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► **To cite this version:**

Cedric Parizot. DIPLOMATS, EXPATS AND THE ISRAELI MOBILITY REGIME: Who Maintains Jerusalem Borders?. 2014. halshs-01116264

HAL Id: halshs-01116264

<https://shs.hal.science/halshs-01116264>

Preprint submitted on 12 Feb 2015

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DIPLOMATS, EXPATS AND THE ISRAELI MOBILITY REGIME

Who Maintains Jerusalem Borders?

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INTRODUCTION

This talk presents the beginning of a study on the management of Jerusalem entry permits by foreign consulates during the post Intifada period (2004-2013). Since they are regularly welcoming into their offices Palestinians from the West Bank and Gaza, foreign consulates do apply recurrently for Jerusalem entry permits to the Israeli COGAT¹. Through this analysis, I wish to assess the role of these foreign institutions in maintaining the borders unilaterally imposed by Israel around the city.

As Mick Dumper argues in his recent book, the “international interests and involvement in Jerusalem both constrains the assertion of sovereignty, whether it be Israeli or Palestinian, and consolidates the ambiguity over current borders (Dumper 2014, 156)”. I fully agree with this assertion as long as borders are seen from a territorial perspective, i.e. as geographical boundaries setting the official limits of State sovereignty. Yet, the relation between the local international representations and Jerusalem boundaries is very different if one approaches these borders through their functioning, i.e. as networks and flows of control operations that aim to filter and channel flows of goods and people (Bigo 2010).

From this second angle, foreign consulates appear to be very much involved in the maintaining of Jerusalem borders since they act as recurrent mediators within the permit regime. Of course, this does not mean that they participate voluntarily or support the Israeli policy of separation. On the contrary, at individual level, many Jerusalem diplomats and consulate employees attempt to resist it. In order to challenge the exclusion of West Bank and Gaza Palestinians, many strive to increase the number of issues of entry permits. While these scattered actions do punctually help certain people, their cumulative effects are yet to be assessed.

This is what I would like to do in this presentation. I will assess to what extent foreign consulates fit into the Israeli administrative machinery and affect its functioning. I will apprehend the interactions between them and the Israeli institutions in charge of the permit regime through the metaphor of the *assemblage* defined by Deleuze and Guattari and recently summarized by Delanda (2006)². This means that I will focus on the capacity of these different institutions to articulate one another through relationships of exteriority and to maintain a powerful system of control, rather than on the interaction and the confrontation between their contrasting internal logics and properties. An assemblage is constituted by heterogeneous, autonomous and self-subsistent parts whose logics and

¹ Coordination for Government Activities in the Territories

² I owe Christophe Sohn this idea.

interests contrast sharply but whose articulation generates powerful effects and processes. Here, I will argue that despite their strong motivations, skills and efforts to alleviate Palestinian suffering, as a whole, foreign consulates contribute to reinforce the Israeli mobility regime and the spaces of differentiated and negotiated circulation that it creates around Jerusalem.

I will divide my talk into three parts : first, I will show how much the management of Palestinian permit applications mobilizes foreign consulates located in Jerusalem ; second, I will analyze how these practices integrate these foreign institutions in the heart of the Israeli administrative machinery and increase the complexity of the Israeli border network ; finally, I will assess the cumulative effects of these processes on the lives of the Palestinians and on their perceptions of the Israeli control system.

I- JERUSALEM CONSULATES AND THE ISRAELI PERMIT SYSTEM

The involvement of Jerusalem consulates in the Israeli mobility regime can be assessed through the numbers and the kinds of permits they obtain on behalf of Palestinians entering the limits of the city. It can also be measured by the internal administrative reorganization that the management of these procedures implies.

A) Jerusalem entry permits

The majority of entry permits requested by consulates are short-term visiting permits. Consulates are regularly solicited by West Bank and Gaza Palestinians holding the citizenship of the State these consulates represent. For instance, French-Palestinians regularly ask the French consulate general for a permit in order to access its offices in Jerusalem and fulfill administrative procedures. These procedures can consist in registration of child birth, marriage, renewal of passport or ID cards, application for pension rights, etc. For the French consulate general, this kind of permit applications amounts to hundreds of people each year.

In addition to this, since they play the role of informal embassies of their countries to the Palestinian National Authority, Jerusalem consulates develop numerous forms of cooperation with Palestinian national institutions, NGOs and local economic, social and cultural partners. This cooperation often implies the organization of meetings inside Jerusalem between delegations from their country and local Palestinian representatives. Cultural and academic events can also require the invitation of Palestinian scholars and artists. Last but not least, the celebration of national holidays can mobilize numerous Palestinian representatives, notables and guests from the West Bank and the Gaza Strip. These different kinds of activities also necessitate dozens of short term permits each year.

In contrast, work permits concern only a small proportion of applications. While many of these consulates employ Palestinians blue and white collars who are living beyond the boundaries of the city, these employees are not the majority of their staff.

At the level of each consulate, the number of applications would vary from a few hundred to a few thousand each year. If one takes into account all the consulates located in Jerusalem, the local branches of international agencies such as the UN and the EU, as well as the main international NGOs, the number of applications for short and long term permits could concern a significant amount of Palestinians. Interestingly no figures are published by the Israeli and Palestinian authorities in this respect.

B) Organizing jobs, administrative units, logistics

Given the amount of applications, some consulates create specific jobs or administrative units to deal with this procedure. Yet, the attribution of the management of permit delivery a given unit or person is a matter of a bricolage performed in order to adapt to the Israeli control system. People recruited for this job are not trained for it and their profile often corresponds to that of a secretary. For instance, Simon, a 25-year old man, was employed by one of the consulates general in Jerusalem between 2010 and 2013. He was recruited by chance through the network of relations of local diplomats. He succeeded another employee, an Israeli with dual citizenship, who was fluent in Hebrew and had occupied this position for three years. More than a third of Simon's full-time job was mobilized by the management of Jerusalem entry permits.

Simon's job consisted in centralizing the applications emanating from diplomats and other employees of the consulate on behalf of West Bank and Gaza Palestinians. He was also requested to renew the work permits of some consulate employees regularly. After the validation of his hierarchy he would prepare these applications by filling in special forms and send them to the COGAT of Beit El for West Bankers and to that of Erez for Gazans.

The delivery of permits to Palestinian applicants also requires the organization of a logistic chain relying on additional individuals and infrastructures. Consulate drivers have to be sent to the COGAT offices to collect the permits and, later, deliver them to the places where Palestinian applicants can retrieve them. In that respect, the level and the modes of organization vary greatly from one consulate to another. While certain consulates have many branches and staff disseminated within the OPT, like the French Institut français (cultural centers) and its affiliate offices in Nablus, Ramallah and Gaza city, others would rely on much more modest means. The chain of institutions and people that a specific consulate mobilizes also varies greatly over time.

II – FOREIGN CONSULATES AND THE ISRAELI BORDER NETWORK

This participation in the permit regime integrates foreign consulates in Jerusalem into the Israeli border network, i.e. the network of infrastructures and actors that implement the control, selection and filtering of Palestinian mobility. Moreover, it affects its very shape.

A) Parts of the administrative machinery

From an administrative point of view, foreign consulates are *de facto* recognized by the Israeli authorities as *legitimate institutions* that can act as guarantors for Palestinian applicants. Moreover, since they are in charge of relaying these applications to the COGAT, they are appointed as *legitimate elements* of the Israeli administrative machinery. Besides, this acknowledgment is formalized by the definition of specific procedures and time schedules for applications on behalf of Palestinians.

In that respect, consulates have become part of a wider system in which the Israeli authorities delegate part of the selection and the filtering of Palestinian applicants to a network of other Israeli, Palestinians and foreign actors. Consulates stand at the same level of Israeli private firms which regularly employ Palestinian workers. They also play a similar role to the many Palestinian intermediaries that have been integrated into this network since the start of the second Intifada.

Until 2000, the PNA was the main intermediary through which Palestinians had to apply for permits. Yet, when Israel decided to stop, for a couple of years, the security cooperation between the PNA and its institutions authorities, Israel has authorized many other interlocutors to intercede on behalf of Palestinian applicants. Within Palestinian enclaves, selected municipalities, chambers of commerce, or attorney offices have been appointed as legitimate relays of Palestinian applicants.

B) Introducing additional procedures and mediation channels

While consulates have to conform to the requirements of the COGAT when sending applications on behalf of Palestinians, they also introduce their own modes of functioning within this regulation network.

First, they define autonomously the procedures that regulate the way Palestinians should apply for their sponsorship. They define the relevant people among their staff member who are entitled to receive these applications (diplomats, cultural attachés, honorary consuls, etc.) and later transfer them to the person in charge of contacting the COGAT. Each consulate will also define what are the legitimate reasons to justify their sponsorship.

Second, consulates setup parallel, and sometimes complex, channels of mediation between Palestinians applicants and Israeli authorities that shortcut the COGAT. When an application concerns an important Palestinian representative, the Consul directly turns to the head of the COGAT or to other influential figures in the Israeli administration. Some consulates choose more complex ways of interventions. Since they are representing the interest of their country to the PNA, they consider that they do not have to interact directly with Israeli officials. So, they send a diplomatic telegram to the Foreign Ministry of their country, asking to formally request the Embassy in Tel Aviv to intercede with and put pressure on higher Israeli administrative or political bodies.

Given the consulates' uneven organizational capacities, their contrasting procedures of sponsorship and their different reaction times, their interventions reintroduce new sources of differentiated mobility between Palestinians. While some Palestinians holding a dual citizenship can count on the backing of their consular representatives, others cannot. A French-Palestinian or an American-Palestinian might enjoy better mobility across Jerusalem boundaries than a Palestinian with the citizenship of a State that does not have a consulate in Jerusalem. These discrepancies potentially hierarchize Palestinians holding dual citizenship according to the country they are affiliated to.

C) Extending the ramifications of the Israeli Border Network

Finally, the integration of foreign consulates into the Israeli mobility regime adds new material ramifications to the Israeli border network.

This border network already encompasses multiple places and bodies. There are first the Israeli State infrastructures deployed throughout the West Bank (check points, watch towers, road blocks, in-depth barriers, the Wall), as well as the Israeli institutions such as the local offices of the DCO, those of the General security services, the Civil Administration, and the different ministries. One should also add non-State actors such as the private security companies manning the checkpoints (Havkin 2011). Moreover, since the second Intifada, it also embraces many different Palestinian

administrations and bodies (Parizot 2011). Foreign consulates and their local branches in the West Bank and Gaza contribute to widen this web of institutions, because they define additional sites of control and of filtering operations through which Palestinians have to navigate before and after obtaining an entry permit into Jerusalem.

In sum, the integration of foreign consulates into the Israeli permit regime reinforces the diffuse and reticular character of Israeli-Palestinian boundaries. In this realm, boundaries cannot be considered as lines or envelopes, but rather as successive and sometimes repetitive operations of control. While they are defined to filter the entry of Palestinians into Jerusalem, these operations extend far beyond the limits of the Israeli municipality and the Wall's route. They reach deep into the heart of Palestinian enclaves in order to allot differentiated degrees and modes of mobility to Palestinian applicants. Often, these operations of control are detached from their targets. This is the case when Palestinian applications are successively treated and filtered on different sites by foreign diplomats, consular secretaries, and of course the COGAT and GSS officers, and this, even before Palestinian applicants cross Jerusalem's geographical boundaries.

III – UNCERTAINTY, FRUSTRATIONS AND ARBITRARINESS

The impact of the foreign consulates' participation in the Israeli mobility regime is even more striking if one assesses it from the perspective of the Palestinians' life experiences. While many Jerusalem-based diplomats see their efforts to secure permits for their Palestinian partners as ways of subverting the Israeli occupation and alleviating Palestinian suffering, they actually contribute indirectly to increase the level of uncertainty, violence and arbitrariness of this system.

A) Uncertainty

Palestinians are very much looking for the backing that diplomats or certain consulate employees can offer them. They are also very pleased to see the energy that some of these foreigners deploy in order to facilitate their movements across Jerusalem borders.

Yet, they regard this bridging capacity as rather uncertain and difficult to secure. This is due to the fact that Palestinians do not live in the same temporality as foreign diplomats: they spend their lives in the West Bank and Gaza while diplomats usually stay for two to four years only. It is the constant turnover of foreign diplomats that introduces an uncertainty that is difficult to overcome even for people endowed with a high social capital and skills.

The time is 2007. Ahmad Ga'ud is a Palestinian academic from Hebron who has obtained his PhD from the university X. By chance, a friend of his, Antony Schmit, has been appointed as vice Consul in the consulate Y in Jerusalem. Ahmad had met Antony while he was preparing his PhD in the city where Antony's parents live. In 2007, Ahmad experienced difficulties to obtain a permit to enter Jerusalem. After several failed attempts, he contacted Antony who interceded indirectly with high Israeli representatives and succeeded in obtaining a permit for his Palestinian friend. Thanks to Antony, Ahmad enjoyed for a few years a privileged access to mobility. He was able to visit the city where he was born, something that had been denied to him since 1993.

Yet, two years later, Antony Schmit finished his term at the X consulate in Jerusalem and moved back home with his family. Ahmad Ga'ud was introduced to his successor and invested a lot of time and energy to construct a friendly relationship with him. But he never managed to reach the same level

of protection. Moreover, he quickly realized that Antony's successor was not as skillful or motivated as his good friend. Hence, the young Palestinian academic who had briefly enjoyed the same status as some Palestinian VIPs fell back again to the level of other Palestinians, i.e. became confined within the narrow limits of the West Bank. His case is no exception, but rather the rule.

B) A shadow theater

The ambiguous effects of the foreign consulates' participation in the Israeli mobility regime can finally be assessed through the informal economy it contributes to generate. Many informal intermediaries attempt to capitalize on the access they have to consular employees and diplomats. Given the scarcity of entry permits into Israel and Jerusalem, any information or contact that can facilitate the access to consulate staff becomes a negotiable commodity.

For many, this privileged access is a source of cash. In 2009, I was asked how much I wanted for helping a friend of mine approach the French consulate employee to whom he could submit a visa application. When I expressed my surprise to him, I was told that it was normal to reward such help. His cousin, who was holding a Norwegian passport, told me that he did it quite frequently.

For others, contacts with diplomats are a source of power and prestige. As a matter of fact, it can radically affect one's relationship with his/her surroundings. It still happens to me, and I can easily identify the people who cultivate their relationships with me knowing that I would be potentially useful in the future to them or to others. It also goes the other way around. Because certain diplomats or consulate employees know how much people wish to establish a relationship with them, they play on their interlocutors' expectations in order to win certain services or help.

Consulate staff can capitalize on such expectations all the more since people often have little information about their work, positions and actual competences. In 2004, in Gaza, an employee of the local branch of the consulate of S was relying on such a lack of information to present himself as the local vice consul. He claimed that he was the one able to select the applicants who would receive a Visa from his consulate. Actually, he was only a secretary who was preparing applicants' files that would be later examined by other consular employees. Thanks to his talent and the symbolic capital he earned from his efforts, he extended his network of relationship and clients.

Such informal transactions and manipulations often create power relations, conflicts and frustrations. Hence this informal economy of mediation reinforces the feelings of injustice, arbitrariness and uncertainty. It strengthens a system within which the freedom of movement is seen as the exception and confinement as the rule.

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