beneath

With the exception of Iraq Petroleum Company's (IPC) water extraction in the 1930s, Azraq's groundwater resources had been relatively disregarded as a potential supply reserve for the country's cities. In 1963 however, the Central Water Authority (established in 1960) implemented the Azraq-Northern District Project, a Druze-Irbid pumping scheme which utilised the abandoned pipelines from the IPC to supply this northern city with water. Nearly all the water used for this scheme was pumped from the Druze pools (North-Azraq) with some additional water taken from the Chechen pools during peak demand (Hemsley & George 1966: 74). This pumping scheme imposed the first restrictions of access to water as bathing or washing practices were now forbidden in the newly fenced areas adjacent to the pumping station. Moreover, based on the scientific findings discussed above Azraq area was divided into three different zones. In the zone closest to the marshes – including the villages – 'all drilling should be strictly controlled by the Central Water Authority. Aside from a few desert watering points, should they be required, drilling should be restricted to municipal supply wells constructed by the Government' (UN-BTAO 1964: 41). It was during this period that the inhabitants' domestic water supply became piped. Under the condition that existing domestic wells be closed, the late King Hussein even granted every household a free daily amount of two cubic metres of water. At first, people cheered this development which came free of charge and profoundly eased their daily household tasks. It would take a few decades for people to realise how this new hydro-infrastructure, which connected the emerging state to the country's periphery, formed the prelude to an 'extended government control into the most intimate domains of daily life, such as the home' (Bender 2008: 843) and furthered the emergence of 'the state' as an everyday social reality in the lives of Azraq's inhabitants (see Janssens & Thill 2013). Indeed, while initially gratis, this now domesticated water soon became a monetised commodity now located underground and accessible only by motorised pumps distributed and administered by the concerned state institutions. While unnoticed at first, it severely restricted people's space of manoeuvre to access water, especially in the 1990s when water was no longer supplied on a round-the-clock basis but was delivered at regular intervals of four days per week.

The biggest pumping scheme however was the Azraq-Amman project which was implemented and became operative in the early 1980s. Following the geopolitical developments in the region from the 1960s onwards, the country received a large influx of refugees with every successive regional war. The migration flow was especially immense during and after the Arab-Israeli War of 1967 with more than 400 000 Palestinians entering the country (Van Aken et al. 2007: 27). This massive wave of refugees led to a heightened urbanisation of Jordan's capital Amman as well as to other cities in northern Jordan such as Irbid (Potter et. al. 2009: 84). The amount of waters abstracted from Azraq to the latter subsequently increased from 3 600 m³/day in 1963 to about 4,200 m³/day in 1966 with peaks of up to 7,200 m³/day in the summer of 1977 (Abu Jafar 1978: 168). From 1973 to 1983 Amman underwent another spatial expansion phase as a result of internal rural-urban migration, programmes aimed at settling the nomadic tribes and continuous unrest in the region. Consequently, by the early 1980s more than half of the Jordanian population was concentrated in northern urban centres of which nearly 30 per cent lived in Amman. This significant level of urbanisation went parallel with a growing demand for water supply such that the government, in response to the contemporary shortcomings in the provision of municipal water, established the Amman Water and Sewerage Authority (AWSA) in 1973 and entrusted it 'to seek and bring to Amman water from remote sources [...]' (Haddadin 2006: 39). Azraq basin was initially not on AWSA's radar yet when in the mid-1970s the transfer from the King Talal Dam (northwest of Amman) to the capital was cancelled due to protests based on potential pollution problems, Azraq's waters - classified as highly qualitative, fresh waters ideal for potable water - was considered a suitable replacer (Haddadin 2006: 50). Consequently, in 1978 AWSA started with the drilling of fifteen wells in an area located to the north-west of Azraq. Ten of these would become operational in January 1981.¹¹⁸ The groundwater abstraction from these governmental wells increased dramatically and almost doubled over one decade from around 10 MCM¹¹⁹/year to 20 MCM/year (Bajjali & Al-Hadidi 2005: 7) which amounts to the basin's safe yield or the set absolute maximum.¹²⁰

This major dislocation of water influenced people's relation to land in Azraq because of mechanisms of exclusion at work in the idea that water was now a 'national' resource of which the government held control and management. First, ideas of 'impure' water were circulating, instilling fears of water contamination and leading to demonstrations such as those of the mid-1970s regarding the King Talal Dam. In addition to knowing its territorial qualities in order to improve the

¹¹⁸ WAJ-L2, 27 June 2011.

¹¹⁹ Million cubic metres.

¹²⁰ It is interesting to note that the concept of 'safe yield' is itself an important scientific tool for making nature legible and one upon which practices of government are often based (see Chapter Five).

conditions of its citizens, the young state was now faced with the responsibility to protect these very resources in order to ensure its population's health. Hence, when in the late 1970s it was deemed likely 'that a problem of water pollution will arise at some time in the future because there is no underground sewage system in either of the two Azraq villages and they are very close to the pools' (Abu Jafar 1978: 62) proposals were made to relocate the inhabitants. By the early 1980s, the villagers of Azraq learned that, despite their recently given property titles (see *infra*), they were to be displaced over fears of underground water pollution as a result of their septic tanks.¹²¹ According to local accounts, tempers became heated between the (Druze) villagers who desired to remain in Azraq and state officials. The late King Hussein eventually intervened to halt the dislocation of the people. While a non-negligible part of the lands in North-Azraq (some of which were privately owned) were nevertheless reclassified as pasture lands (*mar'ā*) – lands under the jurisdiction of the MoA that are not open to any kind of ownership claim under whichever circumstances – and only given back in 2004.¹²² Whether as an excuse or not (as believed by some villagers¹²³), water's importance to the building of state legitimacy clearly overruled people's recently achieved ownership of their lands. The turning of water into a national resource for the state to build legitimacy had thus almost caused people to lose the land – even though it had recently become theirs.

Second, whereas the pumping from the 1960s had considerably reduced the springs' outflow to the adjacent marshes causing the distal parts to recede and dry up, the impact of the pumping that started in the 1980s caused the springs to simply dry up thereby dramatically transforming the landscape upon which people's livelihood depended:

*At last we lost everything: no water, no trees. And the taste of water it's not good. And you know, all the area here it was green, from grass, it was marsh. They call it marsh and it was full of birds – immigration birds that came from Europe, from many places to Jordan. This is the station of the birds... We lost everything.*¹²⁴

¹²¹ This is a point where two projects intertwine since for many people I spoke to, the argument of water pollution was but an excuse to get the local population out in order to establish a 'nature park' – in itself allegedly a masquerade for a game- and hunting park for the urban elite.

¹²² Based on local inhabitants' accounts. I was unable to verify their statements. In my discussions with staff at the MoA and DLS, it was emphasised that it is impossible for the state to convert privately held land into state land of whichever kind (forest, grazing or otherwise) in general. When going into the concrete situation of Azraq, most were ignorant of the (past) situation there.

¹²³ Especially given several people's enduring belief that water pollution was a mere excuse by a few rich businessmen from Amman to be able to establish a kind of 'park' in which these decision makers had full freedom to do as they please in the absence of local snoopers.

¹²⁴ NA1, 31 May 2011.

[E]verybody had its cows, had its piece of land to grow its vegetables, they have fish - a lot of fish - they have birds all the time [...]. So, it's something which affected their lifestyle.¹²⁵

These testimonies betoken that much more is lost than only water per se: the displacement of water deeply impacted and transformed the ability of the land to sustain people and, with it, their cultural lifestyles. Moreover, the more water was pumped to Amman, the more people became economically dependent on state social services. However, while 'their' water enabled the growth of the Jordanian nation-state, little development has been given in return, instigating resentment for the lack of reciprocity:

The government need water so they come here, take the water for drinking in Amman but they didn't give us something back. [...] The problem is that the government didn't give anything for the water - not right because it's our water. [...] People in Amman and Zarqa they have everything; no problems and they take from Azraq and say 'We have the right to take water to drink'. Ok, you have the right but give us something: jobs, hospital, colleges - we don't have that. That's the main point. People want something: education, the right to represent themselves in the government [...] We lose the water for nothing.¹²⁶

In other words, if Azraq's waters are nationalised, then national socio-economic services should be too. Many however, feel socio-economically and politically marginalised and have consequently set out to (re)claim what they consider rightfully theirs:

The extending [of agricultural activities] now is because of the local community, because they are the main people who are drilling illegal wells. And they are doing that because they feel that the government is not fair with them, they are not giving them their right [in the land]. So, they are doing that just to prove that they have a right in the water resources and because they don't have an option: how many jobs can you find in Azraq? It's limited: in the military, police or the municipality [but this is only for] few people. So, the local community [doesn't have another option] except agricultural or trade but trade needs a good amount of money, so they change to agriculture.¹²⁷

¹²⁵ Jad, 29 May 2011.

¹²⁶ NA3, 2 June 2011.

¹²⁷ NA4, 21 June 2011.

The loss of the marshes and the environment they supported, meant more than simply the loss of livelihoods: it also implied the loss of a social and recreational space, of land's aesthetic and mental quieting value. By 1992, after two decades of incessant groundwater pumping, the springs feeding the Azraq oasis eventually dried up, leaving villages dry and unprotected from dusty winds and a burning sun. Gradually all of Azraq's marshes around the villages disappeared – all but an isolated patch of 12 km² artificially maintained marshes now preserved (and *de facto* enclosed) in the *maḥmīyat al-'Azraq* or Azraq's protected area. Ironically, the emergent agricultural landscapes of (cultivated) greenery (see Chapter 2) mimic Azraq's original tapestry of green spots, sandy surfaces and refreshing pools and have even assumed some of its social relations and experiences: appreciating 'nature' and all that this entails (unwinding, dis-connecting but also re-energising) has shifted from Azraq's former marshes towards the farming areas. Even my host – an experienced, self-taught, ornithologist whose long-time presence in the local nature reserve was highly treasured – acknowledged that bird-watching nowadays is more rewarding in the farming areas than in the *maḥmīyah*. This sentiment was shared by village inhabitants who prefer spending their afternoons relaxing on the farms where trees simmer one down, orchards cool off and a water pool rather than visiting the *maḥmīyah*. As such, Azraq's transformed landscape has turned people's engagement with nature into a much more private and isolated experience, enjoyed in small family circles and reserved for those whose close kin own a farm. People's longing for such spaces is equally a driving force to invest in land. Relaxing on the terrace of a well-kept farm one evening, my companion told me of his failed attempt to start his own farm a few years back (we were on his uncle's farm). He had spent more than 6,000 JD. Nevertheless, he would like to try again simply to have a quiet, green place in which to retreat from his everyday occupations.¹²⁸

1.7 Rubbing Salt in the Wound

It took almost two decades before the effects of the restrictions and losses caused by the encapsulation of Azraq's natural properties into new property regimes and exclusionary logics were fully felt. This is partly because a lot of its negative effects were buffered by the extraordinary profits generated during the 1980s by the Azraq salt industry – a success closely entwined with geopolitical developments in the region.¹²⁹

¹²⁸ According to semi-structured interviews with the local population conducted in the context of the Azraq National Dialogue Project in 2007, the 'aesthetic and recreational value' of the oasis constituted around 13 per cent of the total sum of benefits. It was placed at the same level as 'rangeland and grazing value' (also 13 per cent) following 'fishing, bird and animal hunting (18 per cent) and 'nature tourism' (16 per cent) (Hala 2007: 15).

¹²⁹ In the 1980s Jordan and Iraq 'increased their political contacts as a result of the Iraq-Iran war' (Piro 1992: 96) to such an extent that by 1985 'Iraq was absorbing one third of all Jordanian exports' (Peters & Moore 2009: 274).

Yet, while extremely valuable to the local inhabitants, salt in Azraq was discounted as a 'serious' or 'valuable' property. This had been the case from its very beginning. While it was the process of state formation that enabled the salt production to blossom through the provision of security in the early 1930s, salt was not made instrumental to that process:

Unfortunately the industry is, at present, of no value to Transjordan. The Chemical works on the Dead Sea apparently supply salt for Palestine and Transjordan, and Azraq salt is exported solely to Syria. At the same time, the persons employed making the salt are nearly all Druze from Syria, who spend the money earned by them in that country also. The salt is transported by camel owners from Syria, and the Syrian Government collect customs fees on it. A camel load of salt costs about ten piasters at Azraq. The French collect twenty five piasters customs on it, and it is sold in the Jebel Druze for forty five piasters, near Damascus for fifty five, and at Homs or Hama for 75 piastres. If it be assumed that 20,000 loads a year are exported, it will be seen that quite a useful sum of money is involved.¹³⁰

No effort was made to explore the possibilities of extracting salt or making it a productive resource in any way by providing infrastructure, technology, or financial assistance. Quite the contrary, the flourishing salt industry can solely be attributed to the industrious Druze with the government foremost raising custom taxes (customs were as high as 75 per cent per bag (130 kg) in the early 1970s) (Nelson 1973: 56). Nelson even reported that the government, despite the Ministry of Customs' annual cut of £6,750 in the late 1960s, did not even bother to provide a village bus (ibid.).

For the Druze, salt constituted the only 'property' over which they had exclusionary ownership rights because late King Hussein had granted the Azraqis sole monopoly over salt production in Azraq and over selling it on the internal market – *'the best decision the government has ever taken with regards to Azraq'*.¹³¹ The salt cooperative had sole extraction rights and paid the government 1 JD/dunum of land in the *sabkha Qa'a* (where salt was extracted) in addition to taxes levied on every bag of salt traded.¹³² It therefore came as a big shock when the government retracted Azraq's monopoly on salt in the internal market.

Azraq - geographically close to Iraq and the commercial link between the two countries - especially profited from this situation.

¹³⁰ Glubb MRAD, June 1934, NAL (CO 831/55/12).

¹³¹ Hasan, 12 February 2012.

¹³² NA5, 29 June 2011.

Generally, Azraq's success story began to dwindle by the early 1990s and while it persisted for a couple of years, by 1998/9 the Azraq Salt Cooperative was forced to close its books. While its ruin can be attributed to an unfortunate conjuncture of developments, much related to geopolitical tensions in the region as well as Jordan's neoliberal turn starting from 1989. The most far-reaching impact came through the government's decision to retract Azraq's monopoly. This decision must be understood within the wider political dynamics of Jordan's national economy. By the early 1980s, the Potash company at the Dead Sea started to produce potash and by the end of the 1980s it gradually explored opportunities to market salt – a major downstream product¹³³:

When the salt factory at the Dead Sea was established, we were told that this factory would focus on export for chemical factories only. It wasn't meant to be distributed inside Jordan they claimed. However, after 2 or 3 years into their production there was a rise of salt production and they started exporting to the whole of Jordan as well as to Iraq [i.e., they broke into Azraq's market by the mid-1990s]. [...] Potash started selling salt to the Jordanian market and the prices went down from 150 JD/ton to 100 JD to 90 JD until it went to 70 JD and even to 50 JD/ton! For Potash, it only costs them about 2.5 JD to produce one ton of salt. In Azraq however, this was 40 JD/ton so selling salt at about 50 JD/ton was dramatic. It could only cover the salaries of the workers, nothing more.¹³⁴

Unlike Azraq, insuring the endurance of the Potash company was a prime concern to state officials: not only did it create jobs in the south, thereby diverting pressure from the capital, the company was equally closely intertwined with state interests given that 78% of the company's shares in 1987 was state-held (Piro 1992: 52 & 53).¹³⁵ The Potash company was thus of substantial importance to the government which supported it through the provision of capital and which was deeply involved in its everyday operations and management. The fact that salt – as a natural property of Azraq – was neglected and eventually disbanded altogether, can be attributed to the fact that it interfered with a process of prime importance to Jordan's state formation: the development of a national economy. Unlike Azraq's water, its salt was to have no place in it. This makes clear that what counts as a property is historically contingent on the necessities of the emergent state. It is a highly political process in which power relations at both the national and international scene are at play.

¹³³ <http://www.arabpotash.com/Pages/viewpage.aspx?pageID=4>

¹³⁴ Mohammed, 25 May 2013.

¹³⁵ Different universities, the postal service and social security funds were deeply involved too. Moreover, as Piro (1992) further points out: it is not only the percentage of shares that counts but equally the extent to which the state had a final say over the appointment of the board of directors.

Of course, other interests were equally at play in the favouring of the Potash company: those of the merchants.¹³⁶ In the mid-1980s, Azraq Salt Cooperative decided to build a salt refinery factory which became productive by 1988. Rather unforeseen by the Azraqis was the merchants' reaction:

We didn't think about what would happen in the future, we thought establishing a factory was a good idea. However, the factory now took care of the final stage of the salt production process – a process previously in the hands of the merchants in Amman. Consequently, the latter started to lose money and they began the biggest war ever as well as their agents in Azraq. [*What do you mean by 'the biggest war ever'?*] For example the Potash company on which the merchants now started to focus: since the Potash only produces salt as a by-product it could sell it at a very low price. The merchants thus began to take salt from the Potash at 1 JD compared to 1.5 JD for 150 kg in Azraq.¹³⁷

Consequently, the Cooperative found itself in a precarious financial situation, one reinforced moreover by the loss of the Iraqi market due to the Gulf War in early years of the 1990s. In an attempt to adapt to their new situation, the Cooperative turned to the government for advice. The prime minister consulted them to develop their factory since 'the two stage salt washing process implemented there was never able to cope with the sulphate in the salt despite excessive losses during the processing'¹³⁸. Finding itself cornered by political-economic forces and plagued by exceptional environmental conditions – heavy rains in 1995/6 caused the Cooperative to lose around half a million JD –, a loan of one and a half million was taken from the national bank to modernise the factory:

*The promise was: if you renew your factory, we will give you the money of the project. However, after one year, when we finished the factory, the government said there was no more money because they had given it to others. So, the rain had already destroyed 0.5 million of profit and the factory now added to that another 1.5 million JD in loan.*¹³⁹

¹³⁶ Mohammed, 25 May, 2013.

¹³⁷ Ibid.

¹³⁸ <http://www.krebs-swiss.com/pr960816.htm>

¹³⁹ Mohammed, 25 May 2013. While a fund was erected to compensate for the losses during the Gulf War, little was seen of this money.

This left Azraqis wretched and incapable to reorient their economy which for so long has been based primarily on the salt trade.¹⁴⁰ Effectively, as the industry was lost, many realised how the salt had equally been a blessing as well as a curse: *'The salt in Azraq killed everything'*.¹⁴¹ Today, many Azraqis seem to have adopted a hate-love relation to the salt arising from the fact that it discouraged people from investing in other economies: *'it made people lazy, they weren't interested in anything because the salt brought in so much money that they just sat around and waited'*.¹⁴² It was foremost after the salt industry went awry – the period when also water and 'nature' was gone – that the economic value of land became clear:

Driving back to the village Hasan explains that the area we're driving through was all property of Druze but by now most lands have been sold [...]. An important reason is the salt factory: once it stopped its activities, people could no longer cover their living costs which left them searching for alternatives incomes. In the meantime, people sold their lands to get by. Today, most people rely on the army or public jobs that, according to Hasan, serve no other purpose than to give people an income. He referred back to our earlier conversation at the mudflat where he said how much good it would do the government to re-establish the salt factory. Many people in Azraq now depend on the government to cover their costs but this is an endless circle.¹⁴³

In 2007 the dependency on public employment was around 30 per cent with another 13 per cent of the families relying on national welfare as their major source of income (Tarabieh 2007: 38). In addition, migration rates to the city – in search for job opportunities and a better future – continue to increase. Many Azraqis have and continue to advocate the re-establishment of the salt factory in order to lift Azraq from its growing poverty rates but there is little zest on the side of the government to take the necessary steps. Only a few still extract salt and although sometimes good fortunes can be made, the trade is no longer as lucrative as it once was. The lease of the land has risen to 4JD/dunum and the transformed (i.e., dried-out) environment further complicates production as the increase of dust makes the salt dirty and people lack money to make the necessary investments needed to deal with this.¹⁴⁴

¹⁴⁰ Many inhabitants equally blame its ruin on practices of mismanagement: active corruption, mere lack of management knowledge, or the favouring of family relations over actual capabilities in the recruitment for management positions are all said to have furthered the downfall of the salt industry.

¹⁴¹ Jamal, 5 May 2014.

¹⁴² Ibid.

¹⁴³ 12 February 2012.

¹⁴⁴ NA5, 29 June 2011.

Hasan's view on the connection between people's interest in land and the bankruptcy of the salt industry was widely shared within the village:

[If it was not important in the past, when did it become important for people?] *It came with the white petrol: the salt. When the salt left, people started looking for land. Most people know about the importance of land but a small piece was OK because people had money from the salt to buy whatever they needed. But when the salt went, people wanted land so they could sell it, not to keep it.*¹⁴⁵

Indeed, by then, the previously set up property logics started to play out as well: access was denied to freely take water to farm; lands had been enclosed to secure 'nature'; and (access to) communal land was (at least officially) denied. Engaging with the land as one pleased was thus no longer an option. By the time they wanted to engage with it, the necessary elements to do so had been closed off through their entwinement in particular property logics.

1.8 Conclusion

Shortly before I flew back to Belgium in 2012, Abdullah gave me the following advice: *'You should buy the empty land in Belgium. It is the best future investment, really.'*¹⁴⁶ Unemployed and at the time deeply invested in appropriating state land, his remark was foremost reflective of his own want for land and marks a stark contrast with people's former attitude towards land as *'just for food, for life. It wasn't for sale'*.¹⁴⁷ In this chapter, I aimed to capture one aspect of the process that accounts for this profound change of land's value. I therefore focused foremost on the processes through which Azraq's biophysical properties were (not) inscribed into world- and state-making projects, and on how this affected people's relation to land. Most crucially, I drew attention to the ways in which these projects differently inscribed these properties into particular property arrangements: 'nature' was to be conserved for, and as such belonged to, 'humankind'; Azraq's waters, along with other water bodies within the newly delineated Jordanian territory, served to quench the thirst of all Jordanians and as such belonged to the nation; and land, becoming a powerful political tool for the regime, had to be (re)asserted as property of 'the state'.

This disentangling of nature into separate properties, and their subsequent reordering into different property arrangements was problematic for the Druze. Overall, they had little to say about either the projects, the attendant property

¹⁴⁵ NA2, 17 November 2013.

¹⁴⁶ 18 June 2012.

¹⁴⁷ Jamal, 17 November 2013.

arrangements, or the (political) decision-making process through which this or that property of Azraq's environment was singled out. (If they had, they would at least have called for a project that facilitated salt's economic exploitation, monopolised by the (original) Azraqi inhabitants).

That these reorderings did not, at first, spur protests, can be attributed to the fact that these projects initially looked promising: the Water Authority of Jordan's (WAJ) early pumping provided jobs; salt extraction was initially placed in their hands; land registration was promised for free; and the original conservation project was (at least on paper) attentive to their needs. This turned out to be a fallacy because, despite the seeming inclusiveness of 'humanity' and 'the nation', the implementation of these projects actually implied the Druze's exclusion from it. Indeed, due to a particular conceptualisation of 'nature', conserving it meant banning the Druze from living within, or using it; the 'nationalisation' of water implied, literally, sucking dry Azraq's oasis which deprived the Druze of their access to water and the source of their livelihoods¹⁴⁸; and (re)asserting state ownership of land instilled the Druze with a deep sense of dispossession of their communal land. This, as I demonstrate in subsequent chapters, translates in their desire to rebuilt 'nature' (although privately); to reclaim 'their' land, and, in the process of doing so, to consume the water they feel entitled too.

Clearly, the inscription of particular natural properties into world- and state-making projects profoundly defined the property relations of Azraqis to each of these newly dis-entangled entities and, as such, redefined people's relation to land. By the end of the 1980s, land's value was no longer based on it being a place to dwell, a basis of subsistence and livelihoods or a source of recreation that did not require neat demarcation and exclusion. Being denied access to communally claimed land, no nature to live from and no salt industry, land's value was increasingly refined to its market value – a change enhanced by Azraq's emerging land market.

¹⁴⁸ In first instance, every household was granted 2 cubic meters of water. Gradually however, this privilege is being redrawn as it is not granted to newly formed household. Moreover, water is provided to the households by the WAJ which (*de jure*) places the interests of Amman and other urban cities, above those of Azraq. That is, in case of a technical problem for example, it is the supply to Amman that will be sustained, not that to Azraq.

2 Keeping Up (the Promise of) Value

*We have great places here in Jordan to do farming
but Azraq is not one of them.
- NA3, 2 June 2011*

*Azraq can potentially be a real-estate gold mine because you can
reorganise it, there's the idea of an oasis and the land is cheap enough.
And the investors of the Gulf are looking for these big pieces now.
- Researcher1, 13 December 2013*

2.1 Introduction

In the previous chapter, I identified the processes that explain why, by the late 1990s/early 2000s, Azraq's inhabitants foremost valued land as a commodity to be bought and sold on the market. In this chapter, I want to examine the question of land's value from a different perspective: that of 'outside' investors.

*[T]here is no benefit from agricultural activities here in Azraq - most of
the people are losing money.*

So why are agricultural activities expanding? How do you explain this?

*The main reason is that they want to legalise the land. When the
government comes to legalise it, the land should be planted with trees,
that's the main reason.*

But why do people want land?

To sell it!

But sell it to whom? Who would want to come to Azraq?

Many, many, many crazy people come to Azraq! [laughs]¹⁴⁹

Clearly, if Azraqis wish to realise land's exchange value, a demand for land must exist. However, who would be interested in buying land in Azraq? What values have been attributed to land by non-local investors? How did they come to see land in Azraq as a resource open to investment in the first place? Put differently, how was Azraq – an area largely in Jordan's Badia or steppe/desert area – rendered 'available' for investment?

¹⁴⁹ WAJ-L1, 6 June 2011.

Anthropologist Tania Li recently posed the same question in the context of the global land rush: how is land produced and made 'thinkable' as a resource available for global investment? She approaches this question by thinking of land's 'resourceness' as 'an assemblage of materialities, relations, technologies and discourses *that have to be pulled together and made to align*' (2014b: 589 – my emphasis). In doing so, she underscores the idea that land's 'resourceness' is not an intrinsic value; on the contrary, to render land investible 'work is needed' (ibid.). Using Li's assemblage approach, I trace the work that was put into making land in Azraq investible, paying close attention to which elements were key in pulling together the assemblage and to how these elements coalesce, reinforce or impair each other while holding it together.

I begin by tracing the early attempts to make the productive potential of Azraq's land 'visible'. Similar to the contemporary practices of the World Bank that Li has researched – which she uses to highlight the role of “statistical picturing” devices and other graphic forms [in making] large-scale investments in land thinkable’ (2014: 589) – international organisations such as the Food and Agriculture Organisation of the United Nations (FAO) and others have produced reports and studies on the potential profits that investing in Azraq's land might produce for Jordan's economy or private investors. The majority of these studies' conclusions, however, were negative. In 1949, for example, the United Nations Relief and Works Agency (UNRWA) sent Nicholi Simansky, an agricultural engineer working with the FAO to study the situation. He concluded that in terms of resettling refugees, it was not deemed advisable 'to think of more than 2000 well selected cultivators under first class agricultural and technical supervision' (1949: 2 – emphasis in original). Two decades later, in 1967, the FAO equally concluded that 'the depth of the water, its limited quantity and the saline nature of the soil do not lead to great hopes at this stage of economic exploitation in the Azraq depression' (FAO 1967: 150). Thus, as I describe in the first section of this chapter, while almost all research data produced by (inter)national organisations pointed out the potential for a flourishing fishing (and rice) industry in Azraq, they all discounted the area as not valuable in terms of agricultural development (e.g., International Bank for Reconstruction and Development (IBRD) 1957; FAO 1973). Clearly, the *scientific* graphs, statistics, tables and maps did anything but render land investible (although it did very much render it visible for conservational practices – see Chapters 1 and 5).

By the 1970s and 1980s, science was 'excluded' from the assemblage,¹⁵⁰ making way for '[t]echnology and capital [which] are the magic mix that account for why land is about to become suddenly vastly more valuable than it was just yesterday,

¹⁵⁰ Almost too literal to the extent that many farmers and NGO-staff alike complain about the lack of scientific research on adequate crops to be cultivated in Azraq's particular ecology.

or a few years ago' (Li 2014b). Indeed, contrary to the 'orderly' and 'scientific' approach prior to the 1970s, now deeply personal characteristics such as ambition, perseverance, entrepreneurship and a sense of adventure could render the inexhaustible resourceness of Jordan's Badia visible. Azraq, I demonstrate, had particular natural advantages to accommodate this personal quest for land. Most important here is to focus on the identities of the early 'pioneers' that travelled to Azraq, and particularly the ways in which they were able to pull particular policies and 'the law' into the assemblage, making it very successful in the 1990s.

The last sections discuss how and why land's resourceness – in the way that it was assembled by the 1990s – proved instable and looks at the reactions of people who tried to hold the assemblage together. First, the political relations of the early pioneers proved insufficient to maintain previously favourable policies and legislations, meaning that the cost of investing in the land started to surpass the profits to be made. Second, 'nature', as Chapter 1 highlighted, does not sit still – it re/inter-acts with the dynamics through which land is (per)formed as a resource and as property.¹⁵¹ Indeed, investing in land in 'the desert' not only caused the groundwater to recede but also made it more saline. This negatively affected the agricultural output. In an attempt to uphold land's resourceness, land brokers increasingly foregrounded land's *exchange* value instead of land's *use* value. That is, Azraq was no longer foremost branded as an *agricultural* gold mine, but also as a *real-estate* one. For Khaled, a non-Azraqi filled with stories of land brokers' and investors' chicanery, this explains the sustained interest in land in Azraq despite the absence of infrastructure, marketing plans, nearby urban markets and despite huge investment costs. Having previously worked for the Department of Agriculture in Azraq, Khaled posited that '*one needs magic to sell these lands and to make people buy them!*'¹⁵² Building on Li, I deconstruct this 'magic' as the continuous efforts and successes to hold together the ever-changing assemblage of land as a resource worth investing in.

2.2 'A Prosperous Agricultural Oasis'?

The emergence of agricultural development in Azraq is relatively recent. Moreover, and unlike what some accounts might suggest, this development was not straightforward or even evident. It was the British General John Bagott Glubb who first envisioned Azraq as an agriculturally productive area. Two years into his new position as desert pacifier in Transjordan, he reproached the British Mandate officials in his monthly report of April 1933 for 'fruitlessly and carelessly' giving away Wadi Sirhan – a large area in contemporary Saudi Arabia just across Jordan's

¹⁵¹ I discuss this more broadly in Chapter Three.

¹⁵² Ibid.

south-eastern borders¹⁵³ – which he depicted as ‘a potential gold mine [...] equal to the total area of cultivated land now in Trans-Jordan’. The area, he complained, could have brought necessary improvement of the country’s precarious financial and economic conditions. Fortunately, he continued, ‘[a] small piece of land of a rather similar nature however still remains to us in the shape of the Azraq area’. While inferior to Wadi Sirhan, Glubb acknowledged the (geo-)political and economic value of Azraq as

most obviously the natural centre of the whole area, amply provided with water, the watering place and camping ground of all the tribes, the point of intersection of the routes from Amman to Iraq and from the Wadi Sirhan to Syria.¹⁵⁴

If tapped into wisely, Glubb asserted, Azraq could be turned into Jordan’s own agricultural gold mine.

Faced with the task of curbing the growing poverty amongst destitute Bedouin, Glubb ceaselessly sought ways to save the latter from ‘the highroad to extinction from starvation and tuberculosis’ – a condition which he openly blamed on ‘the diplomatic policy of His Majesty’s Government’¹⁵⁵ and the enforcement of a British-informed law and order.¹⁵⁶ Glubb therefore set out to diversify the Bedouin’s predominantly livestock-breeding economy and introduced them to agriculture.¹⁵⁷ Based on his observation of Azraq’s natural qualities, Glubb believed that ‘enough date palms could probably be grown to support nearly all the present bedouin population of Trans-Jordan’.¹⁵⁸ He therefore lobbied the British authorities to allow him to set up a palm date nursery in the area, and by early spring 1933, he had planted a hundred date trees.¹⁵⁹ ‘This scheme’, he wrote in his monthly report of March 1934,

was first suggested by the writer, not only as a means of increasing the revenues and prosperity of Transjordan, but also to provide a

¹⁵³ Glubb, MRAD, April 1933 (1986 – Box 11). In 1925 the British negotiated the Hadda agreement on the frontier between Transjordan and Najd (contemporary Saudi Arabia). Under this agreement, Wadi Sirhan was ceded to Ibn Saud in return for the preservation of an Iraq-Transjordan corridor (Wilkinson 2000: 53).

¹⁵⁴ Glubb, MRAD, March 1934, NAL (CO 831/55/12).

¹⁵⁵ Glubb, MRAD, November 1934, NAL (CO 831/55/12).

¹⁵⁶ The Bedouin economy rested largely on the practice of invasion (*ghazw*) or ‘raiding’, a practice which was prohibited and contained during the British Mandate period (1921 – 1946) (Bocco 1996).

¹⁵⁷ While Bedouin relief work such as building roads had proven very successful, this was often of a temporary nature and did not allow the Bedouin to sustain themselves.

¹⁵⁸ Glubb MRAD, July 1933, MECA (1986 – Box 11).

¹⁵⁹ Glubb aimed ‘to encourage other pioneers’ from within the Bedouin community and, much to his excitement, hardly six months after his initiative, Haditha al-Khraysha, one of the two principal sheikhs of the Beni Sakhr, had built himself a mud-brick house and was willing to try cultivation (Glubb MRAD, April & September-October 1933, MECA (1986 – Box 11)).

livelihood for many of the destitute bedouins [sic] who are now anxious to cultivate the soil, *but can find no land vacant for the purpose. Azraq, situated as it is as an oasis in mid-desert, is an ideal place for such tribes to settle.*¹⁶⁰

Over the next years, Glubb's date palm project, supervised by the department of agriculture, grew steadily, such that by January 1935, the trees' 'fewness seems to be the only thing wrong with them'.¹⁶¹

In the meantime, word of Azraq's potential spread quickly. Having 'heard of the possibilities of Azraq'¹⁶², the Chechens – who at first 'were submissive in the extreme and begged permission to graze their cows unmolested' – eventually

changed their tone. [...] They have been threatening local Arabs, informing them that the Government has sold the whole of Azraq to the Shaishans [Chechens]. I find that they have also been in touch with the Agricultural Department in Amman, whom apparently they have bluffed into believing that Azraq did belong to them.¹⁶³

Their zeal to travel to Azraq and capitalise on a potential agricultural frontier was closely related to 'the establishment of law and order [by the British] and the presence of a police post [which] enabled them to visit the place'.¹⁶⁴ Shortly after their arrival, the Chechens

imported a small pumping engine, and propose this year [1937] to attempt irrigated cultivation – Should this succeed, it may be a first step towards the development of a prosperous agricultural oasis at Azraq.¹⁶⁵

Being just as illiterate in reading Azraq's landscape as the Chechens, Glubb – himself lacking expert knowledge of the area's hydrogeological features and therefore dependent on trial-and-error – closely monitored the Chechens' endeavour to measure the potential success of his proposed agricultural schemes:¹⁶⁶

¹⁶⁰ Glubb, MRAD, March 1934, NAL (CO 831/55/12) – emphasis added.

¹⁶¹ Ibid., January 1935.

¹⁶² Ibid.

¹⁶³ Glubb, MRAD, March 1934, NAL (CO 831/55/12).

¹⁶⁴ Ibid.

¹⁶⁵ Glubb, MRAD, June 1937, MECA (2006 – Box 80).

¹⁶⁶ All the more since, unlike Glubb, the Chechens possessed a certain amount of capital and access to new technology (Glubb MRAD, June 1937, MECA (2006 – Box 80)).

Hitherto cultivation has been unsuccessful, because the land commanded by the spring water is too salty. The use of pumping engines to irrigate the land, will enable the cultivation of ground which lies higher than the marsh level, and does not show any signs of salt at present [...] the village will probably increase in size if this [Chechen] experiment in irrigation proves successful.¹⁶⁷

Eventually, their efforts turned out to be fruitless: '[T]his land was very salty. The crops didn't grow in this area so they left the land and didn't make farms. [Instead] they only depended on breeding animals, on buffaloes and cows'.¹⁶⁸ Mere entrepreneurial spirit did not suffice to realise land's agricultural use value.

The Druze, who cultivated some gardens adjacent to their houses, did not really engage in agriculture either even though back in contemporary Syria they were known to be industrious farmers (see Schaebler 1998 & 2000; Chapter 1). Farming in Azraq simply proved less productive and more time-intensive than in Syria. Glubb, too, was forced to abandon his plans, for while he had labour in excess, he continuously lacked access to capital and technology, despite the subsidies from his own pocket and his relentless requests for provision from the British government. Moreover, by 1938, his services were redirected and deployed at the national level.

Despite these initial minimal successes and/or interests in agriculture, visions of 'a prosperous agricultural oasis' continued to circulate and instigate development projects. Hardly a decade had passed when the potentialities of an agricultural frontier were brought up again in the wake of the 1947 UN Resolution 181 (which partitioned the Palestinian territory) and the ensuing first Arab-Israeli War of 1948, which caused several tens of thousands of Palestinian refugees to enter the East Bank.¹⁶⁹ Negotiations about whether Transjordan could absorb and resettle refugees and how many brought about several surveys of potential resettlement areas throughout the country. Simankasy's earlier cited study of the Azraq area in 1949, was one of them. Yet, despite his and others' disappointing findings, the UNRWA equally eyed Azraq as a potential refugee resettlement area.¹⁷⁰ In 1951-1952, the organisation established the Azraq Pilot Scheme to 'investigate the possibility of developing agricultural resources for the settlement of refugees' (UN-BTAO 1964: 45). Under the project, two refugee families were effectively settled, but due to 'a

¹⁶⁷ Glubb MRAD, June 1937, MECA (2006 - Box 80).

¹⁶⁸ Mohammed, spring 2014. The land plots they chose to cultivate were located near the *Qa'a* area where water is more saline and the land less fertile - ecological properties which continue to plague Chechens' agricultural projects until this day.

¹⁶⁹ In September 1949 there were a reported 70,000 refugees in Transjordan (UN Economic Survey Mission, Final Report, December 1949: 18).

¹⁷⁰ UNRWA had equally commissioned a study on 'the potential water resources and development of the Jordan Valley' towards the same end (Elmusa 1994: 38).

change in UNRWA administrative policy regarding direct operations' in 1952, the scheme was abandoned (*ibid.*).

In the 1950s and 1960s, it was mostly international development organisations that had their eye on Azraq. At the national level, these decades were marked by a focus on maintaining political order in the country (after a period of uncertainty regarding the succession to the Crown), leaving policies of economic (predominantly agricultural) modernisation mostly in the hands of the British and, increasingly, the United States through its newly created assistance programme Point Four (later USAID, Kingston 1994: 188).¹⁷¹ The latter's aim – not unimportantly guided by its policy of containment (Elmusa 1994: 35-38; Sneddon & Fox 2011) – was to transform Jordan economically, foremost by extending the country's irrigated agriculture – then presented as an ideal instrument for Jordan 'to narrow its trade gap, raise its standards of living and provide for its refugees' (Davies 1958: 271). New technologies (the tractor was introduced on a major scale in the early 1950s [BRP-NCRD 2011: 20]), agricultural practices, sedentarisation policies¹⁷², new regimes of land- and water allocation and, not unimportantly, agricultural feasibility studies came with the package.¹⁷³ The latter implied an emergent and growing role of science in thinking about the possibilities for agricultural development (see also Chapter 5). Hence, during the late 1950s, the area was closed off to any exploratory activities other than those of 'scientists', who were allowed to venture out and survey the area either through study or trial farms:

¹⁷¹ A division of labour which was not necessarily applauded within Jordan, especially not by the nationalists (see Kingston 1994).

¹⁷² Jordan had requested the involvement of international organisations which began to set the ideological framework for 'new' settlement programs (Bocco 2006: 302). Unlike Glubb for whom social engineering could be achieved from 'within', the American developmentalist school – which informed the modernisation theories of the 1950s and 1960s upon which 'experts' of sedentarisation policies built – emphasised that change could only be induced from outside, most evidently by the state (Bocco 2006: 321-22). Subsequently, sedentarisation policies and strategies were fiercely implemented in the 1960s and 1970s. The projects set up during these decades were based on a profound evolutionary footing characterised by a unidirectional and irreversible process towards 'modernisation'. This framework was built during the 1950s via intense knowledge production and dissemination about nomadic population at both the regional (Arab states) and global level (Most notably by the World Health Organisation (WHO), the FAO, and the United Nations Educational, Scientific and Cultural Organisation (UNESCO). The first sedentarisation policies or strategies in Jordan were implemented in 1966 and continued until the early 1990s when sedentarisation 'was no longer a priority in state policies for development in the Middle East's steppe regions' (Bocco 2006: 324)). In these studies, both Arab and international experts portrayed nomadism as 'backwards'. Sedentarisation policies thus served 'to make nomads evolve' (Berque 1959: 518 as cited in Bocco 2006: 307) and discourage them from 'living outside the mainstream of modern civilisation' (Helaissi 1959: 556 as cited in Bocco 2006: 312). The latter thinking was epitomised in the will to 'turning Bedouin into farmers' (Daily Telegraph, summer 1964) – a logic which plugged in with contemporary ideas that a decent managerial approach to Bedouin could 'make the desert bloom' (see *infra*).

¹⁷³ Much of this endeavour was carried by rationalities of techno-politics most clearly embodied in the East Ghor Canal in the late 1950s (Elmusa 1994: xxi).

The past land and water use in Azraq has been restricted by the Government until studies were completed so as to facilitate project development. Most of the land in the area is Government-owned and, permission to use the land has been refused pending sufficient information as to the water supply, methods of land development and project use of the water and land. *As such data is accumulated, then private capital can also be safely encouraged into the area for investment.* (Wozab 1960: 8 – emphasis added).

It appeared, at the time, that scientifically obtained data was to precede and guide the ‘safe’ and orderly emergence of the agricultural frontier.

Initial data was optimistic: the first extensive agricultural feasibility study¹⁷⁴ claimed that enough water was available to irrigate about 27 km² (26,800 dunum) of land (Hemsley & George 1966: 86; UN-BTAO 1964: 24) and consequently proposed ‘a capital investment of over five million dollars’ (UNDP 1966: 7). The report activated the Jordanian government to formulate plans in 1959 for a pilot irrigation scheme in Azraq given that ‘over 100,000 dunums of land have been classified and considered as suitable for irrigation’ (Wozab 1960: 1b). Rather quickly however, a series of subsequent studies discredited the report’s research methods (see Chapter 5). Moreover, the agricultural station that was established in Azraq in 1958 as a pilot project for desert farming techniques and possibilities of irrigation came to similar conclusions. Due to limited success, the project was eventually halted in 1964 (UN-BTAO 1964; Hemsley and George 1966: 81).¹⁷⁵ For Nelson, the British ornithologist who lived, worked and studied in Azraq at the end of the 1960s (see Chapters 1 and 5), the matter was simple: with the (scientific) knowledge needed to ascertain the maintenance of Azraq’s delicate water balance being either absent or incomplete, projects such as irrigated agriculture should not be considered viable. ‘Nobody’, he concluded in his 1973 book *Azraq: A Desert Oasis*, ‘doubts the ability of water to make the desert bloom but, as I have tried to show, the matter is not so simple’ (Nelson 1973: 51).¹⁷⁶ All this led the Jordanian government to retrace its steps on the irrigation scheme and to shelve its fantasies of big agricultural land reclamations in Azraq (Wozab 1960: 5; UN-BTAO 1964: 46)¹⁷⁷. Thus, by the early 1970s, to cite Nelson (*ibid.*) again,

¹⁷⁴ This concerns the Princess Alia Project, also known as the Baker-Harza Project (see Chapter Five).

¹⁷⁵ The station was put in the hands of the Bedouin Resettlement Division of the Ministry of Agriculture, which would later rent it to international researchers of conservation and ecology.

¹⁷⁶ Nelson was very conscious of the *medium* through which he made his plea: a book. Unlike scientific reports which can ‘all too readily be filed away’, books, he reasoned, ‘get into the hands of ordinary people and people travel’ (Nelson 1973: xviii). Instead of directing his call to local politicians, Nelson thus aimed to address the ‘global community’ who stood much to gain from Azraq (see Chapter One & Five).

¹⁷⁷ Strangely, when the government started taking a more active role in the settlement of the Bedouins as of the mid-1960s (Abu Jaber et al. 1987: 109), Azraq was hardly spoken of, even though the aim of the ‘Bedouin

[a]mbitious schemes for irrigating large areas of the arid land around Azraq [...] have risen like bubbles and, fortunately, have burst.

Yet, hardly a decade after Nelson's book was published, his remark proved obsolete. True, during Nelson's stay in Azraq (1968 – 1969) little happened but this is related to the fact that it fell in the middle of a short but tumultuous period in Jordanian history (1967 – 1973). This period was marked by regional and internal instability¹⁷⁸ which seriously impeded and froze development, not only in Azraq but all over the country. Shortly after these turbulent times, however, the schemes would even be more ambitious – although contrary to the early 1960s when 'private capital' was put on hold as the necessary data was accumulated, the 1970s and 1980s would see policies that were supportive of adventurous entrepreneurialism that relied just as much on the belief in personal 'vision, determination and an optimistic outlook'¹⁷⁹ as on scientifically based development.

2.3 The Entrepreneurial Spirit of the 1970s and 1980s

The 1970s and 1980s are remembered as 'resourceful' times when, in Jamal's words, 'Jordan lived on air because of all the money coming in'.¹⁸⁰ This 'resourcefulness' (a condition said to boost frontier projects (Tsing 2005)) was expressed in an abundance of *capital* – the country witnessed a dramatic rise in money supply from 108 million JD in late 1971 to 269 million JD in mid-1976, related to increased workers' remittances linked to the oil economy in the Gulf region since 1973 and foreign aid (Khouri 1977; Feiler 1994); *labour* – especially 'the influx of "cheap" Egyptian labour from the mid-1970s onwards' (from 0% in 1975 to about 87% in 1986) which was part of a larger labour movement in the region spurred by the contemporary oil-induced economic expansion (Elmusa 1994: 66); and *energy* – the period was marked by cheap energy costs, especially during the 1982–1983 recession 'which led to a fall in the price of oil from \$41 a barrel to approximately \$18 a barrel'

Settlement Project' was to 'reclaim desert lands which had underground water so that those areas could be utilized for cultivation' (ibid.: 111).

¹⁷⁸ Growth and relative stability in the early 1960s were interrupted by two interrelated wars. The first, the Arab-Israeli War in 1967, led to the loss of the West-Bank's rich agricultural lands, while causing several hundred thousand Palestinian refugees to enter the country. Rising tensions in the refugee camps and the growing tendency of the Palestine Liberation Organisation to act as a 'state within a state' led to the civil war of 'Black September' in 1970, with violent outbursts lasting until 1971. After these tumultuous years, Jordan witnessed a period of prosperity.

¹⁷⁹ Eyre, J.C., Report on El-Abdelliyeh Village Project Jordan, 30th March 1963, Middle East Development Division, p. 2 (Oxford Archives, M.E.D.D., Box 1).

¹⁸⁰ 7 May 2014.

(Piro 1992: 266). All this beset the country with a 'speculative fervour' (Khouri 1977) and an entrepreneurial spirit¹⁸¹ that also incorporated Azraq.

It was during this quarter century that the government sought to make Jordan's Badia productive to the country, especially in light of the contemporary intensification of its integration into the market economy due to 'an explosive growth in demand from the newly oil rich Gulf countries for meat, fruit and vegetables' during the 1970s (Patrick 2002: 61). This quest must be comprehended within one of the defining discourses at the time: that of a 'green desert'.¹⁸² A globally and regionally (Molle, Mollinga & Wester 2009; Sowers 2011; Trumbull IV 2011) travelling vision, it took hold (again) in Jordan's development policies in the 1970s and 1980s, and tied in with (inter)national and regional policies driven by a logic of turning the Badia into a space of economic potential. Nationally, this enthusiasm was underpinned by Jordan's so-called 'Super Green Revolution' (Elmusa 1994) that gradually overtook the country in the 1970s and 1980s, accounting for a ten-fold increase in vegetable, and a double increase in fruit production, thereby contributing significantly to the economic development of Jordan during the 1980s (Venot, Molle & Courcier 2006: 6). This revolution was foremost marked by agricultural transformations based on the introduction of drip irrigation and plasticulture in the mid-1970s (Elmusa 1994: xx) as well as 'chemical fertilizers, pesticides, improved seed varieties, and machinery [that] spread gradually until it became universal [...]' (Venot, Molle & Courcier 2006: 6). These developments revolutionised the agricultural sector, which lived its irrigation heydays in the late 1970s and early 1980s (BRP-NCRD 2011: 22), especially in combination with improved well-drilling techniques and the availability of cheap energy and labour, as pointed out earlier.

The agricultural modernisation through (socio-technological) revolutions enhanced the belief that, as Prince Hasan declared in 1977, the 'desert will become productive' through agriculture.¹⁸³ His belief must be seen against the background of two oil crises (1973 and 1979) which 'provided an interest in agricultural development in the Jordanian deserts with an expanding regional market for fruits and vegetables. Remittances from Jordanians (especially from Palestinian origin) living in the Gulf increased and were partially invested in the agriculture sector' (Francois 2008 in BRP-NCRD 2011: 22). Interestingly, and marking a rupture with

¹⁸¹ Between 1971 and 1980, the investment rate increased from 17% of Gross Domestic Product (GDP) to 39% in 1980. This extraordinary development is attributed to the fact that it was largely financed by foreign resources, including both the Arab oil countries and Western donors (Weiss 1987: 153).

¹⁸² Contemporary projects are still steeped in this Eden-like vision of the desert. One of the most stunning is the 2008 'Valley of Peace Project' which aimed to 'bring unequivocal change to the entire region. The barren desert will flourish and the arid lands will bloom with greenery on both sides of the border' (<https://www.youtube.com/watch?v=EzjiYUY82E8> - accessed March 2014).

¹⁸³ JT, 24 May 1977. The 'greening of the desert'-discourse was foremost directed at fighting poverty and installing food security for the country.

the previously mentioned 'settlement through agriculture' policies, no longer primarily the Bedouin but the whole nation was to participate in this endeavour.

Circulating stories of how 'agriculture starts to green the barren desert'¹⁸⁴ fuelled this development. Contemporary headings in the *Jordan Times* (JT) featured page-wide stories of unlikely agricultural entrepreneurs and their success stories, such as the story of Miss Winifred Coates, a retired English school headmistress who as an 'indomitable agricultural pioneer conquers the desert'. While 'everyone thought [her] mad', her perseverance, together with the magic of her manager, who 'discovered he had the power of water-divining, that age-old method of finding ground water with a stick held tightly between both hands', had 'confounded experts [and] succeeded where others have failed'.¹⁸⁵ Sharif Nasser Ibn Jamil, a member of the royal family, equally tried 'the almost impossible: The greening of the desert'. While 'life here is still hard: No water, no electricity and no good roads', Nasser, 'with a lot assiduity - succeeded in cultivating this arid region of the country' through 'ambitious and unexpected projects' that nevertheless led him to obtain 'unexpected results on his farm' in Halabat.¹⁸⁶ Both projects feature as 'finest blueprint'¹⁸⁷ for the future of the Badia - or as motivators for the emergence of the agricultural frontier - by demonstrating that, with entrepreneurial spirit and stamina, the impossible can be attained. This is epitomised in the last, promising sentence on Sharif Nasser: 'With him', the article concludes, 'the desert seems to have inexhaustible resources'.¹⁸⁸ It is an example of the (colonial) technology to identify particular spaces as 'empty but full' (Bridge 2001: 2154). The extent to which this 'resourceness' was more than the result of entrepreneurial stamina, namely an assemblage of relations (the social and/or political status of both), available capital and technologies, is less emphasised. Yet, as I will demonstrate, this axiom that the desert can be made productive and profitable if it is done by the right, knowledgeable person remains powerful until this day, and is one of the reasons that agricultural dreams in Azraq refuse to die.

This entrepreneurial atmosphere of the 1970s continued in the 1980s, when King Hussein himself called for a 'green Jordan' by the year 2000.¹⁸⁹ His call came at a

¹⁸⁴ JT, 8 May 1977.

¹⁸⁵ JT, 21 February 1976. Abdelliyeh is a village in between Mafraq and Zarqa.

¹⁸⁶ JT, 8 May 1977. Halabat is located between Amman and Azraq.

¹⁸⁷ JT, 21 February 1976.

¹⁸⁸ JT, 8 May 1977.

¹⁸⁹ Especially in Disi, in the south of the country, deals between the Ministry of Agriculture and big private companies were closed, and in 1984, the latter started with the production of winter wheat - an idea that allegedly emerged during King Hussein's trips to Saudi Arabia when he was given an aerial view of that country's own irrigated wheat fields, making him wonder 'why such an undertaking would not be emulated in Jordan' (Haddadin 2006: 46). These farmers received a contract for twenty years (until 2013) but, against the agreement, the investors changed their crops to trees and alfalfa. In 2013, a battle erupted between these big contractors and the government, especially in light of the new Disi water conveyor project, which was to transport Disi's fossil water to Amman.

time when 'achieving Arab food security and agricultural integration in the Arab world' became the prime concern of many Arab states.¹⁹⁰ Jordan, which by 1981 imported up to one half of its food consumption needs (Al-Farra 1985: 18 in Elmusa 1994: xviii), equally approached the 'greening' of its Badia as 'a way of solving the problem of Jordan's food needs and for reducing the country's dependence on foreign food sources which sap a good deal of hard currency'.¹⁹¹ In the wake of this royal push to green the Badia,

the government was launching a program aiming at encouraging the development of irrigated agriculture in the highlands [and] was granting licenses and soft loans for drilling private wells. It even took further steps. In 1985, the government generously encouraged individuals and private investors to exploit groundwater to expand agriculture into desert land (Suleiman 2003: 60).

Clearly, there was a favourable context for individual entrepreneurs to venture out into the Badia and open it to agricultural investments. It was in this conducive atmosphere from the 1970s onwards that a (renewed) belief in Azraq's potential for profitable cultivation was fully explored.

2.4 Go East! – Where the Skies Are Blue

Azraq had particular advantages over other areas in accommodating this national 'entrepreneurial spirit' to green the desert. First and foremost, the area literally sits atop one of the Kingdom's most extensive groundwater basins. For private investors, operating in the context of a basin is attractive for at least two reasons. First, irrigation agriculture by groundwater is alluring because of its all-year-round availability and thus reliability, its *in situ* abstraction and, finally, the fact of this type of agriculture's shared externalities but privatised profits (Burke, Sauveplane & Moench 1999). Second, in terms of administrative control, groundwater constitutes 'a different context. It's a different water source, something that nobody can control. You just dig wells. It's not like a water tank that you can control'.¹⁹² Unlike water in the Jordan

¹⁹⁰ JT, 26 September 1984.

¹⁹¹ Spokesman Ministry of Agriculture, JT, 7 April 1986. It is in this context that the King encouraged (predominantly) private investments in the south-eastern arid regions of the kingdom (MW&I 2004: 9). His call was implemented by the government, which leased several 100,000 dunums of state-owned land in the 'semi-desert regions' (JT, 7 April 1986), foremost to private large-scale investors. This was directed mostly at the southern areas Al-Mudawarra and Sahl Al-Suwwan, where underground water exploration had recently taken place (Haddadin 2006: 46). The government even distributed 'fruit tree saplings [...] to members of the public [...] to increase the green area in the country and to conserve soil' (JT, 13 May 1986). As far as I am aware, there was no government-promoted or supported investment in the region of Azraq.

¹⁹² GIZ3, 25 May 2011.

Valley for example, where water allocation is administered centrally, water extraction from a groundwater basis easily leads to a perception (and treatment) of water as a private resource. Although development and operational costs need to be covered by the investors themselves, water itself is easily regarded as a 'free' resource.

Additionally, compared to Jordan's eleven other groundwater basins, Azraq's basin offers two very accommodating hydrogeological features: optimal and high-quality groundwater and, most importantly, a low depth to water. Few of the farmers I met, failed to brag about the high quality of their water, with some claiming that it was purer than the water pumped in Azraq by the government and sent to Azraq village, Zarqa and Amman for drinking purposes (see Figure 9).



Figure 9: A farmer inviting me to a cup of water from his well (Source: Author).

With regards to the second feature, Azraq's groundwater basin is known for its low water table around Azraq village. As the former Minister of Water and Irrigation sketched the situation,

*the aquifer is very shallow so people used to dig by hand – 10 to 15 metres
- and get sweet water in the middle of the desert, in the middle of*

*nowhere. So this hydrogeological set-up of the basin makes it attractive for people to attack it and to use it. To overuse it.*¹⁹³

A low water table is economically advantageous because it implies low drilling costs (if drilling is even needed) and low energy costs involved in pumping the water. In 2007 for example, the average energy cost for pumping water was 0.06 JD per extracted cubic metre, compared to 0.15 JD in Mafraq (Mesnil & Habjoka 2012: 24). These exceptional biophysical characteristics importantly contributed to Azraq's attractive image, especially since the 1980s, when a transition was made from manual to artesian (machine-dug) wells. In short, accessing and abstracting water in Azraq was undemanding and economical. Moreover, government interference was experienced as supportive: In order to support the agricultural sector, low charges have been levied on groundwater consumption, and electricity and diesel in this sector have been subsidised¹⁹⁴ – a fact especially interesting for the farmers in the Highlands (including Azraq) where diesel pumps, introduced in the 1950s, consumed a large chunk of their budget (Tomaira 2008: 129).

The attraction of Azraq is also caused by the nebulous ownership status of land, and especially the implicit recognition of tribal claims to these lands in the form of *wajihat asha'er*, which enhanced land's 'resourceness' by rendering it abundant, cheap and easily transactable (Li 2014b).¹⁹⁵ Indeed, while unregistered, land in Azraq was allocated and traded along customary lines – a fact which accounts for a high level of flexibility and ease in land transactions which largely occurred by way of a *hujjah* – an informal transaction deed (see Chapters 3 and 4).

That land is abundant in the Badia – the area that holds more than 80% of Jordan's territory – is nothing peculiar. The fact that it can be amassed in large quantities at once from one single seller however, is. Nahas for example, one of the first investors in Azraq in the late 1960s and early 1970s (see *infra*), 'wanted big lands which he could only find with the tribes where it's mantaqat wajihat 'ashī'ir [the area of tribal wajihat]'.¹⁹⁶ Effectively, one tribal member could easily sell him 700 dunum in one piece. This was partly a consequence of the fact that these lands did not have the same type of tenure as lands in the cultivated zone of Jordan, which meant that Azraq was not yet affected by 'fragmentation by inheritance' (Disi et al. 2004: 305):

The constant division of land with each generation meant that you ended up with allotment property that is not adequate for agriculture. That's

¹⁹³ MW&I1, 26 June 2011.

¹⁹⁴ The development of Jordan's groundwater reserves was especially rapid during the 1980s when licenses for the drilling of tubewells were freely provided (Checchi & C. C., Devtech Systems 2003: IV-14).

¹⁹⁵ *Wājihāt 'ashā'ir* translates as 'tribal front lands' and concerns those land plots that (a part of) Jordanian tribes claim ownership of. See General Introduction, Chapter Three and, related to the land's transactability, Chapter Four.

¹⁹⁶ SA1, 19 November 2013.

*in the areas where you have traditional agriculture. So people looked elsewhere to develop agriculture and they turned to the places around Azraq, Tafileh et cetera where very rich people came and bought huge tracts of lands and wanted to develop them agriculturally.*¹⁹⁷

Moreover, Azraq was not (yet) a contested area (Razzaz 1994: 167). Land in Azraq moreover was (and remains) cheap in comparison to lands in the cultivable strip of the country, obviously owing to its location, lack of decent infrastructure, few economic developments and no close-by markets.¹⁹⁸ The fact that, in the 1970s, these lands were not surveyed or registered further kept the price low.

Lastly, the 1970s can be identified as the period when Azraq was incorporated into Jordan's national economy (see also Chapter 1). While this process had started during the latter half of the 1960s, it became especially vibrant in the early 1970s when, in the wake of a 'post-Black September' Jordan (Piro 1992: 60), there was an urge to expand and consolidate state control over the national territory.¹⁹⁹ This urge for control found expression in projects to socially and economically develop the 'backward rural areas' (Weiss 1987: 153) and the Badia (Abu Jaber et al. 1987). One of the developments that would most profoundly shape Azraq's future was the infrastructural expansion throughout the 1970s. Jordan then aimed to position itself as an important trade passage in the region by dilating its route network. This endeavour turned Azraq into a crucial junction and commercial link in the region

¹⁹⁷ GoJ1, 24 May 2014.

¹⁹⁸ It is important to realise that while the Beni Sakhr claim ownership of land in Azraq, the area does not constitute their actual living space (Muwaqqar is their home base). Consequently, whatever political power this tribe could garner to push politicians towards developing an area, this would be deployed to develop Muwaqqar, not Azraq.

¹⁹⁹ Azraq, for one, developed into a pillar of the country's military infrastructure: by July 1969, '[a] new mile-long military air strip has been laid in concrete to the west of Shishan. At each end of the runway there are four (eight in all) hangars which are constructed like bunkers heaped over with gravel and sand. These protrude starkly in the bare desert landscape' (M. Boyd, 6 July 1972, Nicholson collection (Box 5), RGS Archives). From a military perspective, the location of Azraq is invaluable to observing state interests and security. Already during the First World War, it was 'used by King Feisal I as a base for his military operations against the Ottomans. It was from Azraq that King Feisal's army, including Lawrence of Arabia, made the decisive push that brought about the Turkish defeat and the capture of Damascus' (The Arab World (s.d.), 'From Oasis to National park', Nicholson collection (Box 7), RGS Archives). Its important position at a junction - which it maintains to this day (Belgian and other participants in the international coalition whose F16s are bombing IS in Iraq and/or Syria took off from this base) - made it attractive in the late 1960s, when tension was building in the region, leading to Azraq 'now being used as a large-scale exercising range for all types of military equipment and men' (J. Morton Boyd, 7 January 1969, Nicholson collection (Box 8), RGS Archives). By 1976, the site was officially selected as an ideal site for a military air base, and the Muwaffaq Salti Air Base was opened in spring 1981. The land of the military air base became the property of the Jordanian Armed Forces.

(<http://www.rjaf.mil.jo/index.php/en/en/organization/royal-jordanian-air-force/rjaf-bases/muwaffaq-salti-air-base--azraq.html>, consulted January 2015)

and beyond.²⁰⁰ By July 1972, a broad tarmacked highway was built, connecting 'the main centres of population at Amman and Zerka within 90 minutes' drive of Azraq'.²⁰¹ The road forms part of an international route to Iraq and cuts straight through Druze village in the north. Besides improving communications with Saudi Arabia, the explicit aim of this route was 'opening up Azraq for agricultural development'.²⁰² Its counterpart, the Trans-Arabian Highway connecting Jordan to Saudi Arabia in the East, was finished in 1975 and traverses past the oasis in the south right through Shishan village. Proposals to connect Azraq to Ma'an through Al-Jafr - Bayir in southern Jordan were equally underway. These routes fundamentally reorganised Azraq's position in the country and even the region: it was transformed into a crossroads between Saudi Arabia, Kuwait, Syria, Iraq and even, from a more global point of view, a connection between the Arab world and Europe (Abu Jafar 1978: 113). The roads also changed Azraq's socio-economic and cultural landscape and, amongst others, stimulated population growth in both North- and South-Azraq.²⁰³ Most crucially here, they opened up the area to agricultural investments by placing regional markets within reach.

All these factors contributed to the emergence of both family (subsistent) and more professional farms in the 1970s and the 1980s (Demilecamps & Sartawi 2010: 30-37; Al-Naber 2016: 61-69). These first farms specialised in olive trees - still the dominant crop in Azraq - and achieved good, profitable revenues. They were established by Azraqis (the Druze and the Chechens) who, contrary to earlier attempts during the first half of the century (see *supra*), ventured out to the fertile (north-)east of North-Azraq and the area around Wādī Ratami (see Chapter 3). Other early farms were founded by Palestinians (some refugees). The latter established a few farms in the area after the Six Day War in Palestine in 1967:

*In 1968, there was a problem between Israel and Palestine and some farmers in the Jordan Valley faced a lot of problems so they came here [to Azraq] and established farms.*²⁰⁴

Perhaps most important to the future development of the area were the mostly 'recreational' farms established by privileged and mostly retired officials or

²⁰⁰ By the end of the 1970s, Azraq had 'become a major crossroad in the Middle East. Considerable volumes of heavy transport pass through it going to and from Saudi Arabia, Kuwait, Iraq and even Western Europe' (Abu Jafar 1978: 66).

²⁰¹ J.M. Boyd, 3 July 1972, Nicholson collection (Box 8), RGS Archives.

²⁰² C.D.W. Savage, 27 March 1972, Nicholson Collection (Box 8), RGS Archives.

²⁰³ 'The population of Druze grew from 1,500 in 1975 to over 3,500 in 1990, while that of Shishan grew from a few hundred in 1975 to over 1,000 in 1990. This rapid expansion has been closely linked with the rapid increase in heavy traffic through the oasis, with most people now being involved in the service industry' (Global Environment Facility (GEF) 1993: 38).

²⁰⁴ 3 February 2012.

businessmen from Amman from the 1970s onwards. According to Mohammed, a Chechen elder, it was the good production of the Palestinian farmers that had lured them to Azraq. Others mention the cheap land prices and low water table, while still others refer to the fact that 'the Azraq marshes [were] well-known to many Jordanians' as a result of '[t]he duck and wader species which occur in the area [and which] attract much attention from shooting interests' (Hemsley & George 1966: IV). Indeed, by the early 1970s, the area witnessed a 'threatening number of visitors'²⁰⁵ (according to a conservationist within Guy Mountfort's circle):

They started to have a piece of land for the weekend because the water table was one metre below the ground – that's how they got this idea. And the people who started it were retired, high-level people. They were retired so they started to come to Azraq to hunt.²⁰⁶ This is how they found out about the water table, about the virgin land and that it didn't need any effort to pump the water. So, then they started thinking about the idea to have a huge farm as a weekend place. After that the business people came.²⁰⁷

Whether attracted by the profitable Palestinian farms or the area's game and potential for hunting, these privileged individuals not only had access to capital but also possessed a good deal of political capital through which they facilitated (policies beneficial to) their investments and thereby affected the area's future. Before detailing how they do so, I first shortly sketch these individuals' profiles.

2.5 Whales to Market the Desert

Overall, Azraqis are unequivocal about the ways in which Azraq emerged as an agricultural frontier: its potential was mostly made known to the larger public through state officials, who 'discovered' Azraq as a holiday retreat; as a space for weekend recreation far removed from the daily, urban rush. Recounting these days, one former high-ranked official described it as

the nicest place for hobby. To be there, to have a girlfriend and to go there. No, really! It was an oasis there: nice nature, you found water – it's a depression and it's nice when it was full of water there with birds

²⁰⁵ E.M. Nicholson, 5 April 1972, Nicholson collection (Box 8), RGS Archives.

²⁰⁶ Hunting in the area was officially forbidden since 1966, except on Wednesdays, Fridays and Sundays (Letter C.D.W. Savage to Dr. F. Vollmar, 18 August 1972, Nicholson Collection (Box 7), RGS Archives). The law was not enforced, however, and hunting in the area continued, especially by outsiders who would hunt for a hobby and are often identified by Azraqis as the main cause of the game's disappearance (Hemsley & Georges 1966: 79; personal interviews in Azraq).

²⁰⁷ 29 May 2011.

*everywhere. The water was very shallow – five metres and you found water! So, if you had a good house there, trees, water, and women that you bring from Amman – that’s the life. You are in paradise. And it’s not far from Amman.*²⁰⁸

Indeed, in the 1970s many ‘holiday’ or weekend farms were set up in Azraq, mostly managed through absentee ownership, with regular visits during weekends or holidays. The owners of these farms do not necessarily search to make a profit from their cultivation activities but merely want the prestige of having a ‘recreational farm’ to which they can retreat: *‘he likes agriculture and he has money, so [bad productivity] is not a problem for him’.*²⁰⁹ Effectively, having a farm remains an important cultural asset:

*[...] hobby farmers only [go] to Azraq four to five times a year [and they have] workers on the farms. This is because it helps them in their status. Jordan is such a peasant society so it’s a good thing to have a farm somewhere. It contributes to their status but they hardly care for it.*²¹⁰

According to most of my interlocutors, the owners of this type of farm are mostly wealthy, politically well-connected individuals. Mohammed was most blunt about this:

*They are very rich people and are [...] the whales of Amman. What they need, they order. They do not ask, they order. [M]ost of these farms are for people from Amman. There is a story that in the seventies the general manager of the mukhabarat, the CIA in Jordan, came to Azraq and said: ‘Why don’t I have a farm in Azraq?’ He spotted land and made a farm.*²¹¹

Whales [*hītān*] is used to describe political and economic ‘heavyweights’.²¹² Mohammed Rasoul Kilani was one of them.²¹³ Kilani is considered the founder of the General Intelligence Directorate (GID) in 1964, the Jordanian intelligence agency

²⁰⁸ MW&I1, 23 June 2011.

²⁰⁹ Saleh, 27 February 2012.

²¹⁰ GIZ1, 18 March 2012.

²¹¹ 20 November 2013.

²¹² The term is equally used in other countries, such as Egypt, where “whales” or hitan [is] a popular Egyptian term describing the very wealthy’ (Sfakianakis 2004: 80).

²¹³ Besides Kilani, the visit of Wasfi Tell, then prime minister, in the company of Na’ef al-Khraysha and another companion, also allegedly sparked the opening of the land frontier in Um al-Masa’el. Villagers recount how Wasfi Tell wanted to develop this area further by directing the (then not yet built) highway north from Azraq to this area and take it down from there to Saudi Arabia. Tell’s assassination in 1971 however led to a rescheduling of the plans – allegedly under the influence of a prominent Chechen politician, who redirected the road through South-Azraq, thereby giving an enormous boost to the local economy there.

or mukhabarat, and was Minister of Interior.²¹⁴ His personal involvement, presence and status are often evoked by local inhabitants as having furthered the opening of Azraq to outside (commercial) investors. Al-Kilani established his farm, currently managed by his widow, in 1974 in Awshaq, an area then recently ploughed by the Druze, who regard it as part of their communal lands.²¹⁵ In the following decades, many other 'whales' would follow in Kilani's path, including former Prime Minister (2007–2009) Nader Al-Dahabi²¹⁶, Elias Bathika (a successful Palestinian-born businessman), Marwan al-Hamoud²¹⁷, members of the renowned family lineage Asfour (which holds one of the oldest and biggest farms in Azraq, established in partnership with Nahas Pasha), the owner of Mecca Mall in Amman (one of the first mega shopping centres in Jordan) and other (family members of) highly positioned (former) politicians. According to my Azraqi interlocutors, many of these high-ranked individuals and Bedouin sheikhs holding land in Azraq were granted these land plots at an often-negligible price.

Most crucially is that, as of the 1970s, a powerful nexus of tribal sheikhs, a political elite (most influentially the mukhabarat) and land investors gradually emerged, whose presence affected the political and biophysical landscape of Azraq as well as the conditions for the coming land market to emerge:

the government never stopped the mega projects [i.e., farms in Azraq] owned by decision makers and high levels in the country. [I]t's very important to realise: as a government, if you want to stop something – to stop a disaster – you have to stop these decision makers and these high levels who own the farms in Azraq. Because of [them], Azraq started to be like a very rich place for investors [and] the government was out of control about that. [A]ll of Azraq's people will tell you this.²¹⁸

2.6 Expansive 1990s

In combination with the aforementioned dynamics of infrastructural investment, this translated into a context conducive to agricultural developments, effectively leading to the explosive investment climate of the 1990s – the decade that irrigated

²¹⁴ Mohammed Rasoul Al-Kilani was later adviser to late King Hussein for National Security Affairs.

²¹⁵ Awshaq was one of two areas that would put Azraq on the agricultural investment map. The other area concerns Um el Masa'el – an area which falls within the tribal front lands of the Khraysha clan of the powerful Beni Sakhr tribe (see Chapter Three).

²¹⁶ His brother Mohammed Al-Dahabi was former head of the *mukhābarāt* or General Intelligence Services from 2005 to 2008, but was sentenced to prison and fined a heavy sum on charges of corruption (money laundering and misappropriating public funds).

²¹⁷ Former Minister of Agriculture, Minister of Municipal and Rural Affairs, Royal Court Chief and Vice Chairman of the Royal Commission.

²¹⁸ Jad, 29 May 2011.

agriculture in Azraq lived its heydays: of all farms in Azraq, around 60 per cent was established during this decade, of which more than 90 per cent by non-locals (ANDI 2007). This can be related to the 1990-1991 Gulf War, in the aftermath of which agricultural development in the area was pushed to a higher level as many wealthy Jordanians returned from the Gulf states and sought ways to invest their money (Suleiman 2003: 57).²¹⁹ The majority of these farms was created after 1995, especially in the area of Um Al Masa'el – an area claimed by Bedouin tribes as *wajihat*. This post-1995 group were generally non-local entrepreneurs with big capital who already had investments in other sectors. While most were from Amman or other northern cities in Jordan such as Irbid or Mafraq, others originated from Saudi Arabia or Kuwait. These new investors' primordial aim was to extract surplus:

*There is a lot of selling and buying of lands and the agricultural profit is a motivation to buy and it's mainly the big investors who are buying, who are growing intensive crops and hope to get a profit that makes up for the investments within a relatively short time of maybe ten years or less. [...] it's more exploitation to get rich or to get fast profit with no regard to what will become of the groundwater or the area after the period of investment.*²²⁰

Hasan portrayed them as '*hit-and-run projects*': projects that run by investors that come, extract and leave.²²¹ The economic value of these farms for the local community is minimal since practically all of them employ foreign labourers, mostly Egyptians. Another part of these newcomers were mere hobby farms, 'prestige' farms, or the land is simply cultivated as an act of land reclamation with the aim to obtain formal title deed and participate in land speculation practices.

²¹⁹ Hasan equally brought this up: '*by the time people came back from the Gulf in the 90s, there were less lands left to farm [so people sought] other means to obtain money [...] Moreover, this was also the time when people came back from the Gulf with money and they wanted to invest – lands were by then becoming a commodity - also because of the money of the Gulf countries that were no longer welcome in the West after 9/11 and which invested in Amman for example*'. 7 May 2014.

²²⁰ GIZ2, 14 June 2011.

²²¹ 12 May 2011. The economic value of these farms for the local community is minimal since practically all of them employ foreign labourers, mostly Egyptians.

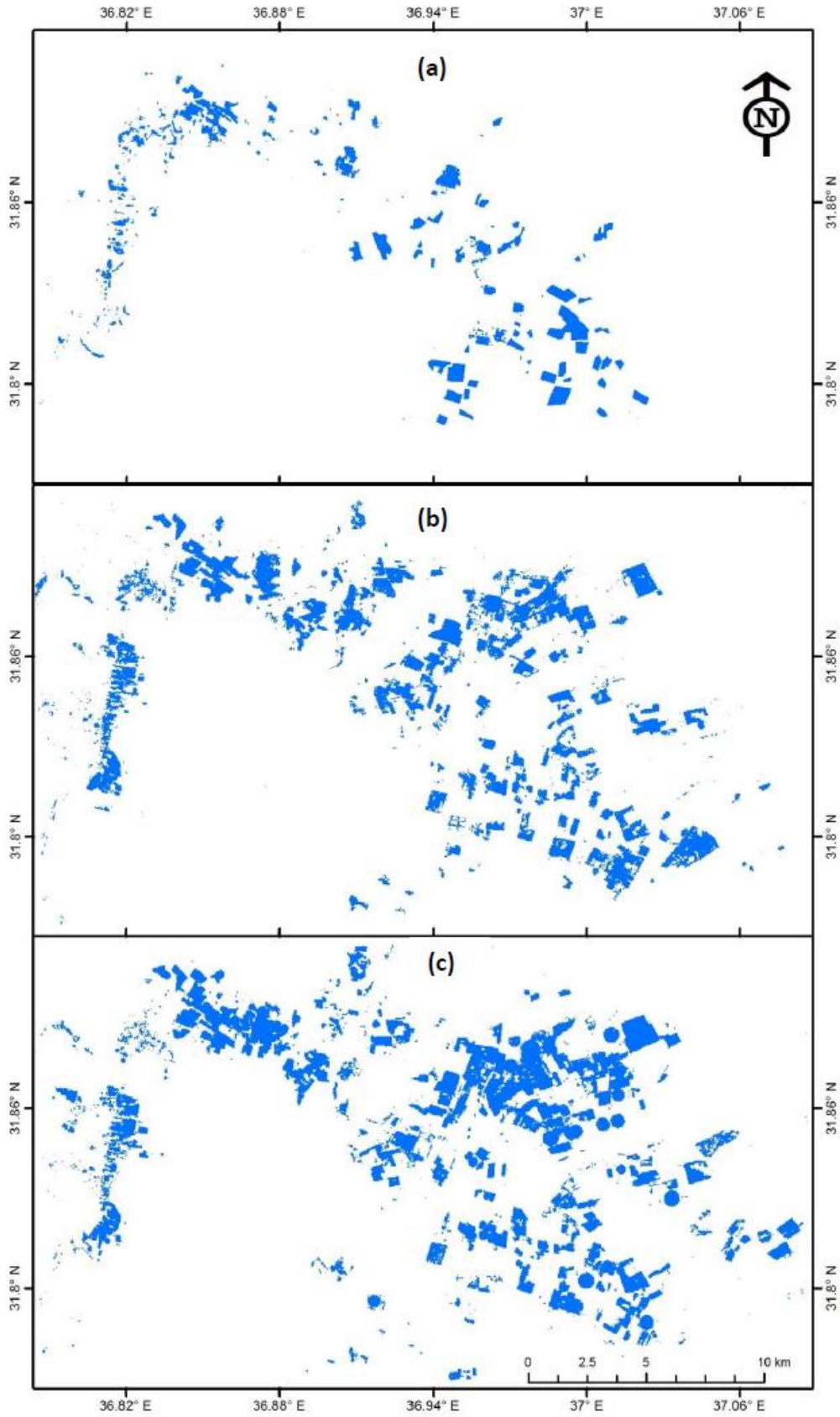


Figure 10: Agricultural extension in Azraq in 1990 (a), 2002 (b) and 2014 (c) (Bakri 2015: 32).

For these investors, the above-mentioned properties were Azraq's biggest asset: cheap land which was available in large tracts, and *de facto* gratis and qualitative water. Investing came easy: all one had to do was find a local (whether Druze, Bedouin or, to a lesser extent, Chechen) willing to sell his land, negotiate a price, find a well-digger and start planting. Little bureaucracy or interaction with state officials was involved (but see Chapters 4 and 6). A crucial part of this conducive environment, however, was due to the presence of the 'whales' who, for one, often held the pen when laws concerning water, labour or otherwise were being written, or at least they had the power to bypass or repel the implementation of an inconvenient law. In 1992 for example, a law was passed that prohibited well-digging for agricultural purposes in all of Jordan. Shortly after, in 1994, the WAJ established a regional office in Azraq. A combination of bureaucratic inertia, WAJ's limited financial and human resources, Azraq's specific hydro-environmental context (e.g., the difficulty to monitor such an enormous basin) but also political pressure from powerful individuals caused the law to have little effect. On the contrary, one professor, foregrounding political affiliations, stressed that illegal drilling activities in Azraq mushroomed:

*Whose mistake is that? For myself, I tell you, it was the government, the different ministers. One of them is still a minister but not for water and irrigation – he comes from that area. He gave 450 well licences during his stay in the Ministry of Water and Irrigation (MW&I) for six months. For six months! 450 well-drilling licences, it's crazy! And these are his people, his tribe. He damaged the whole area! He damaged the whole area and that's it!*²²²

The fact that many of these farmers with illegal wells are high officials and that some members of powerful tribes such as the Khraysha and the Fayez own drills themselves, definitely eases the investment project. Thus, while farmers in Azraq are rather apt at decrying their lack of allies – with a Ministry of Water that only wants their money, a DLS unwilling to ease their lack of access to land and an MoA that is too poor and weak to support them – their extensive influential political and social networks are often effective in preventing a raise in tariffs or a hard crackdown on them:

these farmers are actually people, ex-ministers, directors and so and they're influencing in bending the rules. [...] We always count on the

²²² PROF1, 24 May 2011.

*ministry's ability to practice its role and take its natural role which it is a big, big problem. We are back to the political affiliations of people.*²²³

Clearly, the strong political positions held by landholders and farmers in Azraq, help shape a context open to agricultural investment:

*These farmers, the big investors, are of course belonging to the most powerful families in Jordan and they have a lot of influence. Especially the MW&I feels itself too weak to stand up against these powerful clans. Sometimes they're belonging to powerful clans or tribes, sometimes they're simply powerful families that have access to the government and even the King.*²²⁴

It are observations such as these that led Tomaira (2008: 132), having researched the legacy of the rentier state on Jordan's water policy, to go as far as to argue that water is no longer a public good managed by the government but has now effectively become privatised.

In addition to help setting the legislation on water management, also that on labour was (re)written by the hands of an individual with particular interests in the area. Under normal circumstances, labour permits are handed out to farmers by the Ministry of Labour, based on the land they have under cultivation. Farmers are expected to go to the agricultural directorate, submit an application form in which they describe the surface under cultivation and the type of crops planted, and hand over their title deeds. There is an elaborated system to calculate the rights of the farmers based on the area planted and the crops in it. According to one source at the MoA, farmers can get one worker for every first 15 dunum and then one extra for every additional 10 dunum. This however depends on the crops planted in those areas: vegetables get one worker for every 10 dunum, fruit trees one-tenth per dunum for the first 500 dunum, then one-twentieth per dunum, or palm trees one worker per dunum for the first 200, then one-tenth per dunum.²²⁵ While rare, it can happen that the MoA places a limit on the number of workers, stating that the farmer in question has enough.²²⁶ The MoA is supposed to send a committee to inspect the land under cultivation.

Once approved, letters are given to the Ministry of Labour (MoL), who subsequently grants the permits for *foreign*²²⁷ labour without further investigation.

²²³ GIZ-3, 24 May 2011.

²²⁴ GIZ-2, 14 June 2011.

²²⁵ MoA, 22 April 2012.

²²⁶ Saleh, 27 February 2012.

²²⁷ Different rules apply to national labour forces. However, farmers are rather unwilling to work with them because, unlike Egyptian labourers, Jordanian workers are unwilling to remain on the farm day and night and

Usually, the farmers themselves choose the workforce (within the regulations set out by the MoL of course): they simply have to send a photograph and passport of the foreign labourer to the MoL, after which a permit is granted for two years (before the worker is sent back for about two months to his country of origin). It is the responsibility of the MoL to check if labourers are effectively working on the farm to which they were assigned.²²⁸

Azraq however forms an important exception to the law. Unlike in the rest of Jordan, in Azraq there is no need for a formal land title deed.²²⁹ Presenting the MoA with a *hujjeh* (informal contract – see Chapter 3) suffices. The reason for this, as I was explained, is that in the mid-1990s, the former Minister of Agriculture (allegedly a member of the Khraysha subtribe)²³⁰ had relatives who owned big, yet illegal farms in Azraq – sometimes for as long as several decades. In order to accommodate them with a cheap workforce, he changed the law for the Azraq area. This exceptional clause has given rise to a particular business in Azraq whereby land is bought informally through *hujjeh*, after which the *hujjeh* is used as a tool to make profit from ‘trading’ in labour forces. Basically, farmers must pay a certain sum to obtain the (yearly renewable) labour permit (according to one source 100 JD/permit/year). Demand for work in Jordan is high however, particularly amongst Egyptians, who are eager to find work in Jordan but cannot get a work permit. Consequently, a business has developed whereby foreign labourers pay the farmers up to 500 JD to arrange their permit – leaving a good profit margin for the farmer. Some of the Egyptian labour forces effectively stay on the farm, but many of them are subcontracted to other agribusinesses or are incorporated into the construction market, where cheap labour is in high demand. Hala, one of the few female farmers in Azraq, estimated that more than 50 per cent of the farmers in Azraq take advantage of this system and sell ‘their’ workers to the construction (or other) sectors, while Saleh, an agricultural engineer who previously worked for the Department of Agriculture in Azraq, stated that 10 per cent demand more workers than they really need.²³¹ In principle, checks are built in to avoid these kind of abuses but both the MoA and the MoL lack the necessary resources to monitor the system.

By the end of the 1990s, the revenues to be had from agriculture in Azraq were large and demand for land had sharply risen. This caused a steep increase in

prefer to go to their families, whereas Egyptians fully live on the farm. Some perceived locals as more laid back and less reliable workers.

²²⁸ In case a labourer is found on a farm other than the one mentioned in his contract, the owner of the farm is heavily fined. However, firm and tight control is lacking and even if it is not, it is difficult to catch someone because a labourer can easily claim that he was merely visiting the other farm for purposes of visiting his brother, helping him out or buying something (Khaled, 12 June 2014).

²²⁹ Although I was unable to confirm this, a former employee at the MoA stated that there were two other regions in Jordan to which this exception was applied.

²³⁰ Khaled, 10 November 2013.

²³¹ 18 November 2013; 11 May 2014.

(informal) land transactions in the area at a time when, amongst others, the Druze had both land and the will (need) to sell it (see Chapter 1).

2.7 The 'Lie' of the Land

This advantageous situation shifted from the early 2000s onwards, following a series of political decisions and 'ecology-biting-back' scenarios (Li 2014b: 600) which revealed the unsustainable and fragile nature (in both senses of the word) of the (political) arrangement which underpinned the profitable agricultural investments in Azraq. Certainly, the agricultural sector in Jordan in general has been plagued by an overall loss of political and economic relevance²³², a declining share in the country's Gross Domestic Product (GDP) (from 6 per cent in 1992 to 3 per cent in 2007 [FAO 2008: 4]), a decreasing productivity due to climate-change related degradation, and a faltering competitiveness due to increasing competition from surrounding countries (Venot & Molle 2008: 1928). Moreover, the sector has been hit especially hard by the loss of several regional markets due to political instability with the start of the Syrian crisis in 2011. Previously, Jordan exported over 1 million tonnes of fruit and vegetables, generating around 1 billion JD, but exports and earnings have dropped by half in the subsequent five years.²³³ As noted by the president of Jordan's Exporters and Producers Association for Fruit and Vegetables, '[t]he situation of the agriculture sector is very bad and we don't expect it to improve this year, as many farmers gave up cultivating their land due to losses'.²³⁴ The agricultural community in Azraq equally felt the repercussions of the loss of the Iraqi and Syrian markets – although, as I will argue below, it also offered opportunities and actually stimulated further expansion of the area under cultivation.

First, the decline in agricultural productivity and profitability in Azraq was due to a shift in natural conditions. The expansion of the areas under cultivation went parallel with an increase of water abstraction, rising from 1.5 MCM per year in 1983 to around 35 MCM per year in 2002 (Bajjali & Al-Hadidi 2005: 7).²³⁵ This enormous

²³² To address this decline of the agricultural sector, King Abdullah II proclaimed 2009 as the 'Year of Agriculture' (MoA4, 22 April 2012).

²³³ In January 2017, the *Jordan Times* cited the spokesperson of the Ministry of Agriculture: 'The ongoing closure of Jordan's borders with Iraq and Syria, the country's two major marketing portals, is the reason behind the persistent drop in the amount and earnings of agricultural exports [...]. In addition to the drop in produce exports, Jordan has also registered a drop in its exports of live sheep to the Gulf Arab market in 2016 [...] Jweihan said'.

²³⁴ JT, 8 January 2017: 'Agricultural exports dropped again in 2016. Sector insider says "worse is yet to come" as farmers give up cultivating their land'.

²³⁵ These figures are mere estimates, since the Water Authority of Jordan – the institution responsible for the management and control of (ground)water wells – is not capable of monitoring the exact amount that is pumped by these private wells and many believe the actual amount to be far higher.

amount caused a drop in the water table with an average of half a metre a year (Mesnil and Habjoka 2012) and a decreasing quality of the water – especially in terms of its rising salinity. Consequently, the average productivity of one dunum in Azraq decreased from 3.08 to 2.59 ton between 2000 and 2005 (ANDI 2007: 15) with the productivity of olives (the dominant crop in Azraq) decreasing by more than half, from 1.4 ton/dunum in 2000 to 0.6 in 2005 (NDA-AS 2007: 14-15; ANDI 2007: 5; Courcier, Venot & Molle 2005: 15). This drop was reflected in people's stories about the increasing number of farmers abandoning their farms or hanging on while running on a deficit of up to several thousand JD a year. Besides a decrease in crop yield, it is especially the costs of production related to a declining water table that narrow farmers' profits: not only do they need more energy to pump up the (now deeper) water; they also need more water to compensate for the increased salinity.

Adding to these changed natural conditions were the national policies which responded to it. As indicated earlier, the drying out of the oasis by the beginning of the 1990s triggered the prohibition in 1991 to drill new wells for agricultural purposes. In an attempt to enforce this prohibition and get a better grip on the dynamics on the ground, the WAJ established a regional office in Azraq in 1994. Both moves proved fruitless, as illegal wells continued to proliferate. The number of illegal wells ballooned, with an increase of 70 per cent, from 124 wells in 2001 to 211 in 2010 (Fischer 2013: 97). Eventually, and under increasing pressure from the donor community, a more serious attempt at curbing illegal drilling came at the beginning of the new millennium with new laws and (slightly) better enforcement. Most striking was the implementation of tariffs, forcing farmers to pay for the water consumed on the farm.²³⁶ The sum to be paid yearly easily amount to several thousand JDs per year which still excludes the costs of pumping, licences and irrigation equipment – with the latter suffering from a government tax increase of around 60 per cent per cent (ANDI 2007: 15).

This rise in costs was further aggravated when energy costs increased tremendously following the war in Iraq in 2003, which cut off the subsidised flow of oil that had been negotiated between the Jordanian and Iraqi governments. This

²³⁶ I refer here to the 'Underground Water Control By-Law No. 85', issued in 2002 by former Minister of Water and Irrigation Hazim El-Naser. This by-law (a by-law to the 1988 Water Authority Law No. 18) aimed at protecting and controlling the pumping of groundwater from private agricultural wells around the country. It focused specifically on the regulation of groundwater-well licensing, drilling and the abstraction of water, but most importantly introduced a tariff system to instigate efficient water use (Daoud et al. 2006: 99). This was earth-shaking because it set prices on the use of groundwater for irrigated agriculture for the very first time (Fischer 2013: 32). However, when the first water bills ever were sent around in Azraq in 2004, hardly any farmer paid. A second round was sent out in 2009, amounting to 4.5 million JD of uncollected fees since 2003 (Demilecamps & Sartawi 2010: 17). Still, most farmers refused to pay. Today, the number of defaulters is on average 35% of the farming community that is not paying their water bills (Demilecamps 2010: 50). This obstinate figure of defaulters is one of the main reasons why the WAJ is a loss-making entity. In fact, the WAJ has been operating at a loss ever since its inception in 1983, receiving annual transfers from the government of Jordan (GoJ) that exceed 1 per cent of Jordan's GDP (Pitman 2004: ix).

led to fuel prices rising 54 per cent between 2002 and 2007 (Nanes 2007: 22), especially given that government subsidies equally decreased, in line with Jordan's adherence to structural adjustment programmes (ibid.: 23). This development has been especially detrimental to those farms out in the east which until 2008, and contrary to those farms adjacent to residential areas, were still fuelled by oil (i.e., they used diesel pumps to pump the groundwater) (Mesnil & Habjoka 2012: 36). In the total expenses of farming in Azraq, the percentage of water charges is low compared to the share of energy cost (Fischer 2013: 84) and some farms have even gone out of business because of excessive energy costs.



Figure 11: A farmer showing his dried-out olive trees (Source: Author).

In a reaction to these rising expenses and shifting relations, many farmers diversified their crops in the early 2000s, planting grapes or other fruit between their olives (Demilecamps & Sartawi 2010: 36–37). Others were discouraged to begin cultivation, while still others were pushed to abandon their farm.²³⁷ One of the wealthier farmers I spoke to – himself a land broker but all his relatives high-ranking politicians – recounted how one farmer, owning around 3,000 dunums, had just given up after a bad harvest (due to frost). He had cut all his trees down, uprooted his vegetables and simply left the farm. Thus, costs related to cultivating practices swelled as the relations and elements previously favourable to agricultural investments changed.

²³⁷ 18 November 2013.

Some farmers still hang on though. There has even been a marked expansion of land since 2013. This is largely due to two factors. First, there is a gradual extension of the electricity grid towards the so-called 'farmers area' (*manṭaqaṭ al-mazāriʿīn*) in the East²³⁸ – a development which allegedly started when one 'whale' was able to direct electricity to his farm. The difference in cost is huge: from around 0.060 JD at a depth of 20 metres using a diesel pump to only 0.011 JD when using an electric pump at the same depth (Mesnil & Habjoka 2012: 38). This has once more given a boost to agricultural activities. As Saleh, explained farmers expand their land cultivation as soon as they are connected to the electricity grid.²³⁹ Moreover, he was aware of individuals who had invested in land a few years ago but did not cultivate the land because pumping costs were too high. Shifting to electricity, he calculated, reduced one's costs by 90 per cent: *'Before, it used to be 2,000 JD per 50 dunum with diesel but with electricity it was 200 to 300 JD'*.²⁴⁰ Interestingly, energy costs for farmers might be further reduced following global developments towards sustainable energy. This need is especially apparent in Jordan given the country's precarious energy situation with around 95 per cent of its energy is imported from Saudi Arabia, Kuwait and the United Arab Emirates (Al-Naber 2016: 12) The growing economy's demand for energy has further put a strain on the country's budget to pay for energy imports. This, in combination with incentives from donors to diversify and shift energy production towards alternative, sustainable options (solar and wind energy) has led to projects focusing on the production and usage of solar energy. The subsequent quick development and introduction of solar energy in the country²⁴¹ on the one hand, and the (talk of) a related governmental decision to buy this solar energy from the private sector on the other, would not only lower farmers' energy costs; they could now even make a profit by marketing their surplus energy – a thought Khaled found absurd in a context aimed at reducing farming activities.

Additionally, and especially in combination with the loss of the Syrian market, the introduction of cheaper energy provision produced a golden crop: alfalfa. Alfalfa is a water-intensive (and therefore energy-consuming) crop. The war in Syria hampered the production of alfalfa there and also seriously impeded its importation from Turkey and Spain, leading to a considerable rise in national demand for the crop. When I was talking to Saleh in 2013, he estimated that a farmer could make a profit of up to 4,000 JD every twenty days in summer (there are about eleven to twenty 'harvests' a year from April/May to October/November):

²³⁸ Khaled & GIZ1, 18 March 2012.

²³⁹ Electricity is subsidised for the agricultural sector.

²⁴⁰ 11 May 2014.

²⁴¹ When I left Azraq in 2015, the price to install solar panels was still expensive. Yet, the price had already dropped significantly over the past five years and Saleh was positively convinced that the price would drop even further, leading more farmers to opt for this possibility. 18 May 2013.

From 1 ton costing 180 JD it has risen now to about 300 JD/ton (compared to only 260 JD/ton in 2012) because of the war in Syria'.²⁴²

He continued to state that, to break even, the price of alfalfa could not go below 180 JD/ton meaning that, in case the price would fall to about 200 JD/ton, the profit would still be 20 JD/ton (of dry alfalfa). Apart from a favourable market, the drop in the amount of energy it takes to irrigate the crop – due to the shift to electricity – increases the farmer's profit. Stories of farmers cutting down and/or uprooting their olive trees to plant alfalfa were not uncommon. Clearly, the loss of the Syrian market (temporarily) upheld the economic feasibility of agricultural practices in Azraq. Nevertheless, despite prospective and profitable arrangements of energy production, an increasing number of farmers are abandoning their farms.

2.8 'People Follow Tongues, Not Minds'²⁴³

Despite the increasing cost of land's agricultural development, land is still being bought and sold in Azraq, leaving me to come back to my question: who would buy land in Azraq if not for the profit to be made from agriculture? Discussing the matter with Khaled on our way to Azraq, I presented him with my preliminary list of potential factors that might account for the continued want of land, such as the global financial crisis and Jordan's own 'land revolution' from 2005 to 2008. In his opinion however, the emphasis lay elsewhere: *'it's not the timing that is important but a change in the advertisement of the area'*.²⁴⁴ In this last section, I emphasise the importance of land traders' discursive and material practices as the 'magic' through which land's value is performed.

Obviously, the argument used to persuade someone to buy land depends on what the buyer is looking for: a holiday farm, a 'prestige' farm, a commercial farm or simply land to speculate. Given the recent dip in productivity and profitability, it can be challenging to sell land to investors interested in agriculture. Nevertheless, as Hasan assured me, most of them *'are good in persuading the buyers that, in time, the agriculture will become profitable'*.²⁴⁵ They do so by playing on two (false) beliefs. One concerns the stubborn image of Azraq as an area abundant with water and lush greenery: 'In the practical eyes of people seeking profitable investments, nature became the world's most reliable real estate broker' (Cronon 1991: 35). Azraq's case proves the point. Although Azraq's oasis and green tapestry have long turned into a dusty landscape, many investors are not from the area, nor do they always necessarily visit the place before buying land. This makes it easy for brokers to feed

²⁴² Ibid.

²⁴³ Hasan, 17 September 2012.

²⁴⁴ 10 November 2013

²⁴⁵ Hasan, 12 February 2012.

on the image of Azraq as a fecund area in the midst of an arid desert. It is an image that, according to Hala, remained alive through the government's (domestic) tourism publicities which features images of Azraq that are over twenty years old.²⁴⁶ Other North-Azraqis shared her resentment and argued that the government should stop broadcasting (touristic) images on television about Azraq's glorious past. Watching television with my first host one afternoon, the commercial break featured a touristic advertisement for Azraq, consisting mostly of images of a green, abundant oasis. The images were not dated but based on the young appearance of some of my host's daughters (who performed a traditional Druze dance in the commercial), I gathered that these were definitely not recent. The extent to which the 'old' Azraq continues to live on in (non-)Jordanians' minds is hard to measure, but for one of my interlocutors – a man very knowledgeable about (inter-/intra-communal) land transactions – it clearly plays a role: '*People think about the past, they don't know what is happening now*'.²⁴⁷

The fact that a non-negligible part of those buying lands in Azraq are unfamiliar with farming in desert-steppe lands also plays a role. While some might have good agricultural experience in other parts of Jordan (e.g., Irbid), they are not used to the peculiar ecologies of Azraq. Some land traders respond to this by working on the potential investor's pride or desire to 'prove' himself; to live up to Sharif Nasser's ability to conjure, as if by magic, the desert's 'inexhaustible resources':

*Most of the people coming here don't know the soil of Azraq and don't know Azraq at all. They believe what other farmers tell him and not what an engineer tells him even though the other farmers might be wrong. And farmers work with their hand – they think they know better than an engineer in the office. So, they will not ask an engineer. And many people are ashamed to ask for help. So, he will not pay 5 JD for an engineer but he will pay a 1,000 JD for planting the wrong things! So, he pays a lot for nothing. That's why people don't have good knowledge about the soil and how to plant things in a good way.*²⁴⁸

Indeed, many investors who travel to Azraq tend to blame an existing farm's bad productivity on the current farmers' lack of knowledge, not on the area's actual physical limits or the financial burdens discussed above: '*they think that they are better than the others before them, that they will come here and make a good profit*'.²⁴⁹ If the farm is not productive, the current owner is to blame. While some effectively succeed, an

²⁴⁶ Hala, 18 November 2013.

²⁴⁷ NA12, November 2013.

²⁴⁸ Saleh, 5 May 2012.

²⁴⁹ Hala, 18 November 2013.

equal number of others fail and are forced to sell their farm. Yet, in the process of selling, they tell stories of potential profits to be made.

It is, however, not only land's reproductive value that is boosted about; Azraq's potential as '*a real-estate gold mine*'²⁵⁰ is equally widely referred to, with some even depicting Azraq as Jordan's new Abdoun (the richest neighbourhood in Jordan's capital Amman):

*It's not Shmeisani but in the future it can easily become more. They're now taking refugees from Za'atari to Azraq; it's an area with water; and if you go to Azraq now it's much more built up than it used to be; and it's on the road to Iraq. So, if you're a land speculator you will buy it. And eventually they will build the structure.*²⁵¹

Selling futures is effortless in the case of Azraq because the projections are often based on historical precedents from elsewhere in the country. This is the case for two of Azraq's most widely sold 'futures': that of the area being selected as a resettlement area for refugees, and that of it becoming Jordan's latest Qualified Industrial Zone (QIZ). Both are persuasive because they are supported by historical evidence and are referred to every so often by politicians.

The first, the tenacious rumour about refugees being resettled in Azraq is nothing short of evidence: the Druze themselves can be considered the first refugees to have camped at Azraq (see Chapter 1). Moreover, even the Chechens can be thought of as 'refugees', although their history goes back further, to the end of the nineteenth century when they were expelled from the Caucasus and resettled in Transjordanian territory. The late 1940s and early 1950s equally witnessed schemes for the resettlement of refugees by UNRWA, although these were not carried out (see *supra*). Most crucially, since the early 1990s, the area also served as a basis for refugees, although this time within the different frame of temporary and transitory camps rather than of permanent resettlement. In this shift, not the soil's compatibility but the quality of the water was the most important factor to choose Azraq. During the Gulf War in 1990–1991, for example, a camp was built near Azraq, '*but people travelled through the camp, they stayed for two or three days only and then moved on*'.²⁵² Similarly, in 2003, a transit-camp was briefly erected near the border with Iraq, which temporarily allowed for a revival of the dwindling local economy, providing food and commodities.

Yet, besides giving fuel to the rumour mill, these camps have had no direct impact on the land market in Azraq. Most recently, in mid-2014, the second largest Syrian refugee camp (second to Za'atari) opened in Azraq. Similar to the previous camps,

²⁵⁰ Researcher1, 13 December 2013.

²⁵¹ Ibid.

²⁵² NA11, 19 May 2013.

it stimulates the local economy by offering well-paid jobs to Azraqis and by sparking a rise in rent and in demand for housing units, leading some families to abandon their home for a lesser one in order to rent the former to expats, while others transformed part of their shops or houses in apartments, like the daughter of my first host.²⁵³ Again however, the extent to which these camps and the rumours that came attached to them have actually resulted in a rise in land prices and/or demand is difficult to pin down. Nevertheless, rumours continue to be used to lure land investors and speculators to the area, with every new political upheaval providing a new impetus to the rumour mill. For example, it was held for a long time that the Palestinians from Lebanon would be resettled; there is the belief that the contemporary camp is just the base from which more settlements adjacent to the village would spread; and there is the lingering rumour that Palestinians will be extradited from the West Bank and resettled in Azraq.²⁵⁴

The selling of the second 'future' is possible even more convincing due to Jordan's neoliberal turn at the end of the 1990s which was characterised by the establishment of QIZs²⁵⁵ and the Special Economic Zone (SEZ) in Aqaba. With the King's new image of Jordan as a country replete with 'exceptional spaces' (Debruyne 2013) it is not hard to hold up hopes of the eminent establishment of such an exceptional space at Azraq. Effectively, images of Azraq turning into 'Abdoun' or talk by officials about establishing '*an industrial city there to make life for the people there easier and to have employment*'²⁵⁶ continue to circulate.²⁵⁷ This rumour has gained strength due, ironically, to the will of several parties (development and government agencies alike) to provide alternative employment to Azraq's farmers in an attempt to curb groundwater extraction from irrigation agriculture. Azraq's economic reality as a 'poverty pocket' and new development plans (e.g., the Local Economic Development plans for an 'Azraq Al Jadidah' [USAID 2016]) reinforce this rumour. Another tool from the development policies box that has recently been introduced – sustainable energy with plans to develop large solar fields – equally conjures up images of land prices booming. This new 'natural resource' – of which Azraq has

²⁵³ As of 2013 there were several 'Za'atari 3' in Azraq as small UNHCR tents were erected with Syrians living inside (also many Bedouin who bought tents from them) – leaving many villagers torn between profiting from the potential income through housing (about people leaving their houses, about building extra houses) and protecting the honour and fame of the village (there were stories and complaints about Syrian women prostituting themselves to rich Saudis crossing the borders into Azraq).

²⁵⁴ WAJ-L1, 24 June 2013; GIZ2, 14 June 2011.

²⁵⁵ The QIZs are free trade zones and were an initiation of King Abdullah II to strengthen the 1994 peace agreement with Israel (Debruyne 2013: 155). The first were established at the end of the 1990s.

²⁵⁶ MW&I2, 23 June 2011.

²⁵⁷ Or see, for example, Madanat (2010: 168) his proposal 'to halt the degradation of limited arable lands in Jordan – essential to the basic provision of food for future generations – substantial measures must be taken. No further construction projects (including individual houses) should be allowed in the entire western regions, including Amman, where traffic congestion has become unsupportable. A viable alternative would be to build new cities to the east; Treasury lands there should be made available for this purpose'.

plenty – complements other rumours about a nuclear plant to be built in the area, or about oil or gas being struck, or even stories of gold rushes that stick with some of my close interlocutors, who boast about their own gold adventures. Again, while it is hard to measure the actual impact of these rumours, their circulation is directed at luring in land speculators. Clearly, there is never a lack of planned or anticipated investments and projects, based upon which promises of securing quick gains are made.

A third, but undoubtedly one of the more decisive arguments made by traders, is the practice of revivification or the idea that one can become the legal owner of the land (i.e., receive official title deed) after cultivating the land for a certain period of time (see Chapter 4). It is a most luring prospect: buy extensive tracts of land cheaply, profit from the agricultural productivity for a few years, acquire legal title in a few years and then sell the land (piecemeal) at extraordinary prices once Azraq has achieved its prophesied Abdoun-status. Indeed, whether one desires to make a profit from agriculture while working towards the land's legalisation, or whether one aims to legalise the land while profiting from its agricultural produce, the practice of revivification offers two birds with one stone – or so the promise goes.

2.9 Conclusion

In this chapter I have traced the processes through which land was rendered a resource. I did so by looking at the ways in which land was entangled into a new arrangement of power, meaning and value. This was not a straightforward or 'natural' process. Scanning (inter-)national studies about Azraq prior to the 1970s revealed that the attempt to turn land into a resource proved futile, particularly because the mode of calculation through which the potential productivity of Azraq's land was made visible, as well as the absence of necessary capital and technology, discouraged agricultural investments. Things changed from the 1970s onwards as several elements – government practices, paradigms of development and modernisation, new technologies, capital access/excess, regional geo-politics – converged into a relatively stable assemblage. Amongst all these elements, I focused particularly on the emergence of a national 'frontier' mind-set which changed the ways in which land's resourceness was made visible. Indeed, rather than numerical and statistical facticity, it was personal braggadocio and entrepreneurship (speaking in orders of quantity, not exact figures) that would render land productive. Additionally, I equally focused on the role played by the national political and economic elite in the pulling and holding together the assemblage: their ability to shape the legal landscape of Azraq helped facilitate a 'land rush' in the 1990s.

This assemblage, however, quickly destabilised as soon as the natural elements that were crucial to it (but could not be controlled) started to break down. As a

response, Azraq was increasingly being branded not only as a potential *agricultural* gold mine, but a *real-estate* one. This did not mean that the land's productive qualities no longer played a role for potential buyers, or that the land's monetary value was never a driving force before. It certainly was: remember contemporary so-called 'hit-and-run' projects that are only interested in profiting from the land's reproductive potentials, or, conversely, Glubb's notes on the Chechens' desire in the 1930s to 'add Azraq to their existing properties' to accumulate wealth. Nevertheless, there was a shift in emphasis on the kind of value that was sold: besides land's *use* value, its *exchange* value (which necessitated no 'natural elements') was increasingly foregrounded. This is also reflected in the discursive practices used by land brokers and others to sell land to potentially interested investors. Essentially, whereas before, their discourses emphasised the potential cultivation of land, they are now increasingly centred on the potential to 'cultivate' land itself – a shift which necessitates locating the source of land's value not only in Azraq's well-known (but long-gone) gainful pasts, but also in its lucrative futures.

Similar to Li her focus on the practices that constitute land as a resource and, specifically, those practices through which land is made thinkable and visible as 'investible', I have traced the most important shifts in the dominant actors and kind of devices that drive it: from international organisations using scientific methods to national discourses of entrepreneurial spirits – whose personal intellect and labour would automatically render visible land's resourceness – to predominantly boasting practices by those wanting to get rid of their land and do so by promising nearby futures that need little personal effort. The speed at which these shifts occurred not only points to 'the non-essential quality of resource assemblages' (Li 2014b: 600) but also to their profoundly instable and temporal nature.

PART TWO

In Search of Property's Form



Figure 12: Claiming land in Azraq (Source: Author).

3 Making *Tabu-la Rasa* with *Hujjeh*

3.1 Introduction

In the USAID report that I cited in my General Introduction, the authors posit that ‘State lands [are] outside the land market [and] remain underutilized’ (2018: 14). The remark echoes that of the British in the 1940s (and, as of the 1950s and 1960s, their American counterparts) who advocated a more efficient use of Azraq’s allegedly ‘underutilised’ land (see Chapters Two and Five). In contradistinction to these earlier development discourses, however, the term ‘underutilisation’ referred to in the recent report is not used because of the land’s non-cultivated status, but because it remains ‘outside the land market’.²⁵⁸ The trade in state land that developed in Azraq since the late 1970s and accelerated throughout the 1980s and 1990s, is also viewed as such, despite the fact that land was bought, sold and, from a market-oriented development perspective, transferred from an allegedly ‘less’ efficient use (i.e., grazing) to more productive activities (agriculture, housing or even speculation).²⁵⁹

For USAID, these activities are outside the market: land exchange practices in Azraq ‘do not count’ as part of the market because they, quite literally, cannot be counted. The elements that underpin a land market – the sales prices, the profit margins, the size of the land parcels, the speed of circulation, the annual number of transactions, the use of land as collateral for a loan and so on – are illegible to USAID, the WB or even the DLS. That is, land transactions in Azraq have not been made amenable to economic calculations: there is simply no means to accurately measure, for example, the circulation of land. Yet, this kind of calculated information is crucial to USAID and other development agencies because it helps (per)form that which fundamentally concerns development agencies the most: Jordan’s economy. Most problematic about these practices’ illegibility is that they affect and shape the Jordanian economy, yet remain hidden in accounts about that economy. In that sense, USAID’s ordering of these practices as ‘outside’ the land market reveals less about their nature than about the extent to which USAID considers the particular (availability and circulation of) knowledge about them problematic.

The base for this lack of knowledge, the report indicates, is the fact that, despite claims to the contrary by the Government of Jordan (GoJ), most state land in Jordan remains unregistered:

²⁵⁸ A shift in emphasis that parallels the shift described in the previous chapter from land’s use value to its exchange value.

²⁵⁹ Several articles from the English newspaper ‘the Jordan Times’ indicate that Azraq is not the only area where state land is being illegally traded.

While statistics claim that 95 per cent of land [in Jordan] is *registered*, this is only partially true. While private lands, representing more than 800 000 titles, are *registered*, State land, which accounts for 80 per cent of the country's total lands, are *poorly defined and documented* (USAID 2018: 7 – emphasis added).

Indeed, unlike the arable zone of the country – where *tabu* or official title deed was enforced upon the population by a British-induced land programme and, through it, a reworking of the ideas, forms and practices of land ownership (e.g., collectively-owned *musha'* land (Fischbach 2000: 110-112)) – there has been no official land registration project in Azraq. Land (transactions) in Azraq are thus positioned 'outside' the market because there is, from USAID's point of view, a lack of a technology of representation (Mitchell 2007: 249).

Seen from within Azraq, however, it has precisely been the lack of registration through *tabu* that has enabled a land market to emerge. Indeed, the majority of land transactions in Azraq is concluded through *hujjeh*, not *tabu*. Literally translated as proof or evidence, *hujjeh* is commonly used throughout the region as a sales contract.²⁶⁰ This practice dates back to at least the Ottoman period (1516–1918), when it was sealed in court and recognised as a rights-transferring document (Sait & Lim 2006: 52). It remained the only document used in land transactions until the Ottoman Tanzimat era (1839–1876) – a period of reform during which several land laws were passed with the aim of 'rationalising' land tenure and taxation (Fischbach 2000: 21). Most prominent during these reforms was the promulgation of the 1858 Ottoman Land Code which, amongst other things, introduced the *tapu sanad*, a document which conferred ownership rights through registration (Razzaz 1991: 83).²⁶¹ The British Mandate and (Trans-)Jordanian authorities adopted *tabu*.²⁶² Since then, any

²⁶⁰ In the context of my research, it was referred to almost exclusively in relation to land transactions, although it is not confined to that: As an informal contract it is used to seal different types of transactions. The Druze, for example, used it to allocate the palm trees in the vicinity of Azraq in the 1920s under the guidance of the Badia police. Later on, during the process of granting national passports to the Druze in Azraq, these *hujjehs* were used to prove that they had been present in the area since before 1924 (only those residing in Transjordan before 1924 were allowed to directly receive Jordanian nationality). NA2, 17 November 2013.

²⁶¹ The *tapu sanad* embodied the wish of the Ottoman authorities to install a culture of registration, one directed not so much at enabling the circulation of land but at reasserting the government's authority over all land (affairs) in the Empire. The Ottoman government thus set up land registry offices, or *tapu*, and invested in the making of a land inventory (Madanat 2010). The mandatory registration process began in the northern part of contemporary Jordan in 1876, yet remained confined to these areas. It was the 1859 Regulations as to Title Deeds that officially forbade the possession of *mīrī* land without holding a deed followed by the 1861 Law on the Registration of Census and Properties (ibid.: 27). Since the law was initially only applicable to *mīrī* land (over which the Treasury retained full ownership at all times), the deed only formalised the ownership of *usufructuary* rights. Later in the process, those holding full property rights (*mulk*) were equally required to have their property registered and obtain a title deed from the Ottoman authorities (ibid.: 28).

²⁶² Formal land title deeds were issued during the British land settlement project, which started in 1933 and aimed at registering individual rights to land in the cultivable areas of the country (Fischbach 2000).

land transaction not registered at the DLS – and therefore not accompanied by a legal (i.e., DLS-ratified) title deed or *tabu* – is considered illegal and void.²⁶³ However, in the Badia, where legal rights have not been established through registration, *hujjeh* long constituted ‘a legally adequate means of transferring ownership’ (Razzaz 1991: 144). Within the context of Azraq, it can be regarded as the lubricant of the land market in the 1970s because it was cheap, quick, required no administration and functioned particularly well in an area of unregistered, communally claimed land.

Yet, over the past decade, *hujjeh* is gradually disappearing in favour of *tabu*. How did this come about? In this chapter, I explain this process by highlighting two separate, yet related developments. First, the shifting values of land as described in the previous two chapters, altered the use of *hujjeh* from a means to transfer land (a contract) to a means to extract profit. Second, I demonstrate how the *hujjeh* was reordered within the government’s administrative networks in an attempt of the latter to make water use practices more legible.

Reflecting on this shift is important not only because it emphasises how shifting ideas, practices and identities helped effect it, but also because it draws attention to the ways in which the *tabu* and *hujjeh* themselves both differently ‘arrange ideas, people, objects, and truth claims’ (Blomley 2014b: 154) – USAID’s push for *tabu* (in line with de Soto’s ideas) being most instructive of this.

3.2 Who Owns the Badia?

Under Ottoman rule, the lands of the Badia were regarded as part of the Ottoman imperial territories even though the authorities ‘made no claim to administer the vast desert regions to the east of the Pilgrimage Road – a territory which would remain more under Bedouin than Ottoman control’ (Rogan 1999: 23). In practice, therefore, Ottoman control was nominal, and the Bedouin tribes retained a significant degree of political autonomy. Until at least the late 1920s, ‘tribal chieftaincies were allowed to operate within the newly created state’ (Alon 2007: 82).

This largely continued under the British Mandate authorities, for whom the Badia constituted ‘almost a terra incognita’²⁶⁴ prior to the appointment of Glubb in the winter of 1930, but who never regarded it as ‘terra nullius’²⁶⁵:

²⁶³ This was formalised in the 1952 Lands and Water Settlement Law and its Amendments (No. 40) (USAID 2018: 9).

²⁶⁴ Glubb, *Situation on the Southern Frontier of Trans-Jordan*, 3 January 1928, as cited in Fletcher 2015: 111.

²⁶⁵ Indeed, unlike what happened to Britain’s colonial subjects in some of its other (predominantly settler) nineteenth-century colonies, such as Australia (Whatmore 2002; Keenan 2013) or Canada (Rossiter & Wood 2005; Rossiter 2008), British-induced politics of subjectivity in Jordan have not ‘dispossessed’ Bedouin of (potential) ownership claims through policies of racial or ethnic degradation and subordination.

[T]here was no systemic imperial drive to dispossess Middle Eastern nomads of their semi-arid grazing lands, or to concentrate them as an indigenous labour force (Fletcher 2015: 38).²⁶⁶

This was related to the fact that there was no dominant settler community – the presence of which is usually accompanied by (inferior) perceptions of nomadism necessitated to underpin these settlers' claims to land. Most crucially, however, is the fact that, contrary to their urban counterparts who viewed nomadism from the perspective of a teleological ordering of society, the majority of Britain's desert administration officers (including Glubb) were less receptive to

'state-building' approaches to nomads [such as] rapid sedentarization to increase taxable economic activity, or to prevent loss of manpower through 'flight' (Fletcher 2015: 38-39).

Indeed, as Glubb himself noted shortly after his arrival in the country in 1930:

If the object of Government be the greatest happiness for the greatest number, the eviction of the tribes and the purchase of their lands by rich townsmen cannot be good government. It might conceivably lead to an increase of total wealth in Transjordan, by the economic exploitation of the land by scientific methods backed by sufficient capital, but it would certainly reduce the general contentment and happiness of the people.²⁶⁷

Glubb thus denounced the classic colonial philosophy promoted by, amongst others, his predecessor General Peake. Instead he proved himself a staunch proponent of the tribal policy approach pursued by Emir Abdullah, the British-installed ruler of Transjordan. This approach advocated singling out the nomadic tribes and according them a privileged status within the country's legal apparatus. This effectively happened with the adoption of the so-called 'tribal laws' between 1924 and 1976.²⁶⁸ With these laws, the British Mandate authorities assented to (and,

²⁶⁶ See Fletcher (2015: 23–58) for an interesting analysis of the particular attitude towards the Bedouin or 'the Tribal Question' as discussed during the interwar period (especially between 1919–1936) in the Royal Central Asian Journal (RCAJ) – at the time the most important platform for, amongst others, desert administrators throughout the British Empire.

²⁶⁷ Glubb MRAD, December 1934, NAL (CO 831/55/12).

²⁶⁸ In addition to marking state jurisdiction over the Bedouin tribes, these laws equally constituted 'the Bedouin' as a particular legal subject: 'The term "Bedouin" was a legal designation reserved by the British for certain camel-herding tribes of the eastern and southern deserts' (Shryock 1997: 69) such as the Beni Sakhr. Essentially, the term 'bedouin' (البدو) is an indigenous one and can be translated as 'inhabitant of the steppe (Badia)' (ibid.: 86). However, during the Mandate era, the British – in cooperation with emir Abdullah and his kinsman Shakir bin Zayd – accorded it their own interpretation, making the status of Bedouin a 'controlled appellation' (Bocco 1996: 22-23). The 1924 Tribal Court Law, for example, simply listed nine tribes (amongst them the Beni Sakhr)

through Glubb, even embraced) tribal customary law as a parallel judiciary system (Bocco 1996: 134-135; Alon 2007: 145-146). Indeed, the promulgation of the Tribal Court Law (CTL) in 1924 very specifically stated that tribes recognised as 'Bedouin'²⁶⁹ were officially

dealt with by tribal customary law (quite different to the Sheria) and non nomads [sic] by civil law courts based on European law.²⁷⁰

That the Mandate authorities introduced legal pluralism rather than standardising the legal system in the country, must be accredited to Britain's search for (political) stability and legitimacy in the newly formed Mandate. Yet, the British did not merely concede to the tribal customary code; through the tribal laws, they carefully pursued a controlled modification of the tribal judiciary system.²⁷¹ Indeed, both the Bedouin Control and Tribal Court Laws sought to

modify certain aspects of the 'urf [Bedouin customary code] while trying to remain faithful to its spirit (Bocco 1987: 204).

These laws for example implicitly aimed at establishing a new principle of territoriality, one in which the Bedouin was now subjugated to the jurisdiction of the state-approved judges of the district in which a crime took place rather than having the case appear in front of a judge of their own choosing – a measure which implicitly sought to impose state districts rather than Bedouin 'territories' as ordering spaces (ibid.).

as 'the Bedouin tribes' of Jordan based on the extent of their *dīrah* east of the Hijaz railway (Bocco 1989: 147). Overall, the appellation was based less on a consideration of one's patterns of movement or economic and socio-political characteristics but on whether or not one descended from a tribe officially recognised by Great-Britain as Bedouin. This is particularly visible in the first explicit juridical-administrative definition of 'Bedouin' given in the Bedouin Control Law of 1929, which simply defined 'the word "Bedouin" [as] the nomadic tribes of Transjordan' (Ibid.: 496). This rather vague and arbitrary appellation was accompanied by the 1936 Tribal Court Law which reproduced and updated the list of Bedouin tribes as enumerated in the 1924 Tribal Court Law, with the important nuance, however, that 'any sub-tribes attached thereto or any other nomadic tribes which may enter Transjordan from time to time' were also included. While this addition allowed state authorities to gain more control over the tribes, it simultaneously inscribes itself into tribal realities of continuous fissions, fusions and space for negotiations which are constitutive of tribal life. Additional changes to the official list of Bedouin tribes were made in the decades following formal independence in 1946. These are analysed by Massad (2001) in his post-colonial analysis of the Jordanian national identity and in particular of the ways in which the two (repressive) colonial institutions of law and the military produced 'the Bedouin' as a particular legal subject.

²⁶⁹ See previous footnote.

²⁷⁰ Glubb MRAD, March 1937, MECA (2006 – Box 80).

²⁷¹ Glubb for example believed that by working through and closely monitoring local institutions one could 'introduce progressive changes in the administration of tribal justice' (Bocco 1996: 151) and fine-tune it to his vision of a proper (mandate) government.

At a more explicit level, these laws sought to alter the control and management of land. For example, one stipulation in the 1936 Tribal Court Law (which replaced the 1924 Tribal Court Law) states that the Tribal Courts hold no jurisdiction over ‘cases relating to the ownership and possession of immovable property’ (TCL 1936 - Bocco 1996, Annex 1.8). Officially these cases now fell under the newly established Land Settlement Court. In practice, however, the majority of the customary judges continued to interfere in land matters as an authority, taking up the function of ‘*qāḍī al-‘arādī*’ or land judge (Bocco 1989: 148). Moreover, while the new legislative framework aimed at limiting and controlling practices of customary law with regards to land, it often sustained and even reinforced them (ibid.: 148-149). Bocco refers to two customary elements in particular: that of *taqsimāt al-‘ašā’irīyyah* (the division of land along tribal criteria)²⁷² and that of *wajihat al-‘ašā’irīyyah* (land ‘in front of the tribes’ or the grazing land east of the Hijaz Railway). The (Mandate) authorities retained an ambiguous attitude towards both, neither denying nor recognising them. They did not view *wajihat* as a concept through which property rights are articulated. The new ‘Land Code and the Land Settlement Law of 1933’, for example ‘conceded no rights to the tribes over their traditional pasturelands’ (Bocco 2006: 315). However, they did recognise the Bedouin’s right of pre-emption (*‘awlāwīyyah*) on the land ‘in front of the tribes’ (*wajihat al-‘ašā’irīyyah*),

over which the tribes also have a priority right to develop these lands agriculturally (*wad’ al-yadd ‘ala al-arādī*, litt. ‘to put the hand on the land’) (Bocco 1989: 149).²⁷³

The political and judicial autonomy which the (Mandate) authorities granted the Bedouin thus proved ambivalent. On the one hand it allowed the integration of the Bedouin and their tribal ‘territories’ into the space of the emerging nation-state without the danger of having independent tribal ‘states’ (Bocco 1987: 204). On the other, it did not succeed in subduing tribal control over space and continued to allow the Bedouin to maintain a certain level of autonomy in the internal management of their land resources.

Clearly, British and post-Mandate policies gave space to tribal customary practices and conceptualisations of land ownership. This is crucial, because the (tacit) recognition of Bedouin tribal customary law as the relevant source for determining land allocation processes is a legitimation by the British and post-Mandate authorities of a Bedouin ‘space of belonging’ through which claims to

²⁷² The 1933 ‘*taqsim*’ or land division amongst the different communities of/around Azraq provides an example of this (see Chapter One).

²⁷³ This explains why the recognition of a tribe’s *wājihāt* remains so significant: even though it does not directly imply or confer property rights, it allows a tribe and its members to cultivate the land which, as I discuss in the next chapter, might eventually lead to *tabu*.

ownership gain currency (Keenan 2013: 489; see *infra*). Thus, this recognition calls into question the official designation of all non-privately registered land in the Badia as 'state land'.

3.3 The Trouble with State Land

Contrary to other emerging nation-states in the region where, despite their initial accommodation after independence, customary laws and tribal judiciary systems were quickly abolished in order to enhance and expand state authority, Jordan only abolished its tribal laws in 1976, nearly half a century after their official ratification.²⁷⁴ Several reasons are provided for this abrogation. A first posits it as a mere token of Jordan's goodwill towards donor agencies' demands for 'modernity': '*This abolishment was just to appear modern to our donors, you know: "This is what you want? We'll do it!"*'²⁷⁵ The King's personal clarification during his visit to the desert police equally hints in this direction:

[The abrogation was] not meant as a negation of tribal heritage but only as an affirmation of the desire for efficient justice without the excesses or abuses which tribal law sometimes permitted.²⁷⁶

Ironically, the 'modernity' paradigm that allegedly spurred the abrogation was thus to replace the 'enlightened rule' (Shryock 1997: 69) of the British that had given rise to the dual legislative system in the 1930s in the first place.

A second explanation states that the abrogation simply signified that the initial *raison d'être* of the country's legal pluralism – i.e., the gradual integration of the Bedouin into the framework of the juridical nation-state (Massad 2001: 52) – had been achieved. In complete contradiction, others trace the grounds for the abrogation back to Jordan's Civil War in 1970 and to a growing, public awareness of the discrepancy between Bedouin and non-Bedouin spheres in society following the war. It was allegedly in response to these dynamics that the late King Hussein (1952–1999) set out to unify the Jordanian population by, amongst others actions, accelerating the integration of the Bedouin through a process of detribalisation (*ibid.*: 66–71).²⁷⁷

²⁷⁴ Syria, for example, abrogated customary tribal law in 1958 and further reduced tribal rights through the state-led development of the steppe under the nationalist-socialist Ba'thist regime (Rae et. al. 2001: 16). Saudi Arabia adopted legal measures in 1925 which abolished the Bedouin notion of the *dīrah* resulting in the effective abolition of Bedouins' rights on their traditional territories (Bocco 1987: 213; Fabietti 2000: 86). These measures were never revoked.

²⁷⁵ GoJ1, 24 May 2014.

²⁷⁶ JT, 8 June 1976.

²⁷⁷ *De facto*, however, tribal law had 'worked its way firmly into civil jurisprudence' (Shryock 1997: 70) before and ever since the abrogation.

Apart from reasons related to matters of modernisation and/or legal unification, one of Jordan's social historians posits that the abrogation conveniently served different motives:

In '76 they abolished tribal law. So, the whole discussion of this is, you know, that they want to have a unified system – but it's garbage, it's about land. It opens up the entire area which was not settled to arbitrary allocation by the state. [...] [P]eople wanted to get the land for speculation and the state wanted to increase its power. You see, my analysis of the policy is that what happened was that the system of hegemony shifted from one working through the local leaders to one working through the mukhabarat [Jordan's intelligence service] who undermined local leaders and it became a very statist system.²⁷⁸

Keeping in mind the prominent and historically nurtured role of land in consolidating state legitimacy through allocation processes aimed at keeping political constituencies close and content (Wilson 1987; Razzaz 1991; Fischbach 2000), the abrogation of customary tribal law was thus carried out to hasten the disintegration of the system of hegemony working through local leaders in order for 'the state to increase its power'. This shift, the statement implies, merely entailed that the 'the excesses or abuses [of] tribal law' referred to by King Hussein (see *supra*) were simply replaced by the arbitrariness of a statist system. Indeed, what shifted was not the nature of the system but the site, networks and relations through which arbitrary practices could take place (and against which many have been protesting on the streets, see General Introduction).

Second, the researcher's remark signals the gradual reordering of land as a commodity and a tool for capital accumulation strategies. From the 1970s onwards, state authorities recognised the need for easy and undisputed access to land in order to realise their economic and capital-intensive development plans (Razzaz 1991: 105). These large-scale development projects required easily disposable land not hindered by customary rules, which were often regarded as bothersome liabilities.²⁷⁹ Declaring land as 'state land' is a well-known strategy to strip land of 'sticky' social relations (Sawyer 2004) in order to smooth its 'transact-ability' on the free market and speed its integration into capitalist relations (Kelly & Peluso 2015; Hall, Hirsch & Li 2011). Thus, as of the 1970s, state authorities set out to reassert state ownership of land. The promulgation of the 1973 Agricultural Law was an

²⁷⁸ Researcher1, 13 December 2013. This abrogation indeed occurred during Jordan's 'resourceful' times described in Chapter Two.

²⁷⁹ During the Mandate period for example, the *mushā'* system was deemed inefficient and obstructive to productive and lucrative land use. Mandate policies therefore encouraged its dismantling (Fischbach 2000: 85). In more recent times, the strong intra-family heritable bond and pre-emptive rights have been regarded as constraints to the proper working of land as a tradable commodity (Rae et. al. 2002: 19).

important step in this regard. The law officially recognised the state as the owner of all rangelands – defined as land that on average receive less than 200 mm of rainfall annually – not held in private ownership (Al-Oun 2005, *op. cit.*; UNCC 2008: 49). This effectively designated up to 85 per cent of the national territory as state-owned rangeland.²⁸⁰ The abrogation of the Tribal Laws in 1976 was another step in this direction. To fully understand some of Jordan's contemporary conundrums surrounding the ownership of land in the Badia and the use of *hujjeh* in Azraq, it is necessary to question the performative force of these legal declarations of land as 'state land'.

The category of 'state' or 'public' land is relatively new in Jordan: it was introduced by the British Mandate authorities via the Order-in-Council only in 1922 (Shehadeh 1982: 88).²⁸¹ To understand the rationale behind its introduction, we need to go back to the Land Code – a legislation which still largely serves as the basis for contemporary Jordanian land law (Fischbach 2000: 27). Under the 1858 Ottoman Land Code, land left uncultivated since time immemorial (and therefore regarded as un-appropriated) was classified as *ard mawat* (dead land). The Ottomans claimed *de jure* sovereignty and jurisdiction over this land based on a 'legal syllogism' (Bocco 1987: 202) which claimed that, for lack of other owners, it belongs to the treasury (Goichon 1967: 137).²⁸² The British largely adopted this classification of the Land Code, thus regarding land in the Badia, including Azraq, as *mawat* or 'dead land'.²⁸³

Traditional Islamic readings define *mawat*

as a 'place where the voice of a person who is shouting from the outskirts of a town or village cannot be heard' though the Land Code adds the more precise afterthought, 'about half an hour's distance' or about 'a mile and a half' (Eisenman 1978: 58).

²⁸⁰ The Ministry of Agriculture held the authority to manage these lands based on the importance of the protection of rangelands from tree cutting, overgrazing and inappropriate ploughing (*ibid.*: 49).

²⁸¹ It was defined as 'all lands in Palestine which are subject to the control of the government of Palestine by virtue of Treaty, Convention, Agreement or Succession and all lands which are or shall be acquired for the public service or otherwise' (Shehadeh 1982: 89 – emphasis added). Although according to Shehadeh, this definition still excludes 'all land which is not subject of a grant to the public, and therefore exclude *miri*, *mawat*, and *matrouk* lands whose *rakaba* are in the Sultan [the latter being replaced by the High Commissioner under the British Mandate]' (*ibid.*: 94).

²⁸² The Land Code classified land into five categories which together were broken up into three main classes: *waqf* lands (comparable to though not the same as the English 'trust'); *mulk* land (private property); and those lands known as *miri*, *matrouk* and *mawat*. The Land Code was specifically compiled to deal with these last three (Shehadeh 1982: 87). According to Shehadeh, the category of *miri* should not be translated as 'state land' (which is the term used by Richard C. Tute in his 1927 authoritative translation of the Ottoman Land Code) but as 'crown land' as understood in reference to the English land law.

²⁸³ The term itself is thought to be related to the God *Môt* or 'the personification of the summer aridity, when vegetation 'dies', and rights of appropriation for cultivation lapse and the land reverts to grazing' (Wilkinson 1983: 304).

In 1955, former director of the Department of Land and Surveys Mohamed Ismail estimated that around 60 per cent of the land in the Hashemite Kingdom of Jordan was *mawat* land, most of which was located in the Badia (Isma'il 1955: 3). The problem with *mawat*, however, is that

[t]he question of raqaba or ownership in general [...] was never adequately dealt with. Despite the concern of the Authorities to invest everything under the control of the State Treasury, ownership with regard to some of [The Land Code's] categories remained obscure. Certainly *mawat* land, once vivified, went over to the direct control of the State, but *what was its condition before vivification* [...]? The State, it would seem, had the power to confer and confirm title, and even permit reclamation, but nothing more. The answer of the Islamic religion to such baffling, if gratuitous, questions was clear: all land conquered under Islam either belonged to the Islamic Community or to God. The Mandate Authorities either could not or would not be satisfied with such religiously abstract answers to questions of this kind, however, and they remained a problem until the development of a concept of 'state domain' or 'public lands', around which all these categories were to coalesce (Eisenman 1978: 60 - emphasis added).

Under Jordanian legislation, the legal category of state or public land was first defined in the State Land Law of 1961 and would be redefined several times afterwards, alternating between including *mawat* land and not including it (ibid.: 95 & 98). With the proclamation of the earlier mentioned Agricultural Law No. 20 of 1973, the matter was most clearly settled, defining all non-privately registered rangeland as state land.

The problem of the land's pre-registration (or pre-revivification) condition of ownership, however, remains. While the British might not have agreed with the idea of land belonging to 'the Islamic Community' or 'God', simply declaring it 'state' land, as one DLS employee remarked, will not do either:

*State lands? Yes, these are state lands. But to have this you need to have a state first, right? But how do you do that?*²⁸⁴

His statement clearly acknowledges that 'the state' is no pre-existing, free-standing entity. The declaration of land as belonging to 'the state' can be part of its performance though. Yet, as is clear from the man's cynical undertone, this performance has been far from successful in Jordan. As a DLS employee, he was, for

²⁸⁴ DLS2, 22 June 2014.

one, referring to the fact that state practices related to the government of land in Azraq (e.g., cracking down on state land encroachment, regulating and controlling access to land, registration) exhibit little regularity, permanence or repetition – nevertheless important aspects of the effect of ‘the state’ (e.g., Hansen & Stepputat 2001: 17; Ferguson & Gupta 2002: 983; Sharma & Gupta 2006: 11; Mitchell 1991: 92). In other words, not only people’s property relations but also ‘the state’ needs to be made intelligible. I discuss this more in-depth in the context of the practice of revivification in the next chapter.

Thus, to return to the quote from the USAID report (2018: 7), as long as state land is not registered as such, it remains ‘poorly defined and documented’. My conversation with a prosecutor at the Settlement Court (DLS), who represents ‘the state’ in cases related to transgressions of state land, underscores this. She clarified that most of the land in the Badia – while categorised as state land, does not belong to ‘the state’ as such because it has not been registered as such. That is, as long as ‘the state’ does not have *tabu* on the land, it is technically not state land. Interfering in our conversation, another DLS employee explained that while cadastral mapping or surveying of land had largely been finished around the turn of the millennium, the actual registering or settling of land is still on-going and largely occurred *ad hoc*. The problem however, was not so much one of registration, but one of the idea of ‘the state’:

*the state is an entity to organise things, not own. Maybe the state has the right to own parcels, you know, to just build schools or so. Otherwise, land is for the people.*²⁸⁵

The prosecutor then quoted the constitutional law, saying that the Jordanian state consists of ‘land, people and authority’ but that actually, the land does not belong to the state (although, she added, she obviously preaches the opposite in court). Nevertheless, she continued, ‘*the people own [bjimluk] the land. How do they want to live without land, without a house? And what is the state other than the people?*’²⁸⁶ Concluding the matter, she said I could not expect ‘the state’ to just distribute land to the people as if they are two different things.²⁸⁷

The fact that state land is not registered – the fact that there is no *tabu* – as well as the nebulous nature of ‘the state’, leaves open the question of the land’s ownership status, paving the way for (a continuation of) communal tenure arrangements and the trading of land through the use of *hujjah*.

²⁸⁵ DLS2, 17 May 2015.

²⁸⁶ DLS1, 22 June 2014.

²⁸⁷ Ibid.

3.4 In the Name of *Wajihat*

The majority of land in the Badia and that surrounding Azraq village has thus not been registered. This is partly because its registration was deemed irrelevant to the state formation process for which taxes levied on agricultural land proved key (Fischbach 2000; see General Introduction), and partly because, within the particular power constellation in the early decades of the Mandate and independence, it was deemed more prudent to instate legal pluralism in which Bedouin tribes could (tacitly) maintain customary land tenure. In a sense, this situation of non-registration accommodated the claims to ownership of all concerned parties (Bedouin, 'the state', the Druze and so on).

The Druze constitute one of these parties. While their claim to communal land ownership in Azraq appears less secure than that of the Beni Sakhr (predominantly because of their differently positioned political subjectivities in the country), they nonetheless have valid grounds for claiming land. As the prosecutor at the Settlement Department (DLS) affirmed: '*everybody, even the government, knows that the Druze have a right to these lands*'.²⁸⁸ Small stories from Druze further confirm this. Abdullah, whom I often accompanied to the land he was illegally claiming, once recounted how an official from the WAJ decided not to close his illegally dug well because he knew he needed it to claim 'his' land.

The Druze maintain that they have a historic right not only to the land of North Azraq village but also to an area that stretches all the way from South Syria to Halabat and Muwaqqar northeast of Azraq, and that even includes part of South Azraq.²⁸⁹ They legitimated their claim to me on the basis of three interrelated narratives. Two of these are firmly grounded in notions of property-making that are legible to state authorities: written documents and (prior) occupation. Overall, as evoked by a Druze elder, there has long been '*a connection between Syria and Azraq*'²⁹⁰ – one that is inimitably materialised by the volcanic tapestry of basalt boulders that blankets the land from Jabal ad-Druze all the way to North Azraq. Under Ottoman rule, this connection was allegedly officialised by the Ottoman Sultan in the form of a Royal Decree (*marsūm sultānī*). More specifically, Mustafa Nejm al-Atrash, sheikh of the Druze at the time, had sent a formal letter to the Ottoman magistrate (*wālī*) in Syria in January 1900 to ask the latter to grant lands in Azraq to the families there. The magistrate allegedly responded positively and showed his intention to proceed and complete the transaction as quickly as possible. Many Druze in Azraq continue

²⁸⁸ Ibid.

²⁸⁹ NA6, 15 May 2014.

²⁹⁰ Talal, 10 May 2012.

to refer to this document to support their claims, even though were unable to produce it.²⁹¹

After the collapse of the Ottoman Empire, the infamous 'Sykes-Picot agreement' of 1916 divided the region into a French and a British political hemisphere, placing Jabal ad-Druze in contemporary Syria under French authority while the 'half-Druze oasis of al-Azraq in the Syrian desert' fell to the British (Betts 1988: 85). On the ground, however, little changed. First because the Syrian-Transjordanian frontier as drawn in the Sykes-Picot agreement and later in the Treaty of Lausanne of 1923 was not effective until late 1931 – early 1932 (Wilson 1987: 101).²⁹² Even afterwards, in 1935, Glubb noticed that '[a] frontier marked on the ground does, therefore, exist, but both sides apparently agree that this frontier is not yet in force. What frontier is in force is impossible to say'²⁹³. Second, 'the greater part of the Desert frontier of Transjordan on the north marches with the Jebel Druze state, not with that of Syria'.²⁹⁴ This is important because, as pointed out in Chapter 1, the Druze in the Jabal enjoyed a highly autonomous position in the French Syrian Mandate. Relations and agreements of cooperation between the British and the French, including public security issues, were thus not always worked out directly with or through the French High Commissioner in Beirut but with the governor of Jabal ad-Druze, and cooperation between the British (represented by Glubb) and the Druze in Syria were 'personal and exceedingly amicable'.²⁹⁵ Hence, if, at the beginning of the twentieth century, the Druze regarded Azraq as a distant offshoot of Jabal ad-Druze, the Syrian-Transjordanian border did little to change this.

Quite the contrary, from 1860 until the late 1940s, the Druze in Azraq upheld a 'policy of friendship'²⁹⁶ towards Britain, with certain factions of the Druze community in the Jabal angling 'for unity with Transjordan possibly think[ing] it would be easier to dominate the government in Amman than in Damascus'.²⁹⁷ While such a scenario was never considered a serious eventuality by the British, it nevertheless made them nervous given the extent to which several protagonists perceived it as an opportunity to further their own political goals. King Abdullah (1923–1949), for example, was eager to witness 'the defection of this area [because

²⁹¹ Druze interviewees remarked that the Royal Decree was held by Syrian Druze for safekeeping.

²⁹² In 1927, for example, the difference between the British and French interpretation of the location of the Syrian-Transjordan frontier was up to twelve miles (approximately 20 km) in some places. Two prospective projects (the Baghdad-Haifa railway and the Iraq Petroleum Company pipeline) eventually motivated the British to push the boundary northwards (Wilson 1987: 100).

²⁹³ Glubb MRAD, January 1935, NAL (CO 831/55/12).

²⁹⁴ Glubb MRAD, February 1934, NAL (CO 831/55/12).

²⁹⁵ Ibid.

²⁹⁶ *The Druze. II. Religion and Politics* p. 7. In Bejtullah Destani (Ed.) (2006), *Minorities in the Middle East; Druze Communities 1840-1974*, Archive Editions Limited, Cambridge: 163

²⁹⁷ *Note on the development of the sentiments of the Druzes with regard to their complete unity with Syria, for the period July to December, 1942*, Soueida, 16 January 1943 (FO371/35209). In Bejtullah Destani (Ed.) (2006), *Minorities in the Middle East; Druze Communities 1840-1974*, Archive Editions Limited, Cambridge: 146.

it] would be a signal for a general breakup of the Syrian state as at present constituted, and consider himself bound to do all he could to encourage an end so desirable to his openly expressed policy [to rule over Greater Syria]'.²⁹⁸

Moreover, if the Syrian Druze were unwilling to loosen their relationship with Azraq, neither were the French Mandate authorities always straightforward and successful in detaching the Jabal ad-Druze community from Transjordan. In fact, the French Mandate authorities retained a somewhat ambiguous position towards the status of the lands in Azraq in the context of geopolitical manoeuvring, which lasted until at least the late 1940s. Already during the Druze revolt (1925–1927),

the movement of Druze refugees across the border and the desire of the French to bring the Druze back under their jurisdiction encouraged the French to regard any place in Transjordan with a Druze population as a part of Syria. [...] Identity cards issued by the Syrian state of Jabal Druze listed some domiciles as al-Azraq, Jabal Druze, thus laying claim to the Azraq oasis well inside Transjordanian territory (Wilson 1987: 100–101).

Thus, albeit perhaps more for (geo-)political considerations than because of an actual belief in their historical validity, the French on several occasions backed the Druze's claims to ownership and rights of usufruct over lands in Transjordan.²⁹⁹ One such occasion occurred in the late 1930s, when disputes erupted between the French and the British over the rights of the Syrian Druze to graze lands at Azraq. In his monthly report for December 1939, Glubb observed that:

The Transjordan Government had refused to allow Druzes from the Jebel Druze to pasture cows at Azraq, whereas [the French hold that] the right of these persons to graze and camp in Transjordan could not be denied. [...] The facts about the Druze cows at Azraq are

(1) That attempts are being made to cultivate at Azraq and that the Druze insisted on turning their cows into the cultivation.

²⁹⁸ Letter from C.M. Pirlé-Gordon to the FO, Amman, 5 August 1947. In Bejtullah Destani (Ed.) (2006), *Minorities in the Middle East; Druze Communities 1840–1974*, Archive Editions Limited, Cambridge: 163

²⁹⁹ A land conflict for example occurred between the Syrian Druze community and a Bedouin tribe over lands located in Transjordan in 1935–1936. The French ruling over Mandated Syria made reference to title deeds to justify Druze land claims: 'They [the French] have, however, alleged that the Druzes possess title deeds, but they have not hitherto been willing to produce them. [...] Lieutenant Britsch showed a tendency to hedge, and virtually admitted that, while the Druzes possessed certain documents, these documents might not be legally valid. Still, he claimed, an invalid document was better than no document at all [...]'. Glubb MRAD, April 1936, MECA (2006-Box 80).

(2) That the Druzes have no ancient right to graze cows at Azraq, and were quite unable to do so before the police post was built there, as, before that, the bedouins immediately plundered them³⁰⁰.

These two, interrelated narratives of transhumance and reclamation (see also Chapter 1) and of the official granting of rights through Royal Decree, are both part of a collective recollection that serves to justify the Druze's claims to land in and around Azraq. In an attempt to reinforce their legitimacy, the Druze stress their use of the oasis (occupation) and recall Ottoman written ratification (title deed) as ways to mould their ownership claims into a form legible to state authorities.

Additionally, however, and indicative of this claim's significance, my Druze interlocutors also imprint their claim to ownership within a narrative that embraces a tribal logic of relations of ownership and property, one in which *genealogical* ties play a crucial role.

I return for a moment to the issue of *wajihat*. As explained earlier, many of the areas in Azraq today are claimed by the Beni Sakhr as (part of) their *wajihat*. To understand the validity of Bedouin claims to *wajihat*, it is instructive to relate it to *dīrah* – commonly (or conveniently) translated as 'tribal territory',³⁰¹ which refers 'as much to the camping unit as it does to the grazing place' (Shoup 1990: 116; see also Bocco & Tell 1995: 33). Anthropologist Riccardo Bocco stated that

*the notion of wajihat is complementary or is part of the larger notion of – what is not used anymore today – dīrah.*³⁰²

The area in Azraq that is now claimed by the Beni Šakhr as (part of) their *wajihat* falls within or correspond to the tribe's historical *dīrah*³⁰³ as it was identified in the

³⁰⁰ Glubb MRAD, December 1934, NAL (CO 831/55/12).

³⁰¹ A translation which has spurred considerable debate among anthropologists, geographers and historians (see Wilkinson 1983; Bocco 1987; Lancaster & Lancaster 1986).

³⁰² 30 July 2015.

³⁰³ Today, although tribes claim vast areas as their *wājihāt*, when it comes to specific claims to formalisation, they only do so over particular parts of the lands, not over their entire claimed *wājihāt* (although, of course, granting them ownership over parts based on the argument of *wājihāt*, would imply the same for all the other lands claimed). The Beni Hasan, for example, is currently in conflict with state authorities regarding an area of about 50,000 acres (one of the biggest claims) whereas the Beni Sakhr have made claims to the area south of Amman near Queen Alia International Airport, although their *wājihāt* supposedly extends as far east as the Azraq oasis (Wilson 1987: 107). Most publicly visible conflicts, not unsurprisingly, are those at the fringes of the desert, as the urban centres are spreading out and impinging on *wājihāt* lands (and raising the value of the lands).

beginning of the twentieth century.³⁰⁴ The notion of *dīrah* gradually fell into disuse in the 1970s (Bocco 1987: 207) while the notion of *wajihat* was increasingly used.³⁰⁵

As indicated, the genealogical element is imperative in the upholding of a *dīrah*. First, the genealogical position an individual is born into is by no means fixed. Quite the contrary; genealogy (as well as history) is regarded by the Bedouin as 'a framework for legitimising present political relationships between groups' (Lancaster 1986: 151). More concretely, the tribal genealogical tree one draws varies not only according to the consulted source (see e.g., Shryock 1997) but also according to the historical context. Hence, contrary to Western rhetoric on genealogy, '[i]t is not *the* genealogy leading to *a* relationship, but rather *the* relationship leading *a* genealogy: the relationship is active, the genealogy passive' (Lancaster 1986: 151 – emphasis in original).³⁰⁶ Second, tribal genealogies must be seen as an abstract (spatial) projection of a socio-territorial order in the sense that one's position in a particular genealogy also defines one's access to natural resources in a given area (Bocco 1996: 64–66). As Lancaster (1986: 152) argues, Bedouin tribal genealogy is not so much temporal as it is *spatial* in nature: it does not situate one's belonging in time but in space. The metaphoric Russian doll is illuminating here: each tribe controls a

³⁰⁴ The expansion of the Beni Sakhr into the eastern Badia (and thence to Azraq) came as late as the end of the nineteenth century, with the defeat of another tribe, the Anaizeh, after which they 'were in the habit of camping regularly throughout the winter as far east as Qasr el-Azraq and the Wadi Sirhan' (Peake 1958: 218). With the important exception of those areas located in neighbouring states – most notably the Wadi Sirhan in Saudi Arabia – the Beni Sakhr's tribal lands today are said to extend from Azraq to Bayir (north to south) and from Amman to the border with Saudi Arabia (west to east) (Bocco 1987: 195; see also Al-Jaludi s.d.: 79).

³⁰⁵ It is hard to pin down the precise circumstances of this development, although it has been pointed out that, in the course of the second half of the twentieth century, there has been a semantic narrowing of *dīrah*: from indicating a fluid and mobile (camping and grazing) space to a more stable geographical location (usually the nearest town, Lancaster 1981: 42–43). One respondent, bringing the notion close to that of 'home', explained it thus: 'You can say 'I'm from *dīrah* Ghent, not from Antwerp' or 'I'm from this general area'. That's what it is. It has no legal basis and no precise borders. You are a Belgīcī, from *dīrah* Belgīcā' (Kamel Abu Jaber, 16 June 2015). This was confirmed by another respondent, who equally pointed out that today *dīrah* basically 'refers to the area of residence rather than the wide tribal front (*wājīhah*). I could even say it means homeland as a place of belonging, where people actually live in the form of settlement. [I]n *fushā* [standard written Arabic] *dīrah* means a circle of sand/land. It refers to the location of residence' (Tarek Abul Hawa, written communication, 14 October 2015). Interestingly, he placed this narrowing of *dīrah* in the context of Jordan's policies of Bedouin settlement and sedentarisation of the 1960s–1970s: 'I think it is now no longer used in light of the social changes resulting from Bedu settlement programs which basically turned them into *fellaḥīn* [farmers] and they gradually lost the mental picture of *al-dīrah*. They also gradually lost the term and you can only hear the word in 1970s and 1980s soap opera shows – widely referred to as "musalsal 'urduni" [Jordanian television series]' (ibid.). The idea that cultural policies (implemented through popular media such as music and television soaps) contributed to a popularisation of the notion outside the confines of the tribe is equally put forward by Massad (2001: 72). He asserts that the traditional meaning of *dīrah* 'disappeared' in the sense that it was conflated with the more nationalistic concept of '*waṭan*' (homeland) citing the 1970s popular song '*Diritna al-Urduniyyah* (Our Jordanian Dirah)' as prime example.

³⁰⁶ Again, this dynamism is one of the reasons why efforts of historiography prove such a difficult endeavour. For the Bedouins, who see history as something manipulable, as malleable to the present situation, writing things down can be a fearful exercise: '[T]alk of the past is always linked to present-day concerns – why else would people bother to remember such talk now? – and historical discourse is thought to be the object of manipulation [...]' (Shryock 1997).

territory, of which each clan section possesses a part of which each lineage within that clan again possesses a sub-part, and so forth (Bocco & Chatelard 2001). One's genealogical identity – as an expression of relations of belonging – thus importantly orders property relations: it governs one's access to pasture land and the natural resources therein. Proof of one's claim to land access is thus not elucidated in *written* accounts but in *genealogical* ones – that is, by one's position 'within a nested hierarchy of lineages, tribes, and tribal alliances' (Shryock 1997: 42).³⁰⁷ It is in this idea of ownership as understood through an idiom which 'is historical but its frame of reference is genealogical, not processual; oppositional, not progressive' (1997b: 46) that we must place the Druze's third narrative.³⁰⁸

According to the Druze, their lands were given to them by *Haditha al-Khraysha*, the late paramount sheikh of the Beni Sakhr, as a token of gratitude:

Some ninety years ago – shortly before 1920 – the Beni Sakhr who were living in the area of Muwaqqar had a difficult time: there was no food and their animals were dying.³⁰⁹ So they moved north towards the Jabal Druze where the Druze lived. When the Bedouin arrived in the Jabal, the Druze appeared to be fighting in another region. So the Bedouin seized the opportunity and took all the sheep and goats they could find and came back to Jordan. When the Druze returned from the battle, they found their village raided. When they asked who was responsible for it, they pursued the Khraysha into contemporary Jordan.³¹⁰ They found them and killed all of them except for Haditha al-Khraysha who had managed

³⁰⁷ This makes tribal genealogies an excellent manipulation tool not only in accommodating tribal fissions, fusions and changing tribal alliances (Bocco 1996: 66) but equally in affecting claims of land ownership. The inclusion of 'foreign' tribes in the land partitioning by Glubb in the 1930s and 1940s testifies to this. Eager to obtain lands in Transjordan, one Bedouin man from Syrian decent posited himself as sheikh of a Syrian tribe which at the time was camping with the Khraysha tribe in Transjordan. To become eligible for land allocations by Glubb, the man claimed affiliation to the Khraysha thereby 'giving added currency to his claim for land' (Alon 2007: 130). As such, he succeeded in acquiring lands in the Kingdom.

³⁰⁸ This genealogical recounting – which is not historical in the sense that it is not fixed, knows no linear narrative – is precisely what made it difficult for Shryock to make a map of tribal areas. With the latter based on changing, and to a certain extent utilitarian, genealogies, mapping them – i.e., stabilising time-space which must remain open (Massey 2005: 108) – becomes impossible. It fails to acknowledge the existing multiplicity of different genealogies through which a chaotic order is allowed to exist. Representation would mean a certain conquest of precisely those spaces that must remain open for (discursive) battles amongst Bedouin genealogical interpretations of space. It is against the denial of the possibility of an on-going history narrated in/through space that Bedouin refute(d) tribal maps.

³⁰⁹ Without enouncing the historical accuracy of this story – to which no reaction was given from the side of contemporary sheikh Shaysh al-Khraysha – it must be pointed out that the Beni Sakhr had indeed known a very difficult period during the late 1920s–early 1930s. Lewis (1987: 13) recounts that: "Camels died in thousands in this period [1926-1934]. In 1932, many Sukhur had so few camels left that they could not move their tents and formerly wealthy sheikhs were reduced to poverty". Glubb equally commented on the impact of circumstances on the Bedouin, and specifically on the Sirhan and the Beni Sakhr tribes.

³¹⁰ For information on the extent to which the Druze in the Hawran region participated in Bedouin conflicts, see Al-Jaludi (s.d.): 93.

*to survive. The Druze captured him and brought him to Syria as a captive. Their sheikh al-Aṭrash asked Haditha why he had stolen their herd. After Haditha explained that they were poor and near starvation, the Druze gave him a tent and honoured him for a couple of weeks by slaughtering an animal every day. After forty days, the Druze released him and sent him back to Jordan with a flock of sheep and goats – one from every household. Since then the relations between the two communities have been excellent.*³¹¹

As this story conveys, the relations between the Druze and the late sheikh are represented as cordial, correct and courteous. They are, moreover, expressed in terms of kinship: as one Druze inhabitant put it:

*The relations with the Bedouin are good, very good. They wrote a contract at one point that 'we are cousins'. This relation started under Haditha al-Khraysha - you know, it means aghlāq.*³¹²

The relationship was thus even sealed in written form. In return for their courtesy, and through an established familiarity, sheikh Haditha al-Khraysha gave the lands in the vicinity of the oasis to the Druze.³¹³ Members of the Beni Sakhr that I interviewed indicated that the lands in North Azraq indeed belong to the Druze.

This last narrative seems to collide with the previous two: why emphasise that the Bedouin gave them the land – thus acknowledging their prior ownership – if the Sultan had already done so? Clearly, the story, as well as Glubb's statement that the Druze could not herd their sheep safely before the establishment of the police post, reveals that actual control over these lands was in the hands of the Bedouin. For my Druze respondents, however, this did not constitute a flaw in their tying together of legitimisation narratives, but merely added an extra layer to their inscription into Azraq's socio-spatial history. Their narratives were not meant as exclusionary but as a complement to each other. Interestingly, they not only underscore property's plural, if unstable and contested, forms of legibility, but also emphasise the unsettledness of the property arrangement.

Overall, the land claim by the Druze is generally accepted in Azraq – although conflicts over the precise whereabouts of the boundaries of their land claim are common and often violent – even, if only tacitly, by state authorities. Thus, despite the 1973 law, which is viewed by many in the field as an important step towards the disruption of tribal customary rules because it proclaimed the rangelands open to *all* Jordanian and non-Jordanian flocks, 'in practice and reality, the case is the

³¹¹ Hasan, 18 June 2012. The exact details of the story differ depending on the narrator but the general storylines are the same.

³¹² NA6, 15 May 2014.

³¹³ Haditha had supported the Syrian rebels in the mid-1920s (Alon 2007: 121).

opposite' (BRP-NCRD 2008: 23). Indeed, land in Azraq is still claimed by Bedouin, Druze and Chechen in communal ownership and is also, as I will show in the next section, performed as such through the use of *hujjeh*.

3.5 *Hujjeh*: A Compass to Local 'Land-Scapes' of Ownership

This, then, was the property arrangement that land investors encountered when they travelled to Azraq in the 1970s: one based on informal yet tacitly acknowledged topographies of communal landholding, with elusive boundaries performed through everyday discursive and material (often violent) practices, and contingent on local people's memories and position as political constituencies.

These contested and ever-changing topographies of belonging and ownership (claims) remained largely invisible and illegible to outsiders: there are no signs or marks on the ground to render this contested topography of claims legible to a simple passer-by, let alone to a potential land investor interested in buying a tract of land. Procuring official maps is close to impossible, even of those areas formally registered. Few of the state officials I spoke to were willing to hand me a map of, for example, the boundaries of the National Park as it was proposed in the 1970s (the land of which is now legally owned by the Forest Department in the Ministry of Agriculture (Azraq Ramsar sheet 1998)). This was not simply a matter of not wanting or not being allowed to produce maps for a complete outsider who might (ab-)use that knowledge; it is also indicative of the extent to which knowledge of Azraq's 'land-scape' remains a firmly localised matter. Given the speed at which landholdings in the area change, any map – if ever produced – would not only be contested but would also always already be outdated. In that sense, Azraq's land market is an 'imperfect market' – a market 'in which information is not freely available to all buyers and sellers' (Tsing 2015: 112) – because ownership claims are not readily intelligible to outsiders (a 'problem' which USAID and the WB aim to reverse through registration). *Hujjeh* proved particularly effective in/for this arrangement. In principle, anyone with a claim to land – whatever the origin and legitimacy of that claim – can sell that land to an interested party through *hujjeh*. This works particularly well in Azraq because of the described sense of 'pre-established ownership' which *hujjeh*, in turn, helps perform.³¹⁴

Hujjeh, an elderly Druze put it,

³¹⁴ Jamal, for example, has sold the land he was granted through a royal endowment (*makramah malakiyah*) (see Chapter Four). The tract of land he received under this project can be conceptualised as a 'property-in-wait' (Campbell 2015: xii): while formally recognised as his, Jamal would have to wait ten years before receiving legal title or *tabu*. Unwilling to wait that long, he already sold the land through *hujjeh*. Others perform *wad al-yadd* and, when sufficient 'investment' was proven (see Chapter Four), sell the land through *hujjeh*.

*is like a contract between two people with two or maybe three witnesses: One who wants to buy and one who wants to sell. But it's not formal, it was 'adabī, you know, by ethical way. The government doesn't interfere in it.*³¹⁵

As an informal agreement, the form and content of *hujjeh* are not standardised. Generally, a *hujjeh* deed contains the names of all the parties present, the date of transaction, the agreed-upon price, the terms of (non-)compliance and a description of the transacted land. The latter usually consists of specific features on/of the land, listing particular land marks (flora or buildings) and the names of neighbours. While this approximation of the tract's boundaries might appear 'inaccurate', it is adapted to the performative nature of communal property claims where boundaries are dependent on their physical expression on the ground, not on their being marked on a map (see footnote 308).

A *hujjeh* record does not 'speak for itself' but remains dependent on authentication and valorisation by others as well as on the verification of the actual physical land (Pottage 1994: 361). Indeed, the purchaser needs to verify the rights written down in the *hujjeh* contract by checking the actual physical status of the land: paper and land serve as checks upon each other (Pottage 1994: 361). This became most apparent to me in summer 2015, during a conversation I had with Hasan hours before leaving to the airport. Hasan had just received a couple of *hujjehs* records from people who had bought land in Azraq but who were uncertain about its location or worried about the parcel's actual occupation status. As a well-informed citizen of Azraq, Hasan was asked to study their particular *hujjeh* in more depth. Having discussed the ambiguous juridical status of *hujjeh* as a transaction device, Hasan started reading the different *hujjeh* deeds while informing me about the whereabouts of the lands involved and the vendor's pedigrees and pointing out potentially difficult yet easily surmountable issues: ambiguous coordinates of the parcel or the lack of a date (apart from one, which was dated 1998, none of the *hujjeh* records carried a date). One *hujjeh* was signed by fingerprint. It concerned land bought for 800 dinars, measuring about 1.8 dunum. Yet, the fingerprint nor missing date were problematic in this case; what made the *hujjeh* deed indisputably invalid was that it was signed by a Druze selling 'lands from the Shishaan': '*An outsider will not always see this detail when signing the contract but for sure a Druze cannot sell Chechen lands!*'³¹⁶ A *hujjeh* is thus firmly embedded in 'a necessarily local sense of where rights began and ended, a local sense of place and property' (Pottage 1994: 364). Outsiders often rely on a local who has access to the local reservoir of knowledge and 'practical memory' (ibid.: 361) in order to validate the *hujjeh* contract.

³¹⁵ NA2, 17 November 2013.

³¹⁶ 21 June 2015.

Equally important in a 'land-scape' with elusive boundaries is the fact that, as a contract, *hujjeh* does not 'cut' the relations and networks that support the original claims to ownership. Quite the contrary, its authority depends on its sustained entanglement in these socio-cultural relations and the notions of (communal) ownership expressed through them. Or, stated differently, the performative force of *hujjeh* is contingent on the extent to which the topographies of (communal) land ownership in Azraq find resonance in Jordanian social and political society. This is encapsulated in the contractual nature of *hujjeh*: it functions as proof of an on-going agreement between two parties in which the vendor declares to guarantee the purchaser's claim to possession vis-à-vis third parties. In case of disputes over boundaries by neighbours or members from the vendor's community, for example, the former is bound to protect the rights of the latter (Razzaz 1991: 172).³¹⁷ This role as guarantor spans a lifetime – it was like a marriage contract, Sami said³¹⁸ – and is, almost always, explicitly stated in *hujjeh*.

These points explain the emergence and significance of the position of local land brokers, whose main task consists of 'centralising' knowledge about Azraq's ever-changing 'land-scape'. Sami is one of them. He belongs to a small group of Azraqi Druze who are alert and receptive to promising investments and who have managed to concentrate most (village) lands in their hands. (Jamal regularly mentioned these land brokers to me, complaining that '90 per cent of the people in North-Azraq have no lands because it is all with this 10 per cent'³¹⁹). Originally hailing from the Golan region, Sami had been immersed in farming while growing up. In combination with a certain prowess, this had translated in him becoming one of the first to open a farm in the Awshaq area, a region north-east of Azraq village that is now known for its agrarian profitability. Starting in the 1980s when the 'rush' for land began to take flight (see Chapter 2), and due to his familiarity with the area, he succeeded in positioning himself as a successful land broker – an intermediary between investors looking for a cheap buy on the one hand and members of Bedouin tribes (in Sami's case the *Sirhān* and the *Khraysha*) who wish to sell their individual share of their tribe's *wajihat* on the other. It was a demanding job that needed careful investment in maintaining relations of trust, both in the village and with the tribes. It particularly required the constancy of accurate and up-to-date knowledge of lands for sale and of continuously building and maintaining a personal social network 'with the sheikhs and with other powerful people'³²⁰. In other words, Sami worked hard

³¹⁷ Razzaz further notices that, in his case study Yajouz, since 1977, an interesting addition came with this condition of a lifetime guarantee, one which absolved 'the seller from protecting the buyer against intervention by the state. By the mid-eighties, almost all *hujjas* examined, included this distinction' (1991: 172 – emphasis in original). Hasan confirmed that *hujjehs* in Azraq equally include this addition.

³¹⁸ 18 November 2013.

³¹⁹ 25 November 2013.

³²⁰ Hasan, 12 February 2012.

to become the focal point of contact and of knowledge. As such, these land brokers' role can be equated with that of a cadastre: their role is to provide land investors insight into the local 'land-scape'.

Lastly, the informal, contractual nature of *hujjeh* proved especially workable for both the purchaser and the seller. For the buyer, *hujjeh* – as a contract drawn up between two people and two witnesses – this was a cheap way to buy land. This is unlike registration which is slow and cumbersome in Jordan – the process is seen as insufficient to the extent that it 'fails to provide the kind of support that encourages healthy activity in the real estate market or supports entrepreneurship' (US 2008: 4). This 'failure' is moreover reflected in the World Bank's annual 'Doing Business' 2011 Report in which Jordan ranked 106 (out of 183) on the Property Registration Indicator (WB 2010: 172). The time (twenty-one days), cost (7.5 per cent of the property value) and number of procedures (seven) to effectively get one's property registered were simply too high.³²¹ Thus, several events, development projects and practices in the country articulate an unease with the registration process: it is, as one former employee at the Department of Land and Surveys states, 'still long and complicated for no obvious reason' (Madanat 2010: 157). Consequently, in order to have a properly functioning market, the current registration process must either be simplified by reducing the number of procedures (e.g., USAID); by making the cadastre more accurate and complete (e.g., the EU³²²); or simply by by-passing it (e.g., the King, see General Introduction).

In the context of the 1970s, *hujjeh* provided an effective device to transact land that suited both the buyer and the seller: efficient, quick, cheap and performative of claims to communal landholding. What then, accounts for its demise today?

3.6 Milking *Hujjeh*

Like other land brokers in Azraq, Sami made his biggest profits during the initial period of 'frontier expansion' in the 1980s–1990s, as he took full advantage of the prospects offered by a national political economy directed towards irrigated agriculture and land speculation (see Chapters One & Two). Together with others, who had witnessed the high profits to be had from real estate developments in Amman, he quickly stepped in to provide potential investors with a channel through which their speculative capital could pour into Azraq. His profitable

³²¹ It is worthwhile noting that the same report ranked Belgium, generally regarded as having a properly functioning real estate market, 177th, with registration of property taking seventy-nine days, involving eight procedures and costing 12.7 per cent of property value (WB 2010: 149).

³²² One example concerns the EU-Twinning Project 'Reduce Discrepancies between the physical reality and the Graphical cadastral information in Jordan for the Department of Lands and Survey (DLS)' which was implemented by Swedesurvey and concluded in April 2013 (<http://swedesurvey.se/zh-hans/node/266>).

business, however, only lasted until the end of the 1990s. By then, Sami decided to quit his activities as a land broker:

*At first the state didn't care; they didn't mind but now you need proof. Before, the hujjeh was like tabu: it allowed you to take workers and trees, but now you need tabu even just to drink something! In the past, the hujjeh provided safety but not anymore. [...] I don't sell lands anymore; there is no trust and too many people play games.*³²³

I heard the same argument over and over again by others familiar with the land trade. Moreover, land investors themselves increasingly refuse to buy through *hujjeh*, demanding an official title deed to the land instead.

Sami's statement foregrounds two developments that are slowly yet steadily undermining the suitability of *hujjeh* as a device to trade lands: the breakdown of relations of trust that enabled *hujjeh* to function as a contract; and the repositioning of *hujjeh* within the administrative legal system. Neither of these developments resulted from active state policies aimed at destabilising the existing property arrangement or, as USAID and other donors would have it, from an active land registration process. Instead, the performative force of *hujjeh* as a sales contract resulted from the reordering of land's value described earlier: the encapsulation of land into capitalist relations and the concurrent rising importance of land as a tool for speculation. In what follows, I describe how both these processes put pressure on the existing property arrangement and, consequently, created the need for a different inscription device.

The account above clarifies that not all land in Azraq is equally 'open' to be bought through *hujjeh*. Indeed, the multiplicity of claims over land (whether by state authorities, Bedouin tribes or local communities) has given rise to a local 'map' of land tracts that are potentially up for sale. As my conversation with three employees of the MoA made clear, land in Azraq can be divided, amongst others, into state land/*ḥaraj* (forest land), state land/*marā'ī* (pasture land), state land/*maḥmijah* (nature reserve), or also state land/*wajihat*. Each of these have different 'rules' – rules of which most locals in Azraq are well aware. The areas under direct management of the MoA, such as the National Park as it was proposed in the 1970s (see Chapter 1), were hard to obtain.³²⁴ Despite numerous attempts, I was unable to get a hold of an official map representing these geographies: putting boundaries to paper, especially those of *wajihat*, is highly contentious, even if it simply concerns

³²³ 4 May 2014.

³²⁴ '[T]he National Park was never established fully, owing to political unrest, and plans for it were abandoned during the 1970s. Currently legal ownership of the site rests with the Forest Department in the Ministry of Agriculture, and as such is the property of the treasury of the Hashemite Kingdom of Jordan' (Azraq Ramsar sheet 1998).

land officially classified as treasury land. In Azraq however, people engaged or interested in claiming and/or selling land were mostly well aware of this geography. Saleh for example explained that a certain area in Azraq was known as an area outside of government interference. It was, he said,

land for the government but in the area of hujjeh. [T]hese are lands that are not for anyone: not wajihat and not state land.³²⁵

Although he then corrected himself noting that everything is state land in the sense that everything belongs to the state. Nevertheless, he continued,

these lands are not mukhaṭaṭāt – you know, without projects or [development] schemes. And it is not registered, like it does not have huḍ 1, 2, 3 etc. Yā‘nī, not for the people and not for the government.³²⁶

Those in the business, such as Sami, would draw a mental map based on information gathered through their extensive network (including state officials) and be able to direct potential investors towards this ‘no man’s land’ or otherwise connect those willing to sell their individual share of communal land. Such land was generally widely available throughout the 1970s and 1980s: not only were there relatively few land investors but the tracts of unregistered state land or land within *wajihat* up for sale was present in abundance. This, however, slowly changed over the past two decades during which the ‘land frontier’ gradually closed as the result of a combination of factors.

First, most of the ‘good’ land – land without black boulders to clear, land in the vicinity of roads, land with a low water table and so on – has been sold. What remains is either contested or, if the ‘ownership’ question is clearly settled, the owner is unwilling to sell his land, instead wishing to keep it undeveloped in order to speculate or to develop the land himself at a suitable time (i.e., when enough money is available). Aware of the economic value of land, most locals are also less keen on selling ‘their’ land. As both Druze and non-Druze interlocutors pointed out several times, many Druze ‘gave’ away their land at very cheap prices in the past. The recent changes described in Chapter 1, however, made many more careful and reluctant to sell their land. All this implies fewer options for potential land investors to buy land, especially given that most investors want ‘virgin’ land, not a pre-established farm. Indeed, those who have a farm (even if legal!) and want to sell it increasingly have trouble finding a buyer. One farmer attributed this to the asking price, which for some is far above the market price.³²⁷ When farmers sell their farm,

³²⁵ 12 June 2014.

³²⁶ Ibid.

³²⁷ Farmer1, 17 April 2012.

he clarified, they want to recover their initial investment cost, causing the asking price to assume unrealistic proportions. The man, whom Khaled referred to as the 'millionaire farmer' because of his success, was a member of a highly influential family: his brother had been Minister of Interior and another was Member of Parliament (MP). Uninterested in politics, he had become a land trader. He had bought his land in Azraq in 2004 but complained about the high costs of his investment: digging a well, paying for water abstraction licences, for the abstracted water (he paid them fairly he said), the energy cost, labour and other inputs.

All this put pressure on those engaged in the land trading business, leading to previously marginalised and immoral practices to become more frequent. Sami quit his business around the turn of the millennium in response to this development. Indeed, in order to make up for the 'deficiency' in land, investors are tricked into buying 'bad' land. One of Azraq's more notorious land brokers for example sold a piece of land to a French investor. The tract of land was close to the mudflat and the wells only produced salty water. The land broker however filled the well with fresh water imported from elsewhere and placed several large melons on the field so as to demonstrate the fecundity of the land. The Frenchman, unfamiliar with the area, believed her story and bought the land. It is a trick that I heard of several times.

More frequent is the practice whereby the same tract of land is simply resold again and again through *hujjeh*, often in mendacious ways:

*One of the problems outside [the village] is that the same hujjeh is sold to several people without them knowing it.*³²⁸

The individuals engaged in this practice are commonly called *naṣāb* in reference to the quality of one being deceitful and untrustworthy and to the practice of *naṣbā* – a swindle, a trick. These *naṣāb* profit from Azraq's 'imperfect market', as they are generally well-informed and well-connected individuals (It is perhaps no coincidence that three out of four more notorious *naṣāb* in North Azraq belong to the same wealthy and influential Druze family). The tracts of land being resold concern previously unclaimed tracts but also tracts whose owner has 'forgotten' that he holds them; does not know their exact whereabouts (think about Hasan's request to sort out people's *hujjeh*); or has not invested in his land yet (often out of practical or financial reasons). This reselling is enabled by the fact that *hujjeh* is not a historical document that traces the transactional history of a tract of land. This makes it easy for one to cut the network of transactions and reset the land's transaction history at zero. One employee from the MoA clarified that this risk was originally contained: 'you should give the original paper with it. So, if I bought from A and I am now selling to C,

³²⁸ NA2, 17 November 2013.

then I should give C the hujjeh contract that was written between A and me'.³²⁹ Yet, he added, most people are unaware of this practice. Indeed, data from interviews suggests that this is not customary (either out of sheer ignorance on the side of the purchaser, or out of opportunism on the side of the vendor).

Unlike Sami, who was cautious and careful to protect his reputation and to uphold the system of *hujjeh*, the *naṣāb* today exploit the fact that the purchaser takes all the risk. Whereas Sami aimed to avoid creating bad rumours, as it would have killed his business, the fact that land is increasingly valued for its potential to garner capital, smotheres the built-in social safety of buying through *hujjeh*. People, several Azraqis noted, only see money when they look at land. This sentiment was expressed most directly by Saleh when I last spoke to him in 2015. Looking dispirited, he asked whether I had sensed the change that had swept through his village over the past years: *'everybody wants money now'*. Trust, he felt, was no longer as valued as it used to be. People in the village were chasing money, it was taking over the village – and it acted as a destructive force. He witnessed it in the farming area where farmers noticed a strong increase in theft and chicanery as well as within the village, and even within families, where greed was taking hold. Many people in Azraq shared his opinion.

As such, with the core element of 'security' in the hands of the purchaser being lost, the door is open to chicanery and abuse. Effectively, as most of those dealing in *hujjeh* are aware, when push comes to shove, the purchaser has little to fall back on. When the French buyer went to complain at the DLS office, the only answer he received was that he should have known better. As a high-placed official at the DLS admitted, many people are *'not aware of the fact that this wasn't a legally recognised document. I get many of these cases'*.³³⁰ The problem is often that the buyers have little space to fight this injustice:

*[[I]t is difficult to go to the government to complain about these practices because basically everybody will lose. If there are problems on the ground about land, the government immediately freezes everything and nobody can claim the land anymore.*³³¹

Ironically, some land brokers succeeded in turning even court cases into an opportunity to extract value. Indeed, when the seller takes his case to court and wins, the vendor is obliged to hand the money back. Given that most have, by then, spent the money elsewhere, the accused is then forced to repay the wronged party

³²⁹ MoA2, 28 May 2014.

³³⁰ DLS6, 30 April 2012.

³³¹ Hala, 18 November 2013.

in small instalments. Hasan therefore likened *hujjeh* today to 'a good and easy loan without interest'.³³²

As such, today it is not only land but *hujjeh* itself that has becoming a source through which to accumulate capital. This steadily unravels the set of relations that underpin a sound operation of *hujjeh* and as such induces a move favouring the use of *tabu* – a title which firmly places protection and security on the side of the purchaser, not the vendor. Indeed, *tabu* reorders relations of control and knowledge over land tenure and advances the treatment of land as a commodity.

Simultaneously, there appears to be a growing unease with *wajihat* – the claim underpinning the use of *hujjeh* – amongst non-tribal Jordanians. That is, tribes' contemporary rhetorical justifications to claim *wajihat* are cast in terms of a 'historical right':³³³

Yes, this is our land and by virtue of our right we and our ancestors have lived on these lands for hundreds of years and this is attested by the big orientalist and historians.³³⁴

Or also:

[T]ribal members consider the lands located in their region theirs since [their ancestors] took control of it through invasions before the constitution of the state.³³⁵

This emphasis by tribal Bedouin that ownership of the land was established *before* the emergence of the Jordanian state is a characteristic feature of contemporary arguments against state appropriation of tribal lands. Yet, while it is meant to underscore the tribes' historical belonging, it simultaneously feeds into the growing discussion regarding the incompatibility of *wajihat* – portrayed as a traditional, pre-

³³² Hasan, 7 May 2014.

³³³ Translation – *ARIJ*, January 27, 2014.

³³⁴ Translation – *Amman Net*, February 15, 2011. Interestingly, historical itinerary literature is used by Bedouin to back their cases and not, as is the case of Israeli state discourses that refute Bedouin land claims (Meir 2009), by state authorities. In terms of proof, the added value of these accounts depends on the kind of information sought after. While they are called upon here to merely confirm Bedouin *presence* within these lands, the Israeli state discourse backs their claim of Bedouin non-ownership by referring to the *kind* of Bedouin presence (non-settled, discontinuous (if any) land cultivation, etc.) reported in these sources.

³³⁵ Translation – *Sabil*, January 4, 2015; emphasis added. Some even invoke international law and in particular Article 14 of the International Convention No. 169 of 1989 on the protection of tribal peoples which stipulates and asserts the 'recognition of the rights of indigenous peoples and tribes to own and possess the lands which they have traditionally occupied'. Translation – *ARIJ*, January 27, 2014. Reference here is made to the 1989 convention of the International Labour Organization (ILO) on Indigenous and Tribal Peoples, also known as ILO-convention 169. Article 14 reads that 'The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised'. Jordan is not a signatory to this convention. See:

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312314

state and tribal customary property arrangement – with that of the modern state.³³⁶ These interpretative conflicts about the nature of, and rights inherent in, *wajihat* importantly (in)form national debates around the (modern) state. Indeed, the ‘historical right’ argument places the debate over *wajihat* along a modern/traditional axis by projecting *wajihat* as a customary mode of ownership unbecoming a modern state. This is clearly epitomised in the headline of an *‘Amman Net* article in early 2011, which asks: ‘Does tribal wājihāt contradict the concept of a modern state?’³³⁷. The article’s question itself articulates an internalised temporality of private property law which ‘has been hijacked by a particular conceptualization of progress’ (Bhandar 2015: 64). For most Jordanians I spoke to, *wajihat* is not regarded an intelligible form of ‘private property’ – itself equated with ‘the very essence of civilization itself’ (ibid.). Consequently, the demand for ownership based on historical precedence is often ridiculed by urban, ‘non-tribal’ Jordanians (including media and government staff) and put aside as lacking any solid, legal foundation: ‘[I]t cannot be that the state distributes millions of acres based on popular knowledge and memory dating back to the beginning of the last century’³³⁸ – although these are precisely the two properties upon which the practice of *hujjeh* is built.

The whole discussion is demonstrative of the political potency of property concepts. In the case of *wajihat*, demands to recognise it are so politically sensitive because of their capacity to (re)order the relation between the state, land and tribes that make demands to recognise it so politically sensitive, especially given that any inclination to acknowledge tribal land claims would jeopardise state sovereignty and undermine the already fragile unity of Jordan’s national identity.

3.7 Taking the Taboo out of *Tabu*

The closing of Azraq’s land frontier caused the process of buying and selling land in Azraq to become increasingly dominated by rules of individual profit and competition, more than of trust and on-going responsibility. This was reflected in the use of *hujjeh* which shifted from being a contract to being a device to extract money. As such, it furthered the unravelling of the set of relations and beliefs that

³³⁶ What exactly defines a ‘modern state’ is never expressed although most commentators emphasise the implementation of a rule of law, on the absence of privileged citizens (all are equal) and the legal predominance of written sources. For examples in the (social) media see Amman Net, 15 February 2011: “Does tribal wājihāt contradict the concept of a modern state?” and the forum discussion on Amman Net, 17 February 2011: ‘Do you agree with the accreditation [tafwīd] of tribal lands under the name of “wājihāt ‘ašā’irīyyah”?’

³³⁷ Translation – *Amman Net*, 15 February 2011. The article lists different opinions and has an extensive ‘commentary section’ in which some people agree with the proposition but, given that they do not perceive Jordan as a ‘modern’ state, see no contradiction in Jordan’s case. Others reject demands for *wājihāt* because it is an outdated concept.

³³⁸ Translation – *ARIJ*, 27 January 2014.

underpinned a successful working of *hujjeh* while simultaneously inducing a move towards the use of *tabu*. As an official registration device, *tabu* embodies a reordering of relations of control over land (now increasingly centralised in the DLS) and advances the treatment of land as a commodity dis-entangled from wider socio-environmental relations (see Chapter 1).

This move towards the use of *tabu* is furthermore accelerated by the fact that state policies are gradually dis-entangling *hujjeh* from particular fields of government. Indeed, whereas a *hujjeh* deed in the 1980s enabled its holder access to different means of production (capital, labour, water), this is increasingly being undone. This came as a response to the government's attempt to reconnect different fields of government (after having set them up as largely unrelated; see Chapters One & Five) in a growing realisation that controlling water extraction practices requires not only rendering the latter legible, but also its relations to, amongst others, access to land. In the wake of the 2002 by-law on groundwater extraction, for example, the MW&I allowed farmers to legalise their well on the condition that the land was legally registered through *tabu*. Initially, this had little effect on the ground, if only because the authority to grant *tabu* resides with the DLS, not the MW&I. Thus, even if farmers wanted to legalise their well, they would first have to successfully apply for *tabu* which, as I explain in the following chapter, is no easy feat. Moreover, the WAJ's failure to crack down on illegal wells and the farmers' general mistrust of the WAJ's promises was enough to keep them from legalising their well or their land. However, this attitude, some claimed during my last year of fieldwork, was changing because there was a general perception that '*this time, the government is getting serious*'.³³⁹ Others however, contradicted this: despite the launch of a nationwide crackdown on water theft and violations since the summer of 2013 and the Ministry's vow to stand up to so-called 'influential' farmers, little had changed. Those that do legalise their well, often do so due to the fact that the land's value can increase tenfold (from 40 JD/dunum to 500 JD/dunum) if it contains a legal well.³⁴⁰

Another field of government that *hujjeh* was dis-entangled from concerns that of labour. In 2014, Azraq's privileged legal position with regards to using *hujjeh* to be granted work permits for foreign labour was retracted. Simply holding *hujjeh* – regardless of the productive value of the land – could make a man rich because it allowed him to cash in on the construction boom in Jordan's rapidly growing urban centres, which had raised the demand for (cheap) labour (see Chapter 2). Previous attempts to dis-connect *hujjeh* from labour permits had always failed because '*it became a big revolution every time*'.³⁴¹ Additionally, the MW&I also declared that it would revoke the permits of guest workers if the farm had an illegal well.

³³⁹ Khaled, 10 November 2013.

³⁴⁰ WAJ-L1, 6 June 2011.

³⁴¹ Khaled, 10 November 2013.

Finally, the legal status of land was actively linked to energy:

*To have electricity, you must go to the Ministry of Energy but it's a private company who places everything. If you want electricity, your land needs to be registered.*³⁴²

This is important since, in the total expenses of farming in Azraq, the percentage of water charges is low compared to the share of energy cost (Fischer 2013: 84). As long as diesel was subsidised, pumping was a relatively cheap affair. However, the cut in subsidies and rising oil prices has turned energy into the highest cost for farmers in Azraq. Some have even gone out of business because of excessive energy costs. With the promise of access to electricity, Khaled rightly remarked, '*the government had an important weapon in their hands*' to stimulate farmers to register their well and land.³⁴³ Unfortunately, he continued,

now there is solar energy which has become cheaper and cheaper and the government doesn't have a strategy to deal with solar energy. In the past, it was still cheaper to legalise your well [...] Now it isn't anymore, and prices are going down really quickly: from 1.5 JD/watt two years ago [2011] to 0.6 JD/watt. This is problematic because, as they [the farmers] say: 'Now we don't need government anymore, we have our own energy source.'

These reorderings are gradually making *hujjeh* obsolete, not only as an (informal) title but also as an entitlement to a means of production. Contrary to the 1970s, holding a *hujjeh* today no longer provides one with (legal) access to the inputs necessary to run a profitable (or at least a non-onerous) farm.

3.8 Conclusion

In this chapter, I demonstrated that the unravelling of *hujjeh* is not necessarily the consequence of it being declared illegal, but the consequence of earlier described processes: the closure of the land frontier, the shifting value of land and the fact that agriculture is no longer profitable. All this led to a shift within Azraq of *hujjeh* as a contract to a device to extract money. This, in combination with a gradual reordering of the *hujjeh* within government administrative networks made the *hujjeh* increasingly less successful as a means to transfer land. Indeed, the fact that *tabu* is gradually taking over *hujjeh* is thus less related to the fact that, as USAID and de Soto would have it, it facilitates the 'integration' of land into the sphere of the

³⁴² Saleh, 18 May 2013.

³⁴³ 3 June 2013. Although, counter to the goal of the MW&I and other state institutions, most farmers expand the land under cultivation once they change to electricity.

market, but because the shifting practices and relations with regards to *hujjeh*, increasingly reordered it as illegal, aberrant, arbitrary, cultural, and insecure.

This gradual shift importantly helps effect an alteration of the property arrangement in Azraq. *Hujjeh*, for example, distributes, enacts and effects a particular distribution of social control, knowledge and authority over landholding in the area. *Tabu* on the other hand cuts land lose from localised relations of belonging, and, through this, performs land as alienable and controllable from a distance. The increasing use of *tabu* thus also, importantly, reflects a particular organisation of power and authority as registration implies that knowledge about land ownership is concentrated and centralised in one place.

4 (Im)proving Land Ownership

*[A] form can only appear with its appropriate properties
– or else it has not appeared.
Strathern 1999: 15*

*Property emerges where someone can envision it, or more
accurately persuade someone else of one's envisioning.
Demian 2004: 64*

4.1 Introduction

Tabu, I illustrated in the previous chapter, is in demand. It provides security and legitimacy to the landholder and it raises the land's market value. However, when I left Azraq in 2015, *tabu* was in short supply. Hala estimated that as little as 10 per cent of the cultivated land was held with an official title deed.³⁴⁴ This does not necessarily pose problems for landholders: while they might not have *tabu*, they nonetheless act as if the land was officially theirs:

[T]hey live on the land, it's their land but it's not legally theirs.³⁴⁵

One MP member who has a farm west of North-Azraq acknowledged that the line between *de facto* and *de jure* landholding can be fuzzy. The land he claims is not legally his property, yet he already acts and talks as if it were: he excludes others from it, feels free to sell (parts of) it, and has built/cultivated on it. Others in the same situation (re)acted likewise: everyone in the village, they stated, knows that the land is theirs through heritage, through the tract's land-use history, or more simply because they had seen the possessor work the land. In other words, within the local community the land had acquired a property-like status and could consequently be treated as such. Yet, while the property relations might be acknowledged and recognised within the local context, to obtain *tabu* these relations need to be made legible to 'the state'. The latter however, to paraphrase James Scott (1998), sees things differently. Quite literally.

In this chapter, I examine the practice of revivification – literally (and most ironic in the context of Azraq's lost oasis) bringing the land (back) to life – as a contested method to make property legible to state authorities. Revivification, Azraqis assured me, is one of several ways in which (temporary) possession of state land can be

³⁴⁴ 12 June 2014.

³⁴⁵ DLS3, 19 September 2012.

turned into private property. It is by far the most popular because, contrary to other ways of obtaining *tabu*, it essentially embodies freedom, independence and an entrepreneurial spirit.³⁴⁶ Revivification usually consists of clearing and delineating the land in question by placing a wired fence or a row of trees, then cultivate it by digging a well and planting fruit trees and, most frequently, structures are also built. For many, these visual manifestations constitute the ‘appropriate properties’ that make private property legible to state authorities because they materialise the (re)activation of the land’s productivity through physical and endured investment – the basis to a legitimate claim to land ownership.

Yet, despite people’s success stories about how they acquired a title deed through revivification, the practice is contested. Many Azraqis are particularly uncomfortable with the recent abuse and exploitation of this practice by ‘outside’ land investors, especially because it is happening at the expense of an oasis. As one Azraqi put it:

*The government is trying to save their lands and the people they are working the land to have it. So, there is a conflict in this thing. But in Jordanian law, any person who gets a land and reclaims it or has a home in it or a tree or well, he can have it. So, this is the law. I hate this point in the law. Really.*³⁴⁷

Revivification, according to him, is meant to award those in need of land to sustain themselves. It should not be a tool to turn land into a vehicle for capital accumulation and become rich through speculation.

State authorities take the same stance, not only because of land’s mounting status as a major political and economic resource, but also because revivification implies the encroachment on state land. Consequently, the practice’s legitimacy has gradually been curtailed by means of law and regulations since the 1960s. Most of these legislative efforts have been fruitless though: revivification persists and is even a blossoming practice. Azraqis themselves attribute this failure to restrict it to several causes: pervasive corruption and extortion; lack of enforcement and of

³⁴⁶ The other two are projects of *makramah* or royal endowment and *taswiyeh* or settlement. A *makramah* usually comes about after a royal visit during which the King or other royals hands out ‘gifts’ – preferably in the form of housing projects or land dedication. A ten-year moratorium is placed on selling the land after it was given. The practice of *makramah* in Jordan can be viewed as an important political tool in maintaining a (monarchical) form of governing the social in the sense that it is used to keep specific constituents close and/or quiet (Lenner 2014). Over the past two decades, King Abdullah II has gifted Azraq with two *makramah* projects: one housing *makramah* in and one land. The *taswiyeh* or land settlement procedure is based on the 1952 Land and Water Settlement Law – itself an amended version of the (British induced) 1933 settlement law upon which the land settlement projects carried out by the British between 1933 and 1952 were premised (Fischbach 2000: 104-116; 188). The request for *taswiyeh* cannot be done on an individual basis but is made in a group of people who together claim or cultivate at least 6000 dunum (Al-Naber 2016:35).

³⁴⁷ NA3, 2 June 2011.

crystal and unambiguous rules and regulations; and also the absence of satisfactory alternatives to revivification (as the respondent quoted above put it: *'Here in Jordan, the government is teaching people how to be a thief'*³⁴⁸).

In this chapter, I intend to draw attention to another element of revivification: its inherent 'visuality' as a technique to bring property into being. Revivification has a very visual – even spectacular (in the sense of spectacle-like) – dimension to it; unlike the *hujjeh*, revivification calls to be seen: *'You must show investment'*.³⁴⁹ It needs an audience to 'read' it. My conceptualisation of revivification as a 'text' to be read or a spectacle to be seen clearly draws on Carol Rose's conceptualisation of a property claim as an act of communication (1994). Property, she posits, is largely an exercise in persuasion: it is about convincing the other(s) of one's envisioning of property (Demian 2004: 64). As a form of communication, the success of a property claim depends on whether one communicates 'clearly and distinctly about one's claims to property' (Rose 1994: 16). A prerequisite to a successful claim is that it is done 'in a language that is understood [and which will] vary according to the audience' (ibid.). That is, the form or act through which property is brought into being is culturally and historically contingent and shifts according to the 'audience' one speaks to. Most people in a Euro-American context for example will comprehend a hedge as a clear communicative act of ownership (Blomley 2007). Few however will think of a song (as custom in Aboriginal and Torres Strait Islander society (Koch 2013)) in the same manner. If we wish to understand why revivification remains successful and widely practised, it is therefore informative, as I do in the first two sections of this chapter, to chronicle the emergence and (failed) contestation of revivification as a clear, distinct and legitimate 'text'.

Having outlined the origins of the popular acceptance of revivification as a text, I then move to discuss the ways in which the particularly visual dimension of revivification is entangled with, and plays on, ongoing frictions over the land tenure regime (communal, public or state). This requires that we attend to Rose's acknowledgement that even 'the clearest text may have ambiguous subtexts [including] the tacit implication that the text will be "read" [1] by the relevant audience [2] at the appropriate time' (ibid.: 17 – enumeration added). Indeed, as a revelatory act, revivification constitutes a non-excludable act of communication: the visual manifestations of it 'cannot be restricted to circulation between a limited number of parties' (Demian 2004: 65). Thus, land claimants cannot restrict their 'communication' to state authorities only. In a context whereby communal land tenure relations (see Chapter 3) are still dominant, this renders the consent or approval of state authorities secondary to that of the community. Second, revivification is not only unlimited in its scope of audience, it also cannot be

³⁴⁸ Ibid.

³⁴⁹ Omar, 4 June 2014. Emphasis added.

restricted in time. With trees maturing over a course of at least several years, it is close to impossible to choose when the text of revivification will be ‘published’ (Rose 1994: 17). Contrary to the local community, where the other is continuously present and can thus ‘read’ the text at any one moment, state authorities’ presence and interventions are far less constant or predictable. Indeed, as I will demonstrate, the erratic and *ad hoc* nature of state interventions leaves certain openings for land claimants to conduct the timing of the state authorities’ reading of the claim or, conversely, to undo any potential ‘misreading’. A closer examination of both subtexts then reveals that revivification’s performativity – its successful endurance – is also related to the ways in which its material dimensions aligns with certain ideas (e.g., communal belonging) and practices (e.g., *hujjeh*) of property and not with others.

Attending to the particular dimensions of the techniques through which property is brought about, and the ways in which these affect and link up with existing ideas and practices of property, thus provides a broader insight of the intricate dynamics involved in the (trans-)formation of new property regimes. It supports the call to pay closer attention to the ways in which materiality matters in property-making (Blomley 2007). It also, as I detail more closely in the conclusion, complements research about the constitutive relation between property and the state.

4.2 Legacies of the ‘Improvement Principle’

Unravelling the dynamics of property-making in Azraq is a daunting task. Abdullah always enjoyed seeing me frustrated whenever I came back to the village after another round of interviews with (high-level) policy-makers in Jordan’s capital Amman. Through these interviews, I hoped to obtain an official view of the legal and institutional basis of the ‘improvement principle’ – ‘*No tabu without plants*’³⁵⁰ – upon which property-making practices in Azraq are based. Abdullah usually listened carefully to the information I had gathered, sometimes providing his own view on my data, at other times adding things he himself had heard or seen.³⁵¹ One single time he got upset, telling me with an angry voice that I should classify all I had heard as *hakī fādī* or ‘empty talk’ given by those in power who feel free to proclaim whatever comes to their mind but who are actually ignorant of local realities. Yet, it fascinated him, he once said, to gain knowledge through me because

³⁵⁰ 4 June 2014.

³⁵¹ Besides taking our conversations as ethnographic data, I therefore also, perhaps naively, hoped the information I provided him would be of some use in advancing his own property-making endeavour. A WhatsApp message in 2017 made clear he had lost his case.

'by going around you are learning not only what people think they know about the law but also how they understand it'.³⁵²

Tracing 'the law' in Azraq is fascinating, especially given most villagers' belief that there simply was 'no law' regulating the ways in which land can be claimed. Omar, a long-time resident of North-Azraq well-endowed with land within and adjacent to the village borders, is one of them. According to him, owning a title deed through cultivating the land dates from a long time ago: it was an Islamic law, which held that if one makes an effort, he has a right to the land. He insisted that I approach people's ideas on how to obtain land as something '*al-a 'ādī, mush al-qānūn*' (a usual practice, not the law)³⁵³: it had grown naturally more than been instigated by any (statutory) law. Others, like Hasan, had equally insisted on this: '*it isn't mentioned anywhere in any law, this is just how it is generally felt like and understood*'.³⁵⁴ In the following paragraphs, I shortly trace the historical and religious roots of the 'land improvement' principle to demonstrate its long and deep-seated legacy in the region.

The principle has its roots in Islamic law in accordance with Prophet Mohammed's hadith³⁵⁵ that 'he who revivifies dead land becomes its possessor' (Razzaz 1991: 116). The Druze openly appealed to this hadith during the formalisation process of their village land in the 1970s (see Chapter 1). As the journalist who reported on the case in the Arab newspaper *al-Rā'ī*, noted:

[t]hey [*the Druze*] reclaimed land together with the tribes like the Sirhan and the Shararaat. They built mud houses in the area and established farms hoping that one day they would receive it as a property based on the words of the Prophet: 'He who reclaims dead land, it is his'.³⁵⁶

Based on this premise, the author of the article continues, the Druze claim to land had some validity 'because the land of Azraq was dead land and the current population reclaimed it: they set up the houses and the farms... the land is for those

³⁵² 5 June 2014. In hindsight, my going back and forth between Azraq and Amman entailed a performance of the division between 'law' on the one hand and 'society' on the other. I constructed and enacted the law as an abstraction which I sought to 'find' in Amman and, travelling back to the 'concrete' Azraq, against which I could consequently set 'reality'. Law, however, has no essence (Mitchell 2002; Blomley 2014a). It is performed through a set of practices through which social legal reality emerges.

³⁵³ Omar, 4 June 2014.

³⁵⁴ 11 June 2014. People's discursive practices – their continuous reiteration and citations of the idea that '*the law gives land to those who work it*' – are in themselves performative of property. Blomley (2013) in this respect points out that an argument for property (or a certain form of it) is equally performative of property as is building a fence or signing a contract.

³⁵⁵ Reported saying of the Prophet Mohammed.

³⁵⁶ *al-Rā'ī*, 23 April 1979.

who cultivate it'.³⁵⁷ Even Prime Minister Wasfi Tall was said to have openly confirmed people's feeling of entitlement based on the same principle:

Rejoice with the good news, the *tabu* of the land is with you and the land is yours. You are the people most entitled to it, and you are its people – without you the land would have been *useless*.³⁵⁸

These repeated references demonstrate that the principle is deeply engrained and often invoked, even by senior politicians.

However, this yet informal 'ownership through land use' principle contradicts the legal and political system that heavily relies on state or treasury ownership of land. It is informative in this regard to read scholarly work about 15th to 18th century Ottoman rule (e.g., Cuno 1995; Johansen 1988; Lewis 1987; Mundy 2010; & Mundy & Saumarez Smith 2007). In these works, the authors (indirectly) point out the struggle of the Ottoman authorities to reconcile their policies with the idea that cultivation entails landownership.³⁵⁹ Given the particular financial-administrative and socio-political structure of their rule (fundamentally based on the premise that ultimate ownership of the land resided with the treasury)³⁶⁰ they could not concede cultivation such a rights-establishing-power. This conundrum was temporarily solved through creative legislation which 'rewarded' the peasant by forcibly tying him to the land: he could no longer freely give up his land for any reason save physical disability and was even returned to his land up to fifteen years after abandonment (Mundy 2010: 402).³⁶¹ In a sense, it implied a reversal of the contemporary object/subject ontology inherent in Euro-American governing of property relations (Strathern 2005) having proven to be capable of stimulating the productivity of the land, the cultivator now *de facto* belonged to the land instead of

³⁵⁷ Ibid.

³⁵⁸ Ibid. – emphasis added. Tall's reference to the hadith here is interesting because it clearly excludes some of the Bedouin's contemporary claims to land (grazing is not regarded as a 'productive activity'. It marks a tension with the idea described in the previous chapter whereby historical presence is seen as constitutive of property more than what was/is actually done to the land).

³⁵⁹ This discussion concerned arable land, not 'dead' land. My reason for pointing this out, however, it to emphasise the potential incompatibility between a theory of labour (or improvement) and certain logics of government.

³⁶⁰ Crucially, 'the principal characteristic of the classical Ottoman land system was direct state control of the peasant and the soil, a system which had grown up to meet the military and financial needs of an absolutist administration' (Inalcik, Op. Cit. Karpat 2002: 332).

³⁶¹ Moreover, in case the peasant fled, he remained liable to pay his taxes on the land until another peasant cultivated it. If the fugitive died, his son was held responsible for the land's cultivation and payment of taxes (Mundy 2010: 402).

the other way around.³⁶² The inhuman consequences of this system for the farmers eventually led muftis³⁶³ (Islamic legal scholars) to advocate the end of the system).

For the British Mandate authorities, who operated under a completely different political reality and for whom land in the Badia was of no direct (political or economic) importance, agriculture and its derivative land ownership actually functioned as a device of state formation because it eased the subjugation of the Bedouin to British law and order. Indeed, as Glubb noted, his 'primary object of encouraging the bedouins to take up cultivation is economic. But there is also a political aspect to the question'³⁶⁴: it promoted a type of property under which the owner could no longer be 'stateless' or 'take all his wealth and family with him [...]'.³⁶⁵ Clearly, and despite its religious backing, the ruling authorities' attitude towards the principle has been ambiguous and often highly politically motivated. This is evident in the policies regarding revivification since at least the 1960s when 'a growing state, with a growing bureaucracy, power, and appetite for land [...] was not about to loosen its grip on the distribution of resource as vital as land.' (Razzaz 1991: 118). Consequently, policies aimed at reasserting state ownership of the land, at restricting universal access to 'dead land' and at curbing the application of the revivification principle were put in place. The majority of these revolved in one way or another around two unresolved issues within the Prophet's hadith: the definition of revivification or making the land 'productive'; and the question whether or not revivification requires prior consent.

4.3 On Being 'Productive'

Productivity, several authors stress, is what sets revivification apart from mere acquisition or appropriation (the latter is manifested, amongst others, in putting a fence or building a stone wall around the land). Kahf (2013: 18) for example, emphasises that the latter does not provide sufficient justification for ownership 'because acquisition of land may only be an exercise of power rather than a

³⁶² Note that Tall's earlier cited statement does the same: 'you are [the land's] people'.

³⁶³ Muftis wielded 'interpretative power' by ruling about proper Islamic conduct and what was deemed acceptable by Islamic law (Hathaway 2008: 120-121). They were recognised by their local communities as sources of juridical authority in the sense that they gave legal opinions rather than being law enforcers. Certainly, in the 17th and 18th centuries one could detect, as Mundy and Smith (2007: 22) remarked, a renewed 'spirit of neo-classicism' referring to pre-Ottoman Hanafi sources even though each of the referenced muftis were children of their (Ottoman) time.

³⁶⁴ '[T]he objects of encouraging bedouin cultivation [are to] give them fixed property in the country, which they stand to lose if they commit a crime and have to flee the country'. Glubb, December 1938 (MECA 12 - 1986)

³⁶⁵ Ibid.

productive undertaking'.³⁶⁶ For property to be established, the use of the land must create added value:

For land, the Shari'ah adds one more restriction or rather one more condition. Acquisition of a free land alone is not a reason for ownership. Free land is open for anyone to create economic value by bringing it into the production cycle, only then it can become a private property. Further, the Islamic law also requires that this revivification must show reasonable stability before an ownership right is created on the land. If you make it productive and it shows a stable production for some period of time, not only a couple of months, then you can add it to your private wealth (ibid.: 30).

The emphasis on the cultivation of *land's* productive potential distinguishes the principle from other (predominantly Euro-American) principles on 'the origin of property': consent theory, labour theory, and the theory of (first) occupancy or possession (Rose 1994: 11-12; MacPherson 1978). It also marks the socio-economic roots of the principle: not the individual's desire for land but the benefits this landholding might bring society at large were central.

Yet, despite the fact that land's 'productivity' is at the heart of the principle, there is no straightforward definition of what 'productivity' entails. Indeed, '[o]n the nature of what constitutes giving value to land so as to create a property right, the different juridical schools are not in agreement [but a minimum requirement is that] giving value to it must consist of useful and productive work' (Delcambre 1989: 869-870). Throughout this chapter I will demonstrate the kind of practices recognised as constituting 'useful and productive work', fundamentally remains up for (political) grasp. Here I first wish to highlight one historical, legal-political interpretation of 'cultivation' as productive work because it is critical for our current understanding of Azraq's contemporary (ecologically wrecked) landscape. Cultivation is considered a practice that adds value to land but it needs to be a particular kind of cultivation. As clear from the previous citation, the cultivation 'must show reasonable stability' with a demonstrable 'stable production for some period of time, not only a couple of months'. Thus, as most land claimants in Azraq admitted, seasonally grown vegetables such as tomatoes or cash crops such as alfalfa will not suffice for a property claim. Tree cultivation on the other hand, as also clear from the legacy of the Ottoman Land Code of 1858, is regarded as a 'productive activity'. The Code is even more specific, stipulating that 'cultivation by fruit trees [is] *the only form of tree cultivation*' (Braverman 2008: 462 - emphasis added). This is one of the

³⁶⁶ *Mawāt* originated in the densely populated rural areas where the reality of its application was totally different (Meir 2009: 837).

reasons why olives trees (defined as a fruit tree as opposed to, for example, pine trees), are so omnipresent in Azraq: between 2000 and 2004 olive tree coverage increased significantly from 10,337 to 34,900 dunum (and this despite decreasing water availability and economic profitability, see Chapter 2).³⁶⁷ Undoubtedly, the popularity of the olive tree also has a cultural, economic and ecological footing:

*Olive trees are very hard plants. They can withstand salinity and hot weather, dust and everything. They give you some kind of produce but it's not optimal at all. And there is a deep affiliation: we feel we like olive trees; it immediately gives you the impression of the Holy Land and oil. It's a popular tree here. [...] olive trees are the obvious choice, both for traditional reasons and because they are easy to farm.*³⁶⁸

However, cultural affinities and agricultural productivity aside, the olive simply tree easily lends itself to be exhibited as a proof of successful investment. Thence, they are especially crucial in the context of reclaiming land:

*[E]specially for this land appropriation - this agricultural investment - it was very easy to have olives [...] that simply survived and demonstrated there was a continuous investment into the area and for that olives were most suitable.*³⁶⁹

Trees are indeed most appropriate: their physicality grants them a presence that cannot be ignored and that is hard to undo once maturity is reached. Indeed, once the trees are productive, they will seldom be cut down, regardless of the legal status of the land. They thus constitute the idea tool of communication as appropriate indicators of *the passing of time* – an important element of property for state representatives (see *infra*). Indeed, it is endurance as evidenced in the continuous, long-established connection to the land that serves as the criterion through which one's worth as eligible proprietor is evaluated and measured, including for state representatives. As such, they are the most tangible materialisation of a fundamentally intangible criteria (the passing of time).

³⁶⁷ By law, trees are also protected in the sense that, unlike vegetables, water allocation to sustain existing tree cultivation, is assured. Clause 39 of the 2002 Groundwater Management Policy for example states that: 'Priority shall be given to the sustainability of existing irrigated agriculture where high capital investment has been made. In particular, trees irrigated from groundwater shall continue to receive an amount sufficient for their sustainability with the use of advanced irrigation methods' (Pitman 2004: 8).

³⁶⁸ GIZ3, 24 May 2011.

³⁶⁹ GIZ2, 14 June 2011.

4.4 To Improve or Not to Improve?

Besides the lack of a clear definition of what constitutes revivification of land, there is, within the four main schools of Sharia jurisprudence, no agreement on whether or not revivification requires prior permission from the state (or civil court) (ibid.). This point is important because this is one of the means through which state authorities can limit and control practices of revivification – an essential factor in a country like Jordan where state land is (ab-)used as a means to appease and consolidate loyal political constituencies.³⁷⁰

Throughout the 1960s and 1970s several laws were promulgated aimed at, on the one hand, restricting access to state land (especially mawat land) while, on the other hand, developing legal mechanisms to regain control over its allocation (Razzaz 1991: 116; see Chapter 1). These laws responded to the spiralling encroachment on state land following soaring land prices in urban areas. Remarkable about these laws is that they prevented and criminalised revivification of dead land *without prior approval*. In 1961 for example a law was passed which legally brought unregistered private lands under direct state control ‘*with no obligation to consider any claims of previous use of possession by groups or individuals*’ (ibid.: 119 – emphasis added). The law contained clear sanctions against trespassers of state land ‘without any consideration to any claims of possession he produces’ (ibid.: 121). The Agricultural law of 1973 explicitly states that any investment in the land is prohibited, fining up to 100 JD anyone who, amongst others, ‘opens a rangeland, plows, digs a well, or constructs anything on rangeland’ (Juneidi & Abu-Zanat 1993: 16). An amendment to the 1961 law in 1977 augmented the penalties and essentially declared that

the principle of passage of time and revivification as sufficient conditions for prescription (**wad’ yad**) were deemed invalid without a prior permission from the authorities (Razzaz 1991: 121 – emphasis in original).

It affirmed the fact that prescription can only lead to formal granting (*tafweed*) if a prior permission from the relevant authorities is obtained – which is seldom the case. Since at least the 1960s, the Jordanian authorities have aimed at retracting or at least limiting and controlling the application of this principle through legislation. For some officials, such as the head of the DLS office in Zarqa whom I interviewed in June 2014, the old Ottoman law that grants ‘dead land’ to the person who revives and farms it, is now simply null and void.

³⁷⁰ After ‘Black September’ (1970) for example, the government ‘promoted the “Jordanization” of Jordan. Part of this process in effect allowed East Bank tribes to use state-owned land as a way to attract and maintain tribal support for the government’ (PLUSD, June 2007).

Clearly then, efforts have been made to institutionalise laws aimed at *preventing* unauthorised prescription. However, those laws intended to provide ‘guidelines and criteria for state allocation of dead land (**mawat**)’ were not (Razzaz 1991: 118 – emphasis in original). This is not to say that no legislative efforts were made; they were simply left ‘toothless’. One such attempt to clarify and rationalise the allocation of state land concerns law nr. 60 of 1964 (Razzaz 1991: 122). I will detail some of its stipulations because they have been mentioned by my interlocutors on several occasions. The 1964 law states that the land must have been ‘used’ (*taṣarrūf*) for more than ten years before a request can be made; that the land must not be part of municipal or zoning areas; that at least 75 per cent of the requested parcel must have been revived; and that – if all criteria are met – land is granted (*tafweed*) for a sum (*badal mitl*) of minimum 50 per cent of the land’s estimated market value (*ibid.*). This law offers some preliminary ‘properties’ of property’s form that are still cited by land claimants today: the ten-year span, the importance of land being ‘non-zoned’, as well as the fact that at least 75 per cent of the land must be claimed. It is useful however to recall that this law was promulgated *after* the 1961 law (which lifted state institutions’ obligation to consider claims of possession to dead land prior to its disposal and which created special courses to deal with state land encroachments), but *before* its 1977 amendment which effectively made any claim without prior consent from the concerned state authorities, invalid. Another attempt at clarification is law nr. 17 of 1974. This law deals specifically with the granting (*tafweed*) of leased or granted state land – thus cases in which prior consent was given – and stipulates that the recipient must have leased and cultivated the land for at least a period of five years. It equally states that if formally granted, the owner is not allowed to dispose of his land for a period of ten years after the formal granting (*ibid.*: 123-124).³⁷¹

These attempts at clarifying the criteria for the granting of property were hardly taken seriously. The highly political dimension of defining property’s form – who is to define what counts as ‘useful and productive work’ and based on what? – and the law makers’ interests at least partly account for this. Hasan hinted in the same direction when he held that ‘*the people who make the laws make them to their own goals, to suit their own needs and wishes*’.³⁷² The special law concerning the *hujjah* is a case in point (see Chapters 2 and 3). Another example is the previously described law on the *tafweed*. As a Jordanian scholar and activist pointed out:

there was a law brought in in the 70s saying that if you have used the land for five years, you can take it. So, you calculated five years – ‘ihijā’

³⁷¹ Significantly, it was only in 1981 that an amendment to this law officially broke with ‘a long held policy of automatically granting possession of leased public land after five years’ (Razzaz 1991: 124).

³⁷² Hasan, 15 May 2014.

al-mawāt [revivification of dead land]. *And the person who brought it in was Mudar Badran [former director of Jordan's Intelligence Service and long serving Prime Minister³⁷³] who took a lot of land in the area of Jerash from this. So, pieces of land within the forest, you plant them with olives, you tell and then bring people to come and see. Of course, you register it.*³⁷⁴

The 1986 amendment to the 1974 law on *tafweed* furthered this sense of legislative anarchy. Through it, the decision to lease public land for agricultural purposes was no longer based on the conditions stipulated in any law but was now in the hands of the Board of Ministries (upon the recommendation of the minister of finance). As such, 'the government erased a decade of attempts to introduce some checks and balances (even on paper) to the process of alienating public lands. As a result, state land allocation continued to depend more on the discretion of officials than on compliance with the law' (Razzaz 1991: 124).

This indistinctness and inconsistency with regards to property's 'appropriate properties' affects property-making in at least two ways. First, it facilitates and encourages corruption, favouritism and patronage in the allocation of land – the latter depending more on one's 'ability to gain the ear of the state in the land adjudication process' (Patrick [FAO] 2002: 55) than on legal criteria. Stories abound confirming this arbitrariness. Amongst the best known cases is that of Marwan Al Hamoud, former Minister of Agriculture, who took more than 3000 dunum without so much as having touched the land³⁷⁵; or of that well-connected family who got hold of more than fifty dunum of land for free west of South Azraq – land that now sells at 20,000 JD/dunum, through its positions within the government apparatus. A telephone call with a DLS representative equally confirmed the arbitrary character of land granting. When trying to call him for an interview about ownership of and, he held off our request for a conversation arguing there was little information to share on the matter because '*it's all about wastah, wastah, wastah*'.³⁷⁶ In other words, personal connections, status and money were the decisive factors.

Second, the legal inarticulacy provides leeway for the relevant state institutions to make decisions on a case-to-case basis. Hasan argued likewise in his exposition of the property-making process:

[W]hen [the DLS] comes, they consider the age of the trees and the coverage [...] for example 5 metre distance between the trees is alright

³⁷³ He took office as Prime Minister four times between 1976 and 1991 (July 1976-November 1976; November 1976-December 1979; August 1980-August 1984; December 1989-June 1991).

³⁷⁴ Researcher1, 13 December 2013.

³⁷⁵ NA6, 15 May 2014.

³⁷⁶ Referring here specifically to intercession in seeking to obtain benefits from the government (Cunningham & Sarayrah 1993: 6, as cited in Al Ramahi 2008: 37).

*but you cannot exaggerate. But it's really customs [‘urf] from the DLS – there are no written regulations about these things, it's an internal matter: 'We consider this as a case'. So still you need wastah. This custom is not obligatory though, they can always say 'No' if they want.*³⁷⁷

Thus, what actually matters as property's appropriate form becomes a deeply subjective matter. Subjective and haphazard: *'The problem'*, Abdullah postulated, *'is with the policy-makers because they all say what they want and what comes into their mind'*. Pointing to the television playing in front of us, he exclaimed that the head of the DLS department in Zarqa had recently announced on television that you needed to invest for five years and that they would come and check things every year to see if it was growing. *'But'*, Abdullah blurted out, *'don't ask him for he will deny ever having said such a thing!'* Strengthening his words with gestures, he imitated a state official leaning back into his office chair with his hands crossed behind his necks and added: *'They think they have the big men behind them and then just state their opinion. They don't care about the law'*.³⁷⁸ Or, rather, they (per)form the law as suits them.

The overall lack of legal clarity and enforceability deeply impacts the nature of property's performance in Azraq: it is arbitrary, unequal and fraudulent. This is partially due to the fact that the laws through which state ownership over land was reasserted, omit to organise and implement regulations to efficiently allocate rights to these lands or design mechanisms to appropriate them. This unsettled character of the prerequisites or guidelines for allocation (selecting legible recipients of state land), is aggravated by the fact that there is little state-led management or active land-use policy of lands in the Badia and little political zest to develop a clear land management plan.³⁷⁹ Consequently, everyday property-making persists.

4.5 Mechanisms of Control

The principle of revivification is so deeply engrained that denying or absolving it, especially given its religious grounding, is not an option. Thus, legal steps have been taken to implement mechanisms through which the government can control the application of the *'improvement principle'*. Two mechanisms are currently in place: punishment of encroachment, and the obligation to obtain prior authorisation or consent. While theoretically effective, these mechanisms fail to perform. They can

³⁷⁷ 21 June 2015. Lund 2012 who, in his discussion on the importance of negotiation in the process of recognition of property claims, argue that rules are always *'rules in use'* in the sense that they are not set in stone but are fluid and shaped by social action.

³⁷⁸ 18 June 2012.

³⁷⁹ A former employee of the Department of Lands and Surveys reminded me that *'the actual surveying of the Eastern region was accomplished during the time of the late D.G. Abdul Munem Samarah Zu'bi (1998-2006) [...], not during the 70's'* (DLS2, 14 April 2015, email communication).

even be counterproductive because of a miscalculation of the extent to which state practices are equally read or incorporated as ‘communication technologies’ (Demian 2004: 62); because of the inability to ‘break’ communal land tenure; and because of the particularly erratic nature of state interventions.

During my stay in Azraq, I have encountered several individuals who have served prison sentences because they had encroached on state land. Ahmed, Chechen mukhtar in South Azraq, performed *wad al-yadd* (putting a hand on land) in 1963, for which he was sent to prison on more than one occasion.³⁸⁰ The trees and houses he built on the contested plots of land were consistently removed or destroyed at each attempt. He nevertheless persisted and eventually obtained *tabu* in 1993, thirty years after his first attempt. While undoubtedly unpleasant, his stays in jail might actually have promoted his case. Hala was most explicit about this. She asserted that people who go to prison because they are illegally cultivating state land, are actually reinforced in their claims when they go to prison.³⁸¹ It was a complicated matter, she said; her son eventually intervened in the conversation to explain the issue in his words:

*Many, many people go to prison because of land but when they get out, they have ‘a haq’ [a right] on the land more than before. At the same time that the government gives you a fine, they also give you a kind of approval that you have a right to invest in this land. When you get out of prison, you will have first priority to work on this land.*³⁸²

In a sense, state representatives make a communicative act in the trespasser’s stead: what was meant as a mechanism to identify the illegality of a certain practice, is turned into a successful communication technique to further one’s property claim. It exemplifies the intricacies of property-making as a communicative act: texts can be read or translated in unpredictable ways. Crucial here is also the shift that is made from a focus on the productivity of land to that of the individual: investing time and labour to own the land may also include spending time in jail. It literally includes investing one’s life.

Obviously, the context in which land is claimed plays an important role in this particular reading of one’s imprisonment: the neighbours (not seldom themselves illegal land encroachers) are complicit in this ‘misreading’ as they themselves profit from it:

³⁸⁰ 18 May 2014.

³⁸¹ 13 June 2014.

³⁸² NA10, 13 June 2014.

*If I agree that this is your land, you will agree that this is mine too. [...] If I say about your land that this is yours, you will say about my land that this is mine and we can protect each other.*³⁸³

Indeed, some neighbours even 'guard' the land from unwanted or illegitimate (according to local norms) claimants, while the offender is in prison. It is a case of how an act of illegibility for one, can be translated into an act of legibility for the other. Land claimants played with these different 'readings'. The man mentioned in the General Introduction did the opposite of revivification: he fell down a tree (a type of tree protected by law). Aware of his breaching of the law, he then reported the case to the police who, once on the spot, drew up a document stating the crime. When the police asked the man whose land the tree had been standing on, the man answered it was his. While still short of an official title deed, the man nevertheless succeeded in being in the possession of a state-sanctioned document stating the land was his ownership.

The second mechanism of control, that of 'prior consent', also largely missed its objective. This measure was put in place in 1977 as a way for state authorities to (re)gain authority over who cultivates which land at what moment. As such, it thus also served as a tool to 'break' communal land tenure by shifting the authority to allocate land from the communal to state level. In 2015, there indeed seemed to be a slight shift towards leasing land (and, thus, asking prior consent). Overall however, the majority of land investments still took place without prior consent. The fact that *tabu* is no longer automatically granted after a five-year-lease and that a yearly payment is attached to a lease, certainly plays a role. So does the fact that a lease does not necessarily lead to financial benefit: illegal access to both land and water in Azraq are cheaper than through legal ways. Yet, most reasons for unauthorised revivification are about underlying communal senses of landholding that still dominate property relations in Azraq and about the state's past dealings vis-à-vis these unauthorised claims.

As indicated in Chapter 3, and despite claims to the contrary, land in the Badia and particularly in Azraq is still largely allocated along communal, tribal or ethnic lines: be it in the form of *wajihat* in the case of the Bedouin tribes, through *tubun* in the Druze community, or along ethnic lines in South Azraq. Asking consent thus remains foremost a local, communal matter:

*even if you want to go directly to DLS, you will still have bought the land from the Bedouin first. And then you will pay again to the government.*³⁸⁴

³⁸³ Ibid.

³⁸⁴ Khaled, 10 November 2013.

This illustrates the deeply engrained sense of communal landholding (expressed through the use of *hujjah*) and the fact that ‘the state’ does not constitute the primal ‘audience’ to which to communicate one’s property claim. Some of the land claimants I spoke with made this very clear when they stated that they did not mind me using their full name in my research: they did not fear ‘the state’ – at least not as much as they feared bad neighbourly relations. Hala was most outspoken about this. For her, ‘*the most important [when claiming property] is that you don’t have problems with your neighbours*’.³⁸⁵ If there is a problem, she continued, it will mostly come during the first years of investment rather than later! That neighbours (or the local community more generally) constitute a critical element has to do with the fact that the improvement principle is a non-excludable act of communication: the visual manifestations of it ‘cannot be restricted to circulation between a limited number of parties’ (Demian 2004: 65). Thus, the relation between the land claimant and his ‘audience’ takes the form of a ‘broadcast’ (ibid.): he can neither choose to whom he addresses his claim, nor when his claim will be ‘read’. Unlike state representatives (see *infra*), the possibilities to hide one’s intentions from one’s neighbours and the larger public are close to nil: they are simply the first to ‘see’ the early manifestations of a claim, long before it is considered to have reached the appropriate form in the eyes of the state (i.e., when the trees are mature).

The reasons for neighbours telling on each other are not only related to friction over communally allocated land. The capitalist relations within which land is increasingly enmeshed (see Part One), has put land claiming at the centre of everyone’s attention: many economic interests are at stake to let others get away with much valued land. To come back to Hala:

*the government always sleeps, they count on the people because they’re all snitches [mukhbarin]! [I]t’s all done by the people themselves. People are greedy and want lands.*³⁸⁶

In more recent years, water has equally come into play. With the over-extraction of Azraq’s groundwater basin (see Chapter 5), the risk of being deprived of access to water has become a real risk. Subsequently, the reason for exposing the other is no longer limited to jealousy over the other’s potential ownership of valuable land, it is equally about the other’s potential capacity to devalue one’s own land. Other reasons are related to people hoping to profit from their reporting financially (see Chapter 2) or simply to settle a personal feud).

A second reason why people refrain from asking prior consent relates to the incompatibility between the communal and the state grids of land tenure. The area

³⁸⁵ 12 June 2014.

³⁸⁶ Hala, 12 May 2014.

of Azraq is divided into 'zones' of land use: forest state land, grazing land, conservation area, built area and so on (see Chapter 3). Depending on the zone, lands will be leased or not. Land that falls within the forest area, for example, will (normally) not be leased. However, several Azraqis have a communally agreed-upon right to land within zones not open to lease. Abdullah's land for example falls within one a zone controlled by the Ministry of Agriculture and within which no agricultural activities (and thus revivification) can take place.

All of the above demonstrate the close entanglement of the two 'audiences' and the subsequent difficulty to realise a shift regarding who will be the author(ity) of property's legibility form. The latter is all the more compromised given the fact that past state interventions have often disregarded the formal legibility form. It constitutes one last key reason why people do not ask for prior consent:

Azraq is a special case because there are many cases in which people are using state property [...]. In Azraq it became like a – they feel it's right to use state property because it's so common, many people are doing it.³⁸⁷

The fact that many people are continue to illegally cultivate state land, stems from the repetitive successful acts of unauthorised revivification and people's continuous references to them. These success stories are in first instance the result of previous malfunctioning of the concerned state institutions to curb the practice of revivification. By the end of the 1990s, the DLS (and many other institutions) had lost control over the unbridled expansion of illegal agricultural activities in Azraq. In an attempt to rectify the situation, they decided to legalise all farms older than five years – a decision the man responsible for it still regrets because of the impact it had. This decision in 2002-2005 to open the area for *tafweed*³⁸⁸ (delegation of the land by way of legal title deed) allow people to register their land, even those who had not obtained prior consent.³⁸⁹ This instilled a sense of anarchy and 'free-for-all' business. Indeed, when the next *tafweed* was announced between 2009 and 2012, it caused a land rush with people renting or buying five-year old trees and planting them on the land – a tactic which was successful in some cases. Thus, they feel that, despite it being illegal, the government compels them to cultivate the land: *Really, it is the government who has encouraged all of this* [the farming activities in the area]

³⁸⁷ DLS6, 15 June 2015.

³⁸⁸ *Tafweed* or delegation constitutes one of three legal options to turn public land into private. *Tafweed* is the process whereby, once the Prime Minister approves to declare an area open for *tafweed*, those who possess written proof that the DLS has recognized their 'investment' in land, are given *tabu*. Interestingly, DLS employees admitted to be ignorant of the precise conditions under which the Prime Minister decides to open an area for *tafweed* although the exertion of political pressure is recognised as an important factor.

³⁸⁹ People had to pay 25JD per dunum to have the land officially registered. Many considered this fee too high and refused to do so.

*because they make it very clear: 'Plant and you will get tabu!'*³⁹⁰ It is performativity's vicious circle: the more they try to undo their past failure to control revivification, the more they render the latter performative. All these vexed and contentious moments in the practical implementation of the legal option of *tafweed* feeds the perception that working the land suffices to obtain *tabu*. This helps us to understand why claiming land through cultivation continues despite the fact that it is a very risky, time-consuming, labour-intensive and financially draining activity. One question remains though. What happens at the end of people's claim – after they started cultivating the land without prior consent, and after they were able to cultivate it for several years?

4.6 Property is in the Eyes of the State Beholder

Hopes and speculations for a new *tafweed* were high when I left the village in June 2015. New land was still being brought under cultivation on a regular basis. Abdullah was one of those partaking in revivification. The process was a challenging one but Abdullah enjoyed it: the solitude, the watering of the plants and the long strolls delighted him. Unfortunately, everyday occupations too often restrained him from awarding his land the time it needed. One morning, as we were enjoying breakfast, he worriedly told me that his plants needed to be watered every other day. Due to a lack of time he had not been able to irrigate his plants for more than twelve days, which meant they had missed six rounds of water – a number that could be detrimental to plants in the Azraq semi-arid steppe climate. '*Azraq is one of the most difficult areas in Jordan to plant - if you have planted things for ten years but fail to water them for only one month, they die*'.³⁹¹ He clearly feared having to buy new plants or to start anew.

Once we arrived on the land, Abdullah started to engage in a familiar, long-developed routine which I knew would take up to five hours – a duration more telling of his lack of financial means than of the size of the claimed area. He immediately began by unloading the pump from his car, a rather weak engine, which can pump maximum 16m³/hour. Emptying his 75m³ well thus take him at least five hours. As the engine starts pumping, Abdullah begins to open parts of the valves and allows water to irrigate particular areas. Following the flow of water, we each walk along a different line of young trees to make sure each receives its share of water, to see if no ants had entered the '*babūse*' (individual sprinkler for each tree) and to take note of which trees were growing, which ones were coming back to life or needed to be replaced. After we finished one line, we walked over to the next line and repeated the routine. Interspersed with tea breaks, we continue doing this for

³⁹⁰ Omar, 4 June 2014.

³⁹¹ 15 May 2014.

every line until the well was completely pumped dry and all lines had been properly watered.

As we busied ourselves with this task, a conversation arose in which Abdullah sketched his interpretation of the different and changing 'appropriate properties':

*In the past the mere clearance of your land by removing the black basalt boulders sufficed to be granted title deed. Later you had to plant trees around it.*³⁹²

Gradually, state inspectors' attention shifted to the trees planted within the tract of land and which should at least be aged five years or older. Soon after, and in reaction to people tricking DLS employees by (trans)planting old and mature trees (a practice not confined to Azraq or Jordan, Braverman 2008), another rule was introduced, which stipulated that the inspectors should check the trees' maturation process every consecutive year.

Whether these rules were actually in effect (recall Abdullah's saying about people's knowledge versus understanding of the law), Abdullah was cautious to attend to the continuously shifting (formal and rumoured) demands with regards to the forms under which a claim to property is deemed legible in the eyes of state officials. Revivification, he was well aware, can only be effective if the latter conceive of it as such. In other words, he is conscious that for his claims to be performative – i.e., to have his claim to land recognised and formalised – it 'must *appear* with its appropriate properties' (Strathern 1999: 14 – emphasis added). Abdullah was indeed attentive that his work *appeared* 'productive and useful'.

Appearance is crucial here. Rose (1994) has emphasised that vision and sight are central to property claiming. This is very clearly emphasised in a conversation I had with an employee of a Land Settlement Court.³⁹³ The interviewee listed four ways through which a claimant can prove he has invested in state land for an adequate period of time before being granted title deeds:

[1] *first, we [the interviewee and colleagues] come to the site ourselves and check it. I mean, we need to see it with our own eyes;*
[2] *sometimes, if necessary, we bring in experts from housing and agriculture to check the age of the trees and the house;*
[3] *if they [the claimants] have hujjah, they can bring this too or basically any document (like photos);*

³⁹² 15 May 2014.

³⁹³ This court handles disputes concerning the ownership of unregistered state land (Embassy of the United States in Jordan, *Jordan Fact Sheet: Jordanian Legal System*. Consulted at: <https://jo.usembassy.gov/u-s-citizen-services/local-resources-of-u-s-citizens/attorneys/jordanian-legal-system/>). My informant's task was to defend the interest of 'the state' in court.

[4] *we use witnesses, people that can tell that they have seen them [the claimants] or know they have been working the land for a certain period of time.*³⁹⁴

The enumeration confirms Rose's observation that '[...] visibility runs through property law as perhaps no other legal area' (ibid.: 272). In the concluding chapter of her book 'Property & Persuasion', Rose analyses the role of vision in people's conceptualisation of property arguing that sight and visibility play a dominant role in making one's claim to property convincing: 'vision is an essential part of the rhetorical and persuasive equipment of property' (ibid.: 268). Indeed, the performance is foremost evaluated through sight (or pictorial sight like a photo). This emphasises that it is at the moment of display that the performance of property is made effective or not: If the displayed landscape fails to produce and reveal the appropriate properties to the concerned authorities, property might literally 'disappear'. Accounts abound of land claimants in Azraq whose trees were uprooted because they were seen at an (for the land claimant) inappropriate moment, i.e., before the trees reached maturity. Essentially, property can only be performative once it has already become legibly property in the eyes of state representatives³⁹⁵. Obviously, and in line with the shifting demands for the 'appropriate form', *what* is seen when looking at trees – in the sense of *how* one 'reads' the treescape – constantly changes. In order to avoid being tricked by transplanted mature trees for example, the inspectors have started to place more importance on the ways in which the trees have taken root. In the last section, I discuss how vision becomes a contentious and political site of contestation, one through which land claimants challenge the state as an author(ity) of property's legibility form.

4.7 The Appropriate(d) Moment

Throughout the previous sections I have examined the ways in which the 'legibility form' put forth by statutory law is destabilised because it fails to acknowledge the power of the cultural-historical and religious roots of the 'improvement principle' on the one hand, and the deeply held senses of communal rights to land on the other. Moreover, past dealings with property claims by DLS and other concerned state institutions have instilled the belief that, regardless of any other conditions, the important thing is to '*just make it obvious that you invested*'.³⁹⁶ In other words, despite

³⁹⁴ DLS1, 22 June 2014. Emphasis and enumeration marks added.

³⁹⁵ In my interviews I predominantly focused on how land claimants think state representatives look at trees and accordingly act on this. I focused less on how DLS employees themselves read the landscape.

³⁹⁶ NA10, 12 June 2014.

their intentions, the performative force of the ‘improvement principle’ is an effect of past statal practices.

In this final section, I focus on one last element at play in preventing the settling of property’s legibility form: the particular functioning of ‘the state’. As I indicated before, I do not start from the premise that ‘the state’ is absent in Azraq; its manifestations are simply highly erratic.³⁹⁷ This can be tricky in the context of the ‘improvement principle’ which, as I indicated earlier, constitutes a non-excludable, broadcast-like act of communication. While Campbell’s settlers anxiously await ‘the state’ (in whichever form) to see their property claim (worrying only about fellow-settlers’ potential to disrupt their claim prior to it), land claimants in Azraq worry about being seen at the inappropriate time. Thus, whereas Campbell foremost placed property’s lack of a ‘preestablished form of legibility’ with the unpredictability of which ‘state’ was to come, I place it with the unpredictability of ‘when’ state interventions will take place.

Overall, practices of government in Azraq do not display much temporal discipline, neither in the domain of property regulation nor, for that matter, in any other domain. DLS employees for example have no fixed days or regular timings to visit Azraq and its surrounding region. This is related to Azraq’s physical (and political) remoteness – the nearest DLS office is located at Zarqa (a good one-and-a-half-hour drive from Azraq) – and the fact that, similar to other state institutions, the DLS lacks personnel, vehicles and the mere financial means to buy petrol on a regular basis:

*The problem in Jordan is that there is not enough surveillance [of state lands] and there is not enough money to make a survey: it’s a problem of cars and fuel. [...] Sometimes people would come and ask for a survey but we don’t have the right equipment to do it.*³⁹⁸

This lack of regular ‘working’ days and the inability to fully control the area, functions as an incentive for some to try their luck and start investing without authorisation. As indicated earlier, past experiences have demonstrated that simply having started cultivation can suffice to be granted the right to obtain *tabu*.

Most crucially, the erratic nature of the DLS interventions arises from the fact that they are largely demand-driven. True, the DLS has employed a so-called ‘treasury land guard’ tasked with supervising the area but the latter is immense and it is technically impossible for one man to supervise all of it. Moreover, while the guard

³⁹⁷ Given the importance of the temporalities of state practices (their rhythm, recurrence and frequency) in effecting ‘the state’ (e.g. Hansen & Stepputat 2001: 17; Ferguson & Gupta 2002: 983; Sharma & Gupta 2006: 11, Mitchell 1991: 92), this irregularity can give rise to a sense that ‘the state’ is not ‘in effect’. This is indeed a generally shared feeling amongst Azraqis.

³⁹⁸ DLS6, 30 April 2012.

is expected to write monthly reports in which, amongst other things, he informs his superior about state land trespassers, he often fails to do so (I am unaware about the percentage of cases reported by him because he was not available at the time of my fieldwork).³⁹⁹ Consequently, and as already touched on earlier, the DLS mostly relies on local talebearers to catch state land trespassers.

Most often however, the demand for DLS interventions concerns inspections of a property claim. Generally, revivification proceeds as follows: land claimants start cultivating the land and, when deemed 'sufficiently' legible as a property claim,

*people send requests to the land surveying teams to come to their farms which they are making on 'amlāk dawlah [state property] lands. [They ask it] to be surveyed and submit their right of owning these lands to the head office in Amman so that when the next time government orders are announced to give lands in that area, they will have their share reserved in advance no matter how big it is.*⁴⁰⁰

If their request is granted, a surveying team inspects the land and writes a report which subsequently needs to be approved by the concerned official at the DLS. This approval is crucial because it grants the applicant the *right* to be delegated the land if the Prime Minister opens the area for *tafweed*.⁴⁰¹

This, however, is an ideal scenario. Things seldom proceed this way. Depending on both socio-political and technical factors, the time-lapse between the beginning of the claiming process and the moment of revelation (i.e., the moment of a DLS-visit) can span almost no time up to several years. In the worst-case scenario, the claim is 'read' at an inappropriate moment (either through talebearers, the state land guard or otherwise); consequently, the property claim will not be legible for the DLS and will be unsuccessful – at least in theory. Several cases are reported, whereby the claim was successful despite the lack of a legible form. In these cases, it was the socio-political status of the trespasser that was 'seen', not the (lack of) visual manifestations of a property claim. This also obtains in other 'pre-legibility' cases. There are stories, for example, of claimants who requested (or better, exacted) a visit without so much as having touched the land. This generally concerns powerful, politically well-connected individuals who are able to exact a visit based on *wastah*, political clout or the use of threat or even violence (more often than not with relative

³⁹⁹ DLS3, 29 April 2014. I contacted the 'treasury land guard' in Azraq but he was unwilling to meet. After one of my contacts in Amman (DLS3) called him, he agreed to meet yet cancelled again shortly before the meeting. The man, I was told, is a Bedouin from the area well aware of who claims what lands and over which lands conflicts are on-going. When I asked another contact in Amman (DLS2, 17 June 2015) if the man's tribal identity might not play into the hands of the many Bedouin claiming lands in the region (see also Chapter Two), he was genuinely surprised and stated that he had never considered that fact but that it possibly (and probably) might.

⁴⁰⁰ DLS4, 24 June 2014.

⁴⁰¹ Ibid.; DLS6, 15 June 2015.

impunity).⁴⁰² Generally, it is the (ethnic or political) position which enables these individuals to put pressure on DLS employees to visit their land, draw a report and concede them their right to be granted *tabu* during the next *tafweed* procedure. As one DLS employee recounted, some members from both the Khraysha and the Fayezi (sub-tribes of the Beni Sakhr who claim *wajihat* in Azraq), visited the DLS office in Zarqa and threatened to use violence on the employees' next visit to Azraq if they fail to visit their land: '*Sometimes they go and say: "If you don't approve my claim to this land, we will shoot you if you come to Azraq."*'⁴⁰³ Another example is that of the lands adjacent to Azraq's military airbase. By law any activities on lands surrounding the airbase are strictly prohibited as they may affect the operations of the airbase and hence by extension the Kingdom's security. Yet, for the past couple of years, tribal members have been working the land without interference. They managed to obtain a visit from the DLS by threatening the head of the contemporary directorate to kill him in case he refused to send a survey team. Eventually, a survey team was sent and when the order for *tafweed* was declared a few years later the land became theirs⁴⁰⁴. In both cases, the claim's illegibility was simply overruled: the socio-political status of the claimant authorised him to impose his own 'interpretation' of the appropriate(d) form or simply no form at all: '*If you have wastah, then sometimes you don't even need to plant trees, the land can be free and they will give you tabu if you have the right wastah [...]*'⁴⁰⁵. Or, as one DLS employee confided, the moment he or any of his colleagues are called upon to visit Azraq, they *know*, long before arriving, whom they are dealing with.⁴⁰⁶

It would appear then, that the decisive element for a property claim to be successful is less its actual visual manifestations than one's ability to seize the appropriate moment. This turns the recognition of property into a highly political matter: only those capable of at/dis-tracting 'the eye' of the state, can be successful. The well-connected are clearly better placed to deal with erratic state interventions because if they cannot, literally, 'buy' productive time (when DLS comes directly), they are at least more capable of bearing the costs of endured investment (if DLS defers their presence). Social inequality here is reproduced not through the stubbornness of routine and proceduralism (Sharma & Gupta 2002: 13), but precisely through its absence.⁴⁰⁷

⁴⁰² These comprise members of Bedouin tribes and former state officials such as ministers, *mukhābarāt* (intelligence service), army officers, Members of Parliament, and so on (see Chapter Two).

⁴⁰³ DLS4, 24 June 2014.

⁴⁰⁴ Ibid.

⁴⁰⁵ Hala, 12 June 2014. Despite its omnipresence however, 'vitamin W' (*harf al-W*) is not an infinite resource. Hala explained that you cannot use *wastah* multiple times (even twice) as it puts both you and the other party in a shameful position.

⁴⁰⁶ DLS4, 24 June 2014.

⁴⁰⁷ Certainly, it might be precisely through the lack of repetition and predictability that state practices become powerful and authoritative (Ferguson & Gupta 2002: 985). The arbitrariness and uncertainty as to when the DLS

While violence and political pressure are the most obvious means through which 'vision' at a particular moment is (re)directed, other means have proven to be very effective as well. Hasan's account is most instructive here, so I reproduce it in full:

*Many people had started to plant olive trees there⁴⁰⁸. You need about 5 years to get your land. So, in 2012 the DLS came to this area together with the Badia police to remove all the olive trees from the land. Hasan had gone there together with his brothers to stop them from removing the trees on their land. They watched DLS remove the trees on the lands around them before they came to his land. He was holding a stick – the first time in his life. He told them he would not allow them to remove the trees from his land or they would have to kill him. A serious discussion of about an hour followed while in the meantime about 30 to 40 people gathered around them. **The people from the DLS told him he had no right to do this because this was state land. Hasan replied that every land here is state land but he doesn't see them removing trees in the desert where the big farms are. Everybody there just comes, digs wells and in the end – using wastah (money or relations) or another type of 'bargaining' method such as violence – they get away with it. He assured the DLS employees that if he allowed them to destroy the trees now, others more powerful than him would come and take the land anyway. The DLS replied he could go to jail for this to which Hasan replied he's already living in a jail – the ones they offer might prove to be better. Moreover, he added, he has travelled a lot and doesn't know of any other country where the government destroys people's effort to develop themselves. "Why do they stop them?", he asked them. "Is it more useful to have one wandering around on the street, drinking and smoking hashish till late at night because he has nothing to do, or to let him invest in something, work on it all day and fall asleep only to wake up***

will act according to its mandate – that is to say, without being called upon – can in fact strengthen the effect of state control. As Bourdieu already pointed out with regards to practices of gift exchange, the delay of actions by one party can exact from the counterparty a deferential conduct (Bourdieu 1977: 7). Indeed, some people consciously chose not to make certain investments because they reasoned that even if one doesn't know when, the government will come; it's only a matter of time. Yet, it is imperative to realise that delay can only be a productive force insofar as it does not compromise relations of power. For although deferment of state practices in Azraq can and have proven to be a source of disciplining power (even if rather accidental), as Bourdieu noted: time 'derives its efficacy from the state of the structure of relations within which it comes into play' (1977: 7).

⁴⁰⁸ The location concerns an area that was chosen for a *makramah* project (in this case a project whereby the King handed out individual plots of land to eligible citizens of Azraq). The area, however, was also one that had been internally allocated amongst the Druze community. Hasan and his brothers had started clearing those lands that had been internally located but which were not included into the *makramah*. This, according to Hasan, is the reason why some within the community complained and told on them to the DLS. Hasan insisted that if nobody had contested the cultivation of the land, it would have already been theirs.

*early the next day to work again?" Decisively he added that the only time he had witnessed this on TV was when Israel was removing olive trees on Palestinians' ground. Confronted with this sensitive comparison, the Badia police decided to retreat from the discussion and leave it to the department. The latter answered they would continue with the other lands and give Hasan some time to think before coming back. The DLS employees then continued removing the trees from the neighbours returning shortly after. Hasan and his brothers still refused to leave their land to which **the representative of the DLS said that this is the law and that he cannot go back without having done his job. Hasan replied that if they were to do something, it would be according to his rules and not those of the government.** Having said this, he proposed they would only remove some trees. The man refused saying he couldn't because there were so many people watching and he couldn't leave without having done anything. At that point, they agreed that Hasan would ask the people to leave the place after which the DLS would bend some olive trees to the ground and place some stones on it so as to give the impression that at least part of the trees had been pulled out. Once they left, it was only a matter of removing the stones. The trees were still standing in 2014 and Hasan and his brothers hope to take the land in a couple of years. I asked Hasan if other people had shown up to defend their land but he replied they had been the only ones. **Moreover, Hasan added, as they were arguing the man of the DLS whispered that he thought Hasan was worth keeping his land since he clearly cared enough about it to defend it – a sign that he really needed the lands for more than simple trading unlike many other people.**⁴⁰⁹*

In Hasan's case, someone (he did not know who) had called upon the DLS to halt the illegal practices at a moment when his claim to property was not yet legible. It was his position within a well-informed information network that had allowed him to be aware of DLS's unexpected visit. Confronted with this inappropriate(d) moment and the possibility that the visit might make his claim disappear, he set out to make the visit 'disappear' by rendering it ineffective in the sense that the state of the land after the visit was as if the visit had never occurred.

Interestingly, Hasan's success lies not in dismissing the DLS as the author(ity) of property's legibility form, but precisely by pointing out the responsibilities that come with that position: '*here in Jordan, we love authority but we hate responsibility*'.⁴¹⁰ He was willing to recognise state authority but demanded that it came with moral

⁴⁰⁹ 27 May 2014 (my emphasis).

⁴¹⁰ 17 September 2012.

responsibility towards the country's citizens. For one, Hasan had openly confronted the DLS with the discriminatory geography of state authority by referring to the farming area ('the desert') where the administration of property relations is performed differently, laying bare the dynamics of graduated state author(ity) (Ong 2000).⁴¹¹ Additionally, Hasan had raised the issue of the failure of the Jordanian state to provide proper development opportunities for its citizens. Lastly, he had exposed the political immorality implicit in the state representatives' practices by equalling it to Israeli ones.

Having confronted them with their contradictions, he had offered to rectify what he perceived as an imperfect performance with an ingenious move which lays bare the performative nature of both property and state and the mutual understanding that it is in both parties' interest to uphold the other's performance. It is in Hasan's self-interest to maintain the authority of 'the state' as embodied by the person in front of him foremost because he simply had no gains in undermining the authority or legitimacy of that same institution which he needs to recognise his claim to property. The employee, on his side, had tried to enforce his authority by showing that he performed a state committed to protect and act in the interest of its citizen-subjects. As such, the case is instructive of the complex ways in which performances of state and property mutually (in)form each other.

The vignette is a very rich one from which we can deduct two interesting points about, on the one hand, the nature of 'productivity' in property-making and, on the other, about the extent to which the performance of property-making can be made contingent on what is deemed a proper performance of 'the state'. First, throughout the discussion it becomes clear that a shift is made in what is communicated: what is appropriate is no longer *land's* productivity but that of the *claimant*. The emphasis is no longer on the activation of land's fecundity but on the activation of the individual as an industrious, entrepreneurial spirit who is independent of state welfare policies – a discourse which fits particularly well with current state ideologies of 'activating the citizen' (Lenner 2014).

Second, the vignette reveals that if one is unable to express himself through the bargaining language of money, political capital or *wastah*, recourse can be taken to exposing delating failures in what is perceived to be a 'proper' state performance.

⁴¹¹ I refer her to Ong's concept of graduated sovereignty or 'the differential treatment of populations according to ethno-racial differences, and the dictates of development programs. Segments of the population are differently disciplined and given differential privileges and protections, in relation to their varying participation in globalised market activities. These gradations of governing – disciplinary, pastoral, civilizing/disqualifying policies, or military occupation and de facto autonomous domains – may be in a continuum, but their effects are to fragment citizenship for subjects who are all, nominally speaking, citizens of the same country' (Ong 2000: 65). There is another aspect to graduated sovereignty to which overlaps with and reinforces the ethno-racial discrimination but which I do not directly refer to here, namely 'the rise of production and technological zones which have required certain legal compromised in national sovereignty' (ibid.: 66).

Clearly, the unpredictable nature of state interventions not only facilitates unauthorised land reclamation. Moreover, following how this works out on the ground demonstrates that a successful claim depends less on 'communicating' the appropriate properties but on appropriating the appropriate moment. Both consequences are a product of the inability of the DLS to a permanent surveillance of the vast area of state land in Azraq region. In this sense, it would be interesting to examine the impact of more recent attempts to survey the area from space. During my last visits, the DLS was experimenting satellite imagery: these cannot only provide a 'one-shot' overview, they can also track the processes of property claims (instantly tracing new cultivation activities; see Figure 10, Chapter 2). It would be interesting to research to what extent this could settle property's current 'crisis of form' (Campbell 2015: 82).

4.8 Conclusion

As in other cases (e.g., Egypt, see Mitchell 2007), the non-registered status of land in the Badia – and thus its position 'outside' the market, was due to political choices. The newfound market value of land has placed Azraqis before a new dilemma: how does formal property emerge? Or better, when, precisely, does property come into being (Rose 1994; Demian 2004): Is it when a *hujjah* is bought? When the shovel hits the ground? When the DLS visits the land to check the 'improvement' made? When pen is put to paper to sign the right to *tafweed*? When *tabu* is received? Answering this question is a deeply political matter because of the implicit recognition of authority that it carries: who decides at what moment property *can* emerge and under what conditions?

Overall, there is little argument amongst Azraqis about the state's prerogative to recognise property. On the contrary, as explained in the previous chapter, people strive to obtain *tabu* because of the alleged security and stability it grants their property claim. The struggle, however, is over what counts as the appropriate legibility form of property. For many Azraqis, revivification constitutes the prime and legitimate form: based in religion and a culturally accepted practice, it has become a self-evident technique to bring property to life. While initially tolerated by state authorities, in recent decades attempts have been made to rescind the practice in Azraq because of the ways in which it undermined the state's authority to allocate, manage and control land use.

In this chapter, I have drawn attention to the performative force of the practice of revivification, acquired not only through endless reiterations and citations to past experiences, but also through continuous contemporary successes. Indeed, state authorities' attempts to 'undo' the practice's success, have only reinforced its performative force (thereby unintentionally compelling future similar performances

(Blomley 2013: 36)). It is partly in response to this realisation that state authorities have tried to, at least, regain their position as author(ity) over the form and appropriate properties of revivification as a technique to validate one's claim to property.

Additionally, I examined the dynamics through which property's legibility form is given shape, contested and (un)settled by examining its history, legal dynamics and the power relations involved in its performance. In a sense, property's legibility is always emergent given the shifting expectations about, and roles of, property within a given society as well as the shifting ideologies and political projects under which property is brought to live (Campbell 2015). Yet, for a property regime to be workable at the level of the national economy, there must be a certain agreement on, or 'fix' of, property's legibility. Within Azraq, as I demonstrated, the latter is clearly unsettled and struggles over it are ongoing. To understand these struggles, I proposed to include the materiality of the technique more than simply to look at the ways in which the technique is constitutive of, and constituted by, different claims to authority. As I have shown, including the materiality provides a better inside into the ways in which this materiality interferes with claims to authority. Attending to materiality then, gives a deeper insight into the mutually constitutive relation between property and the state.

PART THREE

The Object of Development (Knowledge)

If you were walking here 20 years ago you would have been covered by water up to your neck. Due to water over pumping from the Azraq Oasis the water level dropped more than 12m below the ground.

This drying out is very apparent in the dusty soil and the vegetation. which led to the death of many wild life.



Figure 13: An information board at the Azraq Nature Reserve (Source: Author).

5 Safe Yielding the Property Arrangement?

[T]he 'commonsense' view, that what overflows to the marsh could be used without affecting the aquifers or reducing the marsh, is wrong.
- Nelson 1973: 46

It is difficult to understand what aspect of the Azraq Springs has stimulated past beliefs that there must be vast unaccounted amounts for perennially available groundwater within the basin [...].
- UN-BTAO 1964: 26

5.1 Introduction

Water has been flowing through all my previous chapters, fundamentally sculpting the dynamics of property-making along its way. As already demonstrated, water is deeply implicated in the shaping of the interests, forms and limits of property. My aim in this chapter is to expand my investigation of water's role in consolidating or destabilising the property arrangement. I do so not by focusing on the politics of accessing water as such – e.g., telling stories of corruption within the WAJ, providing further account of institutional shortcomings, documenting the use of wastah, or discussing the particular properties of governing *groundwater* – but by discussing *how*, in what form, water enters the arrangement in the first place. How is water framed and thought about? In what form does it enter political discourses, why and to what effect on de/stabilising the property arrangement? The focus is thus less on documenting the politics that govern/run through flows of water (Swyngedouw 2004), but on mapping and examining the practices that make those flows legible and, thus, governable.

Throughout my interactions with Azraqis, policy-makers and development practitioners, water typically entered the conversation with reference to the concept of 'safe yield' – generally defined as the amount of water that can 'safely' be abstracted from the Azraq groundwater basin on a yearly basis. For many, safe yield has come to define the field of political and developmental intervention in Azraq. Indeed, Azraq was systematically introduced to me – by experts and laymen alike – on the basis of this safe yield:

The safe yield of the groundwater basin is around 24 MCM per year. And do you know what the safe yield is? It's the rechargeable amount. Unfortunately, we always over-abstract almost double that. In 2009 the abstraction was around 51 MCM: for drinking water around 23 MCM

and for agricultural activities around 28 MCM. So, if you look to the basin in general you see that the basin is in danger now because of an over-abstraction of more than 200 per cent of the safe yield. This resulted in the drawdown of the water table by more than 1 metre per year.⁴¹²

Whether the conversation's initial topic had been poverty, land ownership or Azraq's cultural mixture, it was often posited by my interlocutors that I could never fully grasp the topic without being informed about the area's arithmetic problem which was formulated, time-and-again, in one simple mathematical equation: $A + B + C > X$. In this equation X represents the safe yield while A , B and C stand for different 'projects' – agriculture, domestic supply, nature conservation – all of which rely on (the abstraction of) groundwater.

In this chapter, I take this framing of Azraq as a mathematical problem as my starting point. However, contrary to the current lines of policy and research approaches which centre on (the political aspects of) solving the mathematical problem, my focus here is on problematising the mathematical *form* itself. It is to step outside of the calculative logic of the safe yield in order to question that logic and especially its role in (de-)stabilising or making (un-)successful the property arrangement. I therefore draw attention to the ways in which this logic effects the disentanglement of water from land, enabling both to be turned into separate fields of government. Indeed, in line with Braun's observation that 'science is constitutive of political rationality, rather than merely its instrument' (2000: 7), this chapter highlights the political consequences of governing Azraq based on a calculative logic which not only sets up water and land as two distinct fields of government, but which also, in doing so, conceals the particular relations of power and inequality that underpin property relations in the area. Confronted with an emerging land market and the subsequent change in land and water use practices, the separation between water and land integral to the concepts of the hydrologic cycle and the safe yield, becomes untenable. Yet bringing them together not only implies overcoming institutional boundaries, but also, and more importantly, acknowledging, revealing and dealing with the power imbalances in land appropriation currently silenced through the purely mathematical focus on water.

I proceed by locating the knowledge production process on water within wider (and interlinked) world-making projects of universal science, nature conservation, modernity and state formation. More specifically, I sketch a historical account of the ways in which the process of rendering Azraq's waters legible was presented not only as a function of state formation but also of modernity. This, I subsequently demonstrate, paved the way for the introduction of the concept of the 'hydrologic cycle' – a concept which appealed to two prime conditions inherent in, and

⁴¹² MW&I2, 23 June 2011.

compliant with ideas of development, state formation and modernity: that they be 'calculable' and 'scientific' (Ferguson 1990; Li 2007; Mitchell 2002; Scott 1998). It was through this concept (and particularly its associated concept safe yield) that Azraq's waters were rendered amenable to a particular logic of government and through which a disentanglement of water from land was enacted. My examination of this knowledge production process, however, demonstrates that the particularities of this logic as well as the nature of the disentanglement that it effects, were more an outcome of the (political) histories of, and (inter-)national interests in science than a case of simply applying a concept. Yet, despite its historical (and political) legacy as well as the deeply problematic nature of the concept of safe yield (recognised by (almost) all parties involved), the concept 'sticks' and continues to (in)form policies and government practices.

Crucially, the chapter should not be read as an attempt to delegitimise the hydrological knowledge of Azraq basin or to claim that others are better; the aim is to underscore the contingency of this knowledge and subsequently make space to think about the ways in which the waters' quantification works to enact a particular property order in the area. After all, scientific data not only informs, it also importantly forms the conditions and possibilities for (re)ordering (government) practices of access, land productivity and ownership (Callon 2006; Law 2004; Lenner 2014). Thus, together with the attention to contingency, I equally focus on the ways in which the process of turning water into a calculable object of development brings into being new practices of development, intervention and government that reorder the socio-technical arrangement of property.

5.2 'The Preliminary Step to Any Future Development Scheme'⁴¹³

But now the world has begun to realise that it is filled with starving people and that every acre that can grow food is vital in the battle for minds, bodies and political power [...] So the British and Americans have sent biologists, agriculturists etc. to solve the problem of turning desert back into fertile land.⁴¹⁴

The historical roots of framing Azraq's waters as an object of (calculative) government can be located within the context of decolonisation, the need to consolidate the young state's territorial control, a changing geopolitical order, and emergent paradigms of development and modernisation from the 1940s onwards. That decade was marked by a wave of declarations of independence by many of Britain's former Arab colonies and mandates and the subsequent British effort to

⁴¹³ Wozab 1960: 41.

⁴¹⁴ Letter from Anglia Natural History Unit to Guy Mountfort (s.d.). *Jordan Expedition: Filming Suggestions General Commentary Theme*, Nicholson collection (Box 5), RGS Archives.

find ways to maintain its political capital and influence in the area without fuelling nationalist, anti-British sentiments and/or allowing others (the Soviets) to overtake their position in the region (Kingston 1996). Development, particularly economic development, was put forward as the ideal tool to win 'the battle for minds, bodies and political power'. As indicated in the paragraph above, this battle was to be waged on the agricultural field by strengthening the emergent states' economic viability and increased food security. For Jordan, a country deprived of abundant mineral resources and, adding to the urgency, struck by the demographic shock caused by the influx of Palestinian refugees in 1948, this was especially salient (Van Aken 2003: 51-52). Moreover, and as indicated in earlier chapters, agricultural development and modernisation were equally hailed for their potential to secure political stability: they could provide social development for the majority of the population employed in the sector and could settle those who were not (i.e., the Bedouins).

Consequently, post-war British development programmes were predominantly oriented towards the agricultural sector. The British identified various obstacles to successful intervention including indigenous land tenure systems, lack of (knowledge of) technology and water infrastructure. The main issue though was the lack of what Scott has termed 'state maps of legibility': maps that render certain phenomena 'more legible and hence more susceptible to careful measurement and calculation', which in turn makes 'possible a high degree of schematic knowledge, control, and manipulation' (1998: 11). In the post-war era in which planning was made central to any development endeavour, the presence of a 'legible field' was deemed crucial.

This is most obvious in the report that Sir Herbert Stewart wrote following his visit to Transjordan in May and June 1949 with the goal to examine 'the possibilities for agricultural development and increased production' (Stewart 1949: 1). Stewart had served as the Chief Agricultural Adviser to the Indian Viceroy and now acted as Agricultural Adviser of the British Middle East Office's Development Division (BMEOD) (Kingston 1996: 32 & 168). The BMEOD - hardly 'more than a handful of technical experts brought together in 1945 and based in Cairo' (ibid.: 4) - served as the main channel of Britain's post-war development programmes. It was specifically charged with the economic and social development of former British colonies in the area and thereby relied heavily on the provision of expert advice. The latter was ready at hand given the 'growing number of highly experienced ex-Indian and ex-Sudanese colonial officials, legacies of a quickly dying imperial order' (ibid.: 62). Moreover, the BMEOD opined that these experts' mobilisation was unproblematic 'because the climatic conditions in both countries were similar to those in the Middle East but also because such officials had a great deal of experience working with local administrators given the indigenization of the colonial bureaucracies there' (ibid.:

62). Stewart was one of these officials. His 1949 reconnaissance study of Transjordan and of Azraq in particular was to provide a first insight into the area's agricultural potential. Noteworthy about the report is that it does not start with an overview of the country's biophysical reality (as is common in development reports today (see Mitchell 2002)). Instead, the first chapter is entitled 'Agricultural Statistics' and opens with the telling observation that '[t]here exists no machinery in Transjordan for the collection of statistics of the exact area or production of the different crops. All available figures are estimates derived from calculations' (Stewart 1949: 1).⁴¹⁵ This observation is immediately followed by an enumeration of some of the peculiar (from Stewart's point of view) forms of knowledge production by different institutions, including the Agricultural Department.⁴¹⁶ Thus, with regards to his observations about the prospects of a development project of irrigated agriculture in Azraq, Stewart emphasised that 'surveys [are] an essential preliminary to a final decision on the whole project' (1949: 17).

Clearly then, for Stewart it was not solely the country's biophysical properties as such which defined the potential capacity for agricultural development, but the (form of) knowledge about those properties through which indications could be obtained about the potential for technical interventions which could overcome the 'limits' of natural (and social) resources.⁴¹⁷ This view (reflecting that of the BMEO) was in line with prevailing beliefs of modernisation and (economic) development paradigms that viewed technical assistance⁴¹⁸ and knowledge production as necessary in order to make successful development planning – statistics was one of the 'most active fields of technical assistance for the BMEO (Kingston 1996: 102).⁴¹⁹ These beliefs were shared by BMEO's larger and better endowed counterparts that emerged in the 1950s in the field of technical assistance: the American Point Four programme (later USAID, Kingston 1994: 188; see Chapter 2) and the United Nation's Expanded Technical Assistance Programme (Kingston 1996: 51). Contrary to the British approach – which prioritised small-scale projects that could enhance local administrative capacity and expertise (Van Aken s.d.: 7) – much of Point Four's endeavour was carried by "'big push" modernization' (Kingston 1996: 6) and

⁴¹⁵ Jordan's Department of Statistics was established that same year, in 1949 (<http://dosweb.dos.gov.jo/history/>).

⁴¹⁶ For one, Stewart (1949: 1) notes that '[t]he area under each of the principal crops is determined from the quantity of seed considered to have been sown. Officers of the Agricultural Department visit each village and collect information on the amount of seed that has been sown. On the basis of a certain average seed rate per donum for each crop the area of that crop is calculated'.

⁴¹⁷ Local populations (Druze and Chechens) as well as Bedouin had developed their own intimate knowledge of the area's waters. See for example Lancaster and Lancaster 1999 on Bedouin's interactions with, and knowledge of the geographies, quality and quantity of Azraq's waters.

⁴¹⁸ Statistics was one of the 'most active fields of technical assistance for the BMEO (Kingston 1996: 102).

⁴¹⁹ For more information on the development of statistics as a technique of government see Davis et al. 2012; Lenner 2014).

rationalities of techno-politics most clearly embodied in the East Ghor Canal in the late 1950s (Elmusa 1994: xxi). This clash of development models was articulated in what one of BMEO's statistical advisers referred to as an 'advice war' (Kingston 1996: 61 & 135) – one war that was also waged in the field of irrigated agriculture development.

Nevertheless, both agencies agreed that, within the context of stimulating agricultural (knowledge) production, Azraq's waters constituted an important yet untapped and even 'spilt' economic resource: its 'underground water supply [was] almost unexplored'⁴²⁰ (Davies 1958: 264; FAO 1956: 25) and its surface waters were 'lost by evaporation [which] economically represents a loss in potential national income, and a waste of natural resources' (Wozab 1960: 39) – a framing which betrays the representation of development 'as a moral trajectory to be finalised by restoring the use of the local potentials' (Van Aken s.d.: 6). Again, for both British and US development agencies alike, this potential could only be put to efficient use if a particular kind of knowledge production was at hand:

[i]f the Azraq waters are to be exploited *intelligently* and are to make their fullest contribution to Jordan's economy, the quality and limits of the water resources of Azraq *must be known* quickly (Wozab 1960: 8 – emphasis added).

The waters thus had to be known and made legible in order to facilitate their transformation into an object of government and development. Of interest however, was the form this knowledge was (supposed) to take.

5.3 Planning 'Upon a Scientific Basis'

Since the Second World War a good deal of talk has been going on everywhere about the development of scientific research. The time has come for Jordan to have also its own programme of scientific research, since she is now definitely engaged on a gradually increasing development programme (Baumer & Hackett 1965: 44).

In the mid-1950s Azraq basin was subjected to several investigations by (predominantly international) hydrologists, civil engineers and geologists – either working for private consulting groups or under the auspices of international agencies such as the FAO and several of the United Nations Technical Assistance

⁴²⁰ An early interest in its springs came in the late 1940s when some activities such as flow measurements, the drilling of holes to the subsurface water and some soils work were carried out by the government (Wozab 1960: 4). A lack of direction and funds however stopped the investments.

programmes or the United States' different development agencies. The first real hydrological research came through the Princess Alia Project, a three-year project (1955-1958) aimed at investigating 'the potential land and water resources of the Azraq area' (UNDP 1966: 7). The study was commissioned by the co-directors of the Jordan-United States Fund for Special Economic Assistance in coordination with the FAO and specialists from the US Operations Mission, and was executed by the engineering firms Michael Baker Company (Rochester, Pennsylvania) and Harza Engineering Company (Chicago, Illinois).⁴²¹ Under this mission a trial farm was established and a three-year study was conducted during which several experts of the United Nations Technical Assistance Programme conducted research in the fields of soils, groundwater, biology, rice production and fisheries (Wozab 1960: 5). Even though the mission's groundwater investigation had not been completed, a report⁴²² was nonetheless produced in 1958 which claimed that enough water was available to irrigate about 27 km² (26,800 dunum) of land using water from both Shishan and Druze pools (Hemsley & George 1966: 86; UN-BTAO 1964: 24; see also Haddad 1960: 16-18), and proposed 'a capital investment of over five million dollars' (UN-BTAO 1964: 46; UNDP 1966: 7) to this end.

The report prompted the GoJ to formulate plans in 1959 for a pilot irrigation scheme in Azraq. These plans, however, would never materialise. By the beginning of the 1960s 'the demand for use of Azraq water has increased considerably for such projects as domestic water supply for Irbed and Amman area, generation of electric power and irrigation, and irrigation in the Azraq area itself' (Wozab 1960: 1).⁴²³ These projects were part of Jordan's ten-year development programme formulated by experts paid by the Ford Foundation. Before then, the government had primarily considered Azraq's waters for irrigation purposes within the basin itself (ibid.: 7). Yet confronted with a growing demand, the Jordanian Development Board sought

⁴²¹ In the mid-1950s the Jordanian government wanted to develop several irrigation projects, most notably the Yarmouk-Jordan Valley and Azraq Project. The Baker-Harza engineering companies carried out preliminary investigations for both projects (FAO 1956: 22).

⁴²² Baker, Michael Jr. Inc., & Harza Engineering Co. (1958). *Princess Alia Project, definite plan report (Azraq)*. Amman.

⁴²³ Northern cities demanded a diversion of Azraq's waters for domestic water supply in the summer of 1958. A separate company, the Brown Engineering Company, was hired to study the proposal to send water to the northern areas and to investigate possibilities to transport water for municipal supply to Amman (UNDP 1966: 47). The ensuing report, submitted in December 1959, thought diverging water from Azraq to Irbid feasible and suggested to use the unused oil pipeline of the Iraqi Petroleum Company (Wozab 1960: 40). Implementation of this Azraq-Irbid water pipeline project would start in October 1962 (UNDP 1966: 8). As for the generation of electricity, the recently established pilot plant of the Jordan Potash Company near the Dead Sea proposed to use the waters in order to cheaply generate electricity. In a report put forward by Dr. Solignac, a groundwater geologist expert of the FAO, an analogy is made between Azraq basin and Chott Chergui, a basin in Algeria where the French Government was developing an electrical scheme (Wozab 1960: 39; UNDP 1966: 7). Solignac suggested the same be done with the water from Azraq. The UN-BTAO report (1964: 28-29 & 51) however discharged Solignac's findings as erroneous. Moreover, it pointed out that the Chott Chergui Project 'was a complete failure'.

additional expertise from the United Nations. The provision of this necessary expertise was tasked to David Wozab who advised 'a complete hydrologic study of the Azraq area to determine the annual quantity of water available for utilization' (1960: 1).

This recommended report was not simply tasked with producing knowledge about the water resources; it was tasked to produce a particular kind of knowledge: one which had a *scientific* basis. One section in Wozab's report deals with the revision of previous (reconnaissance) studies and more specifically with

the speculations (and certain reports) of the past [which] have gained such widespread currency within Jordan that it is essential to deal with them in some detail, that they may be disposed of finally and permanently (UN-BTAO 1964: 27).

The need to refute existing reports and speculations referred to the data produced under the Princess Alia Project. It was not just Wozab who disputed them; professionals from within Jordan's newly created Central Water Authority (established January 1960) and international experts equally raised doubts about the project's findings.⁴²⁴ According to subsequent studies, the Princess Alia report ignored 'elementary hydrologic principles' (UN-BTAO 1964: 29) and, when subjecting 'the [Princess Alia report's] hypothesis of vast groundwater resources at Azraq [...] to critical examination, it is found that without exception they are either unverifiable or scientifically unsound' (ibid.: 30). To avoid such mistakes in the future and to ensure 'intelligent investment and development', Wozab noted, the Jordanian government 'desires to develop its resources through planning and upon a scientific basis' (1960: 7 & 8).

Science and its derivate 'expert knowledge' are as crucial to projects of development and government as they have been to the colonial project (Braun 2000; Gilmartin 1994; Mitchell 2002; Scott 1998). 'Experts' sent to Jordan with the aim to aid the country's development, were no exception to this. Most indicative in this regard is the report that the American hydrogeologist O. Milton Hackett and the French ecologist Michel Baumer published in 1965. Both men had been invited by United Nations Educational, Scientific and Cultural Organisation (UNESCO) to

⁴²⁴ A series of studies conducted during the first half of the 1960s discredited the research methods of the Princess Alia report and concluded that 'the depth of the water, its limited quantity and the saline nature of the soil do not lead to great hopes at this stage of economic exploitation in the Azraq depression' (FAO 1967: 150). The agricultural station that was established in Azraq in 1958 as a pilot project for desert farming techniques and possibilities of irrigation came to similar conclusions. Due to limited success, the project was eventually halted in 1964 and the station was put in the hands of the Bedouin Resettlement Division of the Ministry of Agriculture which would later rent it to international researchers interested in conservation (UN-BTAO 1964; Hemsley and George 1966: 81). This led the Jordanian government to retrace its plans on big agricultural land reclamations in Azraq (Wozab 1960: 5; UN-BTAO 1964: 46).

carry out a survey mission in Jordan aimed, on the one hand, at assessing the country's needs with regards to scientific research related to the development of arid regions, and, on the other, to prepare Jordan for its participation in the International Hydrological Decade (IHD) (1965-1974).⁴²⁵ In their final report they stated that it is only through 'scientific data [that] Government agencies [will] be in a position to accelerate or increase or improve their work for the country' (Baumer & Hackett 1965: 6).

The 1950s and 1960s thus clearly constitute a moment in Jordan's history during which the *need* to render the country's natural resources legible – to turn them into objects of government – was most urgently felt (nurtured and led by paradigms of development and modernisation).⁴²⁶ This legibility, it was argued, would serve to guarantee 'the most efficient use of present resources' (IBRD 1957: Front flap) and to ascertain that these be 'exploited intelligently' (Wozab 1960: 8) without 'undesired results' (UNDP 1966: 10). Yet this knowledge was still lacking at the time. Baumer and Hackett noted that during their travels through the country in late 1964 there was little to no numerical data available on the Kingdom's natural resources.⁴²⁷ Surely, descriptive accounts of travellers were available but there was no (coordinated) process directed towards rendering the country's natural resources legible and calculable and, thus, governable. Moreover, any form of management,

⁴²⁵ Hackett was chief of the Ground Water Branch of the U.S. Geological Survey and Baumer was involved with Natural Resources Research at UNESCO (Boyd 1964a: 7).

⁴²⁶ The Natural Resource Authority (NRA) was established in 1965.

⁴²⁷ Overall, the British had invested little effort in studying the water situation of Transjordan with the result that little to no data was produced about the country's (ground-)water situation before the establishment of the Kingdom in 1946 (Katkhuda & Haddadin 2006: 53). One exception comes from the director of the Department of Development (created in 1937) Michael Ionides who, together with Blake, G.S. wrote a *Report on the Water Resources of Transjordan and their development* (1939, Crown Agents for the Colonies, London). Their work contains an inventory of the water sources of Transjordan and devotes one third of a page to Azraq (UN-BTAO 1964: 44; Haddadin 2006: 30). Most reports and studies however disregarded this area and it would last until the beginning of the 1960s (1961-1965) before studies such as that of Ionides and Blake were extended to the whole of Jordan through the work of the Central Water Authority (Waitzbauer & Petutschnig 2004: 9; Baumer & Hackett 1965). For a short overview of research on groundwater in Jordan, see Waitzbauer W. & Petutschnig B. (2004), *Die naturwissenschaftliche Forschungsgeschichte Jordaniens im Überblick* [History of scientific research in Jordan], Denisia 14, zugleich Kataloge der OÖ. Landesmuseen Neue Serie 2 (2004). 7-46; and Clozier, Y., Delbos, L., Dion, J. & Moussu, P. (1975). *Bibliography sur l'hydrogéologie des pays arabes du Moyen-Orient et de l'Iran*. Bureau de Recherches Géologiques et Minières, SGN Orléans. Interestingly, an important part of the earliest recorded knowledge on the area was produced by, and in the interest of, petroleum companies: by the 1960s, IPC had an (unpublished) geologic map and produced gravity and magnetometer surveys (Wozab 1960: 19); the Pauley Oil Company (later Phillips Oil Company) had done exploratory drilling forty kilometres west of Azraq in the second half of the 1950s as well as some seismic work (ibid.); and work was equally produced under a 'cooperative venture between the Kingdom of Saudi Arabia and the Government of the United States. The Arabian-American Oil Co. and the U.S. Geological Survey did the fieldwork within the Kingdom of Saudi Arabia, and, with the approval of the governments of neighboring countries, a number of other oil companies contributed additional mapping to complete the coverage of the whole of the Arabian Peninsula. So far as we are aware, this is a unique experiment in geological cooperation among several governments, petroleum companies, and individuals' (Bender 1975: III).

collection and inventory of the few existing data was practically absent. Consequently, the UNESCO-appointed experts recommended the establishment of a Jordan Institute for Environmental Studies (JIES) with the permanent task

to establish and keep up-to-date and at the disposal of the interested agencies of the Government a complete inventory of the natural resources of Jordan, mainly in the fields of: soils and land use, water availability and use, ecology, flora and vegetation, fauna (ibid.).

This knowledge was deemed indispensable if Jordan was to pursue a successful modern economic development programme, and according to Baumer and Hackett (1965: 6), this data was to take a specific form:

‘a complete inventory of the natural resources of Jordan [...] should be presented as far as possible in graphic form: maps, charts, diagrams, etc...’.

Their call for ‘*graphic form*’ points to the ways in which maps, charts and so on accommodate a form of government that was envisioned and aspired in post-independence Jordan: a centralised state apparatus with the legitimacy and authority to monitor, manage and control the national resources. Firstly, graphs were particularly attractive because, like statistics (Porter 1986; Davis et al. 2012), charts, maps and diagrams are performed as practices that are ‘objective’ and ‘scientific’ and, as such, command legitimacy and authority. They are particularly powerful representational practices that retain a status as ‘objective/scientific’ by enacting a boundary between ‘an object, out there, not a part of the study but external to it’ which is allegedly revealed by ‘an expertise and intelligence that stands completely apart from it’ (Mitchell 2002: 210). As such, graphic data contrast sharply with the reconnaissance studies of Simansky and Stewart, which are replete with sentences such as ‘the opinion was hazarded locally’; ‘the cultivator said that’ (Stewart 1949: 15-16); ‘Sheikh Hadj Dawlat of Sheshan village reports that’ and ‘local opinion indicates’ (Simansky 1949: 3). The data in these reports were largely based on local knowledge – sometimes delegitimised through statements such as ‘[a]n expert opinion is required’ (ibid.) – and observatory and sensory practices (‘personal observation’, ‘taste’, walking the fields and talking to local inhabitants) that no longer confer an allure of being ‘scientific’. Graphs, however, do. Practices of knowing were thereby reordered such that knowledge gained ‘by standing outside of the world’ seemed more scientific than that obtained ‘because “we” are *of* the world’ (Barad 2003: 829 – emphasis in original). This is further reinforced by the creation of another boundary: that between nature and society (Latour 1993; I will expand on this last point later on).

Second, graphs were prioritised because, in the task set before them, they ‘work’ (Law 2009). If the aim of this graphical data was to inform government institutions about the state of the nation’s resources in order for them to make well-informed decisions about ‘the right disposition of things’ (Foucault 2007 [1987]: 96), graphs – with their ability for instant overview and comparability – proved ideal tools (Scott 1998). Moreover, graphs are excellent tools to ‘render technical’ (Li 2007): they enable dodging ‘political-economic questions—questions about control over the means of production, and the structures of law and force that support systemic inequalities’ (ibid.: 11).

Yet, in the analysis of graphs, we must be cautious of two points. First, the relation of ‘scientific’ data to government is not solely instrumental in nature; they are mutually constitutive (see Braun 2000; Gilmartin 1994). In the case of Azraq, the conversion of its waters into an object of calculation not only served the needs of political rationality, it was also crucial in legitimising particular fields of knowledge production: hydrology and ecology. Second, the allegedly universal nature of graphs and maps should not be taken as evident or natural. Their ‘universality’ is not an inherent quality but the effect of hard work. Internationalising the knowledge practice by setting up rules of standardisation form an important part of this – processes which, Blomley (2014b: 158) emphasises, include reiteration and citationality and as such stabilise the ‘truth’ of the concept. The graphic form deployed to render Azraq’s waters legible is a prime example of these dynamics.

5.4 The Hydrologic Cycle: A Powerful Graphic

Through what form was water in Azraq made legible? How, to repeat Wozab’s recommendation, can something as liquid as water be ‘counted’? And how, responding to Baumer and Hackett’s recommendation, can we graphically grasp water? ‘The’ answer to these questions – for it was never presented as an option but directly as an evidently ‘natural’ one – was given in the Azraq Groundwater Project (AGP). This project, executed by the United Nations Bureau of Technical Assistance Operation (UN-BTAO) between 1962 and 1964, was the hydrological study Wozab had recommended in 1960. The report opens its first part with the statement that:

[t]he basic concept in this study, for either hydrologist or layman, is that of the *hydrologic cycle*. Given an appreciation of this, plus the acceptance of the fact that groundwater behaves in accordance with established physical laws, it is felt that this report should be followed without difficulty (UN-BTAO 1964: 20 – emphasis added).

For the (Anglo-American) authors trained in hydrological matters, the concept must have already seemed so natural by the early 1960s that it was not only made central to the report's findings and recommendations, but also needed little to no elucidation. For many others, including Jordan with its 'recent entry into the field of scientific hydrology' (Baumer & Hackett 1965: 66), the concept was less evident. After all, it had only been coined thirty years prior to the report: it was the American hydrologist Robert Horton who first mentioned it in his presentation at an American Geophysical Union meeting in 1931 (Linton 2010: 128). At the time, the novelty of Horton's 'hydrologic cycle' did not reside in the idea of the circulation of water which had been present in earlier works (Swyngedouw 2004: 30-32). Moreover, as Linton (2010: 128) points out, '[a]ll the components of the hydrologic cycle concept had been proven mathematically and were ready for assembly as a complete system as early as the first decade of the nineteenth century'. Horton's accomplishment lay in the fact that, through the concept, he gave substance to that assemblage, enabling it to be articulated and concretised by rendering it visually representational in diagrammatic form (see *infra*). Besides naming the concept, and thereby placing it firmly into the world of science, Horton's intervention enabled new arrangements of knowledge production, new agents, and new practices of calculation and enumeration (ibid.: 128). Firstly, the hydrologic cycle provided 'a framework by which the new discipline of hydrology might become established and distinguished from other geosciences' (ibid.: 131) because, through its assembling of all the 'components' of the cycle, it set the scope for the science of hydrology. It was 'commonly featured as a representation of the nature of water and a framework for the practice of hydrological science' (Linton 2010: 149). Horton's hydrologic cycle is not in first instance a calculating device but a representational practice: It 'represented' water and (cl)aimed to 'reveal' it through scientific practice, thereby performing the distinction between nature and science, between reality and representation. Secondly, Horton importantly gave the cycle 'a basic mathematical expression' in the form of a water balance equation known as $P(\text{recipitation}) = E(\text{vaporation}) + R(\text{unoff})$ (ibid.: 133).⁴²⁸ This equation is central to the calculation of a basin's safe yield. I will elaborate more on both later.

Naming the assemblage was not enough to hold it together or to stabilise it: as I previously implied, this required 'hard work'. Since Horton's presentation the concept was increasingly performed, for example through the AGP report (UN-BTAO 1964: 20), as 'fundamental' and 'basic' to the science of hydrology. I write 'performed' because, at the time of the AGP report, the concept (and consequently

⁴²⁸ This equation was developed in the late 19th century and is thus not Horton's invention. By the time Horton presented his 'hydrologic cycle', this water balance equation had generally been established as scientific fact. Linton (2010: 134). subsequently posits that '[b]y associating the hydrologic cycle so strongly with the water balance equation, he allowed the former to partake of the same facticity as the latter'.

the science of hydrology) was still in the process of asserting its universal character, claiming to be applicable in every country and able to 'be repeated from one context to another, freeing itself from local histories, circumstances, and material arrangements, becoming abstract, a concept' (Mitchell 2011: 2). Indeed, Azraq/Jordan played a constitutive role in the process of universalising the hydrologic cycle. Appreciating this role makes visible how it was not just a case of 'applying' the hydrologic cycle to a random case, and reordering the world in its image, but one of stabilising the very concept. Azraq/Jordan was a location that helped perform the concept by confirming it as a standard(ised) practice, as a universal form of expertise *because* it was practised everywhere.

The concept's 'universalism' was given an immense boost in the late 1960s through the IHD – a ten-year international scientific programme (1965-1974) under the aegis of UNESCO (UNESCO 1964). According to John Rodda (1970: 38), a hydrologist who had been involved in the preparations for the International Biology Programme station in Azraq in 1966 (see *infra*), the IHD was one of several past and ongoing world-wide scientific programmes with the particular aim to foster research, education and training in hydrology which was crucial in lifting the status of hydrology from a discipline that 'seems to lack the glamour of the expensive "big science" subjects' (ibid.) to 'a pure science' (Linton 2010:



Figure 14: Jordanian Stamp 1967

134). This achievement was in to small degree effected through IHD's effort to globalise hydrological practices and concepts by promoting and encouraging cooperation amongst international scientists; by filling 'gaps' in the hydrological knowledge of (predominantly developing) countries; and, finally, by standardising research methods and devices such as the hydrologic cycle (Linton 2010: 168). It is also in this context that Jordan's participation in the IHD (see Figure 14) should be read. Indeed, the country's participation was widely encouraged by several actors with the argument that 'until about 1960 there was in Jordan neither a sustained effort not the facilities to collect basic hydrologic data or conduct hydrologic studies' (Baumer & Hackett 1965: 60). However, other calls for Jordan's participation betray the extent to which it not only served the emerging Jordanian state but also the (political) interests of scientists:

[Participation] could be the starting point toward a certain homogeneity in the presentation of scientific results. Eventually, it could be useful to look for a uniform system of presentation for

statistical information, on a regional level or even with the other Arab states (ibid.: 47).

The reference to the hydrologic cycle in the AGP report should thus not be taken as evident, or as a sign of its established universal/scientific character but as itself part of an emerging yet continuous project to make the concept universal by applying it everywhere:

there are many research activities of interest to Jordan which are of interest internationally also; for some of these, Jordan [and Azraq in particular] as a field laboratory is especially well suited (Baumer & Hackett 1965: 66).

Jordan was part of this effort to stabilise the assemblage of the hydrologic cycle through processes of internationalisation and standardisation – two processes which should be regarded as ‘a social achievement, not the inevitable consequence of some inherent scientific essence. It has had to be worked at’ (Livingstone 2003: 89); and for that it continuously needs to be performed.

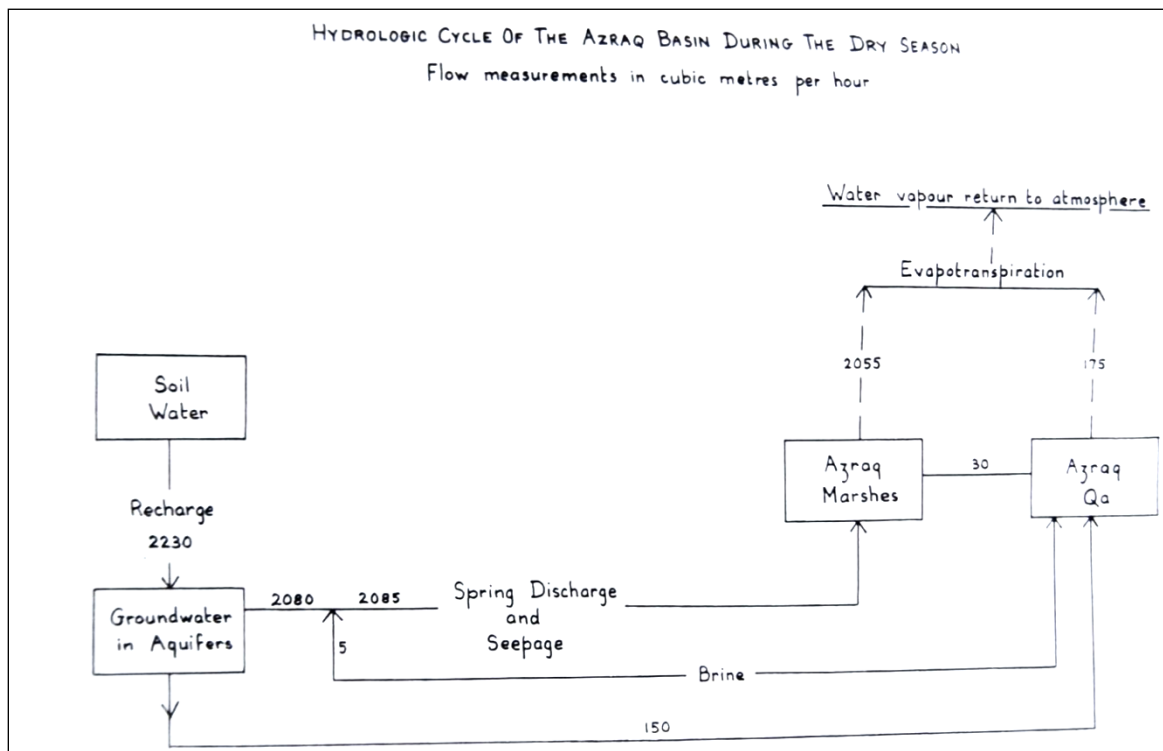


Figure 15: Hydrological Cycle (Dry) of Azraq Basin (Hemsley & George 1966: 28b).

The stability and success of the assemblage equally relied on the properties inherent in the visual representation and mathematical expression Horton attached to it. Indeed, the diagram (see Figure 15) of Azraq’s hydrologic cycle privileges and reinforces certain ways of knowing and understanding over others which, in the

process of becoming recognised as universally applicable, shapes the standards of 'truth' and assessment and, consequently, of relations of power and control over the knowledge produced.

First, the representation reinforces 'the presumption that any and all waters are to be considered *apart* from their social and ecological relations and reduced to an abstract quantity' (Linton 2010: 163 – emphasis added). Building on Latour, Linton argues that this presumption – this practice to separate human/society from thing/nature as a constitutive aspect of modernity and the 'scientific' method – is characteristic of 'modern' water.⁴²⁹ The hydrologic cycle furthers this presumption in several ways. To begin with, at no point does the diagram indicate the ecological, social or cultural functions that water performs throughout its cycle. This facilitates the idea of an ontologically different sphere of water (nature) as opposed to society (men): the cycle was readable as the representation of water in the abstract, of water circulating and moving in nature, a realm separate from that of men.⁴³⁰ As such, it performs the hydrologic cycle as a purely natural event because human interference is removed from the equation: 'the hydrologic cycle *effects* the banishment of people so as to produce an objective representation of nature' (Linton 2010: 185 – emphasis added). Moreover, the hydrologic cycle facilitates water's de-materialisation (turning it into a conceptual abstraction) and de-territorialisation (because it essentially becomes the same everywhere) (Linton 2010).⁴³¹ As such, the hydrologic cycle embodies

a new and radical "imagination" of nature, where water has been desocialized and translated into "technical" stuff (Illich 1986, Kaika 2005): the abandoned wilderness of the "desert" waiting for redemption, the new emergency against "natural" water scarcity and the reinvention of water as object disconnected from local management patterns are some main sites and tropes of the new imagination of nature in planning, which has transcended ecological limitedness and has targeted local savoir faire and local patterns of expertise as main obstacles to peace and prosperity (Van Aken s.d.: 2).

Second, the diagram stimulates this by directing the viewer to think in terms of water available for use in explicitly quantitative terms – a quick and easy visual

⁴²⁹ Linton uses 'modern' in two related senses: as an approximate period of time (roughly starting in the 17th-18th century till this day) on the one hand; and as a particular mode of understanding things in which especially the separation of man from nature is central (Linton 2010: 8-9).

⁴³⁰ A fact which, in itself, furthered the status of hydrology as a 'pure science' which could now be regarded as a discipline to 'represent and speak for nature' (Linton 2010: 133, in reference to Latour 1993).

⁴³¹ Both processes of de-materialisation and de-territorialisation are further by the performance of the hydrologic cycle as universal because this implies that waters are essentially the same everywhere.

representation of the (potential of the) nation's waters – a particular hydrographic 'legibility map' (Scott 1998). This was especially valuable in an era marked by the increasing importance of 'government by numbers' (Lenner 2014) for which processes of calculating, measuring and enumerating constituted a new form of government that reordered and centralised relations of power. The centralisation of all data on water turned Amman into the nation's 'centre of calculation' from which people's relation to water was now to be governed. This was indispensable in a period marked by an emergent state hydraulic mode of water regulation of which 'centralisation and concentration of state control over water in the 20th century' is an important characteristic (Linton 2010: 53) through which the state obtained social legitimation (Bakker 2003: 40-41). In the decades following its independence, Jordan's development policies were steeped in the promises of a new hydraulic modernity (Van Aken s.d.) – the Azraq-Northern District Project implemented in 1963 (see Chapter 1), which utilised the abandoned pipelines from the (IPC) to supply this northern city with water and at the time officially described 'as the largest of its kind in the Middle East', is a case in point.⁴³² Within this hydraulic modernity, the accumulation of basic hydrological data (such as precipitation, runoff, groundwater and evaporation) as well as the institutionalisation of data collection and quantification on a national scale became the prerequisite for good (i.e., rational and scientific) government of water. This rationale still resonates today, e.g., in the words of former Minister of Water and Irrigation: 'Water data are as essential to project planning as water itself is essential to all forms of life' (Kathuda & Haddadin 2006: 52).⁴³³

The repeated representation of the hydrologic cycle thus helps perform water's disentanglement from its (local) contexts, making it alienable and at men's disposal. The diagram enables one to better imagine man as 'outside' the representation and clearly visualises *where* to interfere, and what still needs to be 'known' (i.e., quantified) more accurately. At the same time, and as demonstrated, the cycle rearranges water with(in) other networks of expertise and fields of government such as that of land and property relations. Nevertheless, within the context of Azraq the hegemony of the above described approach to water and the role of the hydrologic cycle within it, was not yet fully stabilised in the 1960s.

⁴³² The Times, 29 November 1963, 'Jordan completes Water Project', Nicholson collection (Box 9), RGS Archives. Emphasis added.

⁴³³ In 1997, in the context of Jordan's first official water sector strategy for the country, a comprehensive national water databank was established (ibid.: 54). Hardly five years later, by 2002, the water data situation apparently 'was very promising' (Kathuda & Haddadin 2006: 52) – a statement reinforced by a list of all that had been accomplished by 2002: 'The number of monitoring stations has increased to 220 *rainfall* stations; 44 gauging stations, along with *discharge* measurements of around 500 springs; 34 *evaporation* stations; and 117 water level-monitoring wells' (MW&I 2002 *Op. Cit.* Kathuda & Haddadin 2006: 55 – emphasis added). It is hard to miss that the data gathered through these stations and measurement tools is aimed at producing a more accurate view of the different phases of the hydrologic cycle (rainfall, discharge, evaporation, and so on).

5.5 Azraq National Park: 'This Great Scientific Undertaking'

The 1960s can be seen as the decade when a particular hydrological vision of Azraq took hold based on the emerging discipline of hydrology and its central concept the hydrologic circle. There was, however, at least one other 'discipline' which furthered both the success of the concept and, through it, the rendering legible of Azraq's waters – albeit in a slightly different form: scientific ecology/conservation (see also Chapter 1). Azraq was set

to become not merely the world's newest National Park, but at least for a time the only working example on earth of *the latest concepts and designs for a truly modern type* of National Park. Advanced countries can dream of such a new model, but it has needed the clean slate and unified leadership of a desert kingdom actually to set it up.⁴³⁴

The hydrological cycle also played a crucial role in this endeavour, even though it was incorporated into the larger goal of understanding the broader ecological system. Hemsley and George, two scientists who drew up a draft management plan for the Azraq National park in 1966, envisioned,

Studies on the hydrology of the Park area, including measurements of rainfall, run-off, evapotranspiration from the marshlands, characteristic of spring flows and wells, water quantity and quality. These studies, which will follow on from the work already carried out by the Azraq Groundwater Project (AGP) team [...], will be aimed to yield a more detailed understanding of the hydrological cycle and its implications in terms of the overall ecological situation of the Park (1966: 105).

To understand how the (envisioned) park furthered the process of rendering legible Azraq's natural resources (and particularly its waters) along *scientific* practices, it is useful to explore the implication of the 'latest concepts' referred to in the first quote, and what makes the envisioned Park 'modern'. I chronicle this history because, while equally relying on the concept of the hydrologic cycle and its derivative, the 'safe yield', those ecologists involved in setting up the park 'read' the diagram differently. In contrast to the project above – in which scientific knowledge and practices were foremost a *means* to a larger end, namely to advance good government, this project placed the advancement of scientific knowledge central.

⁴³⁴ E.M. Nicholson, May 12 1965, *A Desert National Park*, Nicholson collection (Box 5), RGS Archives, Emphasis added.

Science was a goal, not a means. This different focus is reflected in the ways in which the hydrologic cycle is read and used. For reasons outlined in Chapter 1, this ecological/conservationist project could not be realised in the initially intended form. Consequently, the alternative 'reading' of the diagram, which might have instigated different allocation policies, was pushed into the background. As such, recounting this history underscores that the transformative potential of the diagram discussed in the previous section does not solely reside in the diagram but in the way in which it is deployed, by whom and in what context – in other words, how it is performed. It helps to avoid assigning too much power to the representation *an sich*.

As indicated in Chapter 1, these nature parks were to be established according to the new 'multiple-resource image'.⁴³⁵ This image was 'truly modern' in the sense that, contrary to the standard sanctuary-like wildlife reserves in Africa, a multiple-resource approach incorporated *all* (human) land-use practices (such as agriculture, forestry, water exploitation, animal husbandry). As Hemsley and George explained:

The objective [...] may not always be aimed at a maximum exploitation of the potential, indeed in attempting to satisfy the claims of competing interests, the resulting policy will normally steer a middle course, and try to achieve an optimal level of operation. Such a policy will recognise that the natural features of a National Park will determine the safe capacity of the area, beyond which it is undesirable to exploit them further. In order to understand the natural processes which govern the productivity of land and water, and to determine exactly the limiting quantities which may underlie the concept of 'safe capacity', it is very necessary to conduct scientific research into the basic workings of the system (1966: II).

This approach thus strongly disapproved planning 'on a basis of a single resource'⁴³⁶ based on the idea that a combination of resource uses and recognition of the interdependence and integration of interests stood a better chance of success. While the advocates of the park thus acknowledged and agreed on the need to export water from the basin, according to their multiple-purpose use

basic decisions should not be taken in relation to a single interest at a single period, but to all existing and foreseeable interests [e.g.,

⁴³⁵ J. M. Boyd, s.d., *The Changing Image of the National park*, Nicholson Collection (Box 8), RGS Archives.

⁴³⁶ J.M. Boyd, 1964, *National Parks in Jordan*, Nicholson Collection (Box 5), RGS Archives.

local employment, ecological balance] on a long term view of national trusteeship responsibilities.⁴³⁷

While they – in contrast to the AGP and other reports – called for a balancing of multiple interests, they also appealed to advancing scientific knowledge in order to factor them in adequately, and envisioned to make *all* resources and the ways in which they interconnect legible.

This unconditional faith in science was especially strong amongst two of Mountfort's companions: Sir Julian Huxley and Max Nicholson. Both men were prominent forerunners of the modern-day global conservation movement⁴³⁸, were familiar with the region and, most crucially, were both adepts of 'scientifically oriented conservation'⁴³⁹ (Adams 2004; Evans 1997; Peder 2009). In a sense, the latter presents a paradox. For while both Nicholson and Huxley believed in the 'role of comprehensive scientific research... as the true basis for conservation in all its aspects'⁴⁴⁰, they at the same time advocated that sites be conserved 'for future scientific study'⁴⁴¹, sites where development should be 'on scientific grounds'⁴⁴². Science thus not only constituted the basis for conservation, it also constituted the *raison d'être* of conservation in the first place:⁴⁴³

⁴³⁷ N. a., July 1963, *The British Jordan Expedition 1963*, Nicholson Collection (Box 5), RGS Archives.

⁴³⁸ Huxley and Nicholson were strategic figures in building the framework for the establishment and implementation of nature reserves and national parks in the United Kingdom and its colonial imperium (Evans 1997: 70-78). Both men either presided or helped establish international organisations which promoted, in one way or another, the protection of nature. Sir Julian Huxley was the former chairman of the committee on wildlife conservation in the British government as well as former Director-General of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) under which name he had previously visited and written on conservation in Jordan (*ibid.*). Max Nicholson was the contemporary Director-General of Nature Conservancy and had been responsible for setting up and sustaining the Middle East Supply Centre (MESC) from London. Both men were thus not only important pioneers in the conservation movement, they equally were no strangers to the region. Moreover, they were founding members, together with Mountfort, of the World Wildlife Fund (WWF) in 1961 and had been involved earlier in the formation of the International Organisation for the Protection of Nature in 1948 (later IUCN), the latter's 'scientific sister organisation' (F. Vollmar, Director-General WWF, *Summary Report on Visit to Jordan*, 23 December 1974, RGS-IBG archives, Nicholson collection (Box 8)). Both the WWF and the IUCN were requesting parties to the Jordan expeditions.

⁴³⁹ E.M. Nicholson, *Azraq – An Experimental Conservation Project For IBP*, 5 January 1966, Nicholson Collection (Box 6), RGS Archives.

⁴⁴⁰ *Provisional draft of application to United Nations Development Programme for support for the Jordan International Biological Station, Azraq. s.d.* Nicholson Collection (Box 8), RGS Archives.

⁴⁴¹ N.a., July 1963, *The British Jordan Expedition 1963*, Nicholson Collection (Box 5), RGS Archives.

⁴⁴² E.M. Nicholson, 21 November 1963, *Meeting at the United Nations Headquarters New York*, Nicholson Collection (Box 5), RGS Archives.

⁴⁴³ This link between conservation and science is not particularly new even though, historian Samuel Hays (1999 [1959]: 2) argues, this is often omitted from the early history of conservation. He argues that, 'above all, [it] was a scientific movement, and its role in history arises from the implications of science and technology in modern society. Conservation leaders sprang from such fields as hydrology, forestry, agronomy, geology, and anthropology. [...] Its essence was rational planning to promote efficient development and use of all natural resources'.

[...] the scientific needs of biologists, where they call for sites to be reserved for study of soils, climates, vegetation and animals in natural conditions, should not be thoughtlessly sacrificed to short-term commercial or sectional advantage. This means that adequate study areas, as nearly as possible in a natural state, should be reserved, just as indoor laboratories and museums are provided for the advancement of science and scientific education.⁴⁴⁴

The question arose, however, which sites constituted adequate study areas. This question was particularly salient to Nicholson in his position as convener of the Conservation of Terrestrial Communities (CT) programme, one of the seven programmes of the IBP. Similar to the IHD, the IBP (1964-74) was one of several international scientific programmes of the 1960s. It aimed to collect and unify the knowledge production of ecologists and was steeped in a deep belief in 'big science'. Observing that much of the areas of interest to scientists were rapidly disappearing, Nicholson, as convener of the CT, was tasked to develop conservation reconnaissance methods which would enable a rapid and reliable assessment of habitats 'to be recommended for permanent conservation in the interest of science, as well as of education, cultural studies and tourism'.⁴⁴⁵ At first, Nicholson admitted, 'the formulation of a practical approach for world-wide use looked impossible until the idea emerged of using the desert as a workshop for forging it'.⁴⁴⁶ Deserts, it was argued, constituted 'such helpfully simplified theatres'⁴⁴⁷ for these 'more scientifically exploratory approaches to nature'⁴⁴⁸. Consequently, a desert-like place such as Azraq offered 'a testing ground for concepts and techniques to be developed by IBP/CT'⁴⁴⁹ and in 1965 the young King Hussein publicly announced his intention

'[...] to establish and maintain at Azraq the first International Biological Station for the study of desert conditions under the

⁴⁴⁴ N. a., July 1963, *The British Jordan Expedition 1963*, Nicholson Collection (Box 5), RGS Archives.

⁴⁴⁵ E.M. Nicholson 1964, *British Ornithologists' Union Conference at Southampton April 1964*, Nicholson collection (Box 5), RGS Archives. Mark the parallel goals of this conservation project with that of UNESCO (of which Huxley was the first Director-General).

⁴⁴⁶ E.M. Nicholson, 12 May 1965, *A Desert National Park*, Nicholson Collection (Box 5), RGS Archives.

⁴⁴⁷ E.M. Nicholson 1964, *British Ornithologists' Union Conference at Southampton April 1964*, Nicholson collection (Box 5), RGS Archives.

⁴⁴⁸ See Poore, M. E. D. & Roberston, V.C. (1964), *An approach to the rapid description and mapping of biological habitats based on a survey of the Hashemite Kingdom of Jordan by Hunting Technical Services Ltd. and on the work of the British Jordan Expedition, 1963*. [London: Internat. Biol. Progr. \(c/o Nature Conservancy\)](#).

⁴⁴⁹ E.M. Nicholson, 5 January 1966, *Azraq – an experimental conservation project for IBP*, Nicholson Collection (Box 6), RGS Archives.

International Biological Programme.⁴⁵⁰ Jordan is proud and happy to participate in this great scientific undertaking'.⁴⁵¹

This scientific encapsulation of the conservation project reinforced the earlier described process to render Azraq's natural resources legible – with the difference that this project focused on *all* resources and/in their interconnectedness with(in) other elements (human and non-human alike). Thus, while equally advancing and studying Azraq's hydrologic cycle and safe yield, this type of multiple-resource use conservation project did so with a different vision and implementation. This becomes most clear in Nelson's critique of the hydrologic studies conducted in the 1950s-1960s and which is replete with emphasising that the system (represented through the 'hydrologic cycle') is too complex to be reduced to numbers – especially when those numbers cannot be sufficiently calculated. In his chapter on Azraq's waters he reviews the report of the AGP and that of the Jordanian researcher U.H. Mudallal (1968)⁴⁵² in order to test 'how the calculations that have been made stand up' (41). Most interestingly, he himself does not provide new (scientific) information. Instead, the basis of his critique consists of two pages of impressionistic data of the water fluctuations in the marshes, mudflat and pools through which he questions conclusions made so far which fail to explain these observations. He thus arrives at the fundamental conclusion that, despite several reports, there is still little knowledge of the dynamics of water in the aquifers. He demonstrates this argument in the next pages which focus on answering six simple questions.⁴⁵³ Together these questions (most of which are very quantitative in focus) seek to create a clearer picture of the area's water balance and, consequently, the (different phases in) the hydrologic cycle (see Linton 2010: 118).

Nelson's dealing with these questions uncovers two important points. Firstly, the answers to these questions reveal that the simplicity implied in the hydrologic cycle is erroneous. Nelson's observations that 'abstraction is not just a matter of taking a proportion of a constant overspill' (40) and that 'the "commonsense" view, that what overflows to the marsh could be used without affecting the aquifers or reducing the marsh, is wrong' (46) are most informative in this regard. Moreover, given that at least two questions can be answered only imperfectly and another one hardly at all, Nelson (*ibid.*: 48) concludes that 'there are still large gaps in the hydrologists' understanding of the water system'. Secondly, although he does not

⁴⁵⁰ The earlier cited Bryan Nelson was the International Biological Station's first director.

⁴⁵¹ Ministry of Information, 25 February 1966, *Letter to the Jordan ambassador in London containing the Announcement by His Majesty, King Hussein*, Nicholson Collection (Box 6), RGS Archives.

⁴⁵² U.H. Mudallal (1968). *Water balance study in Azraq area*, Ground water division, Department of Research and Investigation, Natural Resources Authority, Jordan.

⁴⁵³ 'Where does the Azraq water come from? How much goes underground to recharge the aquifers each year? How much flows naturally into the wetlands? How much is evaporated from the surface of the wetlands? How much is withdrawn by man? How are the underground water stores related to each other?' (Nelson 1973: 41).

term it as such, his analysis clearly lays bare the preoccupation of the hydrologic cycle with what happens above-ground: precipitation, evaporation, discharge, runoff, and so on. Nothing, however, is known about the communication, interfaces and underground flows of, and between water stores. As late as 1990 it was acknowledged that only partial knowledge of the upper aquifer was researched and that 'the other two aquifer systems [remain] relatively poorly understood' (Jones & Clarke 1990: 7). As Nelson had argued, only if all his questions could be answered accurately, could 'the proper policy [be] dictated by arithmetic' (Nelson 1973: 41). This lack of vision on what flows beneath thus seriously impeded any attempt to obtain accurate data and, consequently, impeded government by numbers.

Had the conservation project as envisioned by Mountfort and his friends been implemented, the situation of Azraq area might have evolved differently. It might have arranged another world than those proposed by most development agencies: a very utilitarian one in which the water cycle is completely set apart, distanced, stand-alone in the wider arrangement of things. It is not considered as independent or disconnected/disengaged from the world in which it is said to circulate. However, plans for the Park were stalled (see Chapter 1). Consequently, these conservationists' critique of the one-dimensional character of the hydrological cycle was lost with the national park plans. The agreement that was signed between RSCN and the MW&I in February 1997 to, literally, reserve a slot of water for 'nature', epitomises the extent to which the cycle was completely placed outside of its ecological context.⁴⁵⁴ Nature had become one of many interested parties, another 'element' to be ranked within the allocation hierarchy instead of *being* the cycle.

Clearly, the project of furthering ecological science strengthened the case for the hydrologic cycle and its calculative nature but the understanding was of a different order emphasising complexity, interwovenness, interaction and interdependence. However, unlike the hydrologic cycle promoted by hydrologists, the more integral cycle of the ecologists – to make an overly generalising distinction – was more befitting to the form of government envisioned at the time. This, in combination with the fact that Mountfort was unable to press his project forward, helped foreground a more utilitarian reading of the cycle.

5.6 Azraq's Safe Yield: A Work of Great Accuracy?

The previous sections have outlined a crucial aspect of the performativity of science: the hard and continuous work through which it is made to appear universally

⁴⁵⁴ The agreement (26 February 1997) states that 'The first party (Ministry of Water and Irrigation) is committed to the continuity of pumping the above-mentioned quantity of water, (1.5 – 2.5 MCM) yearly from the present water network. Pumped waters are to be of environmentally appropriate quality for the purpose of rehabilitation and conservation of the Azraq Oasis located in the Southern Azraq. Pumping is to guarantee the sustainability of the Oasis in an environmentally acceptable shape'.

applicable. The seemingly evident and straightforward reference to the hydrologic cycle (and its graphical depiction) in the 1964 AGP report in itself constituted part of the on-going labour to align the cycle with other processes for which its universal character proved useful and through which it was performed: the institutionalization of scientific disciplines; the centralisation of government; and the dis-connection/mastery of nature from/by men. Indeed, closely following the emergence of this concept as a method to produce formal knowledge of Azraq's waters demonstrates that the latter was not the result of simply applying 'science' but that it was part of the process of constituting the very form and authority of that science (in this case the disciplines of hydrology and ecology). Moreover, it equally demonstrates how the struggle over this form and authority is closely intertwined with that of constituting state authority over the (knowledge of the) country's water resources. The latter however was not merely an effect of the fact that the production and circulation of knowledge was increasingly concentrated in, and controlled by state institutions. It equally emerged as an effect of the way in which the latter reordered water as a field of government to other fields: the national economy; the population's well-being; regional politics; allocation of water to different user groups; practices of property-making; and so on. For all these processes state institutions were reliant on, and departed from practical calculations.

In this final section, I turn to another aspect of science's performativity: its claim to objectively and accurately represent reality. From the 1960s onwards, research of Azraq's waters concentrated on 'perfecting' the hydrologic cycle and its mathematical expression by better mapping, measuring and calculating the cycle's different phases (evaporation, run-off, spring discharge, and so on).⁴⁵⁵ Abu Jafar concluded as much in 1978 when he wrote that:

[t]he hydrological studies of the Azraq area have been limited to the determination of discharges of the present springs in the Azraq area, utilisation of groundwater, and determination of precipitation averages and evaporation. From these can be determined the constancy of water production (20).

The last sentence sums up the goal of all these efforts to perfect the cycle as a representation of water flows: the need to determine the basin's 'safe yield' or

the amount of water that can be produced perennially from an aquifer without producing an undesirable result, such as excessive pumping levels or deterioration of water quality (UN-BTAO 1964: v).

⁴⁵⁵ For a preliminary list of some of these studies, see Dottridge 1998: 68.

Yet, despite ongoing calculations there is as yet no (scientific) consensus about the basin's safe yield. Nelson (1973: 40) mentions that the World Bank, in fear of over-abstraction leading to irreversible damage to both the habitat and 'any practical utilization scheme', had

recommended a fixed upper limit (based inevitably more on guesswork than anything else). However, consumption is rising rapidly and the recommended limit has been or soon will be exceeded.

Nelson does not specify this 'fixed upper limit' but given the fact that total human consumption in the early 1970s hardly exceeded 2 MCM/year and that Nelson assumed it had already been surpassed, this upper limit cannot have been big.

Today, the figure circulating most commonly amongst my interlocutors is of a completely different order: 24 MCM/year. This was the figure calculated by GTZ in 1977 (currently GIZ).⁴⁵⁶ Surprisingly, this figure has not been re-evaluated since then despite recommendations in that direction by international development agencies (Don Humpal et al. 2012: 6; Jones & Clarke 1990: 14). This is problematic because, as Davis, Nichols & Spear argue:

Proper application of the safe yield concept requires that the value be modified through time to reflect changing practices within the basin. One of the common misconceptions is that safe yield is a static number. That is, once it has been calculated, the amount of water can be extracted annually from the basin without any adverse impacts. An example of a situation in which this assumption could be problematic is when land use changes. In some areas, where urban development has replaced agriculture, surface pavement, storm drains, and sewers have increased runoff and dramatically reduced recharge into the basin. If extraction continued at the predetermined safe yield of the basin, water level decline and other negative impacts could occur (2003: 99).

As outlined in Chapter 1, land use in Azraq has changed dramatically since the late 1970s and continues to change. None of this, however, has been taken into consideration.⁴⁵⁷ There is thus an urgent need to update the basin's safe yield.

⁴⁵⁶ GTZ (Gesellschaft für Technische Zusammenarbeit GmbH) & Agrar und Hydrotechnik (AHT Group) (1977). *The national water master plan* [Seven volumes]. Amman, Jordan.

⁴⁵⁷ Nor, for that matter, were ecological changes taken into account. As pointed out by Don Humpal et. al. (2012: 63), there has been 'a decrease in rainfall from 1937 to 2010 [...] which suggests a decline in total rainfall of 2420 MCM (24 per cent) over 73 years. [T]his can be very loosely interpreted to mean a reduction in water available for surface flows and groundwater recharge of 115 MCM'.

Adding to the problem is the fact that reports and research papers by both (inter)national development and policy agencies seldom reference the 1977 report but mostly refer to the latest official government report – as such reproducing the ‘factness’ without acknowledging its origin or the history of its performance (see Latour 1987). In essence, the elimination of the everyday reference is part of safe yield’s performance (to come back to Butler’s take on performativity; ‘its apparent [facticity] is produced to the extent that its historicity remains dissimulated’ (1993: 12)).

Moreover, not citing the original reference also omits the work/political choices that goes into maintaining its stability. For it is far from constant. Figures in reports range from 20 MCM/year (MW&I 1990 *Op. Cit.* RAM 1990) over 24 MCM/year (Al-Homoud & White 1995; MW&I 2015) to maximum 35 MCM (Al Raggad & Jasem 2010) and even ranging between 30 to 45 MCM/year in the 2004 National Water Master Plan (NWMP). For many of my interlocutors, this articulates the ‘guesswork’ more than the accuracy of the safe yield: ‘*nobody is sure about it, it’s all about studies: somebody says 20, somebody says 35*’.⁴⁵⁸ Or as a professor at Jordan University stated:

*the government commissions a company – local or international – to study the water resources of Azraq, and then the company starts to produce figures ‘30 million a year!’ and they are somehow influenced by certain powers, especially rich people: ‘Ah, no no, 40 million’ and after a while they say ‘no, no it’s 60 million, it can produce 60 million!’ and they write a report and send it to the minister and the minister accepts it and then they plan a project.*⁴⁵⁹

The figure of the safe yield should thus be read against its contemporary political context. Indeed, the idea that it is less attuned to actual ‘sustainable groundwater abstraction rates’ (NWMP⁴⁶⁰ 2004: 54) and more to being beneficial to the wishes of strong political constituencies also seems to have played a role in 1988. In the winter of that year a cabinet committee⁴⁶¹ – formed in previous years by the Jordanian government ‘following fears about the consequences of over-exploitation of Azraq’s water’ and responding ‘to the 1987 Ramsar Convention’s recommendations on the conservation of the Azraq wetland’ (Dottridge & Gibbs 1996: 92) – officially set the

⁴⁵⁸ Jad, 4 June 2011.

⁴⁵⁹ PROF1, 24 May 2011.

⁴⁶⁰ The National Water Master Plan was written in 1988: ‘The MWI, in cooperation with the United Nations Development Programme (UNDP) and the Arab Fund for Economic and Social Development, formulated the National Water Master Plan to strengthen central water administration, to develop guidelines for water policy, and to establish a computerized water sector databank and an integrated water sector management model’ (https://ageconsearch.umn.edu/bitstream/253798/2/Working_Paper_21.pdf).

⁴⁶¹ The committee included the Prime Ministry, the ministries of Agriculture, Energy and Mineral Resources, Finance, Interior, Planning, Municipal and Rural Affairs and the Environment, Public Works and Housing, Social Development, Tourism and Antiquities, and the Water Authority.

aquifer's safe yield at 20 MCM/year.⁴⁶² Starting from this figure, the committee recommended an allocation of 14 MCM for urban water supply, 3,5 MCM for irrigation purposes and 'at least' 2,5 MCM for the discharge of the spring flow (ibid.: 10). These allocation shares closely reflect the situation on the ground at that time: On average, the withdrawal for urban water between 1984 and 1987 was 14,43 MCM whereas that of private wells over the same period amounted to 4,5 MCM.⁴⁶³ This was further confirmed by a WAJ official as he explained how allocations and policies for agricultural activities in Azraq were organised:

The illegal wells get 250m³ for free per dunum which is indeed not enough but this was calculated in the 1980s when the WAJ wells were drilled. They calculated the safe yield of the basin and came to around, let's say 20 MCM of which they wanted to send 8 MCM a year to Amman, some for the people in Azraq and the other 12 MCM was divided over the irrigated area at that time – which amounted to 250m³ per dunum per year.⁴⁶⁴

The aim, clearly, was not to curb the (illegal) allocation conditions but to find ways to sustain them. Questions about the mechanisms that directed access to land and water, about the socio-political context within/through which agricultural activities blossomed, and about the viability of agriculture in this area thereby receded to the background. It seemed that within the figure of the safe yield, the agricultural frontier was allowed to go wild – a policy largely befitting the contemporary supply management approach that was better aligned to the regime's need to appease its rural political constituencies through the provision of (free) water.

Rather quickly however, doubts about the (figure of the) safe yield were uttered. Already by the beginning of the 1990s two scientists, sent to Azraq to inspect the site in the context of the Ramsar Convention, wrote in their final report that '[t]he concept of "safe yield" is clearly fundamental to the future of Azraq'. Yet simultaneously, they raise doubts about it:

[f]urther studies, perhaps in conjunction with experts having experience of similar situations in other semi-arid/arid countries, should be made to confirm the validity (in terms of wetland conservation) of the above-mentioned "safe yield" value of 20 MCM per year (Jones & Clarke 1990: 14-15).

⁴⁶² The figure was based on calculations from the 'Ministry [of Water and Irrigation] engineers' (Jones & Clarke 1990: 9).

⁴⁶³ Personal calculations based on data provided by Jones and Clarke 1990 (p. 8).

⁴⁶⁴ WAJ-L1, 24 June 2013.

They further emphasise that the officially fixed safe yield actually reflects a situation already lost: the volume extracted in 1987, which led to the drying out of the Druze wells in that year (Dottridge & Gibbs 1996: 90), was the same volume fixed by the government in 1988 with the aim to respect the water balance of the basin.⁴⁶⁵ As the authors of the Ramsar report specified:

Whilst 20 MCM has been identified as the maximum sustainable TOTAL yield (government & private/unlicensed extraction), it should be remembered that this level of exploitation would, at best, only maintain the wetland in its present severely impoverished condition. The former ecological character of the oasis could not be fully restored without a substantial reduction of total extraction below the maximum "safe yield" (Jones & Clarke 1990: 14).

Thus, ironically, at a time when politicians took serious issue with the basin's safe yield, the concept was openly questioned by international development agencies active in the country. The Global Environment Facility (GEF) (WB) equally openly made reservations about the concept's reliability and workability:

Although numerous studies have been carried out on the water resources of the Azraq Basin during the past thirty years, there is still disagreement with respect to the characteristics of the different aquifers, their suitability as supply sources, and their rate of recharge. The available figures for groundwater recharge and 'safe yield' are based on run-off rates, infiltration rates, and loss calculations *from similar catchments elsewhere in the world. They are at best, therefore, only rough estimates.* Estimates of the 'safe yield' have ranged from 16 MCM per year, based on the natural discharge of the springs, to 28 MCM per year, based on an estimated annual recharge of 34 MCM per year. However, the concept of 'safe yield' has always been open to question and now,

⁴⁶⁵ There are, as Dottridge and Abu Jaber (1999: 321-322) point out, two approaches to safe yield:

In general, there are two extreme views of safe yield, with a range of compromises between them. The most conservative definition is that abstraction should not normally exceed recharge and thus can be sustained indefinitely, or 'conservation may be a wiser alternative in many circumstances' (Custodio, 1992). However, the definition more in line with current practice in many arid areas accepts that use of storage is essential for effective groundwater development, and thus abstraction may exceed recharge. "An underground reservoir that is almost always full is almost as badly utilised as one which is almost empty" (Burdon, 1982).

While a yearly abstraction of 20 MCM/year might thus not completely retain Azraq's ecology, it might still be considered reasonable in light of government necessities.

with the discovery that the wells are ‘mining’ fossil water, has been more or less abandoned (GEF 1993: 40 – emphasis added).

Nevertheless, despite these uncertainties, state institutions as well as (inter)national development agencies (IWMI, USAID) continue to use the term. While the GEF might have abandoned the concept, within the country it remained largely used and even became, more than before, the yardstick. This highlights once more the importance of indicators in the field of development policies. Like other indicators, the figure of the safe yield continues to ‘circulate amongst and between different agencies and function as yardsticks for measuring and ranking’ (Lenner 2014: 148):

*What they [the government] want to achieve in the end is to make the amount of groundwater that is being pumped sustainable. Thus that the amount of water pumped yearly does not exceed the safe yield.*⁴⁶⁶

At this point, it is imperative to return to one of the most crucial arguments of performativity studies: the fact that the safe yield ‘should not be analysed in terms of the reality it represents (or fails to represent), but in terms of the arrangements and exclusions it helps to produce’ (Mitchell 2007: 243). That is, its success might have less to do with whether or not it accurately represents the natural reality but with whether, and how, it allows certain forms of government (and, through it, power relations) to be formed and maintained, while excluding others. Two examples are informative here. First, the extent to which the figure of the safe yield facilitated a supply management and subsequent development policies:

[In the 1980s, the World Bank water sector work] included a 1984 water sector study which gave insufficient attention to issues of water use efficiency, cost recovery and water conservation. The Water Sector Study, for example, stated that there was sufficient water to meet municipal and industrial needs beyond 2000 with a modest increase available for irrigation. Overall, it indirectly signaled that most problems could be readily managed. Indeed, the appraisal report for the 1986 Jordan Water Supply and Sewerage Project affirmed total water resources would be sufficient beyond 2005 (internal Bank document) (Pitman 2004: 3).

Questions about water use (or the socio-political relations driving them) were not asked. What mattered was the knowledge about the availability of water and how infrastructural projects could further this water’s supply. A second example concerns the following interactions that took place during my attendance of the

⁴⁶⁶ GIZ-1, 18 March 2012.

Highland Water Forum meeting in Azraq in 2013 shortly before Ramadan. This multi-stakeholder forum was established in 2010, financed and co-managed by Germany's bilateral agency GIZ and brings together representatives of the different water user groups of Azraq basin, government and research institutions. In line with most other development projects focused on Azraq, the project aims to reduce water abstraction to safe yield level, in particular by trying to reduce the water abstracted by the agricultural community. It therefore focuses on optimising farmers' irrigation techniques, on communicating knowledge of the basin, and on law enforcement.

After some back-and-forth discussion about failures on the part of the government and misplaced expectations and demands of the farmers, the latter suddenly remarked that solving the issue of water over-abstraction in Azraq is a matter of solving the *land* problem. The secretary-general of the Ministry of Water and Irrigation, however, curtly replied that:

*we should not distract from our efforts [...] this is not the work of our forum. I cannot solve every problem in Azraq, I cannot change marriage and heritage in Azraq. [...] We are a water forum: other relevant institutions need to deal with this [land ownership issue].*⁴⁶⁷

His statement ignores the extent to which Azraq's current water problem is inextricably intertwined with larger histories and policies of conceptualising and legalising property in the country. His core problem is confined to solving the arithmetic; other issues – land conflicts; social inequality; power relations; access – are kept at bay. They are performed as separate, disconnected from 'the water problem'.

His statement is equally indicative of the power of the safe yield in the performance of Azraq as an object of development centred around water. Indeed, and much to the resentment of the target groups (most notably local inhabitants), (inter-)national development agencies and NGO's often promote the calculative machinery driven by the concept of the safe yield. Saleh was most outspoken about this during our conversation on the impact of GIZ's forum. He claimed that it generated little to no effect. None of the agencies involved did. Not USAID, not IUCN, not GIZ. In his opinion, self-promotion was their only concern:

*You know, they say 'We give you the knowledge, we give you *mush 'aref shū* [I don't know what] to save the water, but we cannot give you pipes'! But we know what the problem is! [Their projects are] only about study. But really, we know it!*⁴⁶⁸

⁴⁶⁷ MW&I3, 8 July 2013.

⁴⁶⁸ 18 May 2013.

Knowledge, he suggested, was abundantly available; material to act on that knowledge, however, was not. This stands in contrast to the opinion of developers such as those from GIZ who argued that local inhabitants are aware of the problem but ‘miss scientific numbers’.⁴⁶⁹ This continuous quest for scientific numbers, however, is regarded by villagers and farmers alike as part of the problem, not the solution:

*[W]e need a political solution. We have an overload of information, now we need the solution. They study the problem again and again. I think we know what the problem is by now, what they need to study now is the solution and think about how to make things work on the ground.*⁴⁷⁰

Making things work on the ground, however, goes beyond (thinking about) technocratic solutions of increasing agricultural efficiency; it is about dealing with deeply socio-economic and political questions that are excluded from Azraq’s performance as an object of development centred around (a particular representation of) water.

5.7 Conclusion

Azraq’s position as an ‘object of development’ (Mitchell 2002) is centred around the presence/absence of water. From a potential agricultural hub and resettlement spot for Palestinian refugees in the 1950s, over its pilot status in an internationally supported National Park Project and prime location for a biological research station in the 1960s and 1970s, to its contemporary position as a red flag for the country’s (failed) water management: water has and continues to play a prominent role in putting Azraq on the map of (inter-)national development projects. My focus in this chapter has been on *how* water has been conceptualised in these projects, to what end, and with what effect.

Overall, the knowledge production process of Azraq’s waters was foremost driven by larger world-making projects (development, modernisation, conservation, science) and, through it, by Jordan’s state formation project. Or, perhaps more precise, the process of making Azraq’s waters legible was in itself crucial to the successful performance of all these projects. Indeed, the concepts through which Azraq’s waters are known today – the hydrologic cycle and the safe yield – were still in the process of becoming recognised as authoritative and legitimate *scientific* concepts when they were first applied in Azraq. Their enrolment and implementation actually formed part of the process through which they could be accredited as universally applicable. This chapter has demonstrated that the

⁴⁶⁹ Khaled, 3 June 2013.

⁴⁷⁰ 23 May 2013.

transformation of Azraq's waters into an object of calculation was at once a product of scientific practices while simultaneously constitutive of the *scientific* character of these practices.

Inherent in these concepts are certain assumptions of a hegemonic, non-local 'expertise' that is premised upon particular conceptual dichotomies – most prominently in this case nature/society; reality/representation. By itself, these divides – continuously performed through the production of an enormous number of maps, scholarly papers, calculations and administrative practices based on, or related to, the hydrologic cycle and the safe yield – were instrumental to the success of all these world-making projects of modernisation, development, science and conservation: they constitute one of their core foundations (Mitchell 2002).

These projects, in turn, contributed to Jordan's state-making process not only because of the institutions to which they gave rise (or the fact that these institutions were premised on the ontologies travelling within these projects – think of for example the Ministry of Water, Ministry of Environment, Ministry of Agriculture), but especially because all the knowledge produced through these projects were centralised in the entity of 'the state'. These studies, and the plethora of data they produced, contributed to the positioning of the Jordanian state as sovereign over the country's water resources, insofar as the government became responsible for the health and well-being of its citizens and for the soundness of its national economy. Moreover, the studies reinforced ideas of what was considered proper usage thereby discouraging alternative uses of water.

Besides giving legitimacy to different world-making projects and effecting 'the state', the knowledge production processes turned Azraq into an object of development in which relations, discourses and practices of property-making (and the politics that gave rise to, and sustain them) are largely silenced or, when they emerge, are passed over as disconnected from the central arithmetic problem at stake: $X = A + B + C$. Consequently, the focus has foremost been on finding technical solutions to maintain the equation or to rebalance it, more than on accounting for past state projects that deprived local inhabitants of a decent source of income or livelihood, and that created local senses of unequal access to land if not downright land dispossession. Additionally, it obfuscates the immense effect that particular legacies and practices of property-making – enacted either to rectify these (failed) projects or as a form of land speculation – have on current water uses in the region, or the politics that sustain them.

This brings me to a last point, namely that the use of the safe yield allows evading most of the processes explored in previous chapters. Indeed, the focus on the safe yield in contemporary development projects allows powerful actors to ignore the ways in which the *need* to make water legible was foremost premised on, and driven by, development paradigms that largely dictated what constitutes a 'proper' relation

to land. Water needed to be known because these development paradigms favour and esteem agriculture as more productive, 'modern' and efficient in economic terms than, for one, herding; because they value – if only for the sake of governing the population – a settled over a nomadic lifestyle; because they advocate and promote private land ownership (and a land market) over other forms of land tenure; and because they continue to conjure up images of a 'green' and blooming desert. Thus, the reason water was made legible – and legible in a particular form – is closely intertwined with the world put forth by international development agencies as 'modern'. Yet, all of this is hidden behind the seemingly 'scientific', objective and apolitical figure of the safe yield. By centring development projects on (keeping water abstraction below) the basin's safe yield, international development agencies have been able to remain silent on the relation between the world they aim(ed) to build and Jordan's current water situation. In other words, it has allowed them to ignore the extent to which private property is part of the problem without necessarily urging them to deal with it.

General Conclusion

It is, when marking an end, not always easy to step back from the endless stream of data, the laborious (though enjoyable) following of trails and the continuous gathering of the multiple (hi)stories and contradictory findings from which the previous pages emerged. It is even more difficult to step out of this stream and accept the fact that, in order to write, one needs to 'stop' even though policies, discourses and biophysical processes (amongst others) as well as their effects on the property arrangement in Azraq, do not. At the same time, I am also aware of the potential of a conclusion – as the place par excellence to 'order' the mass of information and to reiterate and re-cite – to effect new beginnings or to deepen and reinforce promising research roads.

The road that I aimed to deepen in this research is that of performativity and, more specifically, of validating the application of a performative lens to the study of (the realisation of) private property in land. The latter constitutes a topical issue, especially in light of the past few decades during which we witnessed an immense global expansion of the *private* property arrangement. Within policy and development circles, this expansion is often portrayed as a natural, evident and even desirable process. Indeed, as the USAID statement on land tenure developments in Jordan (see *supra*) clearly indicates, the 'movement' towards private property is seldom questioned. This lack of criticism importantly stems from an understanding of the private property arrangement as *universal*: not only is it applicable in any given context, it is also immediately intelligible to everyone everywhere. In other words, private property necessitates no prior introduction, investigation or consideration.

In this research, I explored the validity of a performative approach to provide more and/or new insights into private property's allegedly 'universal' character. As I indicated in my General Introduction, the argument that private property is contextually and historically contingent as well as the aim to re-particularise it, is nothing new: many (ethnographic) studies have done just this. By introducing a performative approach, I set out to examine if and how this can add to or expand the already existing productive and fruitful work on this matter within the anthropological discipline. In this conclusion I therefore not only want to reflect on the ways in which a performative approach offers a useful critique of private property as a universal, I also want to consider what it has to offer (what can loosely be clustered as) the 'anthropology of property' literature.

First, by viewing property as an *effect* of the realisation of a particular world through the continuous reiteration and citation of discursive and material practices,

a performative approach offers an alternative to the current sense of unease amongst anthropologists with regards to the ideological baggage and profoundly Euro-American nature of the property concept. In reaction to this, current propositions within anthropology aim to rethink the definition of property in terms of the earlier foundations of the metaphor of property as a bundle of rights, to critically examine the person-thing-relation nexus central to the conventional anthropological conception of property, or to simply dismiss or disappear the concept. By starting from the practices and conditions through which property is brought into being rather than from particular constituent elements – e.g., rights, person, thing, relation (each of which constitutes the subject of criticism) – the performative approach allows us to continue using the property concept without the risk of further effecting it as universal.

Second, this study has demonstrated that a performative approach is equally effective in critiquing property as a universal as the current approaches within anthropology. This is closely related to the ways in which a performative lens works: i.e., by focusing on (1) *what* elements are enrolled in the arrangement, and (2) *how* the elements have been ‘put together and stabilized, as well as contested and rendered uncertain’ (Blomley 2014: 151). The first (1) focus renders each case study unique in the sense that the question of what elements matter, is an open one. Indeed, in a performative approach none of the elements that effect a private property arrangement are predetermined or regarded as ‘essential’. This undermines the tendency to posit a case as a deviation or a particular instance of a universal. Moreover, the ANT-inspired performativity applied here allows room to consider the role that materiality (non-human elements) play in effecting property (this is one of the critiques levelled at a rights-based approach: i.e., the fact that within these studies ‘the nature or thingness of the thing doesn’t matter, only the rights established to it’ (Humphrey & Verdery 2004: 8) and the fact that the analysis is largely anthropocentric given that only human subjects are considered as (property) rights-bearers). This allows for a much richer account of the heterogeneity of property’s performance including, amongst others, deeds and contracts (Chapter 3) and trees and visualisations (Chapter 4). This openness to the multiplicity of property’s performance through non-human elements also already annuls the Euro-American dominant worldview of what constitutes property.

The second (2) focus – i.e. *how* the elements have been ‘put together and stabilized, as well as contested and rendered uncertain’ (Blomley 2014: 151) – avoids narrating the emergence of a private property arrangement as an inevitable teleological unfolding or as an essential element of ‘modernity’. My reliance on a genealogical methodology to trace past and on-going re-arrangement(s) of some of the elements through which property in Azraq is effected, has proven especially useful because it enabled me to highlight the complex, arbitrary and contradictory

nature of the work that goes into making a world that is conducive to private property. My study of the genealogies of land's economic value, of water as an object of science, and of particular inscription devices, for example, further underscored the contingency of the property arrangement by clearly indicating that none of these can be taken for granted.

Third, a performative approach goes beyond re-provincializing the property concept; it equally offers a particular way of studying and understanding how – through which processes, practices and contingencies – property emerges *as* universal. That is, whereas the above mentioned approaches within anthropology successfully question the universality of the property concept by revealing and disclosing its profoundly Euro-American, native foundations (e.g., the dichotomous subject/object world view central to property's contemporary conceptualisation which is often, though incorrectly, taken to be a universally shared ontology (see Strathern 1999)), a performative approach equally allows insights into the ways in which a property arrangement becomes imagined, understood and represented as universal.

So how does a performative approach help us to understand how private property comes to appear as the same everywhere? One way which emerges from my research is the fact that a performative approach – by tracing (the genealogies of) a broad range of heterogeneous elements – enables a clear articulation of the role that wider world-making projects (e.g. conservation, science and modernity) play in putting together and stabilising the private property arrangement. Reading through the chapters, for example, it becomes clear that particular practices of knowing and processes of knowledge production – practices aimed at rendering legible, calculable and governable, and which are central to projects of state, capitalism and modernity – importantly (in)form the processes of rearranging, enrolling and aligning through which private property is realised. These practices, as I demonstrated in Chapter 5, are themselves being performed as 'universal'. Interestingly, these practices of knowing/knowledge production were not necessarily directly concerned with property relations (e.g., the survey, the map, cadastre and so on), nor were the motives (including economic gain, 'the will to govern', or the search for (scientific) legitimacy) to implement these practices directly linked to (the reordering of) Azraq's property arrangement. Nevertheless, as my chapters have demonstrated, the (re-)ordering of particular elements (value, form, an object of development) were importantly effected by these practices aimed at rendering legible, calculable and governable particular aspects of the world – i.e. Azraq's natural landscape, its land market and the flows of water.⁴⁷¹ While the intricate ways in which these practices re-order the world might not be the same

⁴⁷¹ I do not mean to say that there was previous no knowledge of these aspects, simply that knowledge was differently arranged, collected and distributed.

everywhere, the ways in which they effect a world open to private property can be taken as a source of the latter's appearance as universal.

Fourth, the performative approach allows insight into the ways in which different elements of the private property arrangement are at once emergent and constituent elements of these word-making projects. As such, it can help complement or rethink existing portrayals within the (development) literature of private property as the cornerstone of 'modernity', as the foundation of 'capitalism', and as closely (if not inevitably) related to (and even dependent on) the state (e.g., Geisler 2006; North 1981). Indeed, with regards to the latter, for example, a performative approach can contribute to the existing literature on the state-property nexus as it is presented in (contemporary) studies on land and property in Jordan but also in, amongst others, African studies (e.g., Lund 2002; Sikor & Lund 2009).

Within the literature on Jordan, many contemporary studies include 'the state' in their research, most often to discuss it in relation to 'society'. The nature of the state, however, largely remains unquestioned. Fischbach's analysis of the ways in which property affected the state-society boundary in Jordan, for example, only implicitly touches upon the fact that property proves an excellent institution to actually *effect* this boundary. Yet, as this research has demonstrated, land and ownership constitute less 'the main arena in which the state's relationship with its citizens was played out' (Fischbach 2000: 195) but the arena through which 'the state' constitutes itself against its 'other'. It is precisely through practices (of knowing) aimed at bringing property relations into the domain of 'the state' that the separation between state and society is brought into being.

Second, within African studies on land and property, it can provide a different view on the still central argument that 'the process of recognition of property rights by a politico-legal institution simultaneously constitutes a process of recognition of the legitimacy of this institution' (Lund 2002: 14). This argument clearly begins from a definition of property in legal terms; as a 'right'. How might a performative approach, which views property as an *effect* of an arrangement rather than a 'right', shift our understanding of the state-property nexus? Following Callon (2006), answering these questions entail examining how 'the state' relates to the process of assembling and arranging the property arrangement, rather than of simply 'recognising' it. Indeed, throughout my chapters, I have demonstrated how 'the state' is already effected through processes of (re)arranging, and that state authority is already (successfully or not) performed in the struggle to form, hold together and make intelligible the socio-material arrangement of property. That is, 'the state' is effected through (the struggles over) property's actualisation: through world-making projects that grant 'the state' legitimacy, through the way in which the struggle over state authorities' recognition of the property form simultaneously entails a struggle over the legibility of state practices, through the conflicts over

revivification's form, or also through the centralisation of knowledge production of Azraq's water flows.

As such, a performative approach advocates to go beyond the presumption that property and the state become performative through their mutual 'recognition' because, as this research has shown, '[p]roperty rights support what has *already* been assembled and arranged' (Callon 2006: 35). Consequently, more attention should be paid to the struggles over what counts as a legible property arrangement – for even those property arrangements *not* legible to state authorities (such as the *hujjah*), are constitutive of 'the state effect' through the way in which they enable the performance of a state/non-state sphere (Mitchell 1991) – in addition to the struggle over *who* gets to decide what is legible.

Lastly, a performative approach – emphasising the importance of reiteration and citationality – stresses the fact that we must continuously examine and uncover the on-going and arbitrary processes through which the private property arrangement is brought into being. For once the particularities of its actualisation are forgotten (or remain undocumented), the localised and contextual practices, frictions, incidents and power relations that underpin the actualisation of private property in any given place, can be silenced. This, as Mitchell also argued (2000), constitutes one of the most important ways in which the private property arrangement can be enacted as universal, authoritative and true – in other words, as a 'secret' that unequivocally delivers its promise of economic prosperity across the world.

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