

The Historical Context of Targeting the Palestinians Within the Green Line

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The article begins by saying that Israel, as a physical and instrumental embodiment of Zionist ethnic colonial settlement ideology, aims to displace Palestinians from their land. Land that Israel sees as the “Promised Land” granted by God to the Jews only. Due to difficulties related to the option of displacement for various reasons, and the ability of Israel to absorb a limited number of “Gentiles”, Israel sets out to restrict the remaining Palestinians to the smallest possible areas of land, while pillaging as much Palestinian land as possible, through recently intensified colonialist racist practices and behaviors, with the demolitions in Qalansuwa and Umm al-Hiran as only a new episode of this behavior. These ongoing practices and behaviors are manifested in confiscating as much of the remaining Palestinian land as possible, judaizing the largest possible areas of these lands through settlement, while limiting the possibilities of Palestinian urban expansion. Consequently, as a result of the above, Palestinian homes that are built without building permits due to previous policies, are demolished.

– The Plundering of the Land

After the Palestinian Nakba (1947 – 1949), Israel gained control of approximately 20.6 million dunams,¹ which constituted 77% of the land of Mandatory Palestine. However, Jewish ownership in Palestine was a small part of the total that was subject to its sovereignty. The Jewish National Fund, until 1947, owned only around 3.2% of the land of Mandatory Palestine. Following strenuous efforts of brokerage and fraud to purchase land, the total Jewish ownership ranged, according to various estimates, between 5.5% and 6.5% of the total land of Mandatory Palestine. However, the “inheritance” of State property, including land from the British Mandate, in addition to the few Jewish individual properties, increased the Jewish ownership of the total territory in 1948 to 13.5% when the Jewish State was established on the ruins of the Palestinian people.

The colonial State launched systematic pillaging of the remaining Palestinian-owned land within the 1948 territories, as well as in the territories that came under its sovereignty in order to judaize the land and bridge the gap between sovereignty and ownership.

Thus, since then, Israel unleashed the Zionist legislation machine and passed a large number of plundering laws that enabled successive governments to acquire legal tools to seize Palestinian land. One of the most important racist land laws used were the British Emergency Regulations approved by Israel on October 15, 1948, whose provisions related to the cultivation of the land. Under the law, the Minister of Agriculture could warn owners of fallow land, reminding them of the need to cultivate it or ensure its cultivation. The owners then had 14 days to provide proof to the Minister of Agriculture that they had already started cultivating the land or would

¹ The dunam is 1,000 square meters.

begin as soon as possible and ensure that it continued to be cultivated. However, if the Minister of Agriculture doubted the owner's ability to cultivate the land or if no evidence was provided, the land was transferred to the State for five years. At the same time, Israel imposed a curfew on the Palestinians who, accordingly, were unable to access their lands to cultivate them and thus, they were confiscated in accordance with the law and subsequently acquired by Israel, as we shall see.

Israel also invoked the “Land Law” (Acquisition for Public Purposes), inherited from British Emergency Regulations dating back to 1943, in order to seize as much land as possible. Palestinian land was confiscated for the construction of settlements such as Upper Nazareth (“Nazareth Illit”) using this law, which amounted to 1,200 dunams. Furthermore, the lands of Deir al-Assad and other villages were confiscated at the beginning of 1963 to build new settlements, which amounted to 5,550 dunams. In addition, lands confiscated in the 1970s, amounting to 6,320 dunams, igniting Land Day, were also achieved using this law.

In March 1950, Israel enacted the “Absentee Property Law”, under which property rights of the Palestinians who were expelled, were transferred to the “Custodian of Absentee Property.” Accordingly, the land was confiscated, and the owners no longer had the right to it, because they were no longer the legal owners under Israeli law. In 1953, the “Land Acquisition Law” came to legalize, retroactively, the acquisition of land of the Palestinian citizens of Israel. Land that had been placed in the fallow land category with the planning and management of the Israeli State. Through this law, the State established ownership of these lands, and thus circumvented the possibility of their return to their owners. Between March 1953 and March 1954, Israel confiscated approximately 1.2 million dunams of Palestinian land, and approximately 325,000 dunams of land were confiscated by the Land Acquisition Law.

In 1960, the Israel Lands Administration (ILA) was established in accordance with the “Israel Land Administration” Law, which provided, inter alia, a prohibition on the sale or transfer of State-owned land or development authority through sale or other forms of transfer of ownership. This meant shutting down the possibility of returning any part of the land to its owners, and keeping it in the hands of the Jewish State and its semi-governmental settlement apparatus. In addition, the efforts and activities of official and quasi-official Israeli institutions, such as the Jewish National Fund, have not stopped their attempts to purchase Palestinian land through brokerage and fraud, or through contact with owners who are weak in the face of the State. Furthermore, the Jewish National Fund maintained the operation of a private company called “Hemnuta” to buy land from helpless Palestinians.²

As a result of this arsenal of laws and the accompanying Israeli colonialist settlement practices over the past decades, the Israel Land Administration now controls 93.5% of the land inside the Green Line. In contrast, the Palestinians inside Israel today, own only 3.5% of the land inside the Green Line. The areas of jurisdiction of the Arab Local Authorities are estimated to be only 2.5% of the State's territory; that is, they have remained without expansion. Although, before the Nakba, the Palestinians possessed the overwhelming majority of the land of Mandatory Palestine. The result is that very limited areas remain in Palestinian hands and are far below their needs.

² Qadi, Ahmad Said. (May 26, 2016). “Israel plunders the land of Palestinians inside the Green Line – A Continuous Process”. [The New Arab](#). In Arabic.

– Planning and Building Policies

The Planning and Building Authority, established in 1965 under the Planning and Building Act, is the highest authority in this regard, with the government at its head. It is the body authorized to approve national plans. There are various levels of the Planning and Building Authority under the government, which are: “The National Planning and Building Council,” the “National Building Committee,” the “District Committee” and finally the “Local Planning and Building Committees.”³ It is difficult for Arabs to influence planning and building policies because Arab parties have never been part of the hierarchy of Planning Authorities – the government. In addition, their representation in Planning and Building Institutions is very low. Of the 108 members of the Regional Planning and Building Committees in Israel, there are only five Arab members, and the law does not stipulate that the Arabs should be represented in the Planning and Building Authority in its various organizations.

Furthermore, the government's representation in the various Planning and Building Committees is also significant. The directives of the Attorney General stipulate that the decision to establish a new town is made solely by the government. In addition, the expansion of the jurisdiction areas of towns and Local Authorities is determined by the Interior Minister in accordance with Municipal Laws. The Law authorizes the Interior Minister to require his consent to any local planning, however small and simple. Thus, the system is politicized and unprofessional with regards to planning, building and land allocation in Israel. Planning is a key issue for the distribution and exploitation of land and identifying which group should receive the resources. Therefore, it is essentially a political issue and is related to the status of the Palestinians in Israel. Israel pursues planning, building and land use policies in a manner that places deliberate obstacles to Arab urban expansion and building through many mechanisms. Israeli governments justify this by saying that the planning and building system is designed to plan State land rather than private land, a characteristic of Palestinian land.

The Israeli discrimination against Palestinians in the area of planning and building is blatantly characterized by the absence of new and renewed structural plans for most of the Arab towns and cities. Some of them do not have any structural plans, or new plans that take into consideration the Arabs’ needs for construction and housing, and the legal basis for urban expansion. Moreover, in most cases, the process of formulating and approving the master plans of Arab towns often takes decades. In light of this reality, Arabs have no choice but to build their houses without a permit or remain under one roof with their extended family. Therefore, it is not about saving a little money required to obtain a license, but rather the dilemma stems from intentional Israeli restrictions.

In this regard, we note that the Israel Land Administration (ILA) has offered 27,539 housing units in Jewish towns and mixed cities as part of a cheaper price-for-housing campaign. In contrast, the same department published 719 housing units within the same program in Arab towns, which is equal to only 2.5% of the apartments marketed by the program. Although the Israel Lands Administration published 18 tenders for industrial zones in Jewish communities, the same department published only two tenders for the construction of industrial zones in Arab towns. In addition, while 17 tenders were issued for commercial areas or offices in Jewish and mixed towns, five tenders of the same type were published in Arab towns.

³ Nasser, Qais Yousef. (2014). “Planning and building in Israel between the Central Authority and the Arab Minority”. *Journal of Israeli Issues*, 54, p. 53-60. In Arabic.

In Israel, there is a list of “national priority areas” where the Israel Lands Administration and the Ministry of Construction and Housing grant concessions in the area of housing. The Ministry provides governmental support in the budget for the development of new buildings at a rate of 20% – 70% and privileges from the Israel Lands Administration in the form of discounts. On the list, there are 558 villages, 30 of which are Arab (only 5%). Of the villages that have already received concessions, only 3 are Arab (compared to 360 Jewish villages), so only 0.8% of the total.⁴

Although the behaviors described above have limited the overwhelming majority of Palestinians by restricting their rural communities, in urban areas, there are no formal restrictions on renting and land ownership. However, Palestinians face significant social and economic hardships because of the high cost of living, housing and the scarcity of land. The last type of residential communities in Israel is the kibbutzim, agricultural cooperatives and Jewish rural communities. These communities are run by Admission Committees, where you can only become a member if the Admission Committee approves the request. The Committees have the discretion to accept or reject the applicants for housing units and land plots within the boundaries of these administrative areas. These Committees are accustomed to excluding Arabs. In 2011, the right of the Admissions Committees to refuse the admission of any person whom it deems incompatible with the social and cultural fabric of the town was ratified. Israel thus legalized the denial of Palestinians the ability to purchase land or any other property in 475 Jewish towns in the Galilee and the Naqab, constituting 46% of the Jewish communities in the State of Israel and 65% of the rural communities.⁵

In addition, no State land was used to develop Arab towns or to build new ones, in comparison to large areas of State land earmarked for the construction of new settlements. In contrast, from the Nakba to the start of the new millennium, Israel has built more than 600 Jewish towns inside the Green Line. In the second decade of the third millennium, more than 700 Jewish towns have been established, while the Palestinians were not permitted to establish any Arab towns or neighborhoods in the Mixed Cities, with the exception of the villages established to assemble and concentrate the Bedouin Palestinians in the Naqab after uprooting them from their land.

Furthermore, the Jewish National Fund, which owns about 13% of the State's land and influences decision-making in planning and land, states in its charter that its lands are to be used to serve the Jewish community, not all of Israel's citizens; which means that 13% of the land can never be legally allocated to the Palestinians.

Adalah's report, issued in March 2016, on the tenders issued by the Israel Lands Administration in 2015, concludes that the “overwhelming majority” of tenders for marketing land and reducing house prices are allocated to Jewish towns and mixed cities, while efforts are not being made to solve the housing crisis among Palestinians, as a result of the discriminatory policies by the system and the State as a whole. The results indicate that the Land Administration published tenders for the construction of 38,095 housing units in the Jewish communities, compared to only 1,835 units in the Arab towns, constituting 4.6% of the total number of housing units marketed.

⁴ Adalah - The Legal Center for Arab Minority Rights in Israel. (2016). [Land and Housing Policy: Israel exacerbates the crisis in the villages](#).

⁵ Mossawa Center. (2014). [The new wave of Israel's discriminatory laws](#).

– House Demolitions

As a result we have clarified, the seizure of land and restrictions on Palestinians to the smallest possible area. Restrictions in planning and construction by not establishing any Palestinian town since the Nakba. Failing to construct new structural plans and reducing the boundaries of Arab Local Authorities, placing restrictions on the use of its lands, and the absence of government programs to resolve housing issues such as the building Arab neighborhoods and towns. Jewish settlement and the construction of hundreds of Jewish settlements on the ruins of Palestinian lands. All these circumstances leave the Palestinians, whose number has increased sevenfold since the Nakba, with no recourse except for unlicensed construction. This is due to the government's deliberate policies, which have led to a housing crisis, and severe overcrowding that has produced thousands of unlicensed housing units. Thus, the crisis is that the Palestinians have a very urgent need for land for housing needs, for the establishment of social, service, cultural and recreational institutions in general, and the establishment of economic institutions and development projects. In addition to local expansion, such as the construction of new neighborhoods and commercial and industrial zones. In this regard, it is estimated that there is a need to annually build 5,000 housing units in the Arab towns.

Israel's policy toward these houses is demolition, as they are not licensed. However, this method is not feasible because the unlicensed construction is the result of compelling circumstances due to the discriminatory policies of the government. Therefore, if the houses are demolished, the Palestinians have no choice but to build in the same way. This was confirmed by more than 280 Israeli engineers, architects and construction planners in a letter to Netanyahu, pointing out that the intentional lack of planning of Arab towns - in light of natural population growth - leads to the growing phenomenon of unauthorized construction.

This long path of systematic colonial practices toward the Palestinians inside Israel proves beyond a shadow of a doubt that these behaviors are not an emergency, but are at the heart of the Zionist ideology and practice that sees the existence of Palestinians as a disturbance to Jewish racial purity. Therefore, they should be restricted as much as possible at all levels, including limiting them to as little land as possible. This is only the beginning, Israel will continue its colonialist behavior toward the Palestinians as long as it defines itself and its various institutions as Jewish.

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