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PLANNING UNDER DEEP POLITICAL CONFLICT: THE RELATIONSHIP BETWEEN  
AFFORESTATION PLANNING AND THE STRUGGLE OVER SPACE IN THE  
PALESTINIAN TERRITORIES

BY

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DISSERTATION

Submitted in partial fulfillment of the requirements  
for the degree of Doctor of Philosophy in Regional Planning  
in the Graduate College of the  
University of Illinois at Urbana-Champaign, 2010

Urbana, Illinois

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## ABSTRACT

Struggle over space is at the core of the Palestinian/Israeli conflict. Different actors are involved in this struggle. The Israeli occupation with its planning system, and the Israeli settlers, since the beginning of the occupation, has been enforcing different policies of using space to achieve control over the Palestinians. The Palestinian authority with its planning system under the Israeli policies of control does not have enough power to deal with the different spatial problems that face planning endeavor. Palestinian planners find their autonomy challenged and abilities limited under Israeli policies of control. Among different actors in the spatial struggle in the Palestinian Territories (PT) are Palestinian people who despite their deep suffering from the Israeli policies of control continue making claim to their rights to use space through their spatial practices.

Within this complexity of struggle over space in the context of occupation, between actors seeking control and those who resist that control and groups claiming their conflicting rights to the same space, I aim to understand whether and how spatial planning could play a role by understanding the relationship between space, power, and planning. Existing literature is limited in its ability to explain this role. For example, post colonial planning literature, theoretically, addresses the problem of planning as becoming a tool to achieve control. Additionally, radical planning and insurgent planning approaches discuss how in authoritarian political contexts, transformation can be achieved by the engagement of populace in a kind of covert radical or insurgent planning. However, existing literature is mostly focused on conflict between authoritarian state and its citizens, not a state of occupation that involves an occupation of indigenous state and citizens.

In order to achieve its goal, the research asks this main question: what is the role of spatial planning in the struggle over space (control and resistance) in the complex context of occupation, and what are the probabilities and the constraints of professional planners' intervention in such complex context? Since Palestine has a long history of occupation and domination and the phenomenon of the use of planning in the struggle over space in the Palestinian areas is historically rooted, the research takes an historical approach and examines this relationship in two distinct historical colonial periods: the British Mandate in Palestine and the current Israeli occupation. The study hopes to result into conceptual contributions for spatial planning in the PT. The conceptualization of this research will provide an understanding for future studies about planning in cities under deep political conflict such as occupation. It will develop the idea of planning as a form of resistance.

The significance of this research lies in its addressing lack of knowledge about planning within the complex context of colonial/occupational areas. It has practical and conceptual contributions. Practically, it documents processes and decisions of planning under occupation. Conceptually, the study contributes to scholarship in planning and political geography by illuminating the spatial practices of different actors in their spatial struggle. To planning scholarship it adds voice to those who have called for an expanded definition of planning. That is planning is not limited to practices of trained professionals. Rather it includes everyday spatial practices of people that are powerful in shaping the space and its territorial control.

To my Father's Soul

## ACKNOWLEDGMENTS

This study would not have been possible without direct or indirect support of many people. It is difficult to mention each by name, some, however, need special mention.

First of all, I would like to express my grateful thanks to my supervisor, Prof. Faranak Miraftab, for her guidance, understanding and patience. She helped me very much in managing the process, and in lending her experiential and intellectual insights.

My great thanks to my committee members: Prof. Stacy Harwood, Prof. D. Fairchild Ruggles and Prof. Colin Flint. They were source of great assistance and valuable contribution. They were always ready and never hesitate for any help. I was lucky to work with them all.

I will never forget my friends and colleagues back home in Palestine especially Fadwa Azem from the Ministry of Planning. She provided me the necessary information and documents and connected me with the right persons in other Palestinian ministries for further needed data. Great thanks to Dr. Ali Abdelhamid from An-Najah University for his help. I should never forget to thank my colleagues and friends in the Department of Urban and Regional planning at University of Illinois at Urbana-Champaign.

Finally, I owe my respect and appreciation to my family back in Palestine: my mother, sisters and brothers. They were the support from abroad that helps me reach to this point.

At last, my deepest gratitude must go to my husband, Mahmoud, who shared me the hopes, the dreams and the fears during the period of my study. His understanding, encouragement and companionship made the boring and tiring time, enjoyable. All my love to my kids: Zaid, Dana and Zeinah whom were forced to undergo my stress and fatigue through the whole period of my study.

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## CHAPTER ONE

### INTRODUCTION

In the Palestinian/Israeli conflict, power and space have been in an intense and mutual relationship. Space has been used in the exercise of power, and it also has been used to release and display power. In this context, power does not only mean the power from above: the power to dominate, to control, to impose order from top downwards. It is also the power from below: the bottom-up power, the power to resist. That is, control is in a “dyadic” relationship with resistance, and space is the main arena of the practices of this dichotomy in the Occupied Palestinian Territories (OPT).

In this struggle of control and resistance over space in the OPT, different actors are involved using both built and open spaces: the Israeli state with its planning system; the Palestinian Authority with its planning system; the Israeli settlers<sup>1</sup>; and the Palestinian people<sup>2</sup>. Since the beginning of the Israeli occupation<sup>3</sup>, the Israeli system has been enforcing different policies of using space (built and open) to achieve control over the Palestinians. The Palestinian authority with its planning system under the Israeli policies of control faces multiple constraints. It does not have enough power to deal with the spatial problems that face planning endeavors, and it needs to operate under the Israeli policies of control. The Palestinian planners, therefore, find themselves limited as their work is affected for the most part by their compromised position under the Israeli planning system, of which the main objective is to achieve control over the Palestinians.

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<sup>1</sup> The Israelis who live in the Israeli settlements that have been built on the Palestinian land in the OPT.

<sup>2</sup> The Palestinians who live in the OPT.

<sup>3</sup> The Israeli authorities ruled historic Palestine in 1948 and established the Israeli state in the areas that are now known as the 1948 territories. In 1967, the Israelis took over the West Bank and Gaza Strip, which are now the OPT. In this dissertation, whenever I use OPT, I refer to this definition of the Palestinian territories.



Among the different actors in the spatial struggle<sup>4</sup> in the Occupied Palestinian Territories are the Israeli settlers and the Palestinian people. The Israeli settlers' role in this struggle over space can be conceived as agents and tools for the Israeli occupational system of control. They conduct different practices of occupying the Palestinian land and buildings. At the same time, the Israeli state uses the Israeli settlers as tools to assist Israeli presence on the ground in the OPT, and thus as mechanisms for control. The Palestinian people in this struggle over space, despite the different strategies to achieve control by the Israeli state and settlers, continue their claim to their rights to use space through their own spatial practices.

As a result of this complex struggle over space, the Palestinian Territories contend with a variety of spatial problems in which Palestinian planning authorities can play a limited role to resolve. This study aims to understand the role of planning in dealing with this complexity by understanding the relationship between space, power, and planning. In other words, the study explores the role of spatial planning in the struggle over space in the complex context of occupation.

Existing literature on the role of planning from the perspective of subordinates in the complex context of occupation is limited. Colonial and post-colonial planning literature (King, 1976; Yiftachel, 1995, 2009) greatly addresses the role of planning as a tool to achieve control, especially by colonizers seeking control in the colonies. Post-colonial planning literature criticizes the application of western planning theories in non-western societies as an expression and means of domination through planning. This perspective calls instead for local, domestic, and contextual planning. Additionally, radical planning and insurgent planning literature

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<sup>4</sup> Struggle over space in the OPT occurs both as a military actions and as everyday spatial practices. This dissertation focuses on the non-military everyday spatial practices.

discuss planning in the face of control, such as Beard (2003), Miraftab (2009), Holston (2009), and Perera (2009). But their concerns are with political contexts where domination is achieved through direct authoritarian rule or indirect inclusion. They argue that transformation can be achieved by the engagement of the populace in forms of covert or radical and insurgent planning. For this literature, the engagement of the people is itself a kind of insurgent practice or action. The main characteristic of these practices to be considered insurgent is informality, and the main objective is to destabilize the hegemonic regime (Roy, 2009). This is through different practices according to different authors: through practices of “insurgent citizenship” in the face of “differentiated citizenship” (Holston, 2009), or through practices of disruption in neoliberal governance (Miraftab, 2009), or through practices of unorganized processes of space-making through ordinary people over any official plan (Perera, 2009), or by settling exclusively in the shadow of formal spaces, in “gray spaces” excluded for city membership (Yiftachel, 2009). A detailed review of this literature is presented in Chapter Two.

However, this literature is limited to conflicts between the authoritarian state and its citizens or minorities and social groups. It is not dealing with the conflict between a state of occupation and a state of occupied citizens. In an occupied or colonial area, there are two systems of planning: the local (indigenous) planning system and the planning system of the occupation. In this context, the occupying planning system operates to achieve control of both the local state and local people, a mode of ruling that produces complex difficulties facing the local planning system. There is a pre-assumption that planning authorities are taken for granted in the hands of sovereign state. However, in the context of occupation the local (indigenous) state is not a sovereign one; it does not have enough power; it is limited and occupied. Therefore, in the context where the sovereign (local) state does not exist, how can the local indigenous planning

system operate in the face of the occupying planning system?

In this context, this dissertation contributes to literature on radical and insurgent planning by examining the role of indigenous planning in negotiations of power and control over space. Examining planning authorities and citizens whose decisions are constrained by the rule of the Israeli state, the study aims to unfold the multiple layers of complex politics involved in spatial planning as a means of social control. It explores the role of indigenous planning and occupying planning in occupied areas. It hopes to result in conceptual contributions for spatial planning in the OPT. The conceptualization of this research provides an understanding for future studies about planning in cities under deep political conflict such as occupation. It helps us to better see the limitations and possibilities of planning as a form of control and as a form of resistance.

Since Palestine has a long history of occupation and domination<sup>5</sup>, this dissertation takes a historical approach to understand the role of spatial planning in the struggle (of control and resistance) over space in the complex conditions of occupation. The phenomenon of the use of spatial planning in the struggle over space in the Palestinian areas is historically rooted. Both open and built spaces have been the arena for the practices of the dyad control/resistance by the different actors across the long history of Palestine. This dissertation concerns the role of open space in Palestinian/Israeli spatial struggle. For that it examines afforestation planning practices during the British Mandate (1917-1948) and the Israeli domination (1948-present); and internal closure policies that impose movement restrictions in the OPT (see figure 1.1). A detailed

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<sup>5</sup> Historic Palestine had been for a long time under the rule of foreign invaders. It was ruled by the Romans from Early Roman Period 63 BCE until late Roman Period III 330 CE, and the Byzantines from 330-638 CE. Muslim Caliphate rule in Palestine was from 638-1099 CE. Then Palestine was invaded and ruled by the Western Crusaders from 1099-1244. The Muslim Mamluks ruled from 1244-1517. Followed by the Ottoman Turks, from 1517-1917. In the twentieth century (from 1917-1948) it was ruled by the British until the Israelis took rule over Palestine in 1948 (Parkes, 1949).

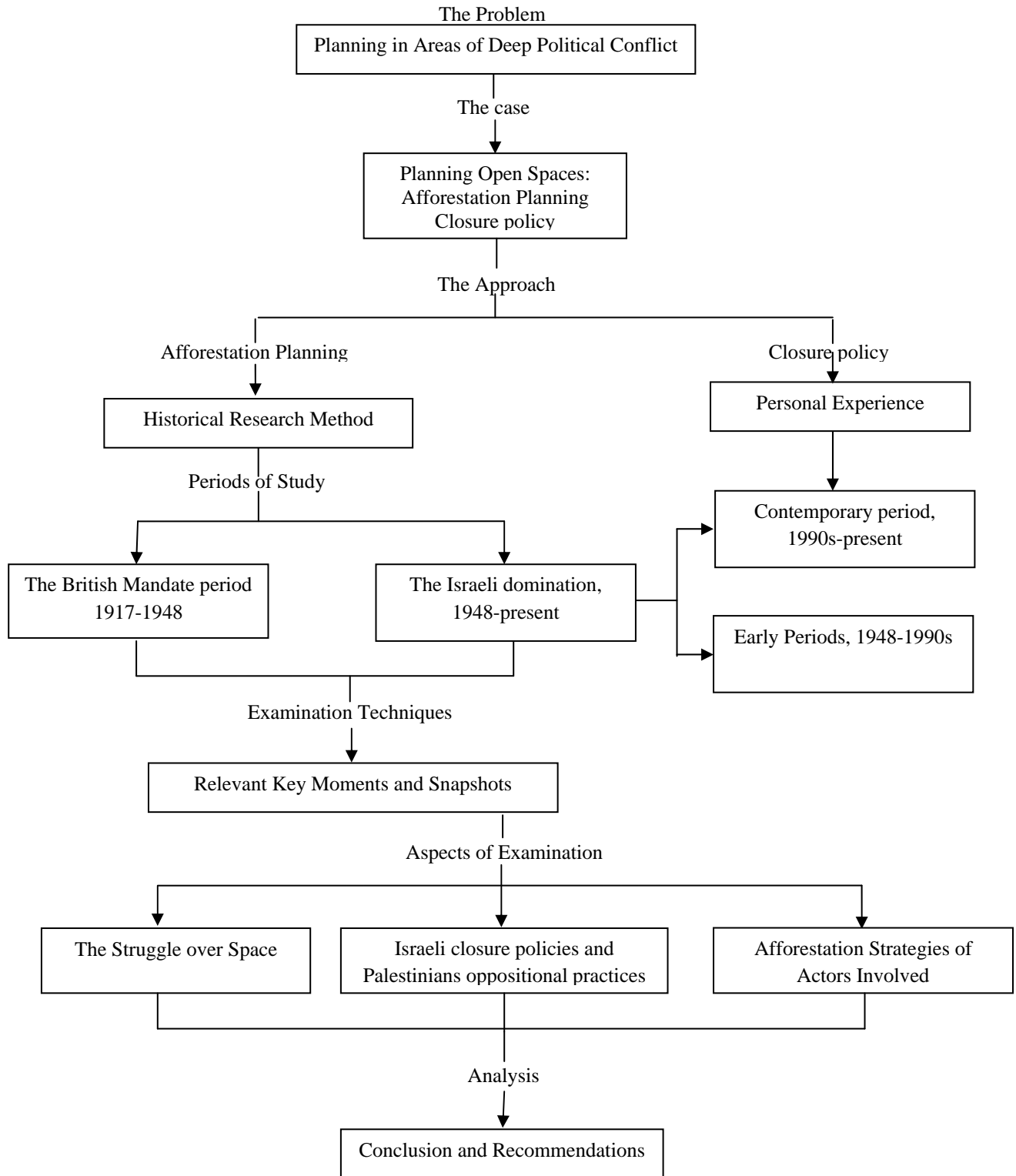
discussion of the research methodology is included in Chapter Two.

### **1.1 Background: The Complexity of the Struggle over Space in the OPT**

Struggle over space in the Occupied Palestinian Territories (OPT) is very complex due to the fact that different actors are involved in the struggle with their different spatial practices and aims. Four main bodies of actors are involved in the struggle over space in the Palestinian territories: the Israeli state with its planning system; the Palestinian authority with its planning system; the Israeli settlers; and the Palestinian people. Some of these actors, using their own spatial practices, seek control while others seek resistance, which in turns makes planning in the OPT a very complex task. There is an intertwined pattern of control/resistance using both open and built spaces among the groups of actors. This section discusses different spatial policies used by different actors in the spatial struggle in the OPT.

**The Israeli occupation authorities use both built and open spaces as an arena to achieve control over the Palestinians.** They impose different policies to achieve this control. Policies that focus on built spaces to achieve control include building regulations and building demolition policies. As a kind of punishment, the Israeli authorities used to employ the policy of demolition of the Palestinians' houses and other buildings, which Graham (2003) has called a policy of "urbicide" or a "wholesale urbicide." The Israeli occupation has worked with the analysis and prescriptions of demographers, statisticians, geographers, architects and planners to

**Figure (1.1)**  
**Research Framework**



deepen its control over the three dimensional spaces of the Occupied Territories. The Israeli occupation has used architecture and planning as the “continuation of war by other means” (Graham, 2003, p. 180). Like the tank, gun and bulldozer, building matters and infrastructure have been used by the Israeli occupation to achieve tactical and strategic aims in controlling the Palestinian territories (ibid).

In addition to destruction and demolition of the Palestinian built spaces, the Israeli occupation authorities require permission for new buildings. For the Palestinians this means engaging in an endless bureaucratic process that usually ends with refusal. For example in 1986, the number of building permits issued by the Israelis in areas outside main municipalities in the West Bank was 381 out of 2,370 applications; and in 1989, although the number of building permits issued had increased, it was still about 22% (358 permits out of 1,586 applications) (Coon, 1992, p. 133). These restrictive policies imposed by the Israelis on Palestinian building and development had been sustained after the division of the Palestinian territories into A, B and C zones through the Oslo II agreement,<sup>6</sup> (see map 1.1). Through this agreement, the West Bank was divided into A, B and C zones, which are of different status regarding the nature of security control over them: area A, where most Palestinians live, has full Palestinian security and Palestinian civil control; area B has Israeli security and Palestinian civil control; and area C is under full Israeli control. By September 2000, area A totaled 18%, whereas area C was 60%.

Within this context, new buildings in most of the Occupied Territories (areas within zone C)

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<sup>6</sup> The Oslo II agreement was between the Palestinians and Israel. It was signed September 24, 1995, in Washington, D.C., by the chairman of the PLO, Yassir Arafat, the Israeli Prime Minister, Yitzhak Rabin and the US president Bill Clinton. This agreement was a follow up of the Oslo Agreement from two years earlier, the first peace agreement between Israel and Palestine and served as a continuation of the fragile peace process of the Middle East. The actual content of Oslo II concerned the West Bank, and covered security issues, Palestinian elections, transfer of land, transfer of civil power from Israel to Palestine, trade conditions between the two countries and the release of Palestinian prisoners from Israeli prisons.

required permission from the Israeli authorities.

Policies of using built spaces to achieve control also include encroachment or ‘closure’ practices over specific buildings, and the policy of construction and destruction. The Palestinians’ “bare life” has been the target of the Israeli authorities. The Israeli authorities apply what has been called by Kearns (2007) “bio-politics” to achieve sovereignty in the OPT. Through long periods of curfews and siege, the Israeli occupation prohibits the Palestinian people from using commercial buildings and thus undermines the Palestinian economy and attacks the Palestinian people by erecting obstacles to their daily needs. The Israeli occupation also imposes the policy of occupying specific buildings (public buildings or private houses) and transforming them to military points, and closing specific public buildings such as schools and universities. The neighborhood of Jabal Johar in Al-Khalil (Hebron) is a good example where in 2001 the Israelis took control of three schools with a combined enrolment of 1,835 pupils and established a military encampment on their premises (Lein, 2001, p. 41).

Most importantly, the Israeli policies of using built-up spaces as an arena to control the OPT include construction as well as destruction. Parallel with damaging, destroying, occupying and restricting different kinds of Palestinian buildings, the Israeli occupation builds Israeli settlements and a network of bypass roads to connect them over the Palestinian land (see map 1.2). The Palestinian built-up spaces, however, are not the only arena used to achieve control for the Israeli occupation. Open spaces also form a vital arena for that control.

Israeli policies that focus on open spaces to achieve control include the policy of anti-afforestation towards the Palestinian farms and plantations, the repeated occupation of main squares and plazas in the Palestinian cities, and the *internal closure* policy. The Israeli

authorities impose not only the policy of, using Graham's (2003) term, "urbicide" on the Palestinian built spaces, but, I argue, they are also busy in enforcing the policy of *ruralcide*. It is the policy of 'anti-afforestation' that includes attacking and damaging the Palestinian farmlands, and cutting and uprooting Palestinian trees and plantations. *Ruralcide* or anti-afforestation (and afforestation) policies, and *internal closure policy* by the Israeli occupation are a principal topic in this dissertation.

It is worth mentioning that the current Israeli policies using open spaces in order to impose control over the OPT have their origins in the Zionists' planning ideas for Palestine. From the beginning of their domination in Palestine, the Israeli authorities have attempted to consume open spaces of Palestine in order to prevent any Palestinian growth. This is demonstrated in the first Israeli National Master Plan (the Sharon Plan) of 1949. The main concept of this plan was to disperse the Israeli new towns within the Palestinian landscape (Efrat, 2004, p. 8). The incoming Jewish immigrants of the time were dispersed within 30 new towns and about 400 new agrarian settlements that replaced about 400 erased Palestinian villages (p. 8). This spatial plan helped (and is still helping) control the space of Palestine by connecting these dispersed nodes together with a huge spatial organization of road networks (the bypass roads). Thus, the Israeli attempts at controlling the OPT are not only through regulations and restrictions of the use of land but also through consuming the existing available land to prevent any Palestinian growth and development.

The Palestinian planning system represents the second group of actors in the struggle over space in the OPT. The Palestinian planning apparatus was first established with the declaration of the Palestinian National Authority in the West Bank and Gaza Strip in 1995 by the Oslo peace process. It consists of three levels: the Higher Planning Council (HPC), the Regional Planning



Committees (governorates level) and the Local Planning Committees (municipal and village councils). Planning responsibilities are divided between the Ministry of Planning (MoP) and the Ministry of Local Government (MoLG). The MoP is responsible for the physical planning issues on regional (the West Bank and Gaza Strip) and national levels, and the MoLG takes the responsibilities of planning at the local level (municipalities and village councils).

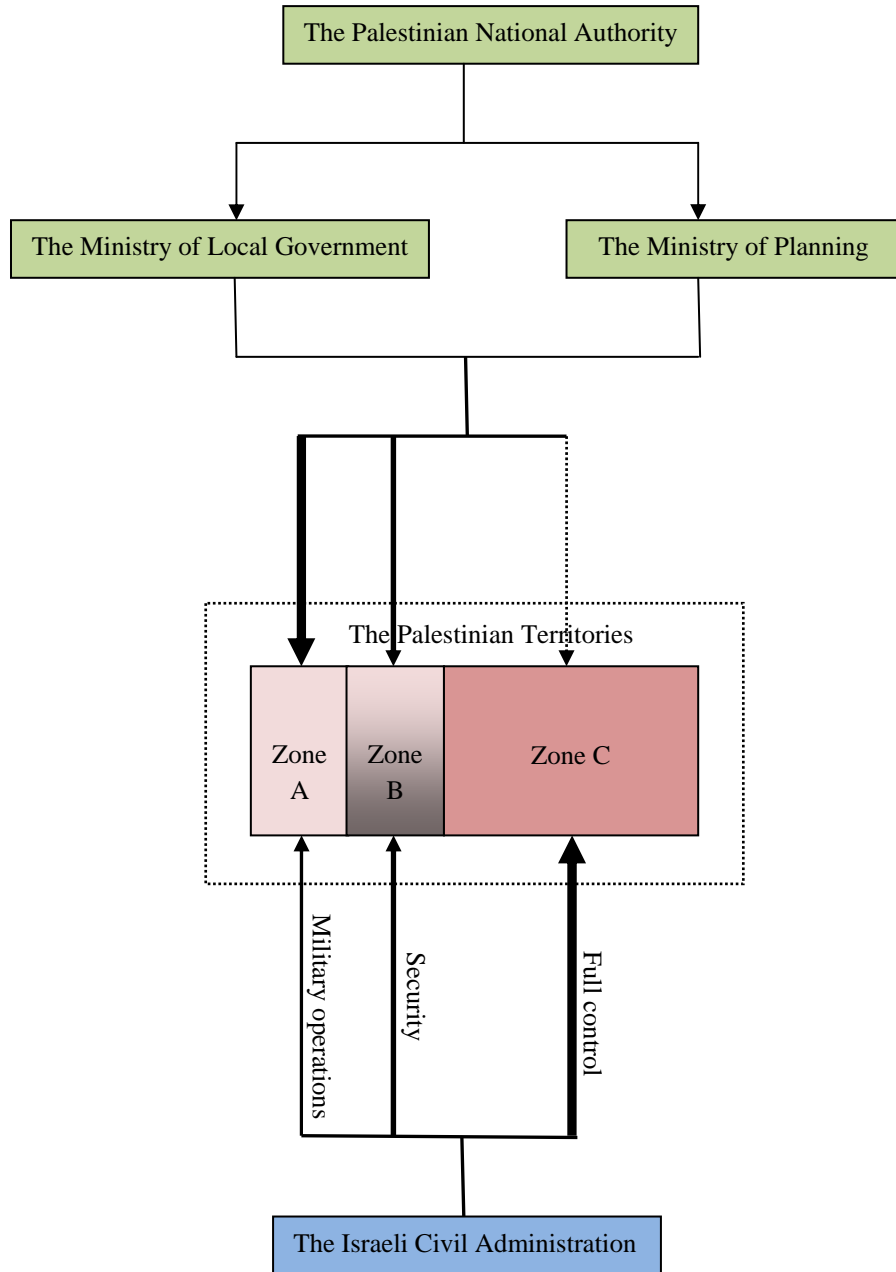
The Palestinian planning system is working with great limitations and constraints. The division of the Palestinian Territories into zones A, B and C under Oslo Agreement II, as mentioned earlier in this Chapter, greatly contributed to the various limitations and challenges that the Palestinian planning system faces. These challenges are related to the limited areas that are under the PNA control according to Oslo Agreement II. The Palestinian planning system is responsible for planning issues in areas within zones A and B, which form only 40% of the Palestinian Territories. The remaining areas (60% of the OPT) within zone C, in which most of the Palestinian localities lay, are the responsibility of the Israeli authorities—represented by the Civil Administration. So, in areas of zone C the Palestinian village councils prepare the documents for needed development and through the MoLG submit them to the Israeli authorities, namely the planning department of the Civil Administration, for final decision.

Areas in zone A, which are under full Palestinian control, are the centers of the main cities, already exhausted and dense, and are subject to Israeli intervention through military operations. Most of the needed development for the Palestinian Territories lay within zones B and C, which means facing the Israeli intensive regulations and restrictions for security reasons in zone B and for the full Israeli control in zone C, (see figure 1.2). In addition to limited areas given to the Palestinians under this division of the territories, there is no physical boundary demarcation

between the Palestinian authority and Israel, which is what gives the Israelis flexibility for any 'needed' intervention, in their point of view.

**Figure (1.2)**

**Planning responsibilities of the Palestinian professional planning system and the Israeli interventions in the three zones of the OPT according to Oslo agreement II: varied from weak responsibility indicated by  $\rightarrow$  to high responsibility or high intervention indicated by  $\rightarrow$**



Most importantly, the constraints and challenges facing the Palestinian planners increased with the Israeli re-occupation of the areas under the PNA in 2000. It paralyzed Palestinian planners because the Israeli intervention could occur at any time. Indeed, all Palestinian institutions, including the planning apparatus, have become subject to the Israeli attacks. For example, in 2002 the offices of most Palestinian institutions were damaged or destroyed by the Israeli wide range attack on the Palestinian Territories; these included: the Ministry of Local Government, the Ministry of Public Works and Housing, the Ministry of Agriculture and the Ministry of Culture.

Palestinian planners now are working within these limitations and constraints, affected by the Israeli planning system, not having enough power to deal with the different spatial problems facing them. For example, this is seen in the unsuccessful attempts of the MoLG in its work of preparing the needed structural plans for Palestinian local communities.

For example, the village council of Al-Aqaba village, in the northern section of the West Bank (see map 1.3) has been trying for a long time to get an approved structural plan and to get building permits for public buildings (schools and commercial buildings). However, this work is denied by the Israelis for the reason that the village exists within the area of an Israeli military camp. Most importantly, the area of the structural plan (were it ever approved) of each Palestinian village is identified by the Israeli authorities. This area is usually the built-up area of the village, which is very small, already exhausted and does not satisfy the demands of the increasing population. This forces the Palestinian people to expand into the areas within zone C, which poses the dilemma of either suffering with the occupation authorities, or solving their needs by building and development deemed illegal by the Israelis. Thus, this validates another

policy of the Israeli interventions and challenges to the Palestinian planning system through the policy of stopping the construction and the demolition of the ‘illegal’ buildings.

This policy of demolition has become a fact of Palestinian life in the OPT that profoundly affects both present and future. Palestinians who live in these buildings live in fear of the Israeli authorities destroying their houses. For example, in 2009 the Israeli authorities demolished 2,450 Palestinian buildings in areas of zone C under the pretext that they had not been granted building permits within the previous 12 years (Ma’an, 2009). In addition to the fear of demolition, the ‘illegal’ building means that the Palestinians have to live without the minimum level of basic services, such as those related to education and health care, as we will see in the remainder of this section.

A notable tactic of the Israelis’ interventions and limitations of the Palestinian planning system is to delay the work under their responsibility by the demanding complex requirements. As-Sawiya village near Nablus city in the north section of the West Bank is a good example of this tactic. The Palestinians have attempted several times through the village council to get building permits for a number of important needed buildings, but with each review the Israelis demand a new and different set of requirements to be met. For example, the last time, they asked the Palestinian village council to provide a new aerial photograph of the village that is not older than six months. When the aerial photo was prepared and delivered, the Israelis delayed the case for more than six months so that the aerial photo was invalid according to their own criteria. Until now the case is undecided. Equally importantly, in most cases, such as what has happened in the Jordan Valley area, the Israeli authorities do not allow the Palestinian Authority to do the aerial photographing for security reasons.

Another significant example of the challenges and limitations imposed on the Palestinian planning system by the Israelis is that of Al-Jeftlik village. This village is in the Jordan Valley section of the West Bank, with a population of 6000 (MoLG, 2009) and it does not have a structural plan. The Israeli authorities considered the whole area of the village as lying within Zone C, a claim that denies the village all basic services and development such as water, electricity and education. The village council through the MoLG has attempted several times to establish infrastructural projects such as electricity and water, and to obtain a permit to build a school in the village, only to be denied by the Israeli authorities. The village school is thus made of tents because the village council could not get a permit even for a temporary structure.

In the above examples the Palestinian planning system is affected by the conditions of lack of autonomy, limited power to make decisions, and working under the Israeli occupation restrictions and forces; specifically related to zoning the OPT into zones A, B and C, in which most of the Palestinian communities are within zone C.

The third group of actors involved in the spatial struggle in the OPT are the Israeli settlers. They are agents for the occupational system to expand and strengthen control over the OPT, using both the Palestinian built and open spaces. They attack Palestinian buildings and claim their rights to these buildings. The historical struggle in Al-Khalil (Hebron) and Al-Quds (Jerusalem) cities is a good example of these attacks. In Hebron, hundreds of Palestinian families lost their homes (or sometimes their lives) because of the settlers' attacks (see table 1.1 and picture no. 1). Palestinian lands are also subject to settlers' attacks that consist of tree-uprooting, cutting, and burning, or damaging and bulldozing the agricultural land, discussed later in this dissertation.



Picture no. (1): a Palestinian house occupied by the Israeli settlers in Al-Khaleel city. Notice the Israeli flag on the second floor.

Source: Author, May 2009

Palestinian people, while under different policies of occupation for control and domination, have continued claiming their rights to the use of space (built and open) through their own spatial practices. They informally invent *alternative spaces* (built and open) for their use, to replace those whose uses are prohibited by the Israeli policies. For example, when schools and universities are closed by the Israeli occupation, the Palestinians use *alternative buildings* for education such as the mosques, centers of private or semi-public organizations, clubs and even houses. When main road-network that connects Palestinian cities and towns are blocked by the Israelis, the Palestinians use *alternative road network*. Palestinians' practices in producing *alternative road network* in the face of occupation are discussed in Chapter Four.

To summarize, as a result of the different policies of using built and open spaces to achieve control by the Israeli occupation, different problems have emerged in the PT that make Palestinian formal planning processes difficult and sometimes impossible tasks. These problems include: damaged and destroyed cities (see map 1.4); limited availability of land needed for future development; shrinkage of open spaces both by the creation of the Israeli settlements and the bypass roads and closures, the very policy that affects both the Palestinians' space and time.

## **1.2 Afforestation Planning and the Struggle over Space in Palestine**

Trees, in addition to their actual agricultural and economic values, have symbolic meanings. The tree with its natural characteristics of roots, trunk and branches along with flowers, fruits and color has, as Douglas Davies calls it, a “practical symbolism” (in Cosgrove & Daniels, 1988, p. 34). It presents a living existence that spans many human generations and is “a habitat for many other creatures.” It is “a medium of thought,” and thus, it is “not simply good to climb, [it is] good to think. Much of [trees’] wood is fuel for metaphorical fires” (ibid). In addition to the “practical symbolism” of trees, they have also “ideological symbolism.” This symbolism of trees is used, for example, by historians to show how trees display many centuries of cultural reflections (Davies, 1988). In this sense, planting trees reflects people’s thoughts, beliefs, religion and culture. Thus, the landscape becomes not only a representation of natural vegetation, but also of the national ideology and will.

Because of this symbolic meaning of trees, afforestation in Palestine historically reflects—and was used to achieve—the beliefs of the people who dwell there, or contest the right to do so. As a result, planting and afforestation in Palestine have been used as tools to conquer the land.

There is an intensive competition for land in Palestine; a struggle that has been transformed into a form of “war,” in which the tools or “weapons” are the trees (Cohen, 1993). Thus, afforestation in Palestine has been used historically to impose control, and at the same time to assist resistance and to claim rights to the land.

According to Baruch Kimmerling (1977) three elements are in the struggle over a territory or a space: sovereignty, ownership and presence. That is “With sovereignty as the ultimate goal, each side strives for ownership of land wherever possible, along with as visible and constant a presence as practical, both on land owned and land disputed” (p. 171). Thus planting trees (and other agricultural activities) is used in the struggle over space as a permanent and vital method to establish presence on the land, to prevent encroachment, and then to conquer and control it. This struggle to achieve “presence” on the Palestinian land stems from the ideological basis of the actors involved in the struggle: the Israelis<sup>7</sup> and the Palestinians. The symbolic power of using planting in the struggle over space is connected to the participants’ ideology of land and the practices related to it, and to their cultural framework in terms of the meaning of trees and their significance.

The Israelis and the Palestinians have distinct religious, historical, social, economic and political reasons for their claims to the land. Religious reasons for the Israelis stem from the idea that landscape and nature consciousness is related to their long-standing national goal of making “the desert bloom,” along with the sense of pioneering that accompanies that (Cohen, 1993). The Bible and other written sources of Jewish faith make overwhelming references to

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<sup>7</sup> The Israelis benefited from the inherited Ottoman land law, which forms the basis for different legal systems pertaining to the area. Legitimacy was given to those who could demonstrate presence on the land.



trees as features of the landscape and metaphors for the people and their nation using the image of trees being uprooted, burned, or withering in drought to convey God's displeasure with the people. Trees are treated as positive symbols, and display attachment to the land. They indicate that there is a promise that others should not eat from the fruit planted by Israel. The destruction of trees (naturally or through actions of the enemy) was perceived by the nation as a divine punishment, as a metaphor for the people (ibid). Similarly, for the Palestinians, religious attachment to the land stems from Islam. Muslims are encouraged by both the Quran—the Islamic holy book—and Prophet Mohammad to work and cultivate the land (Qur'an 24:35 and 55; Qur'an 2:30; Aturmuthe, Hadeeth no. 1303; Al-Jame' Asuheeh, Hadeeth no. 2320 and 2341). Land in Islam is God's blessing. Thus, working the land is a kind of worship and expression of thankfulness.

An effective concept in the struggle over space for both the Israelis and the Palestinians is the concept of homeland. This concept has a broad base on both sides that claim Palestine/Israel as a homeland for a nation. Stemming from the Zionist ideology, the Israeli people believe that Palestine is the "land without a people for the people without a land." Because, for the Israelis, the land was barren and empty, they took little account of the indigenous local population. Their ambition was to transform the urban Jewish communities of Europe into an agricultural, pioneering society. This was to be achieved through a return to their homeland in Palestine, and the establishment of an agrarian regime (Cohen, 1993). Thus, settling and working the land is crucial to this ambition. Although the Jewish population has become overwhelmingly urban, the notion of the land, of settlement, and of "Jewish agriculture" still has considerable power. And, as stated by Cohen (1993), in modern days the Israeli government embraced—and legislated—an inalienability of land that they consider is in their hands.

For the Palestinians, Palestine is their historic land. Despite the displacement and encroachment that has accompanied the Israeli occupation of Palestine, the belief that Palestine is their homeland has not changed and continues to develop for both the Palestinians who live in Palestine and those who live in exile. They nurture considerable attachments to the land as they believe it existed in 1948. The Palestinians in the West Bank, for example, have experienced a continuous presence without displacement, and this *sumud* (steadfastness) is a key element in their identity. For them, their *sumud* is crucial in claiming their rights to the land. Inspiring by Bayat (1994) and (2003), resistance actions are not only those practiced collectively. For him resistance also can be through people's non-collective practices, through practices that are done individually to oppose oppression. For example, being present, being there in places where power denies people's use is a kind of resistance. In this sense, the Palestinians' *sumud* is a spatial means of their resistance, and, thus, has sustained their rights to the land.

As a result, afforestation and planting in Palestine have become core elements of the struggle over space. Trees, as it is suggested, have become the most efficient way of preventing land alienation. They are also effective in boundary demarcation and boundary building. They are used to create or maintain, and to demonstrate a hold on, the land. Trees are used to impose control (by the occupier), and at the same time they are used to resist occupational control and maintain land rights by the Palestinian local people. This use of forestry planning in Palestine in the struggle over space has continued in its long colonial history.

Throughout its modern history, Palestine had been occupied by various governments and colonial powers. Thus, afforestation policy in Palestine has changed according to the shifts that have occurred in ideology and national goals. It has been a fundamental tool in the struggle over space among the different actors in different historic periods. Afforestation policy also has

been maintained during this long history by application of the prevailing land and planning laws. Wide ranging legal systems have been referred to in order to give the use of afforestation policies in the spatial struggle a ‘legal basis’.

This dissertation analyzes and documents the ways in which afforestation policies have been developed and used by different actors in the spatial struggle during the two periods of the study—the British Mandate and the Israeli domination. It points out that afforestation across the long history of Palestine has been the tasks of both the professional planning system and the non-professional people in the struggle over space. Additionally, the colonial and occupational system have used land and planning laws in the support of their afforestation policies for control. At the same time, the local indigenous Palestinians have used afforestation policies as a tool in their resistance. Moreover, this study points out the Israeli closure policy and the Palestinians’ spatial practices to resist this policy of control as another example of the involvement of professionals and non-professionals in the task of planning open space used as a tool for either control or resistance in the Israeli/Palestinian conflict.

The historical analysis of the use of afforestation planning in the struggle over space in Palestine leads to the conclusion that the ‘cooperation’ between the colonial or occupational professional planning system and their non-professional people helped the colonial or occupational government achieve spatial control. This “covert planning,” using Beard’s (2003) term, indeed, helped the establishment of the state of Israel, and has maintained its existence. Additionally, the analysis of the Israeli closure policy and the counter Palestinian practices unearths the contemporary cooperation between the Palestinian planning system and the Palestinian people for these spatial practices to succeed. From these historical lessons, there is a need to develop planning concepts for occupied areas. In these concepts, planning is not only

the task of the professional system, nor is it only the practices of the ordinary people. Rather, it is a *cooperative work* in which the professional planning system takes into account the practices of people, while at the same time, ordinary citizens give their trust and workability to the professional system. In this concept, both the professional planning and the grassroots' planning systems change their tasks accordingly to deal with the problems they face; the grassroots' system takes the responsibility for issues in which the professional system is limited, and vice versa. With these intertwining roles of the professional and non-professional planning systems, they are engaged in a kind of "covert planning" that is at the same time an "insurgent planning" in the face of the occupying planning system.

### **1.3 Aims and Significance of the Study**

The main objective of this research is to understand the ways in which planning in areas of deep political conflict such as occupied areas is used to achieve societal control, and the ways it is used or can be used to resist this control. Since planning as a tool to achieve control, or to resist, operates actively through its territorial dimension, through its substantive matter, which is the use of land, the research focuses mainly on spatial planning. Towards that goal the research explores the role of spatial planning in the struggle (control and resistance) over space in the complex context of occupation. In other words, it explores the probabilities and the constraints of professional planners' interventions in such complex contexts. And it figures out the probabilities and the constraints of developing a planning concept that suits areas of occupation.

This dissertation seeks to achieve the following:

- (1) To highlight the historical role played by spatial planning in the struggle over space in the OPT during the British Mandate and the Israeli occupation;
- (2) To analyze contemporary spatial practices in the Israeli/Palestinian struggle;
- (3) To identify the contributions of such historical understanding for the contemporary spatial planning in the OPT;
- (4) To clarify the guiding concepts of planning that emerge from the study of the OPT case that can be of relevance and use to areas of deep political conflict such as occupied areas.

The significance of this research is that it interrogates planning in areas of deep political conflict, an endeavor less explored in planning literature. It addresses the lack of knowledge about planning within the complex context of colonial or occupational areas. It examines the relationship between planning and the struggle over space in the Occupied Palestinian Territories. It makes practical and conceptual contributions. Practically, it documents processes and decisions of planning under occupation. It clarifies the ways in which open space and its control is negotiated historically from the British Mandate period to the current Israeli occupation. As a result, it contributes beyond the OPT to other areas of deep conflict by informing planners in these areas of a planning approach that helps the local/indigenous planning system to operate for the benefit and the empowerment of the local people. At the conceptual level, the study contributes to scholarship in planning and political geography by illuminating the spatial practices by authorities and people who seek to dominate and control, and/or seek to resist and claim their territorial rights.

The contribution of this study to planning scholarship is significant in that it adds voice to those who have called for an expanded definition of planning, such as Sandercock (1998) and

2003, Beard (2003), Miraftab (2009), Holston (2009), Roy (2009), and Perera (2009). That is, planning is not limited to practices of trained professionals and officials. Rather, it includes everyday spatial practices of people that are powerful in shaping the space and its territorial control. Focusing on the historically constituted claims and tensions over space, the study is able to reveal the range of actors who control space. They are actors beyond the neat categories of professional planners, city officials and plan checkers.

#### **1.4 Structure of the Study**

This dissertation is composed of five chapters. Chapter One serves as an introduction. It presents ideas and arguments that provided the basis for this study. It reviews the complex conditions of planning and the struggle over space in the Palestinian Territories. Chapter Two presents literature review and the research method adopted in this dissertation. It gives an overview of the main arguments of literature related to this study and highlights the existing gaps and the contribution of this dissertation in filling those gaps. It also explains the approach of the study, the strategy of examination, the techniques for collection of information, data analysis strategy, and the research difficulties.

Chapters Three and Four document the development of afforestation policy in Palestine, and the ways in which it has been used in the struggle over space during the British Mandate period (1917-1948), including the Late Ottoman period (late 19<sup>th</sup> century-early 20<sup>th</sup>), and the Israeli domination period (1948-present) consecutively. Additionally, Chapter Four discusses the contemporary Israeli closure policy and the Palestinians' spatial practices in the face of this policy.

Chapter Five is the concluding one, which includes the synthesis and the research findings and its analytical contributions. It ends with recommendations for *developed* “covert” and *insurgent* planning concepts that suit the context of occupation in respect to local people and local state.

## CHAPTER TWO

### THEORETICAL REVIEW AND METHODOLOGY

#### 2.1 Theoretical Review

Three main bodies of literature inform this study. The first, political geography, discusses power and the social construction of place and space; the second concerns literature from planning theories on insurgent planning; and the third pertains to Palestine, including the British Mandate period in the early twentieth century, and the literature that discusses the struggle over space during the Israeli occupation period. This section briefly reviews these main bodies of literature, focusing on the major aspects and arguments that are relevant and informative to this study.

##### *2.1.1 Power and the Social Construction of Place and Space:*

There is a body of literature that concerns the social construction of space and the role of power in its construction. It points to the fact that power can take different forms, not only imposed from above, but also emerging from below, so that domination and resistance can be entangled: the notion that space can be an arena of resistance as well as control (Tuan, 1977; Agnew, 1988; Agnew and Duncan, 1989; Cresswell, 1996; Taylor, 1999; Mitchell, 2000; Sharp, Routledge, Philo, & Paddison, 2000; Allen, 2003; Flint, 2006; Cox, Low, & Robinson, 2008). The importance of this literature to my study lies in its contribution to a new understanding of planning for areas of deep political conflict, including notions crucial for studying planning in occupied areas. That is, spatial planning practices can be tools for both control and resistance.

Literature that develops a new understanding of power in relation to space and place such as Cox, Low, & Robinson (2008), Taylor (1999), Agnew (1988, and Allen (2003). In this new



understanding, power is not equated with state power and its territoriality, and there is mutuality between power relations and space and place. Power is conceived as taking different modes—not only the generally recognized power of the state. Therefore, power not only dominates imposing order from the top downwards, but can also swell up from the bottom, the power of resistance. Resistance is in a dyadic relationship with domination and the two cannot exist independently; the one always contains the seeds of the other, and space forms the medium for the exercise of both dominance and resistance power (Sharp, Routledge, Philo, & Paddison, 2000). Thus, power is spatially exercised; place and space are used in the exercise of power, and they also release and display power (Taylor, 1999; Agnew, 1989; and Allen, 2003). This understanding of the spatiality of power and the resistant/dominant dyad contributes to a theoretical understanding of planning in colonial or occupied areas. At the same time, it contributes to a new understanding of planning within areas of conflict as a tool to facilitate resistance or to oppose domination.

The notion of the spatiality of power is better understood by reviewing literature in geography that highlights the different meanings of space and place and of how power relations are practiced in relation to these space or place definitions. In this literature, some look at both space and place as complementary (Taylor, 1999) so that the meanings of space and place cannot be defined or explained without explaining or defining the other. Other scholars—such as Agnew (1988), Agnew and Duncan (1989), Cresswell (1996), Mitchell (2000), Tuan (1977), and Flint (2006)—distinguish between the definition of space and place. For them, space is conceived as general and abstract, while place is specific, a “social space” and a center of meanings (Cresswell, 1996). Places are produced by experience. Social actions and reactions within a place give it its identity. The different actions and reactions carried out by different

people in a place give it a contestational or a conflictual nature. Thus, in a “contested place” power relations are practiced in order to determine the meaning of the place.

Moreover, places are active forces in the reproduction of norms or the definition of appropriate practice. Places constitute our beliefs about what is appropriate as much as they are constituted by them. Thus, power is practiced through the notion of Cresswell’s idea (1996) of “out-of-place” through which a specific place is conceived as “ours” while the other is “theirs,” and a gap or a distance is produced between “ours” and “theirs.” This difference between “ours” and “theirs” (which also constitute “us” and “them”) plays a clear role in the interpretations of events, and these interpretations have political implications.

Places as well as spaces are socially constructed, with places providing the settings for people’s daily lives and daily experience (Flint, 2006). The functions of a place, the institutions within it and its character are derived by what people do at the level of the everyday urban system (Agnew & Duncan, 1989). The social—as well as the physical—dimension of place is profoundly understood by power relations and how they are actively exercised. Specifically, “city” is a good example that represents this feature of “place,” while colonial power is an example of using cities as an arena for the exercise of power. This colonial power is exercised within cities by the practice of “urbicide” (Graham, 2003), the use of “bio-politics” and “bare-life” (Kearns in Gregory & Pred, 2007), and by “order” (Mitchell, 1988).

### ***2.1.2 Insurgent Planning Literature***

Insurgent planning literature as part of the spectrum of the radical planning tradition offers a promising departure point for analysis of planning in areas of deep political conflict such as occupied areas. Insurgent planning is developed from a planning tradition that acknowledges

planning not as the work of experts and professionals who are detached from society and politics. Rather, it perceives planning in relation to politics; in other words, it understands planning as political with a progressive agenda. The main argument is that, by either addressing or ignoring the exercise of political power in planning, planners can make that process more or less democratic (Forester, 1989). In this sense, planners could exacerbate an undemocratic process or indeed a controlled hegemonic one. Planners serve as sources of this control or, using Forester's words, "misinformation," because they work within pressing time and other constraints, with limited data, and under organizational and political pressures (ibid).

Acknowledging this tradition of planning as political, insurgent planning insists on the importance of "civil society" in planning. It recognizes insurgent actions and informal practices of citizens in the context of political conflict. This perspective does not limit understanding of planning to the practices of professionals and officials in ties and suits, but rather includes people's spatial practices and claims. The inclusiveness of this perspective allows us to ask whether, in a context in which professional planners do not have autonomy and power, and when they are ruled and occupied such as those in occupied areas, every-day practices of people on the ground and their claims of spaces can be considered as legitimate planning practices that shape space.

The main concept of insurgent planning is the "destabilization," the "disruption," and the "defamiliarization" by citizens of the hegemonic regime of their state. In areas of deep political conflict such as occupied areas, the informal and insurgent practices are not those carried out by citizens in the face of authority, but are the 'resistance practices' of citizens that destabilize an occupying, a hegemonic and a foreign regime of an occupying state, while stabilizing and empowering their own state. This study explores these insurgent practices and fills the gap in the

insurgent planning approach regarding the ways that informal and insurgent practices “destabilize” the hegemonic regime of an occupying state, and at the same time “empower” the local indigenous state in the face of the occupying one.

Insurgent planning scholarship—such as Holston (2009), Liggett (2009), Miraftab & Wills (2005), Miraftab (2006 and 2009), Perera (2009), Roy (2009a and 2009b), Friedman (1987, 1988, and 2002), Sandercock (1998a and 1998b), and Yiftachel (2009)—highlights the themes of insurgence and informality and calls for them to be considered in planning which is not exclusively related to professional and formal actors. Additionally, this literature argues the entanglement of insurgence and informality; “insurgence often unfolds in a context of informalization” (Roy, 2009a, p. 9). Insurgent planning scholars illuminate the entanglement of insurgence and informality in different discussions.

Holston (2009), building on his study of Brazilian citizenship, conceives of insurgence and informality within “insurgent citizenship” that destabilizes the dominant regime of citizenship, or what he calls “differentiated citizenship.” Holston argues that insurgent citizenship can be understood within the same context of “differentiated citizenship.” He discusses the phenomenon of our contemporary “democratic” world that witnesses the increasing of political democracy coinciding with increasing everyday violence and injustice against citizens.

Similarly, Miraftab (2009) conceives “insurgent planning” as practices of radical planning responding to and disrupting the neoliberal governance that stabilizes oppressive relationships through inclusion. For her, the guiding principles for insurgent planning practices are counter-hegemonic, transgressive and imaginative. She insists that insurgent planning practices are operated within the process of space-making. Insurgent planning is operated within the

“invited” spaces that are legitimized by the government, and “invented” spaces that are produced through the counter politics of the marginalized. In other words, insurgent planning recognizes supports and promotes both the grassroots mechanism exercised within the invited spaces and the invented spaces of citizenship. The former refers to spaces of legitimate practices in accordance to the government, and the later are spaces where oppositional practices of their own terms of engagement are innovated. While Holtson (2009) and Miraftab (2009) understand insurgence and informality as “destabilization,” “disruption” and “defamiliarization” of the dominant regime, Perera (2009) conceives of insurgent and informal practices as the “familiarization” process of space-making by ordinary people over any official plan. It is not an organized process. Rather, it is the result of a large number of attempts by different people to settle in the city and improve their livelihood in their terms.

Additionally, Roy (2009b) articulates “defamiliarization” within Indian cities. That is, the question is not whether good or bad planning can improve Indian cities, but rather, whether planning itself can operate in a “state of ambiguity and exception” (Roy, 2009a, p. 10). Thus, informality is not beyond planning, using Roy’s words, “it is not a set of unregulated activities that lies beyond the reach of planning” (ibid). Indeed, she says that the informal is inscribed by planning itself through designating some activities as authorized and others as unauthorized, by demolishing slums while granting legal status to equally illegal suburban developments.

Yiftachel (2009) conceptualizes urban informality as “gray spaces” that contain a large number of “groups, bodies, houses, lands, economies and discourses lying in the shadow of the formal, planned city, polity and economy” (p. 89). People settled in these spaces are partially incorporated into the urban space and community, and excluded from membership in the city polity. These spaces are “neither integrated nor eliminated forming pseudo-permanent margins

of today's urban regions" (ibid). Yiftachel argues that these "gray spaces" in planning policies are usually "tolerated quietly," which is to say that they are often encouraged even designated as discourses of contamination, criminality and public danger to the desired order of things. He adds that the response to these "stubborn informalities" is usually not through corrective or equalizing policy, but rather through a range of delegitimizing and criminalizing discourses. Thus, according to Yiftachel (2009), this uneven incorporation of groups and spaces points to the reappearance of colonial relations in today's cities.

Parallel to the above themes of insurgence and informality, Thompson (2000) articulates other important themes in her discussion of planning in multi-layered cities that contribute to planning in areas of deep political conflict. She addresses key issues that planning should deal with carefully in multilayered cities: the equity of the planning process, and the enclave, which she defines as an area with a "high proportion of people from a particular ethnic background living and working in the locality" (p. 240). Most importantly, Thompson points to the importance of planning legislation and the history of urban governance as important issues for planning to deal with in areas of multiplicity, multiculturalism and pluralistic societies. Her argument is crucial for this dissertation since planning and land legislations and the political history of Palestine form key issues in studying planning in the Occupied Palestinian Territories (OPT).

An important piece of literature that is relevant to this study is Scott Bollens' study of the role and influence of urban planning in ethnically polarized cities in ameliorating or intensifying deep ethnic conflict. After analyzing urban planning and policy making in the three ethnically polarized cities of Jerusalem, Johannesburg and Belfast, Bollens (1998 and 2002) argues that urban policies in the context of ethnically polarized cities are not "impotent". Rather, they might

expose practical problems and create contradictions. They have a difficult role because city officials contend with both broader ideological fundamentals and the particular needs of daily life. Cities and their policy-makers might be capable of activating or moderating extant inter-group tension. Therefore, cities, because of their physical and political qualities, are not just simple reflectors of larger societal tensions and dynamics. Rather, they may be able to have independent effects on ethnic tension, conflict and violence. Thus, the physical, social and political conditions of a city may have great effects on the relationship between the broader causes of ethnic strife, such as political disempowerment and cultural deprivation and urban inter-group relations. Additionally, urban policy has important possible effects on material and psychological conditions related to inter-group ethnic stability or volatility. For example inter-ethnic relations are directly affected by urban policy through its influence on control of land and territoriality. For Bollens, one important technique of territorial control amidst ethnic tension is through altering the spatial distribution of ethnic groups or to manipulate territorial boundaries, the very tactic used in the OPT, I argue. Since urban policy has different potential roles in the ethnically polarized cities, Bollens (2006) recommends re-conceptualizing city-building so that it nurtures and reinforces ethnic peace.

### ***2.1.3 Literature on Palestine***

Literature reviewed on Palestine in this dissertation is in two main themes and about two main periods: land and planning laws and afforestation, the British Mandate and the Israeli domination periods.

***The British Mandate in Palestine.*** Palestine was under British rule for more than 30 years, from 1917-1948, following an eighty-year period of domination by the Ottoman ruling. British

rule in Palestine occurred in three stages: first as a military government from December 1917-June 1920; then as a civilian government from July 1920-September 1923; and finally as a Mandate Administration declared on 29 September 1923 and lasting until 14 May 1948 (Parkes, 1949). Land and planning laws during the British Mandate period are examined by Geddes (1921), the British Central Town Planning Commission (1930), Kendall (1948a), Kendall (1948b), Stein (1984), Fruchtman (1986), Gavish (1987) & (2005), Khalidi (1997) and Home (2003). These studies document the British legal legacy and show their intensive legislative attitudes in building this legal body. They discuss in detail the wide-range British land and planning laws. They are considered good documentary works on the British land and planning legislations through which statutory planning was introduced to Palestine.

Some studies, such as Khamaisi (1997), highlight the shortcomings of the British statutory planning system in Palestine. Imported from Britain (and other British colonies at the time), the British statutory planning system had evolved in an urban and industrial society, whereas the society in Palestine was mostly rural. Thus, Khamaisi concludes that British statutory planning did not suit Palestine.

Another body of literature, such as Home (2003) and Fruchtman (1986), discusses the relevance of the British legal system related to land and planning to that of the Ottoman. This literature points to the fact that the British embraced the Ottoman system of land tenures to the degree it could help them in capturing and controlling Palestinian land. However, the British brought with them a modernization project, part of which was aimed at modernizing decadent oriental law and administration to bring order to the chaos left by the Ottoman Turks. In this respect, the British actually amended the Ottoman system (Home, 2003).



The importance of the literature on the British land and planning laws in Palestine for this study lies in the discussion of their relevance to those of the Israeli occupation. The British Mandate informed the Israeli occupation with a legacy of means to achieve control over the Palestinian Territories, which included complex land laws and regulations and statutory planning (Khalidi, 1988; Home, 2003; Khamaisi, 1997), according to Home (2003), “Jewish nationalism develops in the womb of British colonialism” (p. 305). The British laws of land use planning contributed to depriving the Palestinians of their land use rights through various discriminatory applications including compulsory purchase, defense, development plans, zoning and development control. These applications served the needs of the Israelis in Palestine. While the Israelis continued to use the British land and planning system, they initiated amendments when and where they found the British legacy did not completely serve their desires and goals (as discussed in Chapter Three).

Studies such as Evans (1948), Sale (1948), Cohen (1993), and El-Eini (2006), discuss the British afforestation as part of the British legal body related to land and planning. These show that the British afforestation attempts were legislative, and they document the development of the British afforestation laws in Palestine. This literature also points to the Ottomans’ contribution to afforestation in Palestine, and highlights the existing status of the landscape of Palestine during the late Ottoman era since it was the context from which the British afforestation had been developed.

***The Israeli period.*** There is a wide range of literature on the Israeli domination in Palestine focuses on political issues and its development during the history of the Israeli/Palestinian conflict, such as Parkes (1949), Tawil (1983), Muslih (1988), Shedahed (1992) & (2008), Khalidi (1997), Kimmerling & Migdal (2003), Amiry (c2004), Collins (2004), Roy (2004) and

Masalah (2005), Beinlin & Stein (2006). While this literature is not related directly to the topic of this dissertation, a brief look at it is important for understanding the political context within which planning occurred.

Another body of analysis discusses the territorial problem and its history in the Israeli/Palestinian conflict. This focuses on the different policies imposed by the Israeli authorities that helped achieve territorial control in Palestine. These policies include the construction of threat with spatial implications, which affect Palestinian life at various levels (Rishmawi & Safar, n.d.). Falah & Flint (2004) discusses the policy of turning Palestinian public and private built spaces into geopolitical ones. For them the Israeli authorities impose spatial threats in order to achieve political ends by transforming the private and public Palestinian spaces into practices of terror. They argue that the practice of the Israelis have the psychological effects of breaking the Palestinians' spirit and will, forcing them to the point of accepting any political solutions at all, simply for the sake of achieving a resolution

Other Israeli policies to achieve territorial control include fragmentation and segregation (Shamir, 1996; Yiftachel, 2002; Has, 2002; Lein, 2001; Makdisi, 2008; Dudai, 2001; Misselwitz & Rienets, 2006), and Israelization and de-Palestinization (Rishmawi & Safar, n.d.; Falah & Flint, 2004). This literature points to the Israeli use of spatial organization and closures in order to separate and divide the Israeli areas from the Palestinian, and to split Palestinian areas into separated enclaves. These Israeli attempts at segregation and fragmentation of Palestinian spaces also include practices of Israelization and de-Palestinization by occupying them and declaring them as Israeli spaces. Additionally, some studies, such as Alterman (2002), Dumper (1992), Rowley (1990), Monk (2002), Weizman (2007), and Tron (1988), discuss the Israeli/Palestinian

territorial conflict by focusing on the Israeli policies of land confiscation and expropriation, deconstruction and demolition, and Jewish immigration and settlement. Generally, the body of literature that deals with Israeli/Palestinian territorial problem is of notable importance for this dissertation because it contributes to the general understanding of the ways that the Israeli authorities use space to achieve control.

One group of studies that discusses Israeli land and planning laws focuses on the Israeli selective use of the British legal legacy and its amendment as a way to satisfy Israel's goals and desires (Gouldman, 1966; Shamir, 1996; Coon, 1992; Shehadeh & Jonathan, 1980; Shehadeh, 1993; LeVine, 1998; Khamaisi, 1997; Falah, 2003). These studies highlight important legal issues in the Israeli legal system, such as proof of ownership and absenteeism, which constitute great limitations for Palestinian development. In general, they highlight the importance of Israel's legal system in implementing its spatial policies.

Literature that discusses the Israeli afforestation is limited and mainly focuses on early decades of the Israeli domination in Palestine; namely the early 1950s-1970s. It includes work by Efrat & Noble (1988), Cohen (1993), Yacobi (2004), and Amir and Rechtman (2006). Most of this work focuses on the Israeli afforestation In Al-Quds (Jerusalem) area, and points to the Israeli afforestation as a human need for open space in a city of high density. Some works, such as Amir and Rechtman (2006), focusing on areas within the Israeli state, discusses the Israeli afforestation policies that conceive forests as natural resources that should be conserved. This literature also highlights the Israeli planting attempts as memorials for important figures and heroes. The striking aspect of this body of literature is that it does not connect the Israeli

afforestation attempts with the British, and with the existing Israeli settlements in the occupied areas.

In this dissertation, my contribution to the sources reviewed above is to examine and interpret them within a theoretical framework that recognizes the relationship between space, power and planning. In this sense, because of the spatiality of power, afforestation planning could be used as a tool in the practices of power. And, because of the entanglement of resistance and domination, afforestation as a form of spatial planning can be used for both control and resistance. Thus, while studying afforestation planning under the British Mandate and Israeli domination, I look at the ways in which it has been used for control and for resistance. The existing literature focuses on documenting afforestation policies without connecting them with spatial practices of resistance as well as control that historically exist in Palestine. My contribution is to put together my findings from historical materials to show the picture that is formed when the pieces of the puzzle are assembled. I connect, in this puzzle, afforestation policies used during the British period with those used under the Israeli occupation, the insight that existing literature lacks. This is to show that the British afforestation planning in Mandated Palestine that had been used to control the country, had also helped the existence of the Israeli state, and hence continued to be used by the Israeli occupation. At the same time the picture shows the ways afforestation planning had been also used to resist control, and thus, this could be developed to the concept of “resistance planning”; a spatial planning concept for areas of occupation.

## 2.2 Methodology

This study is based mainly on a historical research approach in examining how spatial planning has been used as a means for societal control and for resistance to this control under occupational/colonial conditions. Additionally, since the study includes analysis of contemporary and current spatial policies and practices, the personal experience as a Palestinian who lives in Palestine is also used as a useful reliable research method. To a large extent, my research is exploratory, as it is designed to provide an initial glimpse into planning in areas of deep political conflict.

This study examines different strategies of planning that make it possible for the powerful, in this case represented by the colonizer, to achieve control over society. Among debates on planning objectives, the ideal is primarily moral: to help the oppressed and to achieve justice, and to work with people for people. Therefore, the study examines and attempts to understand the way planning strategies have been used as a means to enforce oppression. At the same time, it explores spatial strategies from the bottom up by ordinary people, and the ways in which they serve as a means of resistance in the face of control. This is a subject matter that is politically sensitive and involves historical dimensions.

Two periods constitute the focus of this study: the British Mandate period 1917-1948, and the Israeli domination period 1948-present. The British Mandate period is selected because of its major connection to the current Israeli occupation. The British Mandate forms the basis for the Israeli rule in Palestine, constituting the legal and planning colonial legacy for the Israeli occupation in Palestine. Reasons for the selection of the Israeli period include: the long period of the Israeli domination, which continues to the present time; the main role that space has

played in this long Israeli/Palestinian conflict; and most importantly the role that spatial planning has taken in this complex and long conflict.

### **2.2.1 Why is an Historical Research Approach Utilized?**

The success of any research begins with choosing a suitable methodology for that research. Methodology can refer to a theory, framework, and/or analysis of how a research project should be conducted. In this study, an historical research approach has been adopted because this allows an examination and analysis of the historical dimensions of the research problem.

Because the modes of planning in the struggle over space in contemporary Palestinian areas are historically rooted in the colonial past, the historical research approach provides an important historical perspective of this phenomenon over the course. The purpose of this methodology is to understand the present and predict the future by understanding the past. We live in a continuous spectrum within which there is no separation between the past, the present and the future. The present is merely one point in the sequence of time which starts from the past: according to Bloch (1964) “now, this real time is, in essence, a continuum, it is also perpetual change” (Bloch, 1964, pg. 28). Therefore, understanding the past evolves us to understand the present reality. As Bloch (1964) states, “He who could confine his thought to present time will not understand present reality” (pg. 35).

The importance of understanding the past for an informed analysis of the present is also addressed by other scholars. For example, June Thomas (1994), in an article about the connection between planning history in the US and Black history, states that American planners “waste valuable theories when [they] do not use past experiences to illuminate present problems” (Thomas, 1994, pg. 9). Moreover, Derek Gregory (2004), in his *Colonial Present*, points out that the contemporary “lazy separation” between the present and the past was the reason for the

failure of the post-colonial project; thus the result is an enduring colonial present. He considers generally that the Israeli occupation in the Palestinian Territories is continuous with the past colonial period. So, in this research, the historical methodological approach helps to understand deeply the phenomenon under study.

The usefulness of the historical approach for this research is related to the value and the nature of historical thought itself which occurs in the context of not only time but also space. Spatial analysis is a subject of planning. Thus to understand the ways planning operates includes understanding space. Understanding space includes, in addition to the understanding of its physical settings, knowing people's actions in this space. According to Collingwood (1957), the value of the "science of history" is "human self-knowledge," which "teaches us what man has done and thus what man is" (p. 10). It distinguishes between mere events and actions. Historical work is not the investigation of merely what has happened which includes the material appearance of an event in terms of bodies and their movements. Rather, it is the investigation of meaningful actions; the material of the event (the outside) and the meaning of the event (the inside). Thus, history is a good method for understanding human self-knowledge, human spatial actions, and then for understanding space and planning.

Additionally, this research requires critical thinking, which the historical method provides. History means not only mere descriptions of human events that were included in a particular space. It is, rather, a way of thinking that criticizes human actions in space. Collingwood (1957) defines history as a "special form of thought," as a "philosophical thought," and as a "critical thinking" (p. 7). The historical work includes not only the description of past events and actions, but also reflection upon them. In other words, as Collingwood says: "the historian criticizes the past." Historical knowledge is not only the knowledge of what humans have done in the past, it

requires a conceptual redoing of the past acts, the perpetuating of the past in the present by the historian's rethinking of those past events. It is the reconstruction of the past through the interpretation of evidence in the present.

Most importantly, the characteristics of historical evidence contribute to the validity of this research approach. Historical evidence in space is visible, material and observable. It might be an architectural structure, a work of art, or even a tree. But the peculiarity of historical evidence in understanding space and planning is its materialistic existence, which implies real interpretation.

An historical approach is useful for this study since historical writings are not just recollections of past events. Rather, as argued by Zinn (1990), historical writing is used to instruct us, to inspire us from past data. We take lessons from past events to help us in our present life. For Zinn this subjectivity of historical writings—the commitment to specific values—turns the historians' intellectual energies to the urgent problems of their current time. For him, it enlarges the social aspect of historiography and makes the historian become like a social reformer. A commitment to the values of freedom and justice, for example, leads an historian to focus on these issues in the past, and to look at how people in the past dealt with these problems.

Different lessons can be drawn from the past that help understand the present. History can fix the distorted picture of how people live in space currently, wherein the voices of the powerful and the privileged of society are heard most loudly. But if we can manage to find the voice of the “underdog” in the past, this will help us to understand what is wrong in present time and space. Moreover, the historical approach can reveal what has been erased from the present



visible landscape of space, exposing the social constructedness of the present. The landscape of space could appear, as argued by Mitchell (1994), superficial, full of mere representations and images, and with natural beauty where history and its traces have been erased. So, the historical study contributes to a better understanding of space by unearthing the erased traces of history in space. For example, it helps in unfolding the different dimensions of spaces under study, such as unearthing the Palestinian origins of spaces that were claimed later as Israeli within the spatial struggle. And this then helps develop a better understanding of the role that spatial planning might take in areas of conflict such as occupied areas.

### ***2.2.2 Data Collection Tools***

The data for this research comes from a variety of mostly secondary sources. The research data include scholarly materials: books and articles; documents in the form of maps, laws, restrictions and regulations; photographs and images; newspapers; and writings of people in positions of authority. This combination of data helps ensure that a good understanding of the phenomenon under study may likely be obtained. These data have been collected from a number of places such as British libraries, Palestinian institutions, organizations and research centers, as well as the UIUC libraries. Some of the data come from personal experience, personal observations, and stories that I have heard from relatives, friends, colleagues, and neighbors.

Data collected in this research are about key moments or events, snapshots of the two periods of the study (the British Mandate and the Israeli domination). The following paragraphs detail the data collection for each area covered in the study:

- Literature on land laws and ownership; planning laws and development plans; and development and building regulations and restrictions during the British Mandate period and the Israeli domination period in Palestine.* This includes scholarly authors, such as Rachelle Alterman, D. M. Gouldman, Ronen Shamir, Raja Shehadeh, Anthony Coon, Joseph Fruchtman, Dov Gavish, Robert Home, Rashid Khalidi, Rasem Khamaisi, Mark LeVine, Kenneth Stein and Joel Migdal. It also includes reports and writings of planners and architects in positions of authority, such as Henry Kendall, the British planner in Palestine, and historical and contemporary official studies, reports, and land and planning acts, such as the work of the British Central Town Planning Commission in Mandatory Palestine and the Palestinian Ministry of Local Government (MoLG) and Ministry of Planning (MoP).
- Literature on the work of forestry during the British Mandate period (1917-1948), the Israeli occupation period that covers the early period (1948-1970s) and late period (1970s-1990s) of the occupation and the current period with the existence of the Palestinian National Authority (PNA) (1990s-present).* This includes the work of a number of scholars such as Rosa El-Eini, Shaul Cohen, Elisha Efrat, J. Evans, Shaul Amir and Orly Rechtman, Aref Abu-Rabia, Ismael Abu Saad and Haim Yacobi. It also includes writings of people in position of authority, such as Gilbert N. Sale, the British first Conservator of Forests and the Head of the British Department of Forests. This literature includes reports, studies and statistics done by Palestinian institutions and organizations: the Ministry of Agriculture (MoA), the Ministry of Local Government (MoLG), the Palestinian NGOs, and the Land Research Center (LRC), as well as international organizations such as the UN Development Program (UNDP).

- *Data on Israeli closure policy are mostly from personal experience and observations.* Some information comes from works of scholars such as Graham Usher, Oren Yiftachel, Amira Hass, Shaul Cohen, Beshara Doumani, and Alison Brown. It also includes reports and studies done by international, Israeli, and Palestinian organizations and human rights such as the UNDP, the UNICEF, the Swiss Agency for Development & Cooperation (SDC), the Israeli Information Center for Human Rights in the Occupied Territories (B'Tselem), the Palestinian National Information Center, the Applied Research Institute-Jerusalem (ARIJ), Al-Haq, and Ma'an, in addition to information from the Palestinian institutions: the MoLG and the Ministry of General Work and Housing (MoGWH).

### ***2.2.3 Data Analysis***

Two types of analysis are applied in this study: analysis of the written sources (documents analysis), and analysis of the visual sources (maps, images and photographs).

***Documents analysis.*** According to Denzin & Lincoln (2003), texts provide a “truer” indication in the research than any other types of evidence. Furthermore, Derrida (1978) (in Denzin & Lincoln, 2003) shows that texts are contextualized, i.e., different meanings of the text can be given by reading it in different contexts. Therefore, in the document analysis process in this research, different types of texts are understood in the contexts of their conditions of production and reading. For example, was the text written as a result of firsthand experience or secondary sources, has it been edited or not, is it anonymous or signed?

Document analysis in this research is also concerned with different features of the written data: such as whether these data are “genuine” or not. This is accomplished by asking the questions of where, when and by whom these documents were created. Another concern is

related to the quality of the written source and the question of its “genealogy”; whether it is original or a copy. The question of the “genesis” of the source is also a concern: what kind of institution or individual produced the source, with what authority, under what circumstances. And finally the authorial authority of the text is questioned: did the author of the source speak him/herself? Was he/she an eyewitness? And so on (Howell & Prevenier, 2001). Questioning the above features of the document is highly important in the data analysis because of the significant effect they have on the intended meaning of the text, which in turn affects the interpretation of the document.

Finally, the most important part of document analysis is the interpretation. As stated by Howell & Prevenier (2001), document interpretation is not a simple task, and it is technically demanding. Nowadays, historians employ a variety of tools to interpret a document, including comparison of sources and establishing evidentiary satisfaction<sup>8</sup> (ibid). In line with this, this study applies such tools in the interpretation of the documents.

Since this research depends mostly on secondary sources, the “genealogy” of the materials must be examined critically to ascertain when, where and by whom the resource was created, what kind of institution was involved and under what circumstances, and if the author was an eyewitness or not. Using these tools along with comparison and the triangulation among sources helps in reaching evidentiary satisfaction for the research.

*Analysis of visual materials.* In analyzing visual materials, different points are taken into consideration such as the quality of the source, the purpose for which the material is used, and by

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<sup>8</sup> Evidentiary satisfaction related to the fact that perfect certainty is never achievable. So there are gradations of plausibility; some kinds of evidence are better than others, some kinds of interpretations are easier to support.

whom and for whom it was produced. One important point is considered while analyzing visual materials is that a visual work usually has more effect on human perceptions (and their subsequent interpretation) than any other type of source. Visual images are different from written texts in that images can be read easier and faster; there is no language barrier within images. It is like the difference between watching a film and reading a book. The film has a stronger effect on the viewer since it has two dimensions with which to work: the text (the dialogue or the speech of the film), and the visual image (the picture). The film, like visual images, remains in memories for a long period of time. Written texts hold the reader in a situation of fiction, with one's imagination related to the context of the written material. Visual images, on the other hand, create a kind of real life regarding the context of the image. The reader believes more in what can be seen. So, visual images might be viewed as more correct, as more of reflection of reality. This belief, however, is dangerous in the study, since images can be elusive. So, in this research a comparison between the information taken from the written resources and the visual materials is applied in order to reach a more satisfactory interpretation.

### **2.3 Research Difficulties**

This research has faced various difficulties regarding data collection, including logistical problems. Most data are from the British library and the Palestinian institutions and organizations. It has been difficult for me to approach these data physically by going to their locations; but I have been able to access them through University of Illinois Library system.

Another research problem is related to the fact that some documents and materials on Palestinian spatial planning have been lost or are incomplete due to the political instability of the

region. During the last decade, many of the Palestinian institutions and organizations, such as Ministry of Local Government, the Ministry of Public Works and Housing, the Ministry of Agriculture, the Land Research Center, the Orient House, Al-Haq Organization, and the Dameer Organization, have been the subject of Israeli military operations, and hence, have been damaged or destroyed by bulldozing or bombing. Much of their archival materials and equipment have been lost, or some have been stolen by the Israeli attackers. For example, after the Israeli bombardment on the West Bank in April 2002, the Ministry of Public Works and Housing in Ramallah was compelled to resume its work using the laptop of the General Manager of the office on the rubble in the site of what was once the Ministry's office. These are difficult archival conditions, impeding my ability to acquire all the materials needed for this research.

Moreover, a number of Palestinian institutions tend not to document most of their works, especially when related to sensitive topics or problems with the Israelis. Many decisions are made on the spot, in the field and without documentation. Specifically this is the case for the organizations and institutions that work to facilitate the Palestinian people's lives in the face of the occupation. This includes the cultivation and use of sensitive land adjacent to Israeli settlements or the Separation Wall. In other words, it has been difficult to find evidence regarding the practices of Palestinian "covert planning." Such materials have been obtained from the very few sources that are found in some of the Palestinian organizations.

Most importantly, one of the big issues facing me as a researcher in this study is the dilemma of revealing Palestinian "covert planning," as if I am exposing one secret of Palestinians' resistance. This, indeed, gives an important glimpse for other planning researchers on "covert planning" that should be taken into consideration and needs further discussion and research on the ways of writing that could be used in "covert planning" research.

## CHAPTER THREE

### POLICIES PERTAINING TO LAND AND TREES IN THE BRITISH MANDATE PERIOD, 1917-1948

Palestine became a British territory in 1917 when the British forces took control over the Ottomans who had ruled the country for eighty years. The Ottoman period is significant in Palestine's history since it provided a legal and administrative legacy that has remained active until the present time. The Ottomans' laws with respect to land were the basis on which all successor governments of Palestine, including the British Mandate government, built their legal systems concerning land issues. The initial stage in the development of afforestation policy in Palestine took shape in the late Ottoman period (late 19<sup>th</sup> century-early 20<sup>th</sup> century). It included the basic initiatives of afforestation that were the cornerstones in the structure of forestry policy in Palestine. While the use of afforestation in the struggle over space during the Ottoman period started as a form of 'rhetorical or discourse struggle', the British afforestation in Mandatory Palestine featured the bureaucratic application of forestry legislations in order to control the country.

Palestine's afforestation during the British Mandate period had been the task of two main actors: the British Mandate government and the Jewish National Fund (JNF) representing the Jewish communities in Palestine<sup>9</sup>. The afforestation policy reflected the desires, interests, and goals of each of these actors, each using afforestation as its main tool to achieve control over the area, but for different reasons. While for the British the planting of trees had a strategic economic purpose, the Jewish afforestation activities were practical, with the aim of possessing

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<sup>9</sup> The influx of Jewish immigrants to Palestine referred to the early 1880s. In Mandatory Palestine those Jewish immigrants had their own communities and neighborhoods.

the land, protecting the Jewish land holdings, and facilitating Jewish settlement. Although they had different goals, the British Government and the JNF were on the same side in the struggle over space. On the other side were the indigenous Palestinian people.

The Palestinians' role in afforestation strategies did not materialize until 1936 with the outbreak of the Arab Revolt.<sup>10</sup> They developed a policy of anti-afforestation as a tool of resistance towards the Jewish and the British afforestation policies of control.

The British used a wide range of legislation as well as their legal system related to land and land use planning in order to legitimize their policies of planting trees. Their legal system was in conformity with that of the Ottomans but with amendments to achieve the British desires and goals. The JNF's afforestation practices exploited the British legal system to facilitate their settlement of the land.

By documenting and analyzing the afforestation policies and practices of all the actors involved, we can examine the way afforestation policies were used in their various spatial struggles. While indigenous Palestinians applied their anti-afforestation strategies as a form of resistance, both the British government and the Jewish communities used their afforestation policies to achieve their desires for control. Moreover, the cooperation between the British government and the Jewish communities (the JNF) led to the spatial control of these actors. There was "covert" afforestation planning between the British government and the Jewish communities, and this "covert planning" helped to build the state of Israel.

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<sup>10</sup> The Palestinian uprising against the Mandatory authorities over the mass Jewish immigration: lasted from 1936-1939. It started as a general strike with the main demand of ending Jewish immigration to Palestine and a prohibition of land sales to Jews. Started in Nablus, the strike spread to other regions of Palestine. There was sporadic armed insurrection in the countryside which, with time, became more organized (Parkes, 1949).



This process occurred within the context of the large geopolitics of the region at the time. The British commitment to Jewish settlement in Palestine was part of the European colonial project in the Middle East, and hence, was due to various strategic as well as ideological reasons. In addition to Jewish settlement, the British government regarded Palestine as a useful tool for military expansion. In WWI, the British government encountered unexpected problems regarding the advance of the Allies' armies across Western Europe. After British recognition of the failure to concentrate all war forces in Western Europe, looking for solutions to the War in the East had been raised, basically by David Lloyd George, a British minister who stayed in the Cabinet from the outbreak of WWI until its end (Fromkin, 1989; Muslih, 1988). Lloyd George believed that including the East in the War would "have produced a decisive effect on the fortunes of the war" (Fromkin, 1989, p. 264). Part of the "Great Game" was defeating the Germans by approaching them through the Balkans, and beating France by cutting the French way in the Middle East and then preventing their advance from Lebanon (Muslih, 1988). Thus, for the British, intervention in the Ottoman Empire was needed and could be possible by establishing a British-backed Jewish state in Palestine. Additionally, Palestine was of significant importance for the British Empire because of its strategic location in the Mediterranean at a halfway point to its colonies in India.

In addition to reasons of military logic and motivation, the British support for building a Jewish state in Palestine stemmed from ideological incentives and ideas about Zionism and European nationalism. Zionist beliefs related back to Puritan enthusiasm among key figures in the British government in the mid nineteenth century and twentieth century had great effects that caused Britain to embrace the idea of restoring the Jews to Palestine. Among them were Viscount Palmerston, the Foreign Secretary; Sir Herbert Samuel, the Postmaster General in the

British Cabinet; and David Lloyd George, who acquired the position of the British Prime Minister (Fromkin, 1989). Palmerston's policy was connected with "a mystical idea" that "Britain was to be the chosen instrument of God to bring back the Jews to the holy land" (Fromkin, 1989, p. 269), thus restoring the holy land to its biblical character. Samuel was one of the leaders of the liberal party, and the first person of the Jewish faith in the British Cabinet. In his memorandum of 1915, he proposed that Palestine had to become a British protectorate and urged large-scale Jewish settlement in Palestine (ibid).

Lloyd George, according to Fromkin (1989), wanted to acquire Palestine in order to encourage the development of a Jewish homeland in it. He objected to the proposed division of Palestine in the Sykes-Picon Agreement (most of it to France or to international zone). Unlike his colleagues, Lloyd was educated on the bible. He was of Nonconformist faith, which referred to the centuries-old tendencies of the British Nonconformist and Evangelical thought that called for restoring the Jews to Zion. Additionally, Lloyd George was born in Manchester, the home of Britain's largest Jewish community, and his closest political confidant, C. P. Scott, the editor of the *Manchester Guardian*, was converted to Zionism in 1914 by Chaim Wieszmann, a Russian Jew who settled in Manchester (Fromkin, 1989, p. 270). Most importantly, Lloyd George had been appointed in 1903 as the attorney for the Zionist movement and for its founder, Theodore Herzl (ibid). Thus, he was in a position to understand the dilemma of the movement. In addition to Lloyd George's ideology related to establishing a Jewish homeland in Palestine, and because of his political position in the British government, there had been further conditions that encouraged British commitment to Palestine. Among these conditions were the inclusion of the "dangerous" politician (Fromkin, 1989), Winston Churchill, in Lloyd's government and Arthur

Balfour as a member of the Parliament. Notably, Balfour and Churchill were Parliament members for Manchester who were aware of the concerns of their Jewish constituents.

Nationalism, which had become prevalent in Europe, encouraged and deepened Zionist ideology of forming a Jewish state in Palestine. A common idea of the time was that every nation ought to have an independent country of its own, and that the converse to this proposition caused the world's problems, that some nations were being kept from achieving unity or independence. The nationalism of each nation included not only the interests of its own but also those of its neighbors. Therefore, thoughts of European nationalism accompanied with the intolerance of groups different from the majority. For example, the Jews of Germany and France were questioned whether they were German and French, as though one could not possess both identities together. Therefore, as a result of this rise in nationalistic beliefs, the Jews of Western Europe by the end of the nineteenth century, although they had achieved emancipation from many of the former social and economic restrictions, still encountered hostility from their neighbors who considered them aliens (Fromkin, 1989). The creation of a new nation where Jewishness and nationality would be inflated was suggested as the answer to the Jewish problem.

It is against this backdrop of broader geopolitical considerations in the region, that forestry planning took shape during the British Mandate period in Palestine. But since the British system stemmed from the legacy of the Ottoman era, we must begin from the late Ottoman period.

### **3.1 Existing Conditions during the Late Ottoman Period, Late 19<sup>th</sup> Century-Late 20<sup>th</sup> Century**

In the late 19<sup>th</sup> century and at the beginning of the 20<sup>th</sup> century, forest resources in Palestine were overcut, over-grazed and burned. The characteristics of the vegetative landscape had been

changed so that naturally forested areas were transformed into artificial scrublands. According to the Peel Report of 1937, “there were no real forests in Palestine. A country should be 15 % forested; Palestine had only 5% under forest cover” (in El-Eini, 2006, p. 191). The explanation given for this destruction was the poor management of the Ottomans.

The reasons for the destruction of the landscape in Palestine under the Ottomans are: the lack of the enforcement of Forest Conservation and Management Laws by the Ottomans, the Ottoman tax practices, and the lack of re-afforestation work from the Turkish administration or government. Taxation was disproportionate, and the burden of it fell on the poor individuals. Trees were taxed as they stood, “A man was assessed on what his vineyard or olive grove could bear in an exceptionally good year no matter what the actual harvest might be” (Cohen, 1993, p. 45). The Turkish administration or government was rarely engaged in repairing damage and maintaining existing forests. Planting that had been carried out in this period was limited, on a small scale, and for the most done by European foreigners stationed in Palestine for organizational or political purposes.

Other reasons for the denuded conditions of the landscape of Palestine were environmental and related to the lack of natural resources. There was a continual demand for fuel, and the wood of the forests was the primary source in the region in this period. Other human reasons are related to the expansion of the villages towards their periphery, overgrazing, and the practices of the armies in WWI. According to El-Eini (2006), the Turkish army destroyed 60% of the country’s olive trees for use as railroad fuel (p. 191).

There is no agreement in the literature regarding the role of the Ottomans in the establishment or development of a real afforestation policy in Palestine. For El-Eini (2006), the Ottoman period in Palestine did not lack afforestation, but for Amir & Rechtman (2006) and

Cohen (1993), the Ottomans did nothing regarding afforestation. El-Eini argues that the Ottomans' legacy for afforestation was not the uprooting of trees for military needs but that they had established a legal and administrative legacy that was used by subsequent governments in developing afforestation policy. This was through their detailed land laws with specific attention to trees (Ottoman land laws will be discussed later in this chapter). However, Amir and Rechtman (2006), state that afforestation in Palestine was a Jewish invention at the end of the 19<sup>th</sup> century, by the Jewish immigrants. For Cohen (1993), afforestation is the work of agriculture done by the peasants. Thus, it can be said that the Ottomans did nothing to advance the level of agriculture in Palestine, and villagers were victims of a combination of ecological and administrative pressures.

## **3.2 Land and Planning Laws**

### ***3.2.1 The Ottoman Legacy***

The Ottoman's land laws represented by the Land Code of 1858 formed the basis for the land legal system in Palestine during the successive periods of the British Mandate, the Jordanian, and the Israeli periods (Shehadeh, 1980, 1993; Fruchtman, 1986; Coon, 1992; Cohen, 1993; Khmaisi, 1997; Falah, 2003; Home, 2003; El-Eini, 2006). The reason for establishing this Code was to serve the state's interest in extracting tax revenue from the land. The Ottoman's intention was to tax every piece of land by establishing the title to the land and registering its legal owner (Shehadeh, 1993). To achieve this, the Code reorganized land ownership by recording and redistributing it (Khmaisi, 1997). Before this, the Ottoman Government had applied different strategies to collect land revenue. Prior to 1858 land grants had been made to military leaders as a reward for their services (Shehadeh, 1993). In 1839, the Ottoman Government replaced this

system with “tax farmers” (*multazimeen*) whose main task was to raise from the peasants a stipulated amount. The *multazimeen* enjoyed too much power, and their extortionist and abusive practices caused the government to replace them with the “tax collectors” (*muhasileen*).

However, the *muhasileen* likewise failed, which led to the establishment of the Ottoman Land Code of 1858 (ibid). Shehadeh (1993) argues that the introduction of the Code was also due to the increasing influence of the European mainly French system of law on the Ottoman Empire.

Through this Code, the Ottomans classified the Land in Palestine into five categories: *waqf*, *mulk*, *miri*, *matrouk* and *mawat*. The main theory behind this subdivision is that the conquerors, such as the sultan or emir, regarded themselves as the true owners of all the conquered lands (Shehadeh, 1993). As a result, most titles, or the “rakaba,” of the land of Palestine was owned by the Emir (ibid). These lands were classified as *emirieh* or *miri* lands.

In addition to the main principle underlying the land law as mentioned above, there was another principle that affected this law: ownership was limited by use (Shehadeh, 1993). The Sultan, as the ultimate owner of the conquered lands, granted Iqtaa Lands to private individuals for cultivation. These grantees were given either a right of *mulk* ownership, or a more restricted right to hold the land while the ultimate true ownership remained in the hands of the sultan or emir (ibid). After the establishment of the Land Code of 1858, *miri* land, which comprised the majority of land in Palestine, was obtained by the agent of the government appointed for the purpose. At first, the officials of the Treasury (Maliya) were entrusted with this task. Later, “Land Registries” were established, which to this day are still commonly called Tabu (Turkish for soil) (ibid). After that, the right of possession was granted directly by the state upon the payment of a sum in advance (Muajele), called the Tabu fee. In return, the possessor was granted a title deed bearing the imperial cipher (Shehadeh, 1993, p. 14).

***Land Categories under the Land Code of 1858:*** The Ottoman Land Code classified land according to five forms of tenures that have been interpreted by the successive governments of Palestine (as we'll see in the coming chapters) in such a way as to provide a wide degree of public or state domain and thereby possess and control the land. The Ottoman land categories are as follows:

1. *Waqf* lands: Lands held in trust for Muslim religious charitable purposes. The *waqf* land is inalienable and non-heritable "in perpetuity." Dedicating land to a family *waqf* (*waqf dhurri*) protected it by the strongest legal and religious sanctions known to Muslim law from seizure by the state. This advantage of *Waqf* land encouraged many landowners to turn their lands into the *Waqf* category and consequently, a large proportion of land in Palestine came to be under *Waqf* land.
2. *Mulk* lands: these are "fully owned urban freehold property" (Home, 2003, p. 296). This category originally concerned the "Ushuri" and the "kharaji"<sup>11</sup> lands given respectively to the Muslim and non-Muslim inhabitants of the conquered areas (Shehadeh, 1993). After the establishment of the 1858 Land Code, the *mulk* land category was enlarged to include four kinds which were enumerated in Article 2 of the Code. These included, in addition to the two above, "land which comprises sites for houses within towns or villages, and pieces of land of an extent not exceeding half a dunam situated on the confines of towns and villages,

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<sup>11</sup> Ushri land: the land granted to the local inhabitants who embraced Islam by paying tithes amounting to one tenth of the gross yield of the land; Kharaji land: owned or granted to non-Muslim inhabitants who paid either a tribute proportional to the gross yield, or a fixed amount which was due as soon as the land was fit to cultivate (Shehadeh, 1993, p. 12).

which can be considered as appurtenant to dwelling houses” and “land separated from *miri* land and made *mulk* in a valid way.” (ibid).

3. *Miri*, *matrouk* and *mawat* lands: all lands owned by the sultan comprising arable fields, meadows, summer and winter pasturing grounds, woodland and the like, were within the category of *miri* land. *Miri* land lay close to the villages, and had heritable use rights. It could revert to the state if not cultivated after three years (became *mahlul*), and then could be auctioned to anyone prepared to cultivate it (Home, 2003).

*Matrouk* lands are lands used for public purposes within villages, and lands falling between several villages and used by all as a common pasture. This kind of land includes public highways, military base, roads, forest land and public open spaces. The word *matrouk* expresses the conception behind this category, meaning lands that the state has left (*tarakat*), hence *matrouk* for public use (Shehadeh, 1993).

The last land category of this class is *mawat* or *dead* land, which is vacant land such as mountains, rocky places, stony fields and grazing ground. This kind of land is not in possession of anyone by title deed, and lies far from towns and villages, at a distance from which a human voice cannot be heard in the nearest inhabited place (Shehadeh, 1993; Home, 2003). This distance was estimated in practice as a mile and a half (Home, 2003).

***Ottomans’ Absenteeism.*** Some of the regulations under the Ottoman Land Code that most influenced both the British and the Israelis were those that dealt with abandoned places and vacant land. The Ottomans’ Absenteeism has been interpreted differently by each subsequent government in Palestine, including the Israelis, which has helped impose control over the Palestinian land. The Code considered abandoned villages and vacant land lying “idle and exposed to the sun” as state domain (Home, 2003, p. 300). Ottoman land law distinguished



various categories of absenteeism: simply not present, of unknown abode, uncertain if alive or dead, absent under conditions of absolute disappearance, absent and known to be alive, and absent on a journey. While the Miri land that was uncultivated for three years could be reclaimed by the state, absentees were not presumed dead until 90 years after their date of birth, and property was theoretically held in suspension or trust (ibid).

***Musha' Land System.*** The Musha' Land System in Palestine is a source of confusion related to landownership and land use, in part because of the many definitions that exist within the system. The origin of this land system is referred to as the Ottoman Era. According to El-Eini (2006), Musha' was a complex land system related to the agrarian use of undivided Miri land held equally and in common as the property of the whole community (p. 289). In practice, it often consisted of strips of cultivated land less than 10 meters wide and over 500 meters long, which were periodically redistributed (about every 1 to 5 years) among the shareholders, usually by a system of drawing lots. Within this Musha' system, each member of the community had the right by inheritance to plough and to sow Musha' lands, because of the Hak al-Muzara'a (the right of cultivating). It is argued that these strip holdings are fairly homogenous in the type of soil, terrain and access to the village, while different in form. The number of shares allocated to a person or family depended on various factors such as the number of males in a family. This resulted in the fragmentation of the land, often through inheritance (ibid).

During the early twentieth century the legacy of confusion about this Musha' system of land ownership contributed to the Jewish possession of the Palestinian land. The decline in the number of large landowners and the continuation of the fellaheen indebtedness made musha' the main source for Jews seeking to obtain land (El-Eini, 2006, p. 291).

*The Ottomans' planning laws and regulations.* The Ottoman urban and rural land use system included several regulations and institutions. However, the literature depicts the Ottoman era as lacking a structured planning system and legislation (Khamaisi, 1997). The Ottoman planning system was criticized because it never properly applied the regulations, and because it focused on a merely revenue-producing measure (Coon, 1992). With respect to the Ottoman planning law, the literature noticeably refers to the Land Code of 1858, which seems to be the basis for all Ottoman legislations.

In general, the main aim of the Ottoman planning system was to manage physical development that included roads and buildings, particularly in towns (Khamaisi, 1997). There was an implicit assumption that development of economic and social aspects of life would be achieved through the implementation of physical order. Additionally, social and economic aspects were determined by Islamic Law on which the Ottoman planning system was based (ibid).

In 1868 and again in 1891 special regulations for the development and construction of roads were issued. In 1877, Municipality Regulations were announced which dealt with the establishment and formation of municipalities in localities (Khamaisi, 1997). These regulations established a system of building permits to control development in towns (Coon, 1992; Khamaisi, 1997).

The importance of the Ottoman's planning regulations was represented, as we will see in the coming chapters, by their influence on successive planning systems in Palestine. The Ottoman planning regulations formed a legacy for the British Mandate in Palestine and the Israelis, specifically the municipal regulations.

### ***3.2.2 The British Legislations***

Land law was central to the success of the British colonial project in Palestine, as it has been to the Zionist project because “territory had to be controlled by the state through legal instruments” (Home, 2003, p. 293). Indeed, the main theory behind the British Mandatory land laws stemmed from the Mandate obligations of establishing a Jewish state in Palestine (Shehadeh, 1993; Home, 2003; El-Eini, 2006). To achieve this, a clear division of land between the Jews and the Palestinians had to be made. Thus, the British Mandate introduced its own version of the legal system as it related to land, resulting in a vast number of additional legislations.

During the first 15 years of the British Mandate in Palestine, the British administration passed 40 ordinances on land matters (Home, 2003, p. 294). In these legislations, the British embraced the Ottoman land tenure system but, based on their experience in their other colonies, amended it (Shehadeh, 1993; Home, 2003). Notably, the British introduced a new and hitherto unknown category of land which is, strictly speaking, neither state nor public land (Shehadeh, 1993, p. 18).

The British land legal system, along with their afforestation policy, played a great role in achieving the Zionist project two ways. First, it helped the settlement of immigrant Jews by facilitating land acquisition. Once the Jews acquisitioned the land, they planted it through their afforestation policies, and these forests then became the sites of their settlements. Second, it provided the then-Israeli state (in 1948), by selective Israeli application and self-interpretation, legal instruments for controlling and capturing the land of Palestine. As stated by Home (2003), the Mandate land system “created a bridge allowing the mutation of the despised but useful

Ottoman/Islamic land law for Israeli purposes, and retaining a religious communal basis which could be preempted” (p. 306).

The following is a summary of the British Mandate land legislations:

1. The first actions of the British regarding land law in Palestine were closing the Ottoman land registers, prohibiting all land transaction until a new registry was installed, and transferring jurisdiction in land matters from Islamic Sharia courts to new secular courts (Home, 2003, p. 295).
2. In its attempts to establish a clear division of land between the Arab Palestinians and the Jews, the British government conducted land surveys and settlement of dispute operations specifically in areas where the Jews were interested in purchasing land. This gave land purchasers a clear and undisputable title over land (Shehadeh, 1993, p. 18).
3. The Protection of Cultivators Ordinances (POCOs) of the 1920s: this legislation aimed at protecting tenants from being evicted by determining that they could keep maintenance land to sustain themselves and their families (El-Eini, 1006, p. 259). These laws were exploited especially by Jewish tenants, who became “sitting tenants,” and could thereby claim their statutory rights to the land (ibid).
4. The enactment of the 1921 Mawat Land Ordinance contributed to a clear land division between the Jews and the Palestinians in Palestine. Under this ordinance, any parcel of land that had been possessed at any time previous to the issue of this Ordinance had become vacant (Mahlul). Also under the Mawat Land Ordinance, Article 103 of the Land Code was amended to include a provision that anyone who, without obtaining the consent of the Director of Lands, broke up or cultivated any waste land would obtain no right to a title deed for such land and would be liable to be prosecuted for trespass (Shehadeh, 1993, p. 18).

5. The Land Transfer Ordinance of 1940, which was one of the British Government's most controversial pieces of legislation, required a permit to be obtained before land could be transferred (Shehadeh, 1993; El-Eini, 2006).

Land Transfer Regulations divided Palestine into three zones (El-Eini, 2006, p. 261) (see map 3.1). In Zone A, which formed 63% of Palestine's total area, "land transfer to Palestinian Arabs was prohibited" (ibid). However, the High Commissioner could permit land transfer in this zone in limited cases that included: the mortgage of the land by societies or companies with the approval of the High Commissioner; the sale of the land by a religious or charitable institute; the transfer of the land to consolidate existing holdings or for parceling village Musha'; and the land transfer of the land between two persons who were not Palestinian Arabs. In Zone B, which formed 32% of Palestine's total area, land transfer was only permitted between Palestinian Arabs. Land transfer between non-Arabs was permitted in Zone B if "approved by the High Commissioner or by a judgment or order by the Chief Execution or Land Settlement Officers in execution of a mortgage registered before the regulations' enforcement, or undertaken prior to Regulations" (El-Eini, 2006, p. 263). In Zone C or the "Free Zone", 5% of Palestine's total area, land transfer was freely permitted and there was no need for the High Commissioner's permission for transfers (ibid). All information on transactions under regulations of the Land Transfer Ordinance was deposited at the Land Registry Department. Interestingly, Regulation 8 (b) of this Ordinance maintained the government's right to dispose of State Domain and Waste Land at its discretion (ibid).

Although the Land Transfer Regulations were restrictive, it was possible to escape them (El-Eini, 2006). The most common method was through "mortgage foreclosures" (p. 266).

Another method utilized by the Jews was to enter into leases with Arabs on Arab land, and then cultivate the land in order to acquire rights to it under the Cultivators' Protection Ordinance (p. 267). One important factor of the regulations that had been widely exploited by the Jews was that the High Commissioner could grant permission for land transfers if he saw this was necessary to consolidate existing holdings. Under this consolidation principle, large Jewish blocks of land with small Arab blocks in between could be consolidated. So, for example, consolidation was given for a 1,301 dunam transfer from a Palestinian Arab to the JNF in As-Sakhina in the Beisan Sub-District in Zone B because the JNF owned most of the Land (ibid).

Although the Mandate government claimed a 50% drop in land purchase by the Jews from the Arabs as a result of the Land Transfer Regulations, these regulations were avoided in many ways (as discussed above) (El-Eini, 2006, p. 270). Almost 75% of the lands bought by the Jews in 1940-1946 were in Zones A and B as the Jews planned for their own state (ibid).

6. One important action of the Mandate government regarding land law in Palestine was the introduction of a new "State or Public Land" category that applied strict definitions not known during the Ottoman Era (Shehadeh, 1993). State or Public Lands, as defined in Article 2 of the Order in Council of 1922, are

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 services or otherwise (Shehadeh, 1993; p. 19).

Using the Ottomans' Land legacy, the British Mandate in Palestine, as stated by El-Eini (2006), classified State or Public Lands under the following categories: Miri that became Mahlul (vacant); Mawat; Matrouka; Forest Reserves; mines and minerals; and lands and

buildings purchased by the state (which were neither *Matrouka* nor *Mawat* but included, for example, government buildings) (p. 272).

All rights of the “State Domain” were vested under article 12 and 13 of the 1922 Order in Council to the High Commissioner in trust for the Government (Shehede, 1993; El-Eini, 2006). This Article gave the High Commissioner the right to make grants or leases of the land, or provide for its temporary occupation. In spite of this “clear-cut power,” (El-Eini, 2006), given to the High Commissioner, no official policy was formulated for State Domain until 1940 (p. 272). A Committee on State Domain was formed on March 11, 1937.

State Domain was subject to lease rather than sale. Several large areas of State Domain were leased or made up partly of concessions (*Imtyaz*)—some dating from Ottoman times—or were declared Forest Reserves (*ibid*). However, the Commissioner for Lands and Surveys F. J. Salmon supported the sale of plots of lands that were too small to maintain, such as uncultivable pieces intermingled with village lands. According to El-Eini (2006), analyzing terms of leases of State Land, its sales and concessions, and its management would lead to the conclusion that the British Mandatory government gave great importance to its development. Thus, the Ottoman land regulation to prevent alienation and assure productivity of *miri* land by continuous cultivation was extremely important to the British regarding State Land.

However, further analysis of the Ottoman land categories leads to questioning the British interpretation of *miri* land as State Land. In a legal analysis of the Ottoman land categories, Raja Shehadeh (1993) concludes that the Ottoman *miri*, *mawat* and *matrouka* Lands were not in fact State Land. He argues that the basis of land law in Palestine was that the Sultan was the true and only owner of all conquered land, similar to the theoretical basis of English land

law in Britain whereas all land is owned by the Crown (p.20). Subsequently, the difference between the real and actual ownership of land by the sultan slowly faded. In English law, Parliament passed laws on land, amending the nature and increasing the possibility of the variety of tenures and estates without changing the theoretical basis whereby the ultimate ownership of the land is in the Crown (ibid). This does not now mean that all English land is State Land. Just as in English Land Law, so it is in Palestine.

Before the Ottomans' Land Code of 1858, the main principle was that *Miri* land was cultivable and it must be kept under cultivation at all times. Thus, in conformity with this principle, the Land Code detailed the restrictions on what was allowed and what was prohibited on *miri* land. For example, digging *miri* land to make bricks, mining, and burial of the dead on *miri* land was prohibited. This was because the land was essentially granted for cultivation. However, the Land Code included a number of changes permitting non-cultivation work on *miri* land (such as building or planting trees) (Shehadeh, 1993, p. 22). These changes preserved the original principle of continuous cultivation of land. That is, if land was left uncultivated without legal excuse for more than three years, then it transferred to the sultan and became *Mahlul*<sup>12</sup> land. The *Mahlul* lands, according to the Code, were subject to the right of *Tabu*<sup>13</sup> (*mustaheki Tabu*). This meant that the Sultan was not entirely free to grant them to any person he chose, but was restricted to certain persons who had preferential rights to obtain a grant by *Tabu* of the land.

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<sup>12</sup> *Mahlul* land can be explained linguistically in the following manner: when the land was still under cultivation and therefore *Miri*, a certain tie or nexus existed between the Sultan and the *Mutassarif*. This tie was loosed and severed (in Turkish *mahlul*) when the *Mutassarif* failed to cultivate it. The land therefore became *Mahlul* land (Shehadeh, 199, p. 22).

<sup>13</sup> Registered in the name of specific person(s).



The discussion above indicates that before the Code, *miri* holding was personal and could not be transferred. However, the Code granted *miri* holders a legal right of disposition (Shehadeh, 1993). Disposition was limited to the use (tessaruf) of the land; it could not affect the ultimate ownership (Rakaba), which remained with the Sultan. This means that while preserving the theoretical basis of land ownership, more rights over the land were conferred and others were defined. However, this was conditioned by the Mandatory legislation.

This demonstrates that, as stated by Shehadeh (1993), *miri* land is not State Land, and nor is *mawat* or *matrouka* land. For these land categories, the state in theory retained the ultimate responsibility. *Matrouka* land is land left for public use, such as the building of roads, and the maintenance of which is the responsibility of the state. *Mawat* land means that no illegal use is made of the lands—such as setting fires (ibid). Because all land in Palestine, according to the British Order-in-Council of 1922, fell under one or the other of the Ottoman land categories (*miri, matrouka, mawat, waqf and mulk*), Shehadeh (1993) asserts that no “state land” was in existence at that time.

7. Compulsory Purchase Ordinances were passed by the British government to allow the state to confiscate land with minimal compensation (Home, 2003). Built mainly on the British Compulsory Purchase Law and Procedure in Britain, these compulsory Purchase Ordinances included: the Expropriation of Land Ordinance in 1924; the Acquisition of Land for the Army and Air Force Ordinance in 1925 (which was consolidated in 1926); and the Land (acquisition for public purposes) Ordinance in 1943 (p. 302).
8. Legislation related to defense issues: in 1945 the British Mandate Government formed the Defense (Emergency) Regulations (Home, 2003, p. 302). Under these regulations the

military commanders gained great power to declare areas closed. This declaration was sufficient to evacuate areas (including whole villages) to facilitate subsequent transfer of ownership to the Israeli state. Additionally, through this ordinance, Palestinian property was demolished on a large scale in the old city of Jaffa in the 1930s (ibid).

9. The 1933 Musha' Land Ordinance based on the Musha' land system that had existed in Palestine during the Ottoman period, continued during the British Mandate period. The Musha' land during the British Mandate was estimated as making up 70% of the land in 1914, 55% of the cultivated land in 1922, 46% in 1930, and 25% at the end of the Mandate (El-Eini, 2006, p. 292).

However, the Musha' land system faced increasing antagonism from both the Mandatory government and the Jews (ibid). For the British, Musha' land was an obstacle to agricultural development and its redistribution would lead to problems in land settlement. For the Jews Musha' was "more like a dangerous pest than an established land-use pattern" (El-Eini, 2006, p. 296), and should be "quashed."

Interestingly, El-Eini (2006), states that the Jewish shares in undivided land were geographically parallel to those lands classified as in full Jewish possession (p. 291).

Furthermore, the purchase of Musha' by the Jews played an important role in both extending and consolidating their settlement. Thus, the Jewish antagonism for the Musha' system and their desires to abolish it were, I argue, because they wanted to establish private ownership over their own shares of Musha' land, which would help extend the nearby Jewish settlement. That is, the division of Musha' land would result in the clear-cut establishment of Jewish ownership over their shares of the holdings.

Due to the increasing criticism of the Musha' land system, London approved the 1933 draft Ordinance to provide for partition of village Musha' lands in advance of settlement (El-Eini, 2006, p. 297). This Musha' land Ordinance abolished the Ottoman Provisional Law of Partition of 1916 relating to partition. Most of the partitioning of Musha' land under the 1933 Ordinance occurred, as stated in a report by the Lands Commissioner in 1936, within settlement areas (ibid).

*The British planning legacy.* Exploring the Mandatory land use planning laws<sup>14</sup> in accordance with afforestation is not separated from a general analysis of these laws. What is striking is that, when the literature talks about the British statutory planning, reference is made to land laws. This relationship, I argue, derives from the fact that the British land laws and planning laws supported each other in a general statutory system.

The British government imposed the Mandatory land use planning laws to expand Jewish settlements and constrain those of the Palestinians (Coon, 1992; Khamaisi, 1997; Home, 2003). This was noticeable in the plans made by the Mandate. For example, the Palestinian town of Nazareth was allocated 1420 ha of urban land for a population of 60,000, while its twin Jewish town of Nazerat Illit had 3400 ha for 45,000 people (Home, 2003, p. 303). Moreover, the plans prepared by the British government for Palestinian settlements were very restrictive in their boundaries (often smaller than the built-area of the village), followed by the demolition of houses beyond the boundaries.

The statutory planning developed by the Mandate government in Palestine was part of the British colonization project of imposing order and law in the Empire's colonies. The official

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<sup>14</sup> For more information on the British Mandatory land use planning in Palestine see: Central Town planning Commission, 1930: Town Planning Handbook of Palestine; and Kendal, 1948: Village Development in Palestine During the British Mandate.

term of “town planning” first emerged in Britain in 1906 with the introduction of direct public policy action in order to control the growth of cities (Khamaisi, 1997). The first Statutory Town Planning Act passed in Britain in 1909, was aimed at increasing the efficiency of public control of development and land use by “nationalizing the right to develop land” (p. 323). Thus, the British government exported this planning act to its colonies in order to achieve control and domination over these countries. The British used the statutory planning system for land use to control racial and ethnic conflict in colonies such as Nigeria, India and Palestine (ibid). Additionally, Khamaisi (1997) argues that the Mandate planning and regulation system was not suitable to the context of Palestine because the system was originally formed to suit the industrial urban society of Britain, which was contrary to the semi-urban and rural Palestinian society. This is further demonstrated by the limited development that occurred in Palestinian villages and the absence of a system of local commissions or government to initiate and implement plans (ibid).

One important feature of the Mandatory planning system was centrality (Coon, 2003; El-Eini, 2006; Fruchtman, 1986). Orders of senior staff were to be obeyed strictly without questioning. Obeying orders was first; making enquiries and explanations came afterwards (ibid). This centrality, which was laid out in the main Planning Acts of this system (the Planning Act of 1921 and 1936), will be discussed later in this section. These acts gave much power to the Central Planning Commission, at the expense of local commissions, and the local indigenous Palestinians had little opportunity to participate or object (Khamaisi, 1997; Home, 2003). While the Palestinians were excluded from the planning process, the Jews were included at a high level of decision-making. For example, as stated by Khamaisi (1997), most of the employees in the

Planning Advisor's Office and in the District Commissions were Jews, who gave more attention to Jewish towns than to the implementation of the British policy (p. 328).

More importantly, the local indigenous Palestinians were not only excluded from the planning process, but, compared to the Jews, were subjected to restrictive statutory and physical planning (Khamaisi, 1997). Land surveys were used to confiscate Palestinians' land, while the Mandate planning system did not require "approved structure plans" for the Jewish agricultural settlements. Thus, several Jewish towns and settlements were able to rapidly develop to absorb the large wave of Jewish immigrants who came to Palestine especially after WWII (ibid). In contrast, the Mandate government usually delayed approval of any community plans prepared by and for the Palestinians (Home, 2003). The British restrictive statutory planning toward the Palestinians included limiting new development of Palestinian areas to infill, forcing Palestinian people to stay in their overcrowded villages for fear of property expropriation if they moved away for work, and ignoring Palestinian population growth (ibid). For example, the two Mandate regional plans—the Jerusalem Plan (RJ5) and the Samaria Plan (S15)—lacked any provision for the explosive growth of the population (Coon, 1992, p. 76).

***The Mandatory planning acts.*** The first British Town Planning Order (TPO) in Palestine was into effect in 1921 (Khamaisi, 1997; Coon, 2003; El-Eini, 2006; Fruchtman, 1986). This established a structured statutory physical planning system in Palestine, which included a special system for control of development. It was limited to municipalities, and created a centralized and restrictive planning system of two tiers: the central and the local planning commissions. The central planning commission was given the power to enforce or defeat decisions of local commissions, and the borders for Palestinian towns were laid out (ibid). These towns included Al-Quds (Jerusalem), Haifa, Yafa, Nablus, Hebron and Gaza, with special concern given to the

conservation of Al-Quds<sup>15</sup> (Coon, 1992). The process of preparing these plans emulated that of the 1909 Town Planning Act in Britain, and, despite the different conditions found in Palestine, a number of amendments to the TPO of 1921 were passed (These amendments were actually made to the 1909 Town planning act in Britain). In 1932 a new Town and Country Planning Act was issued, which added the regional district level for planning structure and activity (Khamaisi, 1997, p. 325).

In 1936, the TPO of 1921 was amended and replaced (Khamaisi, 1997; Coon, 2003; El-Eini, 2006; Fruchtman, 1986). The new TPO added a regional level (Khamaisi, 1997; Coon, 2003), so that the planning system now consisted of the High Planning Commission, District Planning Commission, and Local Planning Commission. Although the TPO of 1936 is considered a decentralized system in comparison to the 1921 TPO, it was in practice a centralized Order. The Planning Advisor of the High Planning Commission, Henry Kendall, prepared most of the district and local plans, or was directly involved in preparing them. The responsibility of the Planning Advisor was not only to prepare plans and advise the High Commissioner, he was also involved in appointing members and planners of district commissions, and in controlling the work of local commissions (Khamaisi, 1997).

The TPO of 1936 divided Palestine into six districts, with the West Bank including the larger part of the two districts of Samaria and Jerusalem (Khamaisi, 1997). It also included the preparation of statutory district plans for areas outside the municipality's boundaries in every district, and outline plans for all existing municipalities. However, plans for villages were very limited even though villages comprised most of Palestine's localities. Outline plans were

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<sup>15</sup> For more information, see Kendall, 1948: Jerusalem: the City Plan Preservation and Development during the British Mandate 1918-1948.

prepared for only 25 Arab Palestinian villages, eight of them in the West Bank (p. 326). Most importantly, the TPO of 1936 formed the basis for all subsequent planning legislation in both Jordan and Israel (Coon, 2003).

A notable feature of the Mandatory plans in Palestine was zoning (El-Eini, 2006; Fruchtman, 1986). The Mandate plans were strictly defined (Coon, 1992; Khamaisi, 1997; El-Eini, 2006) according to agricultural zones; development zones; nature reserves; and state domain (see map 3.2). Only the agricultural and development zones were allowed to have development or building after acquiring the proper permits according to planning regulations. In nature reserves and state domain zones, development and construction were prevented (ibid). Most importantly, the 1936 TPO gave the central government the power to take on temporary development and building without a permit from a local or a district commission (Khamaisi, 1997).

Zoning in the Mandate plans was a constraint for development of Palestinian areas, but a benefit for the Jewish areas (El-Eini, 2006). The Jews expressed much interest in town planning, and maintained close relations with the Mandate Planning Commissions. They benefited from the strict zoning that constrained Palestinian development, giving them a 'free hand' in their own development.

In accordance with afforestation, the Mandatory statutory planning system was used by the Mandate government to achieve its goals of control in Palestine. This planning system, with its main aim of increasing control of development and land use, and its main features of strict zoning, centrality and exclusion of local people, was crucial to implementing the afforestation policies of control.

### **3.3 Afforestation Policies and their Use in Spatial Struggle in Mandatory Palestine**

#### ***3.3.1 The Late Ottoman Period***

Despite the destruction that had been taken place of the landscape in Palestine, the late Ottoman period (late 19<sup>th</sup> century-early 20<sup>th</sup> century) witnessed important events that established the basic elements of afforestation policies in the country. Afforestation attempts of this period were basically related to the strategies and practices of Jewish immigrants to achieve territorial control. The contribution of the Ottoman government to afforestation lies within the general Ottoman legal system; mainly the part that considered plantation.

Spatial struggle during this period was mainly between the local Palestinians and the Jewish immigrants, rather than the local Palestinians and the Turkish government. The control practices by the Jewish immigrants were not met with any policies by the Turkish government to stop them, nor by Palestinian systematic afforestation practices or strategies to resist them. There were other forms of resistance, such as military attacks by the local Palestinians. These attacks included, for example, the 1886 attack by the Palestinian residents of Al-Yahudiyya village on the Jewish colony Petah Tikva after the Jewish settlers denied the villagers' grazing access, and the 1911 armed clash between Palestinian peasants and the Jewish settlers of Merhavia near Al-Afulla (Muslih, 1988, p. 72).

The lack of using afforestation strategies as a tool in Palestinian resistance and of imposing governmental policies to stop afforestation practices of Jewish immigrants during this period, I argue, was due to the following possible reasons. The Palestinian people at the time were living in an extreme hardship as a result of the ongoing war (the WWI), and the long period of foreign rule (more than seventy years). Under such circumstances, they did not have the strength to undertake any initiatives of systematic organized afforestation as a resistance to control.



The Turkish government in this period was weak, exhausted by the War and bad administration, and so, it did not have much power to follow up on the law that should have been enforced during that period. The Turkish “sick man” government was so vulnerable that it could not handle any conflict with any social group. Therefore, and in order to keep control over the region, the government intended to settle the Jewish immigrants as a way to cool down any possible conflict from the Jewish people against the Turkish government. At the same time, the Jewish immigrants were supported by the Zionist movements that had developed and became a strong body for the Jewish people in Palestine.

The struggle over space in this period started as *rhetorical*, and is represented in both the discourse of the Jewish people and that of the Palestinians (the Arabs). The Zionist story and the Arab story were contradictory. For Zionists, the land was barren, empty, sparsely cultivated, and needed the Jewish rehabilitation of the area to bring the area into renewed productivity (Khalidi, 1997; Falah, 2003). However, for the Arabs, these descriptions of the debilitated condition of the land in late Ottoman time were not only exaggerated, but were calculated to give a picture of denuded existing physical conditions as justifications for the Jewish project in Palestine. It was aimed to justify the widely-propagated Zionist slogan that Palestine is “A land without a people for a people without a land.” Indeed, the land of Palestine was pictured more barren than it actually was. A testimony by the famed Zionist writer Ahad Ha-Am in his essay *Truth from the Land of Palestine* clarifies the actual situation in Palestine. After a three-month visit to Palestine in 1891, Ha-Am wrote:

We abroad are used to believing that Eretz Israel [Palestine] is now almost totally desolate, a desert that is not sowed, and that anyone who wishes to purchase land there may come and purchase as much as he desires. But in truth this is not the case. Throughout the country it is difficult to find fields that are not sowed. Only sand dunes and stony mountains are not fit to

grow anything but fruit trees—and this only after hard labor and great expense of clearing and reclamation—only these are not cultivated (Khalidi, 1997, p. 101; Falah, 2003, p. 185).

Along with the *rhetorical struggle*, there had been the use of actual plantation in order to control and acquire the Palestinian land by the Jewish immigrants. We will see this in the following paragraphs that discuss the role of different actors in afforestation attempts.

***The Jewish afforestation activities.*** In the late 19<sup>th</sup> century, there was an increase in the wave of Jewish immigration and settlement in Palestine that accompanied the growth of the Zionist movement.<sup>16</sup> As a result, tree planting started to have a systematic character that it had previously lacked. The first deliberate planting of trees that took place for a purpose other than fruit and nut cultivation was the planting of “eucalyptus” trees imported from Australia (El-Eini, 2006). Zionist supporters encouraged the importation and plantation of eucalyptus trees in Palestine because experimentation on different strains of eucalyptus showed that the trees assisted the drainage and drying of swampland (Cohen, 1993). This was of particular importance to the Zionists’ goal of reclamation and acquisition of swamplands. In the 1880s, the eucalyptus was used in the area of the Central Coastal Plain, and subsequently spread elsewhere such as in the northern valleys (ibid).

Therefore, the selection of swamp areas as sites for Jewish forests and the eucalyptus trees, I argue, helped their ‘easy’ possession of land. These sites were not desirable for the poor local population, and needing much work to be cultivated, would be, for the Jews, easier and cheaper to be purchased. For poor local Palestinian owners, selling these swamp and waste lands for cash was more profitable than working these lands. These circumstances facilitated Jewish land

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<sup>16</sup> A political nationalist movement launched in Europe in 1896 by the Hungarian Jew Theodore Herzl. Its core beliefs are that all Jews constitute one nation (not simply a religious or ethnic community), the solution of anti-Semitism is the concentration of as many Jews as possible in Palestine (Israel), and the establishment of a Jewish state in Palestine.

purchase. Moreover, any plantation (by the Jews) on these sites would not cause negative reactions by the local populations, but would instead be regarded as landscape improvement. Eucalyptus trees, therefore, with their trait of drying swamps, helped the Jewish people to acquire the land with the least work and money and limited opposition by the local population.

In the late Ottoman period, planting also started to take on a symbolic meaning as a sign of presence on the land (Cohen, 1993). This was expressed clearly by Theodor Herzl, the founder of modern Zionism, when in his first and only visit to Palestine in 1898 he participated in a tree-planting ceremony in a village near Jerusalem. Following his visit, he called on Jews all over the world to donate a tree or, even more, to provide the money for the goal of planting 10 million trees in Palestine (Cohen, 1993, p. 46). This symbolism was again expressed by the Zionists a few years later, after the death of Herzl in 1904, when the cypress tree that he had planted was damaged. In response, they planted more than two hundred trees on the site in a ceremony attended by officials of the movement (ibid).

Most importantly, this symbolic meaning given to forests and plantation, I argue, impassioned the Jewish communities, especially those outside Palestine, reminding them of their *promise*, and thus encouraging donations for plantation. Thus, this financial, emotional and ideological support was crucial to Jewish communities' ability to gain more control over the Palestinian land.

Parallel with the symbolic meaning of planting trees in Palestine; the year 1901 witnessed the foundation of the Agency of the Keren Keyemet L'Yisrael (KKL), (the Jewish National Fund, JNF) (Amir and Rechtman, 2004). The JNF was founded according to the recommendations of the Zionist Congresses in the 1880s to develop a formal framework to deal with the increasing number of Jewish immigrants to Palestine (Cohen, 1993). It was aimed at providing and funding

a mechanism for purchasing land and hence to develop an independent Jewish community. Therefore, emphasis was focused on the purchase of rural land to be used for agricultural purposes. The JNF, one of several land acquisition bodies at the time, soon became the dominant institution for purchasing land in Palestine and developing it for Jewish settlement. The JNF was a private institution and had no tax base to finance its activities. Instead, it was funded through donations from Jewish communities all over the world. In 1903, at the sixth Zionist Congress, a special fund was created for “donation of olive trees in Eretz Yisrael” to be planted on land purchased by the JNF (ibid). Therefore, I argue, the foundation of the KKL (JNF), as a supportive organized body with its private (non-governmental) status, that organized purchasing and settling the land, had a central role in the Jewish success of land acquisition during this period.

The first afforestation project directed by the JNF began in 1908 on the land near the village of Lod. The total area, executed in a number of stages over several years, came to 2,158 dunams (or 215.8 Hectares) (Cohen, 1993, p. 48). This land that took the name of “Herzl” was planted first with olive trees and then with pine trees and eucalyptus that became a forest rather than a commercial olive grove (ibid).

The experience of the JNF in Herzl Forest is considered an important transaction stage in afforestation policy by the dominant agency responsible for planting in the area. At this time, the JNF shifted from planting olive trees to primarily forest trees, recognizing that olive trees were not economical for the afforestation project. Although olive trees did not demand much labor, they were not the easiest trees to work with. With this shift, the goal had become to find the simplest and cheapest method of planting in order to hold the land purchased (Cohen, 1993, p. 49).

Thus, this shift to the use of forest trees instead of olive trees was, I argue, a way to give a distinguishable character to the Jewish communities, since olive trees are traditional in Palestinian agriculture. This Jewish identity provided a kind of coalescing in order to form a strong body for the formation of a nation. This shift also was a means to protect areas of forest trees from any possible claims to land ownership rights by the Palestinians, by keeping them from Palestinian use. If these areas were planted with olives, then local Palestinian populations might start using these lands, benefiting from the fruits, and then claim their right of ownership. However, Palestinian people would not benefit from forest trees; they are fruitless.

In this period, forests came to be valued as a powerful tool for Jewish settlement. To settle the land by people, I argue, there need to be strong factors of attraction. Therefore, afforestation presented job opportunities for the new Jewish immigrants, which had a great effect on settling them in the acquired land and connecting them with the new homes and towns. For the Zionists, afforestation was seen as one of the tools of the broader settlement effort: it improved the land and living conditions, and provided employment for new immigrants, who were directed to afforest the area near their homes. For example, in 1914, two thousand dunams of Dilab, the Kiryat Anavim settlement—12 km from Al-Quds (Jerusalem)—(see picture no. 2), were purchased and slated for planting with pine trees by immigrants (p. 49).

This use of afforestation as providing job opportunities, I argue, benefitted the Jewish immigrants in two ways: settling them in the new land, and preventing possible conflict with the local Palestinians by including them. Including Palestinian workers in the plantation of forests was a golden opportunity for them because they were suffering from further living difficulties. It was, in fact, “control by inclusion,” despite the fact that the inclusion of the Palestinians in this period was not agreed upon by the Jewish community as a whole. There were cases where trees

planted by the local Palestinians were uprooted and replanted by the Jewish people. This issue is important at this stage as it gives a strong vision of future Jewish (Israeli) efforts of control in Palestine.



Picture no. (2): Not dated photo of the work of plantation of the then settlement of Kiryat Anavim  
Source: [http://enc.slider.com/Enc/Kibbutz\\_Kiryat\\_Anavim](http://enc.slider.com/Enc/Kibbutz_Kiryat_Anavim). Retrieved July 13, 2009

In addition to the above, there were other significant purposes of the afforestation activities of the JNF. These included: utilizing lands that were unsuitable for agriculture in the face of Ottoman regulations; assisting the drainage of swamps in the coastal and northern areas of Palestine; preventing or slowing down the drift of sand dunes in other areas; preventing soil erosion in hilly areas and increasing hydrologic infiltration; decreasing wind erosion and crop damage through the planting of windbreaks (El-Eini, 2006). Despite this wide range of activities, the JNF's afforestation task was still, according to Cohen (1993), in its "inception." The significant "boost" in the afforestation effort in Palestine came with the advent of the British Mandate.

*Afforestation of the Ottoman government.* The main contribution of the Ottomans to establishing a systematic afforestation policy in Palestine was in general through their land and planning legal system, and in particular the part that concerned planting and cutting trees.

The Land Code of 1858, which played a determining role in land rights, gave significant attention to the trees growing on *miri* land. Cohen (1993) summarizes these regulations in the following: They were issues of planting, grafting, harvesting, cutting down, and transferring individual trees as well as groves, and differentiated between types of trees and between those growing naturally and those being cultivated. However, there was complexity in the regulations regarding planting and cutting trees. While trees could be owned by individuals, property rights governing their use were limited by the state. Complicating matters further was that trees could be owned by an individual who did not possess the title to the land on which they grew. When land was sold by one party, trees that had been planted on that land by another remained the possession of the planter, while trees growing naturally were considered part of the land transaction. Thus, trees growing naturally on *miri* land were the property of the landowner. If trees were planted on land by its owner, subsequent sale of the trees implied a sale of the land as well.

Focusing on planning legislations that related to afforestation aspects within the Ottoman planning system, the most important were those related to land confiscation. The regulations of 1868 and 1877 gave municipalities the power to confiscate land for public use (Khamaisi, 1997). They were allowed to confiscate up to a quarter of the land for redevelopment or road construction (Coon, 1992). These regulations also included imposing a charge because of the increase of the land's value following construction of a new road (ibid).

Most importantly, the Ottoman land and planning legal system, I argue, laid out the practices of control for future governments in Palestine. The significance of this legal system regarding afforestation policies was not only to the Ottomans themselves but also, as we will see, to the successive governments in Palestine. It established the legal basis for using afforestation policies as a means to control the Palestinian land by the British and the Israeli governments. The vagueness of the Ottoman legal system allowed these governments to achieve their desires and goals of controlling the country. For instance, they interpreted the different land categories under the Ottoman Land Code of 1858 in such a way that most of the land of Palestine would be in the state or public domain. This contributed to the transfer of land into the hands of the then Israeli state, in 1948. Additionally, the Ottoman policy on absenteeism was the basis for the vigorous Israeli absentee system. The Ottomans' confusing land ownership system and regulations on trees were used intently by the Israeli government to prohibit development of the Palestinian land.

During the late Ottoman period, afforestation of land in Palestine empowered the Jewish communities in distinct ways. It provided them with the land, and with financial, emotional and ideological support. This period, I argue, witnessed the formation of the three main elements of a state: the land, the people and the power. Afforestation played the main role in this formation.

### ***3.3.2 The British Mandate Period***

During the British period, afforestation was used deliberately in the struggle over space. It was used to impose control and to achieve the desires and goals of the actors involved in afforestation: the British Mandate government and the Jewish communities, as represented in the JNF. At the same time, anti-afforestation policy had been used by the local indigenous population, the Palestinians, to resist this control. Afforestation policies and activities of each



group of actors and the ways they were used for control and resistance are discussed in the following paragraphs.

*The Mandatory afforestation policies.* With the advent of the British Mandate in Palestine, the British government took the lead in forest regulation and administration, but practically, the JNF continued to be the primary planter. British planning efforts in Palestine included the development and supervision of the olive industry and standard afforestation. The British afforestation efforts, indeed, played a great role in their control of the area, and at the same time served the Zionist project in Palestine.

In 1920 the Mandatory government organized a special Forestry Service with the aims of protecting existing resources, ameliorating the situation left after WWI, and fostering the economy (Cohen, 1993; El-Eini, 2006). Also in 1920, the Woods and Forests Ordinance was enacted consolidating the British laws made in 1917-1918 by the Occupied Enemy Territory Administration (OETA). It was based on a Cypriot Ordinance from 1898, which itself was based on Indian Forestry Legislation and the Ottoman Ordinance of 1870 (ibid). At its core was a conservation staff whose work initially focused on “alleviating fuel shortages” by protecting certain economically important trees<sup>17</sup>. In this stage, the British afforestation policy in Palestine was conservational and utilitarian (El-Eini, 2006). One of the first important projects of the British Mandate in Palestine was assessment of the conditions of existing natural forests, groves and orchards for preservation and improvement. Although this work was approached, in part, in terms of physical care of the trees, the main focus of the attempt was legislative in nature

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<sup>17</sup> Trees listed as protected by the British included olive, carob, oak, pistachio, pine, tamarisk, poplar, willow, acacia, eucalyptus, cypress, laurel, and others. Cutting of such trees was permissible only with a license obtained from the government. The 1926 Forest Ordinance (section 19) set a six-month jail term and/or a £50 fine for breach of this regulation. The 1947 amendment of the ordinance doubled the punishment for infraction (Cohen, 1993, p. 53).

(Cohen, 1993). The British treated trees as a resource and sought to control and regulate their use and to ensure their protection. In 1922, a new British policy of “conservation and development” outlined by the Director of Agriculture, E. R. Sawyer (El-Eini, 2006), aimed to stimulate forestry that would eventually contribute to revenue.

Additionally, the British efforts in respect to olive cultivation had a more direct impact on the local Palestinian population. The olive was, and still is, an important element of the Palestinian diet, and contributed to the economy through the trade of olive oil and soap. Olive cultivation in Palestine is subject to “fluctuation” because it depends on rainfall. To manage this sector and direct it for their economic benefits, the British had noticeable efforts in protecting olive trees. Additionally, the British government in 1943 passed the Olive Control Ordinance, which dictated the creation of the Olive Control Board (Cohen, 1993; El-Eini, 2006). Indeed, with millions of new trees there was a danger of “flooding” market. As a result, the Olive Control Board started developing foreign markets for Palestinian olive oil, mainly in the Arab lands to the east, while supervising production and setting standards for quality.

Thus, it is clear that the British interest in protecting the remnants of the natural forests and olive groves of Palestine, I argue, had been for economic and strategic benefits. Producing wood fuel in Palestine, with its strategic location for the British Empire, in an area that lacked this resource, and under difficult wartime conditions, was important, economically beneficial, and added to the power of the British authorities. Moreover, Britain’s interest in and support of the olive industry was motivated by an economic logic as well as a political one: greater control over the Palestinian local economy, would produce greater political power in the area.

The British efforts focused, not only on the protection and improvement of the old remnant forests in Palestine, but also on the creation of new forests, through which they gain additional

power to control the area. By virtue of the Forests Ordinances of 1926 and its amendment of 1947 (El-Eini, 2006; Fruchtman, 1986), existing forests were licensed and monitored, state lands, uncultivable lands, as well as private property could be claimed as “Forest Reserves.” This was supported by the prevailing British land and zoning laws at the time. The British land laws considered all the Ottoman Miri, Mawat and Matrouka land categories as State Land. This provided large areas of the land as State Land and what was then considered Forest Reserves or Special Areas under the Forest Ordinance (see maps 3.3 and 3.4). For example, areas claimed as Forest Reserves under this ordinance reached 200,000 acres (Evans, 1948, p. 220).

Despite efforts by the Mandatory government to regulate and control forests in Palestine by the legislative body of the Forest Ordinances through the declaration of Forest Reserves, this system had many problems. These included vague demarcation of boundaries described by a colloquial system, and the exploitation of the system by the British government to claim land rights. The British government, instead of establishing formal land settlement, used the Forest Reserve as one method of establishing or maintaining governmental land rights. For example, in many localities, settlement officers recorded the whole of a Forest Reserve as State Domain. Thus through afforestation the government had become a significant owner of village lands. In many cases, the Mandatory actions were contested by the local population.

The British Forest Ordinance of 1926 (and its amendment in 1947) had been used, I argue, as an active tool to limit and control Palestinian development. This was basically because the majority of the land that was declared as Forest Reserves, Special Areas or State Domain was Arab Palestinian land, for example land of Palestinian ownership covered 5 million dunams, while the Jewish land was 200,000 dunams (Cohen, 1993, p. 54). In these areas, cultivation and agriculture by local Palestinian were limited and could be prevented anywhere, even on public or

private land. Additionally, building was limited, and not permitted at all if it caused soil erosion. These restrictions on development were not only legitimated by afforestation legislations, they were also supported by the restrictive zoning of the British land use plans of Palestine, as discussed above.

Most importantly, the British Forest Ordinances (in 1926 and 1947) in Palestine, I argue, served the Zionist goals by assisting land transfer to the Jews through the declaration of Forest Reserves, Special Areas and State Domain. The vagueness of this system related to the use of colloquial descriptions of boundaries, and the unclear ownership of land was exploited by the British government to claim more rights to land. The importance of this title to the Jews is indeed rooted in article 6 of the Mandate that the reserves would be given to the Jews. This article stipulated that “the government was to encourage the close settlement by Jews on State and waste lands” (see appendix C) (El-Eini, 2006, p. 201). That is, more Forest Reserves and Special Areas as State Domain meant more land to the Jews. This was very important to achieving the Zionist goal of a Jewish homeland in Palestine, because it provided one of the most important factors required for building a state, which is the land.

State Land during the British period had to be transferred to the newly born state “the State of Israel,” which resulted in Israel’s acquisition of most of Palestine’s land. This appears from the locations of areas declared as State Domain and Special Areas; most of which were located in the then Israeli state when established in 1948 (see maps 3.5 and 3.6). At the same time, most of the British projects that dealt with swamp areas concentrated in the areas that became in 1948 within the Israeli state (see map 3.7). Most importantly, the British introduction of State or Public Domain as included the Ottoman Miri, Mawat, and Matrouka categories of land,

contributed to increasing the area of State Domain, that is most of Palestine's land became State Land, which benefited the British successors: the Israelis.

The British Mandatory afforestation during the 1920s was mainly experimental and at small-scale (El-Eini, 2006). It consisted of attempts to have an officially accepted forestry policy.<sup>18</sup> Forestry in this period preserved and protected potential state forests, emphasized soil conservation, and ensured wood supplies and pasturage looking to the state's ultimate financial advantage. In this period, the Forest Service suffered from staff changes and discontinuity.

During the 1930s, interest in forestry had been carefully developed in the central government—though only confirmed during the last decade of the British rule in Palestine. As a result, forestry policy was broadened (El-Eini, 2006). In 1931, a new Development Department was established with the aim of improving the land and relieving congestion among the “hill fellaheen” in Judea, Samaria and the Upper Galilee (El-Eini, 2006, p. 193). In the same year F. J. Tear (the British advisor to Palestine) proposed a policy focusing on the problems of the rapidly increasing population, the increased demands for forest products and water wastage in the hills (see appendix A). He called for water and soil conservation and timber import substitution, but his proposed policy was rejected. In a meeting set by the High commissioner Sir Arthur Wauchope in 1932, Tear pushed for forestry. He discussed the problem of the slow rate of land settlement, which had been noticeable since the establishment of the Forests Ordinance of 1926, and demanded the settlement of more land titles to be carried out in the Hills (ibid).

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<sup>18</sup> During this period a number of figures contributed to setting out the basic themes of the British forestry policy in Palestine, such as: E. R. Sawyer, the Director of Agriculture; F. J. Tear the Advisor to Palestine who shaped policy through 1920-1935; and Sir Ernest M. Dowson, who first prescribed policy in 1925 (El-Eini, 2006, 192).

In 1933, the Director of Agriculture and Forests, M. T. Dawe, proposed a plantation scheme, which became the blueprint for the spatial planning of forestry (see map 3.8, and table 3.1) (El-Eini, 2006). In this scheme he endorsed Tear's 1931 note for an expanded program of afforestation in Palestine, and the 1933 "Memorandum on the Palestine Forest Service." In 1935, Wauchope "approved in principle" Dawe's policy (ibid), thus setting a pattern of British forestry policy in Palestine. He defined three main aims of the British forestry policy that henceforth were repeated in all policy statements. One was re-afforestation of hills and wastelands, conserving water, preventing soil erosion, and sheltering agricultural land. Two was lessening sand dune encroachment. Three was using land unsuited to cultivation for the production of fuel and other forest output (El-Eini, 2006, p. 196). Most importantly, and only for the sake of economic reasons, Wauchope recommended training local staff rather than hiring "more expensive colonial foresters."

Thus, analyzing Wauchope's forestry policy, I argue, reveals an important method used by the British that enhanced the Zionist goal in Palestine, which is the use of *ignorance* of local Palestinian people and their interests. Palestinian people were not only excluded from the British system, but also in most cases their interests and needs were deliberately harmed (such as the limitations of cultivation and development discussed above). And noticeably, in the few cases in which the British authorities did include the local people in their policy, it was by and large to benefit the British interests, such as Wauchope's recommendations of the training of local indigenous people in forestry because the Palestinian villagers were cheaper than using European professionals. Most importantly, this was a kind of "inclusion" of the local people within the British policies in order to prevent any more conflict—governing by inclusion. This was noticeable in the decentralization attempts of forestry planning by giving specific power and

responsibilities to District Administrations. The idea of including the indigenous people for the benefit of the British persisted, though decentralization, as we have seen above, was not fully applied (and was contested by the Forest Department represented by its head (Sale).

In spite of all the previous attempts at establishing forestry policy in British Palestine, no forestry working plans had been made until 1936. This year (particularly on April 1<sup>st</sup>) witnessed the establishment of the Department of Forests and the appointment of Gilbert N. Sale as Palestine's first Conservator of Forests and the Head of the Department of Forests (El-Eini, 2006, p. 196). The British afforestation achievements up until 1936, as summarized by J. Evans (1948), included the following: the completion of demarcation and survey; the beginning of land settlement operations in hilly rural areas; saving land for the government by the declaration of reserves; and the increase of funding for the plantation and closure of natural forests to grazing during the period of WWII, when the Mandatory government realized the importance of any timber<sup>19</sup> in a virtually treeless region. As a result, during this period over 100,000 tons of timber and fuel-wood were provided from Palestine for war purposes (Evans, 1948, p. 224).

Sale and his Assistant Conservator Amihud Grasovsky, who had a Ph.D. in forestry, were officially well qualified to prepare working plans. On September 16, 1936, Sale presented his "Preliminary Note on Forest Policy" (El-Eini, 2006, p. 196). It is considered possibly the single most important document on forestry policy during the British Mandate in Palestine for it consolidated past policy recommendations, analyzed problems, made new proposals, and created working plans for policy implementation to be followed to the end of the Mandate (see appendix B) (ibid).

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<sup>19</sup> Early in the War, an area of natural forest near the Allenby Bridge over the Jordan River was cut for fuel and replanted with *Eucalyptus Rostrata* Schlecht (Evans, 1948, p. 222).

Since landownership was one of the major issues that faced Mandatory forestry planning, Sale in 1936, in his attempts to control this complex issue, categorized eight forestry land categories (see Table 3.3) (El-Eini, 2006). Through what was called the “Land Policy,” Sale called for the “rapid settlement of titles” in order to safeguard reserves. Additionally, under the amendment of the 1926 Forests Ordinance in 1947, in order to make it more difficult for claimants to make a case for ownership, the burden of proof for ownership of land within a forest reserve lay over the private claimant. This amendment, which facilitated the declaration of forest reserves or Closed Forest Areas, was supported by Sale and the Director of Land Settlement, Maurice C. Bennett (El-Eini, 2006, p. 201).

Moreover, land ownership in Mandatory Palestine was greatly affected by the declaration of Land Transfer Ordinance of 1940. This ordinance, I argue, had an important role in facilitating land transfer to the Jews. Ironically, instead of preventing transfer of the land of Palestine, the flexibility of this Ordinance gave the Jews a great opportunity for possessing the land. Depth analysis of the locations of the three zones (A, B, and C) of the regulations of land transfer (as discussed in section 3.2.2 above), reveals that this Ordinance helped in establishing the state of Israel by providing the land; the free zone is located in the areas which became later in 1948 part of the Israeli state (see map 3.9). Additionally, further analysis of the restrictions of this Ordinance in zones A, B, and C, leads to the conclusion that the Jews under this Ordinance could possess land in all of Palestine; in area C the free zone, in area A since they are not Palestinian Arabs, and in area B by getting the consent of the High Commissioner.

***The Arab Revolt.*** On the outbreak of the Arab Revolt on April 18, 1936, afforestation became a very difficult task (El-Eini, 2006 & 1999). As a result, Wauchope started reducing the country’s budget expenses, and preparing for the de-centralization of his administration by the



delegation of certain departmental responsibilities to planned Village Councils and the District Administration. Indeed, the Department of Forestry was scheduled for closure if decentralization was fully realized.

Despite the various difficulties and the amount of destruction that followed the outbreak of the Arab Revolt, the Department of Forests survived the Arab Rebellion. Schemes during this period were adopted singly, concentrating on soil erosion, Special Areas, sand dune fixation and grazing control (Cohen, 1993). Instead of expensive plantings, the Department focused on vegetation and encouraged the regeneration of village forests. As a result of the new conditions, these were fundamental changes in the work of forestry that included (1) the division of the Department of Forests into two Forestry divisions, the Northern and the Southern Divisions; (2) the introduction of four kinds of Closed Forest Areas to enable cheap management and grazing control: experimental, special, productive and general (see table 3.2); and (3) the stopping of the demarcation work due to the dangers the staff faced in the countryside (El-Eini, 2006). During the period of 1936-1939, although Forestry Policy was accepted only in principle, it was the guideline that shaped all decisions.

***World War Two (WWII).*** The second important event, in addition to the Arab Revolt, in the Mandate period that had great effects on forestry planning was WWII. During the period of WWII, the British Forest Department faced serious challenges related to the increase of wartime demands of wood, in addition to forming a policy that could address the problems of soil erosion, grazing control and dune fixation.

During the War, Palestine suffered from persistent serious wood shortages, due to various reasons. These included the exploitation of existing forests to face the demands for food with the increased prices (El-Eini, 2006). The large consumption of timber at a time of limited natural

sources was a serious problem. The British army, stationed in the country, was the biggest timber consumer, and its members cut trees illegally, for example “at Bab al Wad for the officers’ mess” (p. 205). In order to control and protect forest exploitation, in January 1941 a Utilization (U), section was set up warning about the possible consumption and finishing of Palestine’s forests within 18 months because of the demands of the War (El-Eini, 2006, p. 205). The Forests Department could do little to control woodcutting, and yet there was partial success for the Department in encouraging the replacement of firewood by oil in lime kilns, and the use of oil burners for bread ovens, replacing the 35,000 tons of brushwood consumed annually. The number of oil kilns increased from one in 1943 to 40 in 1944 (ibid).

In the period towards the end of the War, specifically in 1944, forestry received more interest from Palestine’s High Commissioner (El-Eini, 2006). From 1944 onwards, more attention was given to training forest staff, and a two-year course teaching basic forestry principles to selected Arab villagers had been established (El-Eini, 2006, p. 207).

A significant wartime scheme was the planting of 4,380 dunams on the western approaches to Jerusalem as a Special Area (El-Eini, 2006), which will later, as we will see in Chapter Four, form part of the Jerusalem Corridor or the Green Belt. This plan affected the villages of Qoluniya, Beit Ikhsa, Deir Yasin and Lifta, and planting started in 1945.

In February 1947, the British Mandatory government in Palestine was finally forced to approve its Forests Department’s policy, which had been formulated over a period of 27 years. This official forestry policy included soil erosion prevention, sand dune fixation, bringing into economic use land not suited to agriculture, and increasing forest production. In 1947 also, a five-year plan of forestry was prepared to complement “an Ideal Forest Policy” (El-Eini, 2006).

This plan concentrated on sand dunes and hill afforestation. Three new nurseries were to be built, increasing plant production by 1,500, 000 (El-Eini, 2006, p. 210).

The publication of the Draft Forests Ordinance in 1948 was the great post-war development for the future of forestry in Palestine (El-Eini, 2006). This law was mainly prepared to consolidate the 1926 Forest Ordinance. For the first time Waste Land could be afforested and private forest land was more tightly controlled by imposing stiffer fines. In addition, squatters could be evacuated. It was planned for the legislation to be “hurriedly rushed” by the Executive Council in the last period of the Mandate in Palestine to ensure a legal structure for the two states: the Jewish and the Arab.

*Important themes in the Mandatory afforestation policies.* The British afforestation policies during the Mandatory period in Palestine, and specifically during WWII and its aftermath, focused on three main problems: soil erosion, grazing control and dune stabilization. Notably, this focus formed central tools that facilitated land transfer to the Jews and, hence, helped in achieving their project in Palestine of settling and acquiring the land.

The prevention of soil erosion was the top priority of the forestry policy throughout the Mandate (see map 3.10). The argument was that hill afforestation in Palestine was important to soften and break up rock, to reduce evaporation and permit soil formation. However, there were few data to support this. In 1932, Tear began collecting information about soil erosion from across the country while at the same time commencing a complementary scheme of experiments on erosion (El-Eini, 2006). Joseph Weitz, a member of the Jewish National Fund, was one of the observers for the issue of soil erosion.

Sale’s plans of 1936 focused on soil and water conservation. Indeed, the issue of soil erosion was the reason for the continued existence of the Department of Forests when forestry activities

were reduced during the Arab Revolt. During the Arab Revolt, most of the effort went into guarding protected forests (Special Areas). In August 1939, priority was given to soil conservation through a circular sent by Colonial Secretary Malcolm J. McDonald. In December 1939, Sale formulated a Soil Conservation Policy, and the following the Soil Conservation Board, chaired by Sale, was set up in order to coordinate departmental and inter-departmental activities (El-Eini, 2006, p. 214). The Board increased its activities in soil conservation and helped enforce the Flooding and Soil Erosion (Prevention) Ordinance, encouraging the collection of much-needed basic data (p. 204). The Board was responsible for reviewing all soil erosion-related problems, flooding, silting, and other causes of damage; recommending remedial and preventive measures; and incorporating legislation, publicity and education. It also conducted amelioration work, including terracing and planting windbreaks.

The Board used propaganda as well as formal and informal education to make farmers aware of the issues related to soil erosion. For this purpose, the Board in 1944 published a booklet by Taylor (in both Arabic and English) named *Save our Soil or SOS* (El-Eini, 2006). It included information about English rural areas with their tremendous green landscape, and about Palestine, showing its eroded areas. For example, the first photograph in this booklet, according to El-Eini (2006), is of “a typical English countryside with gently rolling hills” (p. 216), and then shows a map of Palestine with its eroded areas that should be planted with trees. It seems that, I argue, this comparative information was meant to urge people to have their own “green” in Palestine; “it was also England’s green and pleasant land that should be built in Jerusalem” (ibid).

In 1941, the Flooding and Soil Erosion (Prevention) Ordinance was drafted, after a series of floods caused huge damage in Tiberias (El-Eini, 2006). Within this ordinance, land could be

inspected and proclaimed as a Special Area. In Special Areas, grazing was prohibited; cultivation was only permitted after terracing or other safeguarding work; and building was possible if it did not cause soil erosion. Moreover, to prevent soil erosion any land parcel could be placed under restrictions for improvement.

Most importantly, the British plantation to prevent soil erosion on the hills facilitated the Jewish settlement in these areas, which indeed formed strategic locations for most of the Israeli settlements in Palestine. This clearly appears when we compare between the British proposed map of planting soil erosion areas in Palestine (map 3.10 above) with the topographical map that shows the sites of the existing Israeli settlements in the Palestinian Territories, this leads to map 3.11.

During the British Mandate period large areas of land were denuded to bare rock due to uncontrolled and over grazing (El-Eini, 2006); this formed the second concern of the Mandatory forestry in Palestine. For the British, control of grazing practices was important in order to succeed in forestry. The first person who focused on grazing issues was Sale. His argument was that vegetation could be used either to build up forests and improve soil, or to nourish animals—but not both. Well-managed grazing grounds, he argued, could double the product of fodder. Sale's idea of the "separation plan" for fodder production was aimed at protecting existing vegetation and increasing production per dunam (ibid).

To prevent erosion, more importantly, the department of agriculture attempted to have mountain goats replaced by "well-bred" ones. Forestry officers could issue licenses and fine illegal grazers in forest reserves. There were no specific laws dealing with grazing and also the old Ottoman Land Laws were used to interpret grazing rights.

Grazing rights were vague with “the most contentious being over un-owned land” (El-Eini, 2006, p. 223). These un-owned lands were seen as unassigned State Domain, and described as “a misnomer for an alleged unhampered, unlimited right to feed animals on natural vegetation growing on any land, especially unassigned waste lands, swamps, forests and so on” (p. 223). Usually claimants alleged that these lands were Matruka, which means for public use such as communal pastures, and this often won the support of the Civil Court. However, Sale extremely opposed the assignment of grazing rights for Matruka or Mawat land, claiming that they were State domain.

In fact, despite the existing legislation, it was very difficult to control the actual grazing of animals because of the continuous movement of Bedouins across internal and international boundaries, such as to and from Syria. As an attempt to control grazing, in October 1937, an agreement was signed with the government of Syria to control livestock movement, but this had little effect since the borders were too difficult to control (El-Eini, 2006, p. 223). The Bedouin Control Ordinance no. 18 in 1942 helped with additional restrictions of their movement and their livestock. The first stipulation of this Ordinance gave the District Commissioner the power for this restriction of movement. It stated:

Exercise general control and supervision over all or any nomadic tribes or tribesmen, superintend their movements, and wherever he considers it necessary direct them to go, or not to go, or to remain in, any special area for any specified period (El-Eini, 2006, p. 224).

Most importantly, the 1942 Ordinance was one of the effective tools that limited and interrupted Palestinians’ life, mainly the Bedouins. Control grazing and Bedouins’ movements under this ordinance affected their “migratory habits” (El-Eini, 2006) and resulted in their sedentarization. The disruption of the Bedouins’ way of life occurred through different activities. First, tribal boundaries, which had been oral agreements for centuries, were made

specific by the British Administration's Cadastral Survey, within which tribal boundaries were demarcated. This was because the British land laws in Palestine recognized ownership after title settlement. Second, Bedouin land ownership and use was disturbed by the Forest Ordinances and the Forest Reserves. For example, new settlements of some Bedouin groups were set up on the edges of Closed Forest Areas from which they had been forced out, because of the increased conflict between forestry and grazing. The restricted movement of Bedouin groups limited their flocks to smaller grazing areas. Third, extensive internal boundaries within Bedouin grazing pastures had been created by the yearly declarations of forest reserves. Fourth, the Bedouin Control Ordinance that was applied to contain Bedouin movement led to sedentarization of the Palestinian Bedouins. This was favored and encouraged by the government represented by the District Commissioners.

An extensive scholarship concerning the colonial dominance has clearly documented the ways in which the colonial state rules by making people "legible" and through practices of licensing, measuring and registering (Scott, 1998; Mitchell, 1998). Scott (1998) argues that the state seeks "getting a handle" on its subjects through standardization of weights and measures; the establishment of cadastral surveys and population registers; the design of cities; and the organization of transportation. An example is the organization of the natural world through agriculture and plantation. The design of scientific forestry and agriculture and the layout of plantation are "calculated" by the state to make the landscape more legible and manipulable "from above and from the center." Mitchell (1998), studying colonial Egypt, shows that the colonial state is characterized by a "disciplinary order" that makes things and people organized and readable. The essence of this order is an abstract structure that is imposed on society from above. This structure of order was attempted by the colonial French in Egypt in the nineteenth

century through a process of standardization between houses, families and villages, as well as schools, taxes, trains, and timetables. It included a “uniformity” which would be a hallmark of the new order.

In the context of Palestine, a similar colonial urge is observed in the continuous efforts of the British to control grazing and implement a licensing system that worked through the shepherds. The Shepherds (Licensing) Ordinance 1946 permitted only “fit and proper” persons of the age of ten and above to graze goats and sheep (El-Eini, 2006). The system also limited the number of animals herded by one shepherd at any one time, the fees, and the validity date of the license. At the beginning, specifically on Sept 27, 1946, this system was applied to at least one area in each district, and the goats had to be tagged. On January 1, 1948, the licensing system was applied to the whole Galilee District and to one selected area in each of the other five districts, and the shepherds had to wear their licenses in the Controlled Areas.

However, there were resistance practices by the local population to this system. Foremost among them was hiding the animals to avoid enumeration. For example, around Bethlehem 3,354 goats in seven villages were tagged, but only 1, 260 enumerated—a difference of 37.5 per cent (El-Eini, 2006, p. 227). Moreover, since the tags were made of weak metal it was easy for shepherds to remove the tags or claim that they were lost.

Despite the different attempts to control grazing, the British could not get a handle on “illegal” grazing. This was, for instance, because it was difficult for the government to provide the needed large number of guards and officers to enforce the licensing system. In 1947, according to the British restrictions, “illegal” grazing was still widely reported, even in special areas such as Tiberias.



The third problem addressed by British afforestation policies was sand dune stabilization. At the time of the British Mandate in Palestine, the dunes covered over 350,000 dunams from the bay of Aka in the north to Rafah in the south (El-Eini, 2006, p. 228) (see map 3.12). Almost all the area from Jaffa to Sinai had wandering dunes of formidable mass, producing undulating sand-hills. Sand dune fixation is crucial for forestry to succeed since wandering dunes threatened fertile soils, villages, roads, rail and telegraph lines, and “blocked up estuaries producing marshes” (ibid). Recognizing the importance of dealing with this problem, the Ottomans had made their own attempts at control before the British. The British subsequently incorporated sand dune fixation within their forestry policy and its implementation. Dune fixation was mainly designated as State Work since it was more costly than normal afforestation. In 1922, a policy was developed to stop dune encroachments through the formation of the Sand Drift Ordinance of 1922 (ibid).

This ordinance was aimed at dune reclamation for cultivation. It gave power to the Chief Forest Officer to stop dune drift or reclaim land, and could operate in any area in which he considered agriculture to be threatened by sand. Under this law, land reclaimed in any village was deemed *matrouka*. In this way, the government could undertake any works it saw as necessary regardless of the village’s or individual’s willingness. Although this sand Ordinance was invoked in limited cases, only twice with little success, and due to the large dune areas that existed in Palestine, the policy was continued until 1941 when it was superseded by the Flooding and Soil Erosion (Prevention) Ordinance.

During the 1920s, the work of sand dune fixation notably was focused on the north (El-Eini, 2006, p. 239). In the 1930s the work shifted to the south—as land in the Haifa-Aka escalated in value while Haifa Port was being built and completed in 1933. Specifically in 1935, forestry

work stopped in the north, and land had to be handed over to private ownership in the following year. Most of the private organizations that took over the land in that time were Jewish, in part because the British regarded them as better funded (ibid). A typical example was the 30,000 dunams of Casarea dunes, ownership of which was transferred to a Jewish company in 1922. Another example was “a 99-year lease agreement, made on July 4<sup>th</sup>, 1932 with the Jewish-owned company of Hanotaiah, Ltd.” (ibid), with regard to three small plots totaling 1, 051.82 dunams near the village of Umm Khalid in the Tulkarm Sub-District (ibid).

Apparently, the British sand dune fixation work was an important factor that facilitated land settlement by the Jews. This work, I argue, was an effective tool preparing these areas for the settlement of Jewish immigrants and thus became the locations for Israeli towns and cities when the Israeli state was established in 1948 (see map 3.13).

An additional important factor in the British afforestation system that served the Zionist goal in Palestine, I argue, was the inclusion of the Jews in this system. Handing over sand dune fixation work to Jewish private organizations discussed above is a clear example of this inclusion. Additionally, most of the employees in the Planning Advisor’s Office and in the District Commissions were Jewish. For example, in 1938 there was one Arab of all the employees in the Town planning advisor’s Office, and he worked as emissary, and there was just one Arab engineer among all of the districts commission engineers (Khamaisi, 1997, p. 339).

Moreover, during the British Mandate period the Jews, I argue, were involved officially at high levels of afforestation decision-making. In 1946 Amihud Goor (Amihud Grasovsky) took over from Sale as the head of the British Forest Department in Palestine. This was a great and opportunistic change for the Jews because of Goor’s connections with the Haganah, the underground organization for Jewish self-defense. Goor facilitated the removal to Jewish

settlements of Acre Station's much-valued irrigation pipes (El-Eini, 2006). During the last period of the British in Palestine, he was key in establishing "facts on the ground" that contributed to the establishment of the new state of Israel.

In general the work of the British Mandatory afforestation was not significant in terms of the total area of forest reserves, or the number of trees planted compared with the amount of land within Mandatory hands. Rather, it was significant in terms of the aggressive attitudes of the government towards forestry standardization, and the widespread application of forestry legislations for a variety of broad-ranging goals. The relationship between afforestation authorities and the villagers was characterized as "competition and antagonism" (Cohen, 1993).

It is worth mentioning that motivations of the British afforestation activities in Palestine did not lack utopian interest. Similar to other parts of the British Empire during the period, such as India, the British wanted to produce their imagined landscape, shaped by their memories of their homeland, Britain. They wanted to produce the "green English" in the "eroded Palestine." This was clear for example in their forestry work in Jerusalem, where they were informed by the forestry work in London despite the big difference in the two sites (Cohen, 1994). This also could be conceived from their early application of the Woods and Forest Ordinance in Palestine that was rooted in the old British laws. The British also, I argue, were motivated in their afforestation policy in Palestine to produce "order" in a place of "mess," according to the British point of view. That is, to produce a healthy, ordered, beautiful, modern landscape.

*The Jewish communities' afforestation activities.* During the British Mandate period, the British government was not the only actor in afforestation. The Jewish communities represented by the JNF were involved in this endeavor. The British were the legislative body, while the JNF was the implementing body. The JNF's main goal was to achieve land settlement for the Jewish

people. It used the legislative body of the British afforestation as a reference for Jewish projects and sites of settlements.

As the primary agency for Jewish afforestation in Palestine, the JNF continued the shift from planting olive trees to planting forest trees, selecting mainly pine and cypress. Easy to work with, cheaper and quick growing, these trees were ideal for the primary purpose of the JNF afforestation policies of enhancing Jewish settlement in order to establish presence and claim rights to the land.

The JNF took on forest projects that were intended to benefit the whole community, such as the tree nurseries that were created in the early 1920s. Several of these were in Al-Quds (Jerusalem) where the number of seedlings in these nurseries reached 75,000 by 1921 (Cohen, 1993, p. 57). For the most part, the major afforestation projects of the JNF during the Mandatory period were in the Galilee, along with some in the foothills and on the coastal plain. There were two sites within the region of Al-Quds. Planting within the city of Al-Quds itself was carried out by the JNF and the government at historical and religiously significant locations and near important public institutions.

There had been an annual increase in the afforested area, until a peak in 1936 when nearly 44,000 dunams were planted (Cohen, 1993, p. 58). After this, planting dropped down due to the outbreak of the Arab Revolt in Palestine in the same year. During this period, the destabilization and lack of security in the countryside prohibited the JNF's activities. There was also a clear increase in the occurrence of arson. However, the attack on the forests stimulated donations from the Jewish communities and as a result "during this period the JNF had a larger disposable income than in any previous year" (ibid).

Most of the forests planted by the JNF were within the area that came under Israeli control after the 1948 war.<sup>20</sup> This was because the JNF allocated these forests in conjunction with the areas of Jewish settlement activity. In the West Bank—the area that later came under Jordanian rule—there were two sites: a nursery established in Al-Khaleel (Hebron) in the 1920s, which was abandoned when the Jewish population of the city fled in 1929, and the plantation in the area of the Etzion settlement block in Al-Khaleel Hills.

Most importantly, the JNF itself as an organized representative body was, I argue, beneficial for, and empowered, the Jewish communities in their afforestation activities. And also the JNF being a non-governmental organization provided more flexibility for financial support through donations from Jews all over the world. So, once they acquisitioned the lands, had the money, and were supported by the legislations, they had their settlements.

Additionally, afforestation activities undertaken by the Jewish communities considerably advanced after the appointment of Amihud Goor as the head of the Forest Department in 1946. Goor, as the Conservator of Palestine made great progress in the field of nurseries and plantations, and 4,000,000 plants were raised in 1947 (Evans, 1948, p. 224). Free distribution of plants had become a departmental policy that resulted from the use of locally-manufactured overhead irrigation systems in four nurseries. Existing reserves had been consolidated. Most importantly, a revised Forest Ordinance in 1948 was passed. This ordinance gave more control over private land, and was more effective for forest prevention (ibid). The organization of

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<sup>20</sup> “The Nakba” War: the Arab/Israeli war that ended with the Israeli occupation of the part of Palestine which now forms the Israeli state.

Jewish farmers known as “The Public Committee for Soil Conservation,” headed by Goor, converted almost all Jewish agriculture to soil conserving practices.

The significance of Jewish afforestation in the Mandate period was related to its role in the Jewish land acquisition and settlement policies. It contributed to the creation of continuous areas of Jewish control, population distribution and overall economic development. This was a fundamental strategy in creating the broadest possible areas of Jewish control on the way to establishing a viable Jewish state. More importantly, the experience gained by the JNF during the Mandate period prepared them for a major role within that state. As stated by Cohen (1993, p. 59),

In terms of both its professional expertise and the coordination between it and governmental agencies, the JNF matured into a powerful and pragmatic body, completely devoted to the realization of Zionist goals in Palestine/Israel. The mandate years were a time of experimentation and lessons learned were applied with vigor once the authorities and resources of the new state were directed toward the afforestation efforts of the JNF.

*The Palestinians’ afforestation/anti-afforestation practices.* The Palestinians during the early years of the British Mandate did not have an afforestation plan as systematic and organized as that of the British or the Jews. Their plantation stemmed from their traditions of agriculture and cultivation. Moreover, their difficult living conditions such as poverty and a high rate of unemployment as a result of the war, put agriculture and food acquisition as their highest priority.

In 1931, recognizing the threats of the JNF upon the land, the Palestinian Arabs tried to protect their land from the JNF possession by establishing their own National Fund, Sunduq Al-Ummah (El-Eini, 2006, p. 268). However, in 1930s, the Arab fund had little effects, and soon transformed from a charitable organization to a joint stock company (the Arab Company for the

Rescue of the Lands in Palestine). In 1940s it was revived. In 1945 a Central Committee for the Arab Fund to Save Arab Lands from the Jews was also formed (El-Eini, 2006). However, the Fund encountered various difficulties in preventing the land especially with the existence of the Land Transfer Ordinance.

In 1944, after a talk of a Palestinian Arab representative to the Arab League arguing that the small land holders' debts caused the fellaheen to sell their lands to the Jews, the Arab League helped finance the formation of the Arab development society in 1945 to assist Palestinian Arab peasants repay their debts to money lenders. However, the Arab National Fund was paralyzed by the British bureaucratic regulations within which "no land in Zone A to be transferred to any companies regardless of their share holder's national composition" (p. 270).

The role of the local Palestinian people in the spatial struggle with the British and the Jews had been changed with the outbreak of the Arab Revolt in 1936. Although started as a civil strike and then militarized gradually, The Arab Revolt included the policy of anti-afforestation towards the British and the Jewish plantation as a tool in the Palestinians' resistance as a form of forest attacks (damaging and cutting) and forest arson (Cohen, 1993; El-Eini, 2006). Literature points out that, although the British and the Jewish afforestation policies did not totally stop, the Arab Revolt had considerable effects. For example, as we have seen earlier in this chapter, changes in the British afforestation policies had taken place as a result of the Arab Revolt such as the call for decentralization (though it was not implemented), and shifting afforestation policies towards small scale projects. This was in addition to the British and the Jewish loss of many nurseries and forests, including four nurseries—including the large one at Aka (Acre)—were destroyed, many hill forest reserves were lost such as those near Kidna in Hebron Sub-District, and the British foresters lost access to many reserves.

To summarize, during the Mandate period, three main actors were involved in the spatial struggle: the British government, the Jewish communities represented by the JNF, and the local indigenous Palestinians. The British government in this struggle was representing the professional actors. The other two actors (the Jewish communities and the indigenous Palestinians) were the non-professionals in the struggle over space. The non-professional actors were in an antagonistic relationship toward each other: one (the Jewish communities) sought control, and the other (the Palestinians) sought resistance to that control. Control was the goal of the colonial power (both professional and non-professional): the professional planning body (the British government), and the non-professional actors (the Jewish communities). The British government and the Jewish communities, with their different positions of power, used their afforestation policies to achieve spatial control for different purposes. The cooperation between the British system and the Jewish communities in afforestation policies and practices led to achieving their goals of spatial control. In the late Ottoman period, the ignorance of the spatial practices of Jewish communities by the Ottoman system gave them considerable power. Hence, the cooperation between the British government and the Jewish communities helped develop, inherited from the Ottoman era, the three elements of a state: land, people and power. The British policy, by legislating and maintaining State Land helped in the land transfer to the Jewish people. It helped in settling the Jewish immigrants. And, by including the Jewish organizations in afforestation decision-making, it empowered the Jewish people to form a strong body as the basis for the Israeli nation building in Palestine. Indeed, this “covert planning” between the professional afforestation planning system of the British government and the non-professional afforestation planning practices of the Jewish communities helped build the state of Israel in Palestine.



## CHAPTER FOUR

### AFFORESTATION PLANNING UNDER ISRAELI DOMINATION, 1948-PRESENT, AND CONTEMPORARY CONTROL OF MOVEMENT

Conflict between the Jewish immigrants and the local Palestinians had increased during the Mandate period in the 1940s, and as a result, Britain became anxious to get rid of the problem. However, it did not wish sole responsibility for the problem and thus, in April 1947, Britain formally requested the United Nations' intervention. The UN General Assembly set up the Special Committee on Palestine (UNSCOP), which then recommended the end of the British Mandate over Palestine, and the partition of Palestine into two states: a Jewish state and an Arab Palestinian state (see map 4.1). The UN partition decision of Palestine, which was officially passed in November 29, 1947 by the UN General Assembly as resolution 181 did not resolve the conflict. Instead, it redistributed the land of Palestine in favor of the Zionists, who held at the time less than 7% of Palestine, but now received about 55% of the country (Khalidi, 1988, p. 12).

The Arabs refused the UN partition plan, and, in response to the Arab League Council, moved their troops to the Palestine border, launching the An-Naqba war of 1948. The war officially started after the declaration of Israeli independence on May 15, 1948. The Arab regular armies and Israeli forces engaged in fighting throughout the country and ended with the declaration of the Israeli state (see map 4.2) and the Armistice Line<sup>21</sup> (which is now known as the Green Line) between the Jewish state and the West Bank and the Gaza Strip, and from then Palestine came under the rule of the Israeli domination. The Gaza Strip fell under Egyptian rule,

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<sup>21</sup>The border between the Jewish state and the West Bank and Gaza Strip. It is now the Green Line between Israel and the Occupied Palestinian Territories.

and the West bank under Jordanian rule. In 1967, both the West Bank (5858 Km<sup>2</sup>) and Gaza Strip (369 Km<sup>2</sup>) came under the rule of the Israeli occupation (see map 4.2).

Despite the fact that the Israeli forces were only recently officially formed, they were well organized and armed. The Israeli forces, such as the Haganah, had gained military experience and power during the British Mandate period, and through their participation in WWII on the side of the British.

The above discussion raises an important question regarding the existence and the role of the British Mandate administration at the time: where were the British forces that were then still the official authorities in Palestine? The presence of the British administration in Palestine at the time was not a problem for the Zionists since the British had declared their intention of leaving Palestine by May 15, 1948. Indeed, their actual timetable of withdrawal facilitated the Zionists' control over the country (Khalidi, 1988). In fact, the Zionists were concerned about the possibility of the Arab armies entering Palestine after the British withdrawal because there would be a juridical vacuum in the country. Therefore, the British planned to withdraw gradually, while maintaining legitimate authority over the whole country, surrendering power over successive areas of it (p. 15). The British overall authority worked as a "shield" protecting the Zionists from the regular Arab armies. The British withdrawal from Palestine transferred the colonial institutions to the newly establishing Israeli state, which at the time (May 1948), occupied 20,700 Km<sup>2</sup>; some 80% of the land area of Mandate Palestine (Home, 2003, p. 296).

A Palestinian self rule was declared in 1995 in the West Bank and Gaza Strip. From then the Palestinian Territories (the West Bank and Gaza Strip) came under the rule of the Palestinian National Authority (PNA) under several conditions within Oslo Records. In 2000, however,

Israel re-captured the OPT, and since then there have been various efforts to revive peace negotiations between Israel and the Palestinian Authority.

This chapter focuses on afforestation and closure policies in the Israeli period. It examines afforestation policies and practices of different actors from the beginning of the Israeli domination in 1948 to present, including the Jordanian period in the West Bank until 1967. Two main groups of actors have been involved in afforestation: the Israelis and the Palestinians. The Israelis are composed of the professionals (the Israeli planners who represent the planning system of the Israeli state) and the non-professionals (the Israeli settlers and the Jewish communities represented by the JNF). The Palestinian actors are composed of the professionals (the Palestinian planners who represent the established Palestinian National Authority (PNA) in 1995) and the non-professionals (the Palestinian local indigenous people). As another example of the role of planning open spaces in the Israeli/Palestinian spatial struggle, this chapter also highlights the contemporary Israeli closure policy and the Palestinian spatial practices to resist it.

#### **4.1 Land and Planning Laws**

The Israeli authorities inherited land and planning legislations of preceding authorities in Palestine: the Ottomans, the British and the Jordanians. The Ottoman and British land regulations remained unaffected. To some extent, Jordanian law was applied to the West Bank. In order for the Israeli authorities to fulfill their goals in Palestine, they have used the precedents' legal legacy selectively. Thus, in their continuous attempts at making the existing legal legacies in Palestine match their goals and desires of complete control over the area, the Israeli authorities created new regulations in the form of Military Orders (MOs).

#### ***4.1.1 The Israeli land laws***

Israel considers itself the guardian of all property belonging to previous governments. Thus, State Land has become a key concept in Israeli land laws. Interpreting the Ottoman and the British land systems, it does give Israel control over nearly all the land in the West Bank. Thus, one main source of land for the state of Israel has been State Land, estimated by the British as 1700 Km<sup>2</sup> (Home, 2003, p. 296). Shortly after the establishment of Israel, the state claimed ownership of two-thirds of the land it occupied (excluding the Negev) (ibid). This area rose to 93% of the land in the succeeding two decades (ibid). In recent times, two-thirds of Jewish households live on nationally owned land. The state protects property rights through leases for renewable jubilee periods of 49 or 98 years (ibid). The Israeli authorities use different significant tools for the declaration of an area as State Land.

One important tool for the declaration of State Land has been the elimination of the land registration process through Military Order no. 291 of December 1968 (Coon, 1992, p. 114). Lands that were registered during the Jordanian period in the West Bank were very few. Thus, ending land registration under this MO put nearly two-thirds of the West Bank land in a status of “limbo”, not registered in the landholding books. Although some of these lands were registered in the British tax registers, or in the Ottoman tax books, these documents suffered from the problems of “location and inexactitude.”

The effectiveness of the declaration of State Land by the occupation authorities was due to the difficulties of proving land ownership by the indigenous Palestinians—discussed in detail later in this section. This was due to a variety of reasons, one of which was absent landowners. Two large waves of Palestinian refugees were dispossessed of their lands in 1948 and 1967.

This land forms an important source of territory for the state of Israel, and the Israeli Ministry of Agriculture estimated the extent of this land in 1950 at 4200 Km<sup>2</sup> (60% of the cultivated land area) (Home, 2003, p. 296). This land of the Palestinian refugees was put under the supervision of the “Custodian of Absentee Property,” which was created by the Israeli state (Cohen, 1993; Home, 2003). Palestinians’ absenteeism under the Israeli occupation is discussed in greater depth later in this section.

Proving landownership became very difficult because many Palestinian refugees, when they were dispossessed, had taken documents of their landholdings with them, and could not give them back to their children to prove their ownership because there was no connection between them. This was exploited by the Israeli authorities in their increasing efforts at identifying as much land as possible as State Land. To this end, they conducted a survey of land registration in the West Bank. The results indicated that the majority of the land in the West Bank was not registered and fell into the categories of *miri*, *matrouka* and *mawat* lands. Then in the 1980s, Israel interpreted *miri*, *matrouka* and *mawat* land categories as State Land (Shehadeh, 1993; Cohen, 1993). Under the Real Estate Law of 1969, *matrouka* land was registered with the State Land or local authority, and *mawat* land with the state (Home, 2003, p. 297). As discussed earlier (section 3.2.2), the above land categories were not State Land under Ottoman law. Thus, the Israeli misinterpretation of the Ottoman land categories as State Land contributes to the internationally widespread idea that Israel does not expropriate land in private ownership.

The issue of landownership became further complicated in 1977 after the inauguration of the Likud Government chaired by Begin, when the Israeli government declared all land as State Land unless proven otherwise (*ibid*). Thus the burden of proof, which wholly lay on the claimants, became very difficult and demanding.

In addition to declaring land as State Land, the Israeli authorities imposed different restrictions and Military Orders in order to control the Palestinian land. Israeli land restrictions and orders are summarized below.

1. The requirement of obtaining Israeli consent for land transfer: the Israeli occupation authorities passed a Military Order making it imperative for the Palestinians to obtain the consent of the officer of the Israeli army in charge of the judiciary before any transfer of land (Shehadeh, 1993). This limitation on land transfer between Palestinian citizens would result in constraining the Palestinian development process in various ways (Coon, 1992) including destroying commercial confidence, obstructing the land market, and discouraging the expansion and relocation of activities. These problems are widespread in the WB (ibid).
2. Control of the subdivision of land: by passing MO no. 291 in 1968, which stopped land registration, dividing land between Palestinian citizens became very difficult and often impossible (Coon, 1992; Shehadeh, 1993). According to this MO, land which was registered in the name of a single owner may be re-registered under another single name. However, a parcel of land was not allowed to be divided up and registered separately in the names of more than one new Palestinian owner (Coon, 1992). This indeed threatened the Arab Palestinian tradition of dividing an estate between surviving children, since the land so inherited does not have the security of a title deed (ibid). Because of large families, most inheritances are divided. The result is that half the land which was registered in 1967 is not registered in the name of its present owner (ibid). Hence, this is the case for only one-sixth of the land of the West bank (ibid). Most importantly, proof of ownership is required to obtain consent for subdivision of the land and permission to subdivide is rarely given. With only a few owners having clear title to their land, subdivision is difficult or impossible. This

control over subdivision of land in return impedes the buying and selling of land and it is an obstacle for development, because subdivision is a precondition to obtaining a building permit. The Israeli authorities insist that applicants for building permits should be the registered owners of the land in question, but since this condition is seldom verified, it is very difficult to obtain building permits.

3. Military Orders that facilitate purchase of land by the Israelis: an example of these MOs is the MO no. 811, the main aim of which is “validating land purchases made by virtue of irrevocable powers of attorney” (Shehadeh, 1993, p. 19). This order legitimized the ‘illegal’ land purchases by nongovernmental parties. This was because the right to lease or purchase land was limited to the government and the JNF until 1973 (Cohen, 1993, p. 100). Private or nongovernmental parties’ purchases were considered illegal. To gain as much land as possible, this order facilitated land purchase also within the private sector.
4. Compulsory Purchase Order: the Israeli occupation authorities assimilated the British legacy of Compulsory Purchase Ordinances by passing the Land Acquisition (Validation of Acts and Compensation) Law in 1953 (Home, 2003, 304). This Ordinance was followed by massive confiscation of land for Jewish settlement and defense. However, compulsory purchase is now rarely needed since the Israeli state owns most of the land (ibid).
5. Security Issues: restrictions related to security issues have facilitated Israeli control of the land without changing its ownership. Under these security restrictions, construction in or entrance to specific areas is prohibited. These restrictions give the military commander the right to “prohibit any new construction within a two-hundred-meter strip bracketing main roads, with lesser restrictions along the margins of smaller roads” (Cohen, 1993, p. 98). This

indeed rigorously affects Palestinians' land use since the Palestinians usually tend to build along roadways.

6. The declaration of military training zones or the closing of specific areas for security reasons: according to this restriction, in the military zone the army is not responsible for damaging property. Entrance to and exit from the closed area is granted only by written permission from the military command. This often serves as the first step towards the establishment of Israeli settlement (Cohen, 1993).
7. The declaration of nature reserves: this does not affect ownership, but declaring nature reserves limits to a further degree land use and construction within the reserve. The declaration of nature reserves is part of a program of land seizure by the Ministerial Committee for Settlement (Cohen, 1993).
8. The "outright expropriation" regulation and its amendment: this is applied in accordance, theoretically, with the Jordanian laws related to expropriation procedures (Cohen, 1993; Shehadeh, 1993). In theory, these expropriations are to be carried out for the benefit of the public. The occupation authorities amended and interpreted this regulation according to their own goals. Ironically, the authorities interpret the 'public' as the Jewish settlements only denying the Palestinians. The result is that the significant expropriations carried out by the Israelis have been for the extension of infrastructure supporting the Jewish settlements, while prohibiting the Palestinians from such benefits.

***Absenteeism under Israeli domination.*** The state of Israel, inheriting from the Ottomans and the British, benefited from the concept of "absenteeism" to achieve its goals. The Israeli military government considered all individuals who were not present in Palestine at the date of the occupation as "absentees." Similar to the 1939 British regulations regarding "Custodian of



Enemy Property” that were devised for wartime, the Israeli government created the “Custodian of Absentee Properties” (Home, 2003, p. 300). Within this, all lands of the absentees came into the hands of the “Custodian of Absentee Properties.”<sup>24</sup> Contrary to its precedents, the Israeli custodianship does not mean holding the land in trust against a possible future return. Rather, the land was forfeited to the state. In 1950, the Israeli government passed further legislation including the creation of a “Development Authority” with powers to dispose of absentees’ land (ibid).

In 1967, the Military Order no. 58 extended the power of the “Custodian of Absentee Properties” to the newly Occupied Territories (the West Bank and Gaza Strip). Palestinian refugees from the 1948 War who live in the West Bank and Gaza Strip still could not reclaim their former land. Ironically, these “present absentees”—as they are called by Home (2003)—who were displaced from their lands in Israel, were deprived of getting back their land. This was in stark contrast to the 1950 Law of Return to the Jewish people (ibid). Under this law, every Jew has the right to settle in Israel. This led to successive waves of immigration to Israel that resulted in an increased Jewish population.

***Proving landownership.*** In order for the Palestinians to maintain their land in the face of the Israeli policies that tend to control as much land as possible, they have to confirm landownership. The persistent problem is that the burden of landownership proof is very difficult and demanding, and the Israeli authorities do not recognize most of the Palestinian ownership rights (Coon, 1992; Cohen, 1993; Khmaisi, 1997). During the Jordanian period, only 38% of the West Bank was formally registered (Coon, 1992, p. 14; Khamaisi, 1997, p. 331). The

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<sup>24</sup> The Absentee Property Law was passed by the Knesset in March 1950 (Meishar, in eds. Haim Yacobi, 2004, p. 322).

rest was registered according to the Ottoman Land Code. However, the Israeli authorities did not accept the Ottoman's land titles because of the vagueness of boundaries in the Ottoman system, and the difference between the name of the applicant and the name on the title. Even if the applicant was the successor of the title holder, he had to supply the whole genealogy and produce official verification. Additionally, the MO no. 291 of 1968 stopped all registration (ibid), which effectively stopped land registration by the Jordanian land law. This indeed led to a dilemma because landowners could not provide confirmation of ownership.

Moreover, appealing land claims for the Palestinians required an endlessly expensive process. For example, the person must use a lawyer, provide maps and documents, and secure cooperation of neighbors and the Mukhtar (Cohen, 1993), all of which is too expensive for the average person. The survey maps alone demanded by the Israeli authorities could cost more than the annual income of any Palestinian farmer (ibid). Additionally, if the documentation that supported the claim of ownership was not sufficient, or not in the form of a "Tabu"<sup>25</sup>, the Israeli government imposed further conditions. This included demanding verification of the continuous cultivation of the land for ten years prior to the filing of the claim. This condition, however, is very difficult to achieve due to the prevailing conditions of agriculture that depends on rainfall and periodic basis. It is likely that in a period of ten years there would be years, in which the land was not worked. Most importantly, the condition of obtaining the cooperation of neighbors and the Mukhtar is extremely problematic and subject to the effect of personal relationships. The signature of a neighbor, for example, is possible only if there is an agreement on the boundaries, and if the neighbor actually exists. With the vagueness of boundaries, and the possibility of the neighbor's absence, getting signatures is frequently very difficult or impossible. Most

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<sup>25</sup> The official document of land registration.

importantly, getting the signatures and the cooperation of the Mukhtar does not mean the problem is solved. However, “accusations of forgery and counterfeit are commonly exchanged by both the authorities and the villagers, depending on which way the case is going” (Cohen, 1993, p. 98).

Proving landownership by the Palestinians is not only important for their plantation and use of land, it also affects development and construction in the Palestinian areas. Proof of ownership is a precondition for approving detailed plans and land parcel schemes, which are in turn preconditions for obtaining building and development permits. Thus, proving ownership and getting building permits for the Palestinians is a continuous burden with endless processing that limits Palestinian development.

Israeli land policies towards the Palestinian Territories could be generally considered, as stated by Rishmawi (1986), as aiming at the Judiazation of these territories. Rishmawi argues that Israel cannot afford to annex formally the Palestinian Territories in the West Bank and Gaza because of the one-and-a-half million Palestinians living in the area (p. 2). Thus, Israel’s only option is to annex the land without the native population (ibid).

#### ***4.1.2: The Israeli Statutory Planning***

The Israeli occupation authorities used the British and Jordanian legislation as the basis for their statutory planning in Occupied Palestine (Rishmawi, 1986; Coon, 1992; Shihadeh, 1993; Khamaisi, 1997; Home, 2003). The Israelis have used two bodies of law in the Palestinian Territories: the Jordanian Planning Law no. 79 of 1966 and “security enactments” in the form of Military Orders (MOs) issued, the first one in 1971, by the Israeli Army Commander or the Head of the Civil Administration.

After the occupation of the West Bank in 1967, the Israeli authorities established a Military Government (MG) to rule the West Bank. The West Bank remained under the rule of this MG until 1981, when Israel established the Civil Administration to replace it (Coon, 1992; Khamaisi, 1997). This change in administration caused changes in the planning field. The Israeli MG continued applying the Jordanian Planning Law no. 79 of 1966 until 1971. During this period, the Israeli authorities focused on security issues and on developing a control process using the army (Khamaisi, 1997). In 1971, the Israeli authorities passed the MO no. 418 which, together with its amendments, established the basis of the Israeli planning system, building upon both the Mandate and the Jordanian planning legacy.

***The Jordanian Planning Law no. 79 of 1966.*** This Law was a complex mixture of Ottoman, British and Jordanian law (Coon, 1992, p. 40). It was indeed an amendment of the Jordanian Law of Planning for Cities, Villages and Building no. 31 of 1955 (Khamiasa, 1997, 329), which was based on the British TPO of 1936 with some additions. The Jordanian Planning Law was applied in the West Bank as part of the Hashemite Kingdom of Jordan after annexation in 1950 (ibid). Despite the changes in planning law and structure of the planning system carried out by the Jordanians, the Mandate plans continued to form the basis for development control in the capacity of issuing building permits.

This law established three planning tiers:

1. High Planning Council (HPC): with the Minister of Interior as its Chairperson, who was also the Head of the planning system. He was responsible for coordinating the use of the land under his authority according to the public interest, and assuring that the planning schemes conformed with the overall development plans and economic and social objectives of the government (Rishmawi, 1986);

2. District Commissions: there were three district commissions in the West Bank: Nablus, Al-Quds (Jerusalem), and Al-Khalil (Hebron);

3. Local Commissions: municipal or village councils, which were elected.

A Central Planning Department was established to carry out all survey work and to provide technical advice to the HPC in relation to the production and approval of plans, and the granting and appealing of building permits (Coon, 1992). This department, according to the law, was under the jurisdiction of the Ministry of the Interior (Rishmawi, 1986).

The law provided a hierarchy of three development plans dealing with land use: regional, outline, and detailed, as well as parcelization schemes dealing with landownership (Coon, 1992). The law, however, did not clarify when and where plans were required to be prepared. All three plans were required to include regulations and roads. Preservation of landscape, buildings, and infrastructure were to be covered in regional and outline plans. Designation of areas for development might be done in outline or detailed plans. Areas to be compulsorily purchased or re-parcelled were to be designated in detailed plans. Compulsory re-parcellation allowed up to 30% of the land to be retained for public use without compensation (Coon, 1992, p. 43). Areas for re-parcellation should be designated for this purpose in detailed plans. There was great potential for repetition and conflict between the different types of plans, especially in the plan regulations, and between outline and detailed plans. The law lacked any specifications regarding the need for conformity between plans, except the need for parcelation schemes to conform to detailed plans.

In an assessment of this law, Coon (1992) states that there is a great deal of ambiguity about responsibilities for the planning process, and about how it should work in practice. This law calls for good practice, but in the absence of good will, this cannot be ensured. For example, the

system can work only if the required plans are prepared and kept up to date. Most importantly, it is a centralized law that gives considerable powers to the central authority, including powers to regulate the activity of local authorities by approving plans and considering appeals. Thus, under this law the planning system could be used to constrain or prevent development by a liberal or authoritarian regime or, using Coon's (1992) term, a "conscienceless authority." This might be achieved, for example, by exploiting ambiguities in the law; by reducing the powers and resources of the local planning authorities; by not preparing or approving plans; by obscuring the procedure for issuing permits; or by not adapting the law and the boundaries of planning authorities to meet new social needs or geographic conditions (p. 55). These measures, indeed, have been used by the Israeli military authorities in the WB. The occupation authorities implement these measures through Military Orders, which amended the Jordanian planning law.

***Israeli Military Orders.*** The Israeli MOs in general total 1,300 MOs since 1967 (Coon, 1992, p. 40). Specifically, Israeli authorities passed a number of MOs amending the Jordanian Planning Law no. 79 of 1966 (Rishmawi, 1986; Coon, 1992; Shehadeh, 1993). The occupation authorities passed ten MOs referring to the Jordanian Law (Coon, 1992, p. 55). In 1971, Israel passed the MO no. 418 that was an amendment to the Jordanian Law no. 79 (Rishmawi, 1986; Coon, 1992; Shehadeh, 1993; Khamaisi, 1997). Subsequent orders have been amendments to the MO no. 418 (Coon, 1992), but these have never been consolidated. Most importantly, there is very little relationship between the orders and the provisions of the Jordanian Law (ibid). The orders referred to few articles of the law, few articles have either been amended or added to the law, and no article in the law has been cancelled. At the same time, very few of the provisions of the original Military Order no. 418 have been amended or cancelled. What has happened is that

articles have been added to the original order, and then sometimes renumbered, using a very “tiresome” numbering system (Coon, 1992, p. 55).

The MO no. 418 which came to be known as, according to Khamaisi (1997), the “Decree Concerning the Organization of Towns, Villages, and Building in the West Bank,” caused big changes in the planning system (Rishmawi, 1986; Coon, 1992; Shehadeh, 1993; Khamaisi, 1997). These changes are summarized in the following five points.

First, it transferred powers of the planning authorities designated in the Jordanian Law to nominees of the Israeli government—specifically article 2 of the MO 418 declared this transfer (Coon, 1992; Khamaisi, 1997). The powers of the Jordanian Minister and his role designated in the Jordanian Law, transferred into the hands of the “person in charge” (the Responsible) who was appointed by the Military Commander of the West Bank (Rishmawi, 1986; Coon, 1992; Shehadeh, 1993; Khamaisi, 1997). This appointee was the Israeli Officer in Charge of Interior Affairs, until the establishment of the Civil Administration (discussed later in this section) (Rishmawi, 1986). After the establishment of the Civil Administration, this appointee came from the “infrastructure branch” of the Civil Administration in the West Bank (ibid). By virtue of this MO, the Military Commander was granted the power to appoint members of the HPC and the Regional Rural Planning Committees (RRPC) (Coon, 1992; Khamaisi, 1997). The “Responsible” was given absolute authority. He could amend, cancel, or suspend for a given period any design or permit; take over any of the privileges of any rural committee or municipality; amend or cancel any permit; and exempt any person from the need to obtain a permit in accordance with the law (Khamaisi, 1997).

Second, The MO 418 further centralized the planning system by cancelling the middle level in the planning process: the District Commission (Rishmawi, 1986; Coon, 1992; Khamaisi,

1997). It also cancelled the Local Planning Commission in Village Councils and established instead Regional Rural Planning Committees (RRPC) (ibid). Although municipalities continued to be local commissions, this MO also affected their role in planning by reducing their freedom of action and territorial coverage. Most importantly, most of the municipal councils were dismissed and replacements appointed by the Israelis (Rishmawi, 1986; Coon, 1992). Additionally, the MO 418 gave additional power to the HPC to override any planning decision (Coon, 1992). The HPC under this MO could at any time, and for any or no reason amend, cancel, or disregard any plan or permit. It could assume the powers of any other planning authority, or issue or dispense any permit (Coon, 1992; Khamaisi, 1997). In other words, the HPC could disregard all planning provisions of the planning law. The MO 418 authorized the HPC to set up “subsidiary” or “ad hoc” committees as it deemed necessary (Khamaisi, 1997), such as the “mysterious,” according to Coon (1997), special committees.

Third, by virtue of this MO, the local indigenous Palestinians became totally excluded from the planning process (Rishmawi, 1986; Coon, 1992; Khamaisi, 1997). Using Khamaisi’s words, the Palestinians “were robbed of all authority and responsibility in planning institutions” (p. 330). Their presence in the province and RRPC or in the sub-commission of the HPC was only formal (Khamaisi, 1997). The Responsible in charge formed the HPC and appointed Jewish members with no Palestinian representation. However, all Israeli planning authorities, including regional and local councils of the settlements in the West Bank, were represented and consulted in the planning process (Rishmawi, 1986, p. 6).

Fourth, as a result of the MO 418 (and its amendments), fees for permits were imposed and increased. Penalties for unpermitted development were also increased, with the possibility of immediately stopping development without a permit. According to the Order, any planner who



recommended, or committee member who granted, a permit or approved a plan “not in conformity with a plan having a greater force” was subject to imprisonment for a year or a fine of 100,000 shekels<sup>26</sup> (Coon, 1992, p. 60). However, such a penalty was not imposed for unreasonably refusing a permit (ibid).

Finally, the Military Order 418 and other orders that amended it generally exploited the vagueness of the Jordanian Law. Many issues in these orders were left vague in order to give the Israeli authorities the needed flexibility to adjust the law in accordance to their goals and desires of complete control (Rishmawi, 1986). The Military Orders, as described by Coon, do not explain their purpose, they are brief and ambiguous, and often appear to be drafted hastily. Some of the provisions of the Military Orders appear to be little used and without apparent purpose (p. 60).

***The Israeli Civil Administration.*** Another big change that occurred in the Israeli planning system in occupied Palestine was the establishment of the Civil Administration in the West Bank in 1981. This caused noticeable change in the planning administration and structure in the Occupied Territories. This Civil Administration was not operated by civilians but dealt with the affairs of civilians. Its head was appointed by the Israeli army commander and the administration consisted of four divisions: administration, interior, infrastructure and health. Each division was headed by a military officer. Below these divisions were a large number of departments, one of which was The Central Planning Department. All department heads were Israelis, and most of them were soldiers. These departments usually had close links with (and often had staff from) corresponding Israeli ministries. The Civil Administration was responsible

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<sup>26</sup> 1 Shekel = \$0.26

for all public services in the West Bank—with the exception of some services within the municipalities.

Under the Civil Administration, Israel divided the West Bank into 7 districts, 25 municipalities, and 87 village councils (Coon, 1992, p. 38). Boundaries of municipalities were established and changed by law. Boundaries of villages were defined informally in accordance mainly with land ownership. Many villages had larger populations than some of the municipalities.

The Civil Administration contributed to the centrality of the planning system. It paralyzed any role that could be taken by the local committees. For example, Local (municipality and village) council elections were cancelled in 1976 (Coon, 1992, p. 37). In 1982, the mayors of most of the large towns were dismissed, and some of them deported (ibid). Israeli Jewish mayors were installed in Nablus, Hebron, Ramallah and El-Bireh until 1985-87 (ibid). In the 1990s, nine of the 25 municipalities had mayors who were elected in 1976, 14 had mayors appointed and protected by the Israelis and two including Nablus had no mayor or council (Coon, 1992, p. 38).

This Civil Administration delineated and added to the central concept of the Israeli planning system in Occupied Palestine, which is the exclusion of the local Palestinians. All employees of the administration were either appointed by or ultimately responsible to the Israeli Military Commander and to the Israeli Ministry of Defense. Town planning in the West Bank under this administration was ultimately not responsive to nor conducted with the awareness of the Palestinians. The Country Report on Human Rights in the West Bank of 1987 to the

Committee on Foreign Affairs of the US State Department assured this exclusion of the Palestinians. It states, “Palestinians are not permitted to participate in significant public policy decisions concerning land and resource use and planning” (as cited in Coon, 1992, p. 39).

Most importantly, the above structure of the local administration system in the West Bank was one of two systems. The Israeli division of the West Bank into seven districts was just for the Palestinians. Israel established another parallel local administration system within which it divided the West Bank into “regions” and “local councils,” and with a separate system of boundaries for the administration of the Jewish population in the Israeli settlements. The control and limitation of the local governments discussed above, the lack of elected bodies and opportunity for participation and consultation, and the absence of civil rights, characterized the administration of Palestinians but not the system used to administer the Jewish population of the West Bank.

*The Israeli use of the Mandate plans.* The main aim of Israeli planning system as it appears from the discussion above has been to restrict Palestinian development to achieve more spatial control. In addition to changing the planning structure to exclude the local Palestinians from the planning administration and process, Israel used the Mandate plans to restrict Palestinian development in the West Bank. Israel also deepened the control of Palestinian development by exploiting legislation pertaining to the Jordanian Law requiring the preparation of development plans. These required plans, however, do not exist in the West Bank, or the opportunities within existing plans (the Mandate plans) have been exhausted. Thus, development plans in the West Bank have offered no opportunities toward development.

Two Mandate plans of fundamental significance in the West Bank have been the Samaria Regional Plan (S15), which covers the northern part of the WB; and the Jerusalem Regional Plan

(RJ5), which covers most of the remainder of the WB (see map 4.3). These plans are significant to the present time because the occupation authorities have referred to and used them since the 1980s as a pretext to restrict and prohibit Palestinian development, in particular outside existing towns and villages. The occupation authorities have shown much respect for these plans though they did not re-discover them until the 1980s: RJ5 shortly before 1980 and S15 in 1985 (Coon, 1992, p. 72). Since that date, they have become the reference of the occupation for refusing permits to and demolishing Palestinian development.

These plans are significant also because they have never been replaced by updated plans, and, although they have been amended, no amendment has been approved (Coon, 1992). For example, outline plans were expected to provide the necessary framework for the development of the towns and villages identified in the regional plan, but these plans have never been finally approved (ibid).

The respect shown by the Israeli authorities for these plans has been selective. For example, the program of Jewish settlements is contrary to the regional plans both in land use and in racial terms (Coon, 1992, p. 65). In terms of land use, no new settlements are shown in the plans, and regarding racial terms, the plans lacked any reference to provision for particular racial or religious groups (ibid).

Most importantly, the Israeli authorities exploited these Mandate plans for their benefit. The lack of opportunity provided by these plans for development in the late twentieth century provided the Israeli authorities a pretext to justify their policies of restricting Palestinian development (Coon, 1992). These plans were just statements identifying the locations of existing development rather than any kind of guideline for future development. They were restrictive documents rather than offering guidance on where and how development should meet

the conditions of the 1940s (Coon, 1992, p. 79). None of these plans is relevant to the needs of the present time. The Israelis continued applying the British plans without updating population estimates or any revision to boundaries (Home, 2003). The Israeli government used the list of Arab Palestinian settlements in the Mandate plans. This of course limited recognition of new Palestinian villages, which grew from 264 in 1947 to 400 by 1967 (Home, 2003, p. 304).

In particular, the Israeli authorities exploited two restrictive measures in the Mandate plans to refuse development permits to the Palestinians almost everywhere in the West Bank, outside of the towns and villages. These two measures were: the designation of most of the land as agricultural zone, even though (according to these plans) development was not in fact prohibited in agricultural areas; and the prohibition of more than one “house on a plot.” The Israeli occupation has used the latter measure as a means of refusing building permits simply by not authorizing parceling of the land (ibid).

Moreover, another important goal of the Israeli planning system in the Palestinian Territories, in addition to controlling Palestinian development, has been to provide opportunities for Jewish settlement. However, the Mandate plans do not offer such opportunities or pretexts for Jewish settlement. On the contrary, the Israelis discovered that the Mandate plans formed obstacles to Jewish development and so they amended the plans in a way that helped achieve the goal of Israeli settlement in the Palestinian Territories (Khamaisi, 1997, p. 332). The Mandate plans allowed Palestinian owners to obtain development permits in the agricultural land zone, which for the occupation authorities was an obstacle to acquiring the land necessary for building the needed Jewish settlements. Thus, the Israeli authorities amended the Mandate plans at both regional and local levels.

To change the Mandate plans at the regional level, the HPC in the early 1980s prepared two plans. The first was the 1982 “Partial Regional Plan no. 1/82”, amendment to the British regional plan RJ5. The second was the 1984 “the Regional Partial Outline Plan for Roads, Order no. 50” (Coon, 1992, p. 80; Shehadeh, 1993, p. 81; Khamaisi, 1997, p. 333).

The first Israeli Regional Plan no. 1/82 reserved more areas of land for Jewish settlement (Coon, 1992). This plan covered an area of about 45 km<sup>2</sup> around the three sides of Jerusalem, forming a belt around the city in the area of the WB (Khamaisi, 1997, p. 333). It identified five main land-use zones: agriculture, nature reserve, future development, reserved area, and built-up village areas. This plan was aimed at preventing the Palestinians’ right to building permits in agricultural zones according to the Mandate plans. It also limited Palestinian development in villages and in congested built-up areas. Notably, the areas designated for future development by this plan were selected for the creation or expansion of Jewish settlements. This plan was submitted by the HPC according to the Jordanian Planning Law no. 79, but has not yet received final approval (*ibid*).

Road Plan No. 50 provided the necessary roads to connect the Israeli settlements to each other and to Israel through corridors that escape any Palestinian presence (Coon, 1992). This plan created a dual road system in the WB: the main users of the one are the Palestinians, and of the other are the Jews. It identified a four-level classification system of roads in all areas of the WB: highway, main, regional and local. The plan determined the setback dimensions of the roads to limit Palestinian development: a large setback of 200-300m, and a development setback from the axis of existing and proposed roads. This plan is actually part of the Israeli national road plan, T-M-A-3, which was approved by the Israeli government in 1973, and the by-pass Road Plan no. 50 that connected Jewish settlements in the WB with Israel, avoiding Palestinian

localities (Khamaisi, 1997, p. 333). This plan, similar to Plan no. 1/82, has not yet received approval. Despite this, the Israeli occupation has prepared detailed plans for parts of the road and approved them according to the Jordanian Planning Law (*ibid*).

In analyses by Rishmawi (1986) and Shehadeh (1993), the two Israeli plans—Plan 1/82 and the Road Plan no. 50—are described as designed to serve the objectives of the Master Plan of the World Zionist Organization (WZO), that is to disperse a maximally large Jewish population in areas of high settlement priority: using “small national inputs” in a relatively short period by using the settlement potential of the West Bank, and achieving the incorporation of the West Bank into the Israeli national system (Rishmawi, 1986, p. 4; Shehadeh, 1993, p. 79). According to Shehadeh (1993), the Israeli authorities in their preparation of these two plans considered the Palestinian population and Palestinian land use as constraints. Thus, Palestinian areas were first “encircled and then penetrated and fragmented” (p. 81).

Israeli attempts at changing the Mandate plans at local levels occurred through the preparation of local outline plans for the Palestinian villages. This process was started in 1979 by a private Israeli planner who was asked to prepare these plans by the central planning committee (Khamaisi, 1997, p. 334). In 1981, the HPC approved 183 plans (*ibid*), but these were strongly rejected by the Palestinians because they limited Palestinian village development. Later, at the end of the 1980s, the HPC established boundaries for the building areas of villages (*ibid*). The staff of the Central Planning Department prepared outline plans for these villages, and the HPC approved and imposed them without Palestinian participation. Until the end of 1993, all Palestinian villages had fixed boundaries and half of them had approved outline plans (*ibid*). These local plans amended the Mandate district plans and later cancelled them within the fixed boundary area. Outside the boundary areas, the Mandate plan is officially still valid (*ibid*).

For the Palestinians the Israeli planning system is of vital concern because it has impact on the quality of their lives; it affects not only their future prosperity, but their nationhood and identity. Decisions of the Israeli planning system affect all aspects of Palestinian life: social, economic development, transport, and quality of the environment. Most importantly, the Israeli planning system is of notable importance for the great changes it causes to the landscape of Palestine. This notable change is the result of building the Israeli settlements and the road system that connects them.

Regarding afforestation planning, the above restrictive features of the Israeli planning system are crucial and of great influence. Indeed, restricting Palestinian development and the exclusion of the local Palestinians from the planning system have been important features of the Israeli planning system that have helped the Israelis implement their afforestation policies in their spatial struggle with the Palestinians. While planning has been described as a process of mediating conflict, the Israeli planning system in the Occupied Palestinian Territories (OPT), as stated by Coon (1992), “is not so much a means of mediating conflict. It is an instrument for conducting the conflict” (p. 4).

#### ***4.1.3 Planning Laws After the Establishment of the Palestinian National Authority (PNA)***

The valid planning law in the OPT under the rule of the PNA is the Jordanian Law. The Palestinian planning system applies the Jordanian Law in areas within zones A and B (according to divisions of Oslo II agreement). In areas within zone C (60% of the OPT), which are completely under the Israeli responsibility, the Israeli authorities apply the British plans in addition to the Military Orders (discussed earlier). As a result of this, new construction is prohibited in almost 70% of zone C, with very tight regulations and restrictions applied through the rest of the zone (Ma’an, 2009). And because of security reasons in areas in zone B, the



Israeli restrictions can be applied effectively in areas within this zone. Thus, areas under full Palestinian planning responsibilities form only 20% of the OPT.

Because of the vagueness and in most cases the inappropriateness of the Jordanian Law, the Palestinian planning system (namely the legal department of the MoLG) has attempted in the last five years to amend it. Since the Palestinian system does not have the power to change the Law, because of the inactivity of the Palestinian Parliament due to the current political situation, the Palestinian legal planners worked with specific articles and paragraphs of the Law to decrease its vagueness and increase its efficiency as much as possible. This work includes explanations and clarifications of specific points of the Law. However, this work is very limited and at the beginning stages.

From the discussion above, although the ‘ostensible’ declaration of Palestinian self-autonomy in OPT, effects of Israeli statutory planning on the Palestinian areas have not stopped and continue in the current period with the existence of the PNA.

#### **4.2 Afforestation Planning and Its Use in the Israeli/Palestinian Spatial Struggle**

Afforestation policies in Palestine during the Israeli domination period have changed in response to changes in political conditions and the consequent changes of actors’ goals. The development and the use of afforestation planning in Israeli/Palestinian struggle are discussed in three main periods. The first includes the establishment of the Israeli state in 1948 up to the 1970s. The second covers the Israeli state stabilization period, from the 1970s to the 1990s. The third period started with the establishment of the Palestinian National Authority in the West Bank and Gaza Strip in 1995 to the present time, which coincides with Israeli occupation of the Palestinian Territories.

#### ***4.2.1 During the First Decades of the Israeli State, 1948-1970s***

With the establishment of the state of Israel in 1948, the responsibilities of the Mandatory Forestry Service were transferred to the Afforestation Department of the Ministry of Agriculture of the state of Israel and to the JNF (Home, 2003; Amir and Rechtman, 2006). The Israeli government (Israeli professional planning system), and the JNF (representing the Israeli people) remained explicitly responsible for afforestation tasks until 1960. Due to overlaps in these tasks between the Israeli state (represented by the Forestry Division in the Ministry of Agriculture) and the JNF, two agreements were signed in 1959 and 1960 that consolidated afforestation tasks in the hands of the JNF (Cohen, 1993). This does not mean that the Israeli planning system has no role in afforestation policies. While the JNF became the agent explicitly responsible for all the work related to afforestation, the Israeli planning system still implicitly combined some work with the JNF in order to achieve the general Israeli goals in Palestine.

***The Israeli state's and the JNF's afforestation.*** After the 1948 war, the Israeli system emphasized the importance of integrating forests into national goals. This was clear in the speech by David Ben Gurion, the first Prime Minister of Israel, in the second Knesset. He stated,

We [the people of Israel] must plant hundreds of thousands of trees over an area of 5 million dunams... we must wrap every mountain and slope in trees, all the hills and stony lands that cannot be used for agriculture... we must plant for defense purposes, along the roads and borders... (Amir & Rechtman, 2006, p. 43).

Ben Gurion declared that afforestation was one of the activities necessary for protecting the newborn state of Israel and developing it into a powerful state. To this end, the Israeli planning system (representing the Israeli government) and the JNF (representing the Israeli people) as the agent responsible for afforestation directed projects towards important purposes that included:

protecting state frontiers; security issues; settling the country; protecting the land and limiting the Arab Palestinian growth and use. The main aim was planting the entire area that was appropriate for forestry, which was 3.5 million dunams (Cohen, 1993, p. 62). With the 427,000 dunams that had been planted during the pre-state period, Yosef Wietz, the Director of the JNF and the chief architect of the use of trees in the state building effort, stated that there was a need for planting 3,073,000 dunams (ibid). The ways in which the Israelis use afforestation policies to enhance the national goal are summarized in the following paragraphs.

Afforestation was used to protect state frontiers. During and immediately after the 1948 War, afforestation was mainly along border areas (Amir & Rechtman, 2006; Cohen, 1993). Here planting was not used to prohibit land use, but rather to promote it. Israel throughout its history, has hoped to nourish growth on its “sparsely settled periphery” by its continuous attempts at dispersing population (Cohen, 1993). This was achieved by the construction of agricultural settlements or by the provision of employment for the residents. An example that served this function was the plantation of security groves and boulevards in towns and temporary labor camps, constructed by the government for the immigrant waves in the 1950s. Planting and settlement usually came on borderland that had been closed for security reasons, which was generally under the possession of the Arab Palestinians (ibid).

The Israelis used forests for “security groves.” These were the trees that sheltered roads from the view of observers and soldiers in the “hostile neighbor state,” or provided “a marshaling point” for Israeli military forces.

Israeli afforestation was aimed at assisting Israeli land settlement. Thus, the location of afforestation projects, I argue, was determined according to the sites of Israeli settlements. Settlement was directed toward interested strategic sites, and afforestation was used to provide

employment for the settlers of these sites. It was used as a tool of stimulation for the Jews to settle these strategic areas. For example, afforestation played a great role in absorbing the massive wave of immigrants that came in the early 1950s through the creation of new jobs and by providing training in agricultural skills that would serve the basic state economy (Cohen, 1993). A good example of using forests to enhance the Israeli settlement in the early period of the Israeli state was that which had been done in Al-Quds area which was known as the Jerusalem Corridor and later the Jerusalem Green Belt.

The Jerusalem Corridor (see map 4.4)—that part of the route between Tel Aviv and Jerusalem which ran from Bab El-Wad to the city's western entrance—was considered one of the most contested areas of the 1948 War (Cohen, 1993, p. 64). The Israeli state considered the existence of the Arab Palestinian villages in the area above the road to Jerusalem as a constant source of pressure on Jewish attempts to maintain connection with the city. Thus, the Israeli authorities decided to clear the Corridor of its Palestinian inhabitants; and they were dispossessed. One of these cities was Deir Yaseen, which had been the site of a massacre of Palestinians in 1948<sup>27</sup>.

Trees had been planted specifically on the village's southern-facing slope, had begun in 1950-1951 in order to remove the village and to encourage the settlement of the Jews on the same site. This afforestation was indeed part of the efforts to provide employment and to settle new Jewish immigrants in the Jerusalem neighborhood named Givat Shaul, which was being created on the site. The work on the site continued for four years, but at the end of this period, a fire destroyed nearly all of the 400 dunams that had been planted.

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<sup>27</sup> Deir Yaseen was attacked on April 9, 1948, by troops of the Irgun, a semirival of the official military arm of the Jewish community. In the attack 250 Arab civilians were killed (Cohen, 1993, p. 64).

In the Corridor some fourteen Israeli communities were established, most of them were Kibbutzim or Moshavim working mainly in agriculture. Afforestation in the Corridor carried out during the Mandate period covered 18,000 dunams. The area of the entire Corridor reached 230,000 dunams, of which 150,000 were fit for afforestation. Since almost 20,000 dunams were already covered, the goal was set to plant the remaining 130,000 dunams (Cohen, 1993, p. 65).

The forest on Deir Yaseen/Givat Shaul was the beginning of serious planting efforts in Al-Quds. After the destruction of the forest on the site of Deir Yaseen in 1956, an afforestation plan on a larger scale was drawn up. The details and implementation of this plan was the responsibility of Yosef Weitz of the JNF. The plan called for the planting of a green belt of forest along those parts of the municipal border that were adjacent to open areas, which lay on the western edge of the city.

There were different reasons behind the Green Belt around Al-Quds, including for the most, the ideological reason relating to the biblical status of the city as “the city that sits alone.” It was meant that the city of Al-Quds (Jerusalem) should be physically distinguished from its surroundings in order to preserve its uniqueness. It was thought that the green belt “would make the city stand out from the western approach” (Cohen, 1993, p. 68). It was also believed that the green belt would prevent future expansion of built-up areas.

The idea of setting the city of Al-Quds apart, I argue, was not only the Israeli planners’ idea. The British plans for Al-Quds had always strongly called for the creation and preservation of open spaces in and around the city (see map 4.5). In 1944, a British plan called for the creation of a belt around the city that would consist of agricultural land on the eastern side of the city, and afforested land on the west (Efrat & Noble, 1988).

After the reunification of Al-Quds in 1967, the primary element in the Israeli national policy had been to consolidate an enlarged and permanent capital for Israel. Thus, great effort began to renew and expand the Jewish presence throughout and beyond the portions of the city that since 1948 had been under Jordanian control. As a way to expand the Israeli presence, there was a plan to afforest open areas within the municipality and on the periphery of the city. Thus, the green belt<sup>28</sup> (see map 4.4) that had been planted in areas under control prior to 1967 would be extended to encompass the new municipal boundaries. The efforts to encompass Al-Quds in an afforested belt affected (and continues to affect) a number of Palestinian neighborhoods within the city and some sixteen villages bordering it—among these are the villages of Sur Baher, Beit Iksa, Beit Surik, and Abu Dis. Indeed, this effort caused and continues to generate significant conflict.

Most importantly, we can see results of the role that the forests of the Green Belt had played in enhancing Israeli settlement in the early period of the Israeli state, in the present time. The sites of most current Israeli settlement fringe that surround Al-Quds city (see map 4.6) are in the locations of the forests of the Green Belt as appears in map 4.7. In fact, this role started during the British Mandate period. This is seen by comparing the locations of the British forests (map 4.5) with those of the Israeli settlements (map 4.6 above), which leads to map 4.8 that shows that most of the Mandate forests in Al-Quds area formed locations of the sites of the Israeli settlements.

Additionally, plantation was intended to secure these settlements and military locations, as well as preventing Palestinian growth by consuming State or public Land. In theory, the Israeli

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<sup>28</sup> The total area of the green belt is estimated to encompass approximately 35,000 dunams, upon which 11 million trees have been planted (Cohen, 1993, p. 109).

afforestation was to be focused on State Land, benefiting from the wide range of State Land inherited from the Mandate legislations, but as we have seen in practice, all land in the OPT is considered state land by the Israeli authorities. The point was to plant abandoned and State Land in order to prevent land use by the Palestinians who had lost their lands in the 1948 War or its aftermath, as well as to limit their growth, and hence, to achieve a Jewish majority. As discussed earlier, the uncertainty and vagueness of land ownership after the War of 1948, a situation persisting since the Mandate period, helped with the transfer of land to the JNF by granting the title of State or Public Land. According to Cohen (1993), the status of State (public) Land ownership applied to more than 90% of the land in Israel (p. 67). Thus, afforestation was used to guard this public or State Land from any other use. As noted by the JNF, trees “were the best guards of land. There is no better. Walls and fences can be cut down. A tree says ‘we are here’, if you plant a tree, that’s your land” (ibid).

In addition to guarding the land, forests prevent others from using the land, so they can serve as a barrier to expansion. For example, in many places in the Galilee and the Muthallath the “Arab [Palestinian] villages end where the forest begins, and the forest serves as a clear sign to the villagers, whether the forest borders on residences or on agricultural land, the sign is that there is no room for expansion, as the adjacent land is off-limits” (ibid). The Israelis used afforestation to remove any confusion regarding the status of a particular piece of land and to protect its status in the future.

Moreover, Israeli authorities used not only State Land in their afforestation policies to facilitate land settlement, but also privately owned land. Possessing land privately owned by Palestinians was through a process within which the Israeli government and the JNF cooperated. Basically, the JNF was responsible for requesting or initiating the process of the declaration of

State Land. More frequently, the other associated agencies such as the Ministry of Agriculture or the Municipalities, requested the JNF to plant a given area in order to assert the right of possession. On some occasions, planting occurred before the registration of the area as State Land, especially if there was a possibility that Palestinians could establish a counterclaim. In some cases, the area was planted with no particular intention simply to preserve it as unused land. One of the agencies that sponsored such planting was the Custodian for Absentee Property, under the sponsorship of the Defense Ministry in the West Bank. Since, as we have seen earlier in this chapter, proof of ownership by the Palestinians is complex but impossible, an area slated for future Israeli use is found, planned and planted to confirm the status of State Land. Possessing private land was, I argue, among the reasons behind the tendency of the JNF to plant quick-growing trees such as pine, cypress, and eucalyptus, because these kinds of trees helped to establish a visible presence very soon.

This management between the Israeli government and the JNF in this early period of the Israeli state resulted in increasing afforestation during this period. At the end of the first two decades of statehood, a total of 90,033,000 trees—over 70,000,000 of them quick-growing evergreens—had been planted throughout the country (Cohen, 1993, p. 72). This management also contributed to expanding areas of settlement and making them pleasant places for habitation.

The role of the local Palestinians in this early period of Israeli domination in afforestation was limited. They, I argue, were exhausted due to the wars and did not have enough power to pursue any afforestation strategies as a means of resistance to the Israeli domination. However, some incidents of Palestinian attacks on Israeli forests did occur, such as the 1951-52 fire that destroyed the Israeli forests on the Deir Yaseen site. Thus, this early period of Israeli domination



did not lack Palestinians' practices of anti-afforestation towards the Israeli as a tool in their resistance.

#### ***4.2.2 During the Period of the Israeli State Stabilization, 1970s-1990s***

This period had witnessed the achievement of the Israeli national goal of establishing a homeland in Palestine. As a result, this caused changes in Israeli afforestation policies. The massive wave of immigrants had been settled in cities, development towns, and agricultural communities. There also had been a decrease in the number of immigrants, with an improvement in the country's economic conditions. The old needs for afforestation decreased as settlement and the development of the nation's infrastructure stabilized. Thus, the role of afforestation in settling immigrants and creating job opportunities for new residents ended. And this resulted, in turn, in an increase in the value of forests as a "resource of outdoor recreation" and a natural resource.

Additionally, political changes that had happened at the end of the previous period resulted in further changes in afforestation policies of this period. After Israel occupied the West Bank and the Gaza Strip in 1967, all of Palestine came under Israeli rule. The country, in the period of 1970s-1990s, composed of the state of Israel (the 1948 areas), and the Palestinian Occupied Territories: the West Bank and the Gaza Strip; areas occupied in 1967 (see map 4.2). As a result, purposes of Israeli afforestation policies directed towards the Israeli areas were different from those directed toward the OPT.

Thus, afforestation in this period became the task of the Israelis composed of the Israeli government, the JNF and the Israeli settlers of the OPT, and the Palestinian people. For each group of these actors, afforestation had different purposes and played different roles. The role of each group is discussed in the following paragraphs.

***The role of the Israeli government.*** The Israeli system during the period of the state stabilization employed *ruralcide* or anti-afforestation policy towards Palestinian plantation, which was composed of bureaucratic and legal tools including official attacks on trees and farmlands and the application of a number of restrictions. These official attacks included uprooting or cutting down Palestinian trees for the purposes of land expropriation (whether private or public land), and for security reasons.

Trees can be uprooted when land of Palestinian private ownership has been expropriated for the use of the Israeli state. In such cases, landowners are entitled to transplant the trees on their property. Rejecting the legitimacy of the expropriation, Palestinians usually refused to move their trees. In such cases, trees were cut down or removed forcibly. Additionally, trees also may be removed from land that is declared State Land, whether it is in the West Bank or within the Green Line. Two particular examples of these actions are what happened in the villages of Al-Midiya and Katannah.

Al-Midiya village is to the southwest of Al-Quds. The land of this village was claimed by the Israeli Land Authority (ILA) as State Land. In 1986, the ILA started uprooting trees that, according to the ILA's point of view, "were illegally planted on State Land" (Cohen, 1993, p. 128). To complete the uprooting work, a curfew was imposed on the village, and some 3,300 trees were uprooted. Then forest trees were planted (by the Israelis) on the land to prevent renewed agricultural use by the villagers. Al-Midiya is mainly an agricultural village. The loss of these trees extremely affected the economic conditions of the villagers. Additionally, the villagers accused the JNF of taking the mature trees that had been uprooted from their lands to Israel—to the area within the Green Line—for replanting. To prove their claims, they indicated the new locations of the trees captured by photographs. Moreover, the villagers held protests at

the prime minister's residence, appealed to the Ministry of Agriculture, and raised the issue to the Knesset. However, nothing was done to solve or even ameliorate the problem, and the matter quickly faded from the public view (Cohen, 1993, p. 128).

The Katannah case is the most widely known case of uprooting trees. Katannah village lies to the northeast of Al-Quds. In the wake of the War of 1948, much of its land was on the Israeli side of the Green Line, and thus was taken by the government. The land in question was planted with olive trees. For a number of years after the 1967 War, the villagers made no attempt to approach the trees, but gradually they resumed harvesting the olive trees under the cover of darkness. When a Kibbutz near the site learned that the villagers were renewing their use of the land, the government took immediate preventative action; according to a JNF official, "the government decided to take... 'drastic action' after it realized that under Ottoman law, failure to use the land could let the trees slip back into the villagers' hands" (Cohen, 1993, p. 129). Then the ILA uprooted some three thousand trees from the site, and many of them were replanted at different sites in Israel. Since that time, campaigns have been established to gain compensation for the people of Katannah village: one by the villagers and their representatives, the other by Israelis who opposed the uprooting. To date, nothing of significance has happened. Subsequently, some trees have been replanted by villagers and sympathizers—both Palestinians and Jews. However, the disruption of the village agriculture remains, and Katannah has become "the byword for Israeli destruction of Palestinian trees" (p. 129). Although the above two examples discuss the *ruralcide* policies of the Israeli government towards the Palestinian plantation, they show also the high cooperation between the Israeli official system and the Israeli non-official body, the JNF, in the application of these policies for achieving spatial control.

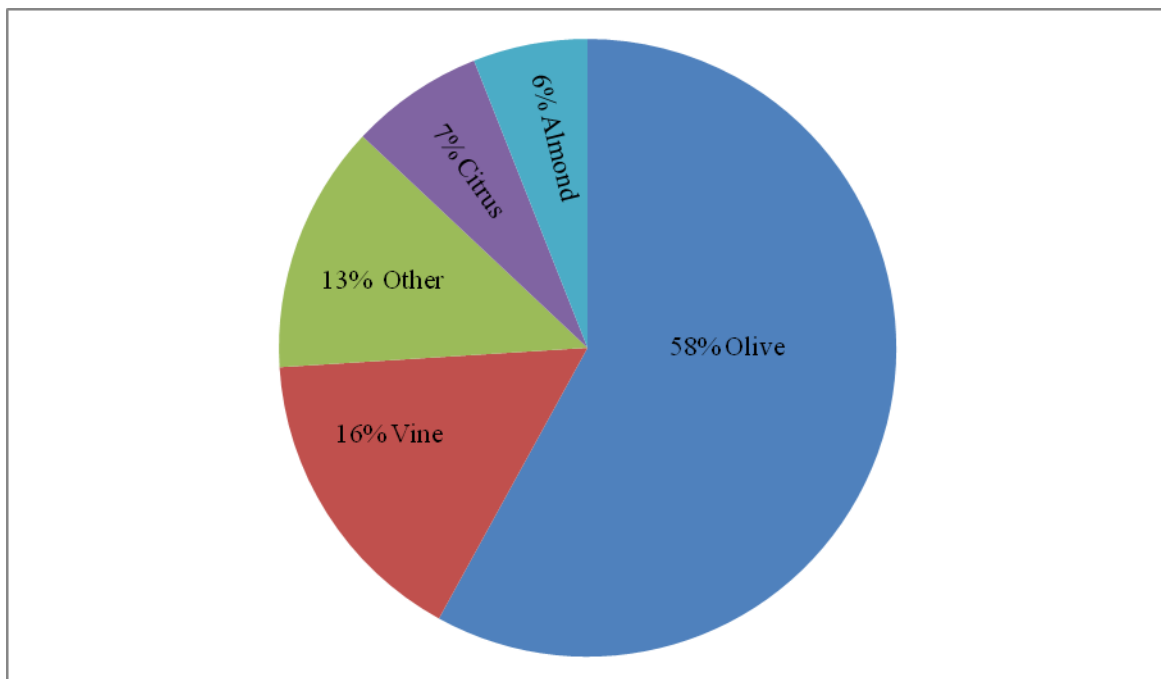
Another official Israeli uprooting of Palestinian trees is for security reasons. These actions, which are the greatest in number, are carried out by the Israeli army. Tree uprooting occurs along roadways, with the pretext that the trees and the orchards along the roads provide a hiding place for attacks on road traffic. A famous example of this kind of uprooting is what happened in Battir village near Bethlehem city south the West Bank (see map 1.4). The location of the village just above the railroad tracks that connected Tel Aviv with Al-Quds caused the uprooting of the trees along this railroad.

During the first Intifada (started in 1987), the number of trees uprooted along roads rose, because road attacks had increased. While Israeli sources insist that just 1,000-2,000 trees were uprooted in the first year of the first Intifada (Cohen, 1993, p. 129), Palestinian sources, the LRC (1993), indicate that during this period about 25,000 trees were uprooted, and by the fifth year of the first Intifada the uprooted trees reached more than 60,000, most of which were olive trees (see Fig. 4.1 and table 4.1).

The officially sanctioned tool used by the Israeli state included restrictions on Palestinians' planting and uprooting of trees. During the 1970s and 1980s, the planting of new trees was regulated by the Israeli government by requiring a special permit from the authorities. As Cohen points out, "The Civil Administration prevents the planting of fruit trees and vegetables in the West Bank without a special permit from the authorities" (Cohen, 1993, p. 127). This was based on the Military Order "no one may plant, transplant or sow fruit trees in an orchard, except after receiving a written permit from the certified authority, and [only] in accordance with the conditions determined by it" (ibid). Planting without permission would result in a penalty of one year in jail, a fine, or both. Moreover, this order has the stipulation that "anyone who controls, hold, or owns an orchard, must notify the certified authority of this in a manner that it

determines” (ibid). However, the order and its stipulation were rarely invoked. The reports were not made, and planting continued in the West Bank without application for granting permits. Stricter enforcement of the order was applied to the operation of commercial nurseries. In general, the functioning of Palestinian agriculture is heavily regulated, interfered with, and limited.

**Figure (4.1)**  
**The Percentage of Uprooted Trees during the Five Years of the First Intifada According to Tree Type**



Source: Arab Studies Society & Land Research Committee, 1993, p. 18

*The role of the JNF.* The JNF in this period, while cooperating with the Israeli government in its *ruralcide* policy imposed on the OPT, started to focus on afforestation in the Israeli areas. The JNF's planners started to conceive of forests as a means of visual management of the landscape, a place for recreation, and a tool for preserving open space. As a result, the afforestation policies were changed from policies as tools for realizing national goals, to those for developing and protecting a national wealth of natural resources that satisfy people's needs for open space for environmental and recreational reasons (Amir & Rechtman, 2006).

However, existing planted forests of mature trees needed proper management to adapt them as outdoor recreation sites. That is, planted coniferous forests were of high density that made them unsuitable as a place of recreation, and did not support rich diversity. Planted forests, or "pine deserts" as they were called by Amir & Rechtman (2006), were noticeably different from Mediterranean scrubland open spaces. There had been much criticism of the ecological impact of new forests on native vegetation, the animal world and the landscape, and the misuse of forests for timber production (ibid).

An example of these forests for recreational needs was that in the Al-Quds area, where the JNF began to implement what was conceived of as planting for the creation of an urban park (Cohen, 1993). Additionally, in 1973, the JNF drew up a conceptual plan that redefined the functions, development and administration of the forest resources in Israel. The main goals of this plan were to develop outdoor recreation at the national and regional levels; use the existing planted and natural forests to improve environmental and landscape qualities; create an economic infrastructure for timber production; and protect State Lands (Amir & Rechtman, 2006, p. 44). In 1974, a 10-year plan was prepared with the new purposes of forests. And in 1976, the National

Planning and Building Board decided to prepare a National Outline Scheme for Forests and Afforestation in Israel, which was completed in the mid-1990s (ibid).

In the 1990s, Israeli afforestation became an activity integrated in regional planning with three main goals: the protection of open areas from urban and rural development pressures; the development of tourism and leisure infrastructure in forests; and the renewal of the Aleppo pine forests that had been damaged (Amir & Rechtman, 2006). Foresters of this period intended to create a high-quality forest, suitable to multiple activities, and in which the variety of species would be compatible with existing natural habitat conditions (ibid). The uniform dense forests typical of earlier decades were substituted for different forest types, which are for multiple uses like recreation and grazing and contribute to nurturing and preserving a stable, sustainable environment (p. 45). This was passed through an outline scheme in 1995. This scheme granted the forests statutory protection and a conceptual framework for planning, administration and development of the forest resource (ibid). Most importantly, parallel with the intention of creating recreational forests of multiple uses, old ecological factors of afforestation remained important in this period. One area of serious ecological challenge was the Negev Desert. The JNF initiated, and continues to carry out, pioneering work in arid-zone afforestation (Cohen, 1993, p. 73).

***The role of the Israeli settlers.*** The Israeli settlers who live in the Israeli settlements in the OPT, supporting the official *ruralcide* (anti-afforestation) policy by the Israeli government towards the occupied areas, conducted ‘unofficial’ attacks of uprooting, damaging, or burning Palestinian trees. Although settlers’ attacks during this period of the Israeli state stabilization were sporadic, they created serious anxiety among Palestinian farmers. Such acts were the 1988 fires—three in a week—in the fields and orchards of Anabta in the West Bank. The more

frightening attacks to the Palestinians during this period were the spraying of herbicide on vineyards adjacent to Jewish settlements in the Hebron region (Cohen, 1993).

*The role of the Palestinians.* The Palestinian people, while observing the spread of the JNF forests, and the continuous Israeli attack and uprooting of the Palestinian trees, employed their own policy to prevent land alienation. During the period of the 1970s-90s, the Palestinian people in their resistance to the Israeli policies conducted two forms of actions. First were actions that happened before the Israeli plantation, and hence endangered Israeli control of the land. Second were those actions that happened after plantation—attacks on the trees and the status they represent.

Actions before the Israeli plantation included the extension or the continuation of Palestinian land use of new areas or areas that had been declared as state or closed land. Thus, the express purpose of the planting by the JNF was to “sever the connection” to the land of those whose use was considered unauthorized. This is what happened in areas adjacent to the Green Line<sup>29</sup>, which were inaccessible to the West Bank villagers as a result of the armistice agreement with Jordan in 1949. In the wake of the 1967 War, villagers began to use the land within the Green Line. However, in order to prevent Palestinian use of these areas, the ILA planted them.

The most popular actions by the Palestinians to resist Israeli control through afforestation were acts of arson. For the Palestinians, acts of arson in the Israeli forests were characterized as “nationalistically motivated” and, with the outbreak of the first Intifada in 1987, these were called for by the various Palestinian National Forces of the Intifada. Although these kinds of acts occurred also before this period, the dimensions of the damage and the frequency of the attacks grew dramatically during the Intifada. In the first year (1987), a rough count of 1,207

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<sup>29</sup> The border between the Israeli state and the OPT.



acts of arson consumed some 1.2 million trees. The area affected included approximately 10,000 dunams of planted forest, while the scope of the open areas burned approached 140,000 dunams, some ten times the area burned in the previous year (Cohen, 1993, p. 124).

Additionally, most of the arson of trees planted by the JNF occurred in areas within the Green Line. The bulk of arson occurred beyond the Green Line within the area of the Green Belt (Cohen, 1993). Because of the heavy concentration of forests in the Jerusalem Corridor, and its proximity to the West Bank on several sides, this area was the site of the most arson. Up to 80 percent of the arson attacks occurred in the Corridor Forests, some of which happened repeatedly (p. 125). One forest that was subject to arson several times in a month was that near Battir village in the West Bank, which is The Ramot Forest. None of the forests in the Green Belt was completely destroyed. However, the accumulated damage was upward of 4,000 dunams (ibid).

The discussion above reveals two important lessons that are crucial in the analysis of the use of forestry planning in spatial struggle in the period of the Israeli state stabilization. First, is the strong cooperation between the Israeli professionals and non-professionals in the practices for enhancing Israeli spatial control. Second, afforestation practices of control and resistance were clearly entangled. Actors used afforestation/anti-afforestation in the practices of control/resistance within the same space (forests). For the Israelis, although their goal of settling the land had been achieved, there continued to be a need to protect and maintain their accomplishment. Thus, they applied their policies of cutting and uprooting Palestinian trees to protect the land from Palestinian use and development. As for the Palestinians, who still did not have the power to initiate their own afforestation policies to resist the Israeli policies and protect their claims to land, they applied their anti-afforestation policies towards the Israelis by engaging in arson. This pattern included both the initial action and the response action in the struggle over

space representing a highly dyadic relationship. For example, more Israeli afforestation practices to achieve control over land lead to more anti-afforestation practices by the Palestinian resistance, which in turn caused stricter and larger Israeli afforestation efforts to control the space, and so on. A good example of this entanglement of forestry practices of control and resistance is the Palestinian arson in the Israeli forests, and the response of the Israelis to these acts.

For the Israelis the arson attacks were a serious problem that struck “a particularly sensitive nerve in Israel” (Cohen, 1993, p. 123). Thus, in response to the acts of arson, there was a deliberate organized and cooperative reaction coordinated by the JNF and the government. The campaign began after the first summer of the first Intifada arson in 1988. The main goal was “broadening the scope of new planting beyond that which had been planned for, for the coming planting season” (p. 124). The campaign also included a widespread drive to collect money through donations both in Israel and abroad. This campaign was supervised by an inter-ministerial committee including Defense, Police, Interior, and Agriculture (ibid). Based on the biblical injunction “an eye for an eye,” the campaign took the name of “a tree for a tree.” And in order to achieve the goal, the intention was to plant ten trees for every one burned by an arson attack. Interestingly, this response was similar to that which happened in the wake of the destruction in 1913 of the tree planted outside Al-Quds (Jerusalem) by Theodore Herzl, when some two hundred trees were planted in place of Herzl’s tree. It is also similar to what happened following the forest burning during the Arab Revolt in 1936-39, when donations for the JNF increased dramatically when the scope of the damage was publicized. In all of the cases above, tree planting subsequent to the acts was significantly greater than which was prior to them.

### ***4.2.3 After the Establishment of the PNA, 1990s-Present***

In the previous periods, Palestinian people lacked an official planning body representing their needs and desires. This body was established by the declaration of Palestinian self rule (the Palestinian National Authority, PNA) in the West Bank and Gaza Strip in 1995. Since then the Palestinian governmental institutions (such as the MoP and the MoLG as mentioned earlier in this dissertation) have become responsible for planning issues in the OPT—in light of the conditions under Oslo Agreement, as mentioned earlier in this dissertation, see Chapter 1.

As a result, in the current period afforestation in the OPT has become the task of professionals and non-professionals on both the Israeli and the Palestinian sides. The Israeli and the Palestinian afforestation policies are the results of the work of their respective planning systems and people. These different individuals and groups involved in afforestation have different purposes and motivations.

***The current Israeli anti-afforestation policies.*** For the Israelis the main goals are to protect their state by limiting or hindering Palestinian growth, and, hence, to gain more power to control. Therefore, the Israelis (professionals and non-professionals) continue to apply their policy of *ruralcide* towards Palestinian plantation and agriculture within the areas of the PNA. The early afforestation motivations for the settlement and holding of land do not have much importance in this period since land confiscation for settlement is now done by the support of Military Orders. In other words, there is less of a need for afforestation to claim land rights by the Israelis since these rights are established by the use of Military Orders (as discussed earlier) that declare the need of the land for security issues, military zones, or even development of existing settlement. However, plantation (and fencing) still is the first step in confiscating land by the Israeli authorities.

Israeli *ruralcide* or anti-afforestation policies in the current period applied in the OPT, similar to previous periods but more intensified, consist of two types and the results of two groups of actors. The first consists of constraints and regulations imposed on the Palestinian farmers by the Israeli authorities. The second takes the form of official and unofficial attacks including damage, cutting, or uprooting of the trees and the agricultural land by both the Israeli government and the Israeli settlers of the OPT, respectively.

***Policies of the Israeli authorities.*** The Israeli occupation authorities impose various forms of constraints over the Palestinian agricultural sector. These include the declaration of specific farms as closed zones for the security needs of the Israeli army or because they are adjacent to Israeli settlements, which results in the Palestinian loss of accessibility to these farms. An important example of this problem arises with respect to the Palestinian farmlands near the Israeli Separation Wall.<sup>30</sup> Many Palestinian farmers with farmlands near the Israeli Wall lost their farms or the accessibility to their farms because of the Wall. According to the Palestinian Ministry of Agriculture (MoA), the Wall consumes the fertilized agricultural lands of 50 Palestinian villages (MoA, 2003). Additionally, the Israeli occupation in many cases tries to push Palestinian farmers to obtain authorization for some agricultural activities like land reclamation. Although this regulation is not uniformly applied, it especially affects development in the Palestinian areas that are under total Israeli control, which is to say areas in zone C, since most international donors focus on zones A and B for their projects, to avoid facing this

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<sup>30</sup> Israel's Separation Barrier between the Israeli areas and the Palestinian areas that Israeli authorities started building it in 2002. The idea of this Wall started earlier in 1992 by the Israeli Prime Minister Yitzhak Rabin and it is now still under construction. It is planned to be four times as long, and in places twice as high as the Berlin Wall. The Israeli Wall expected to reach at least 403 miles (650 km) in length, and 25 feet (8 m) in height. For more see electronic Intifada <http://electronicintifada.net/>

regulation. Moreover, one of the Israeli effective policies that constraint Palestinian plantation is the *internal closure* policy. Through this, Palestinian farmers are prohibited from reaching their farms by the closure of the roads leading to them by the Israelis through the use of checkpoints or roadblocks. Because of the closure of the roads, agricultural material and equipment cannot be delivered to the farmers, a policy that hinders their ability to plant (Israeli *internal closure* policy is discussed later in this chapter).

The Israeli official attacks on the Palestinian trees occur in the following ways.

1. As a kind of punishment, the Israeli occupation authorities used to cut or uproot the Palestinian trees. Olive trees specifically were subject to these attacks due to their economic and symbolic meanings to the Palestinians, and also because replanted new olive trees would take a long time to bear fruit (see Tables 4.2 and 4.3).
2. The Palestinian trees are also uprooted, cut or damaged by the Israeli military forces for what are called “security groves”; these are explained earlier in this chapter. Additionally, large areas of Palestinian agricultural land were confiscated for the building of the Separation Wall (see Table 4.4). Until June 2003, the number of trees that had been cut or uprooted for building the Israeli Wall reached 803,978, of which 234,830 were olive trees (MoA, 2003).
3. The greatest impact on Palestinian agricultural resources is from cutting or uprooting trees on lands confiscated by the Israeli occupation for Israeli settlements. Every month, thousands of dunams of Palestinian agricultural land are confiscated by the Israelis. For example, the West Bank losses from September 2000 to April 2005 included 13,000 dunams of fruit trees, 270 dunams of greenhouses, and 15,000 dunams of fruits and vegetables in open fields (UNDP/PAPP, 2005).

*Policies of the Israeli settlers.* The Israeli unofficial attacks on Palestinian trees consist of uprooting, cutting, damaging, or burning by the Israeli settlers who live in Israeli settlements within the Palestinian localities. In addition, they attack and threaten Palestinian people during harvest and planting times, damaging fruit or tree saplings. Great numbers of trees have been the victims of the Israeli settlers' practices all over the OPT. On June 20, 2009, the Israeli settlers burned about 350 dunams of the agricultural land of the village of Beit Leed near the city of Tulkarm (BBC News, 2009). After four days of this, on June 24, 2009, they burned the agricultural lands of the village of Deir Nitham near Ramallah, including 120 olive trees (ibid). Another attack took place after almost one month. On July 20, the settlers from Yitsahar settlement in the north of the West Bank near the city of Nablus burned agricultural lands related to Jet, the Palestinian village near Nablus, and cut down olive trees from the village of Burin, see picture no. (3) (Al-Quds Newspaper, 2009).



Picture no. (3): Farmers from Burin Village on their farmlands after being damaged and trees cut by the settlers of Yitsahar settlement  
Source: Al-Quds Newspaper, July 22, 2009. <http://www.alquds.com/>

*The current Palestinian Afforestation-Agricultural policies.* As Palestinians for the first time obtained an organized representative body, they gained the needed power to initiate their own policies of afforestation to resist the Israelis. Thus, in this period we see the Palestinians (government, individuals and groups) organize afforestation-agricultural policy, afforestation for agricultural products, as a tool for their resistance. These Palestinian initiatives are now organized by the PNA, represented by the Ministry of Agriculture (MoA), and by a number of non-governmental organizations.

Palestinians' use of agriculture as a means of their resistance is, indeed, due to its importance for both the Palestinians and the Israelis as well. Despite the numerous difficulties and problems facing Palestinian agricultural sector, it forms an important factor in the Palestinian national economy and social life. The Palestinian agricultural system depends mainly upon family work, using agricultural crops for the needs of the family. It is a mixed-plantation system in which the Palestinian family plants different kinds of crops such as grains, vegetables, and fruits. It depends on simple methods that need intensive labor, and suits the local environmental conditions. The prevailing agriculture in the OPT depends on rainfall. Rain-fed agricultural areas form 92.7-95.8% of the total agricultural lands (UNDP/PAPP, 2005). Olives are the main and most important crop, with olive groves forming 70% of the total area planted with fruit trees (ibid).

Most importantly, agriculture has great importance as the main source of income and food for most Palestinians. It produces 90% of their needs of vegetables, meat, egg, and fruits; 61% of milk; and there is a surplus in olive and citrus which can be exported (MoA, 2005). Additionally, it plays a significant role in providing job opportunities for Palestinian people, especially during the difficult times of the Israeli sieges and closures, mainly during the Intifada.

A report by UNESCO in 2002 points out agricultural projects—such as the projects of land reclamation—played the main role in providing employment for Palestinian laborers at the time the unemployment rate was increasing due to difficulties imposed by the Israelis during the Al-Aqsa Intifada.

Therefore, because of the importance of agriculture to the Palestinians, it also forms a strategic tool for the Israelis in their tactics for controlling the Palestinian land and people. Thus, it has been subject to Israeli attack by a wide range of restrictions, regulations and damage through their *ruralcide* (or anti-afforestation) policy.

Nevertheless, dominance is entangled with resistance using the same space of the OPT. Thus, the Palestinians (individuals, groups and government) also use agriculture as a tool in their resistance. To this end, different agricultural-cooperative projects have been conducted through the Occupied Palestinian Territories (OPT), such as land reclamation projects in all regions of the territories. In these land reclamation projects the PNA, represented by the Ministry of Agriculture (MoA) cooperated with Palestinian<sup>31</sup> and international<sup>32</sup> organizations (see appendix D). This cooperation resulted from the recognition that individual Palestinian farmers could not survive alone, protect the land, and develop Palestinian agriculture in the face of the Israeli-imposed difficulties.

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<sup>31</sup> Such Palestinian organizations are: Land Research Center (LRC), Juhoud, Al-Khader Cooperation, Jenin Cooperation, Ma'an Development Center, Payesan Union (PU), Economic & Social Development Center (ESDC), Palestinian Agriculture Relief Committee (PARC), Arab Center for Agricultural development (ACAD), and Union of Agriculture Working Committee (UAWC).

<sup>32</sup> Such as International Fund for Agricultural Development (IFAD), Program of Assistance to the Palestinian People (PAPP), United Nations Development Program (UNDP), and other foreign organizations from Japan and from Europe such as Spain and Italy.



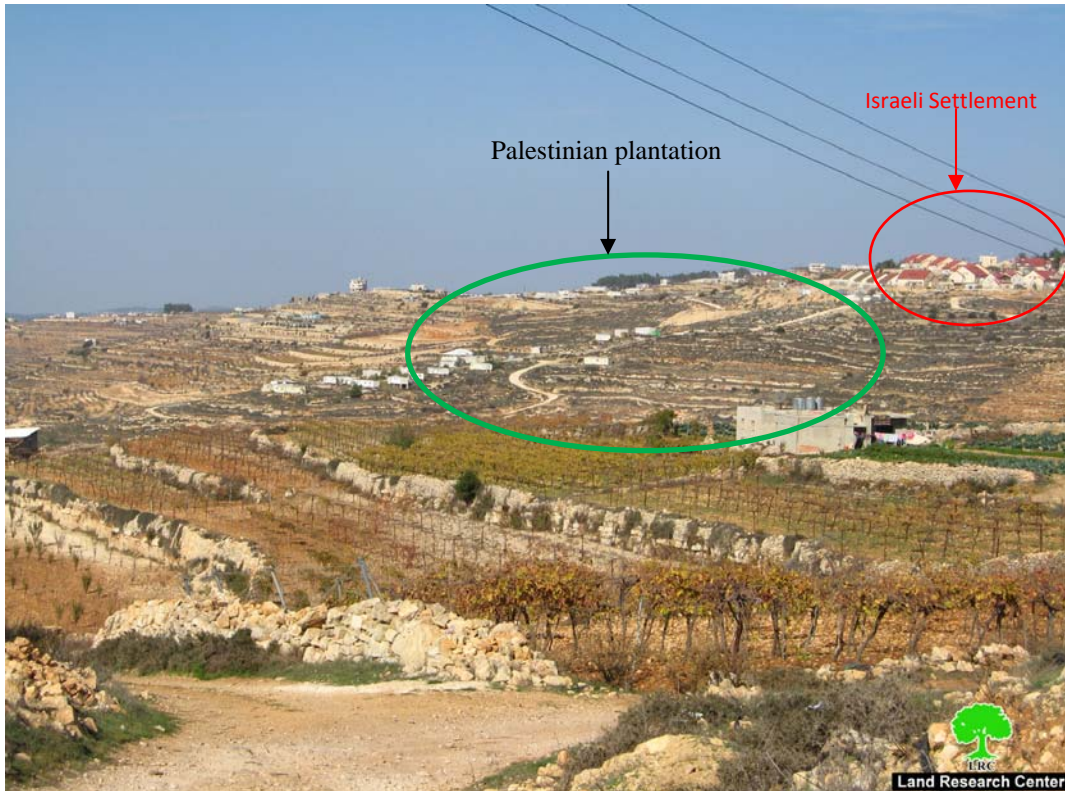
Various land reclamation projects have been carried out in different villages in the West Bank. Through these projects, various sites are worked by their owners with the assistance of the MoA and other organizations in providing the needed materials such as agricultural equipment, seeds and tree saplings. In many cases—such as in the project “Participatory Natural Resource Management Program” (PNRMP)—the MoA helps in conducting fund agreements with the donors, in organizing the work among the NGOs and the farmers, and in providing the needed staff for preparing the required documents. Tree saplings in most cases are subsidized for the farmers. Lands are mostly planted with olive trees in addition to other kinds of fruit trees, and with vegetables according to the farmers’ needs and desires. Work in these projects includes supplying irrigation systems, digging rainwater catchment wells, and maintaining existing and new rural agricultural roads to facilitate access to different sites.

These projects of land reclamation are worked with the main declared objective of developing the economic situation and livelihood of the farmers, their families, and thus the national Palestinian agricultural economy. It is declared by the MoA that these projects are to supply Palestinian families with food, and to provide employment for the large number of Palestinians who lost their jobs as a result of the Israeli closures and sieges. Additionally, although it is not declared officially, these projects are aimed at protecting the land from Israeli encroachment. The main idea is that since the Palestinian national economy—and even the daily livelihood of the Palestinian citizens—is always the target of the Israeli attacks, resistance includes the support and the growth of the national economy and individuals’ livelihoods. Since agriculture forms a significant element in the Palestinian economy, with its important physical results on the ground of protecting the land and of indicating Palestinian existence, it is an important tool in the Palestinian practices of resistance. The idea of this kind of “covert

planning,” I argue, is to gain funds from international donors, and to focus on the economic and socially beneficial projects through which political achievements in the struggle with the Israelis over space could be accomplished. The historical analysis of forestry planning in the Israeli domination period, discussed in this chapter, shows how this approach of planning has been used significantly by the Israeli professionals and non-professionals, which helped the Israelis achieve their desires of control.

This ‘undeclared’ objective of protecting land against Israeli encroachment is achieved by the selection of the sites of the projects. Priority is given to sites with specific qualifications, in addition to geographic, economic and social parameters. These qualifications include being subject to Israeli confiscation, such as areas adjacent to Israeli settlements or the Separation Wall, and abandonment and remoteness, i.e., lands of remote areas are chosen to indicate its use, to show that they are not “unused,” that the land is being worked and crops are being produced on it (see picture no. 4). This is because unused abandoned lands are mostly subject to Israeli confiscation, benefiting from the Ottoman and British legacy of land laws.

According to the MoA (2009), sites that are protected from the Israeli encroachment by the projects of land reclamation include the sites of Wadi El-Qif, Beit Ommar and Halhool in Al-Khaleel (Hebron) district (see pictures no. 5, 6, and 7); and the sites of Doma, Aqraba, Asira Al-Shamalia, Eraq-Burin in the Nablus district; in addition to other sites in the Qalqilia, Salfit and Ramallah districts. Most importantly, land reclamation projects in the areas of Biddo village and Jerusalem changed the path of the Separating Wall. The farmers appealed with maps and photos, which pushed the court to announce the change of the wall’s track (ibid).



Picture no. (4): this picture shows, as indicated by the green circle, the protection of the land adjacent to the Israeli settlement by land reclamation work in Al-Khaleel district. Source: LRC, 2009



Picture no. (5): the site of the Beit Ommar reclamation project before the work  
Source: MoA, 2009



Picture no. (6): the site of the Beit Ommar reclamation project after the work  
Source: MoA, 2009



Picture no. (7): the site of Beit Ommar with the newly opened rural agricultural roads  
Source: MoA, 2009

### **4.3 Internal Closure Policy: The Theft of Space and Time**

Closure policy which applies movement restrictions is yet another spatial practice used for social control. In some contexts it is used to control crime and social purposes. In the UK, for example, roadblocks were used to control urban disorder and labor disputes (Brown, 2004). In Belfast, where physical barriers referred to as “peace lines” closure policy was used to reduce localized conflict. Similarly during the WWII movement restrictions were used in the US to restrict the movement of most Canadians and Japanese (ibid).

In the context of the OPT, closure policy has been one of the most effective policies imposed by the Israeli authorities using open space for controlling Palestinian people and space. Within this policy, the Israeli authorities have deprived Palestinian people of their rights to free movement using both physical obstacles and permit regime. The Israeli authorities have imposed two forms of closures in the OPT: external and internal closures.

#### ***4.3.1 External Closure Policy***

Israeli policy in the Palestinian Territories from the beginning of the occupation in 1967 until the early 1990s was to integrate the two economies. During this period, the Palestinians were able to cross the border to Israel. This free movement of the Palestinians was not in the interest of equality between the two populations, but it was to integrate both economies, to minimize Palestinian ambition, and to make Palestinian people mostly dependent on Israel. The Israeli policy at the time was allowing and encouraging the Jews to settle in the 1967 territories; however, the Palestinians had no such rights in Israel. This early policy of integrating Israel with the 1967 Palestinian Territories was, according to Hass (2002), one of Moshe Dayan's (the Israeli Foreign Minister in 1977 to 1979) measures for "economic integration of the OPT into Israel with the aim of toning down Palestinian national aspirations and undermining the feasibility of an independent Palestinian State" (p. 7). But whatever the reasons were, this free movement had great advantages for Palestinians both economically and socially, and also it benefited the three separated Palestinian communities in the West Bank, Gaza and Israel. It helped them to establish direct contacts and consolidate the national and cultural common ground despite the differences that had been developed through the occupation.

However, during the first Gulf War in 1991, Israel cancelled the permission of Palestinians' movement to Israel, which meant the beginning of the external closure. Under this external

closure, Palestinians who live in the 1967 territories wanting to enter Israel (or to travel abroad) needed a personal exit permit. Consequently, to enforce its new closure policy, Israel set up checkpoints at the crossing points between the Occupied Palestinian Territories and Israel (these checkpoints have remained in one form or another until the present day).

This general closure harmed Palestinians' economy especially of those who lost their jobs in Israel. Most importantly, it split the OPT into three separate areas: the West Bank, the Gaza Strip and East Jerusalem. The Israeli external closure imposed on the OPT can be considered as administrative restrictions represented by the limited work permissions given to certain Palestinians, which allowed them to enter Israel. During the period of 1991-1993, Israeli police began to capture and arrest "infiltrators," and military courts began imposing heavy fines on those caught without the proper pass. In 1999, a "safe passage" was opened to link the West Bank with the Gaza Strip. To move through this passage still required permission from Israel. Moreover, to maximize enforcement of the general closure, from time to time, Israel used "comprehensive or hermetic closure". This referred to situations where Israel would stop issuing permits or it would revoke permits previously issued for the purposes of work, medical treatment, family visits, and the like. At the present time, external closure policy is intensified, and issuing permits to enter Israel is very rare.

#### ***4.3.2 Internal Closure Policy***

Palestinians' internal movement among Palestinian cities, villages and camps in the OPT has been firstly controlled by the Israeli authorities in March 1996. At the time, according to Usher (1996), more than 1.3 million Palestinians in the West Bank were put under wholesale curfew with prohibition of all mobility between villages and towns for 11 days. The NGOs in the OPT estimated that for the duration of this internal closure, about 200,000 Palestinians were prevented

from reaching their workplaces. Daily losses to the Palestinian economy were approximately \$6 million (Usher, 1996, p.35).

Since the outbreak of Al-Aqsa intifada in 2000, this internal closure policy has become more stringent and more intensive. Palestinian cities and villages have been gradually and systematically sealed off. Palestinian people have been prohibited from using what once had been their primary roads by a system of checkpoints and roadblocks (see map 4.9). Under this policy, Palestinian traffic is forbidden from all main and secondary roads. As a result, Palestinians not only do not control their movement within their space, but also do not control their time. Their time is stolen or consumed by the Israeli military at the checkpoint while they are waiting for a long time (up to a full day) to pass, or most likely to be denied the right to pass.

A personal observation might be revealing here. One day in Spring of 2005, while I was trying to go to my work in Nablus City from my town near Tulkarm City, I successfully passed the main checkpoint at the entrance of my town (*Ennab* checkpoint), the *flying* (movable) checkpoint, which was less than two Kilometers away from *Ennab* checkpoint, and *Deir-Sharaf* checkpoint, about thirteen kilometers from the *flying* checkpoint. After a period of nearly two hours, I finally reached the main checkpoint at the entrance of Nablus City (*Beit-Eiba* checkpoint), which was at a distance of only three kilometers from *Deir-Sharaf* checkpoint (see map 4.13). The Israeli soldiers at *Beit-Eiba* checkpoint prohibited me from passing, simply for the reason “no one can pass.” When I insisted I needed to pass, they detained me at the detention area at *Beit-Eiba* checkpoint for more than four hours, and then did not allow me to pass to Nablus. They ordered me to go back home, meaning going through another journey of checkpoints. I left my home around seven in the morning, and returned back home at three in the

afternoon. What happened to me was typical for several Palestinians at different checkpoints in the West Bank and at different ages.

For Palestinians to get to work, school, clinics, universities, relatives' houses or markets, they have to circumvent the barrier or the checkpoint, climbing up and down sand embankments, walking through dust or mud in farmlands under the risk of being shot by the Israeli soldiers. Palestinian taxis are usually gathered at each barrier, roadblock or checkpoint. Palestinians have to change transportation several times to get to the cluster of waiting cars at the other side and some of them do this on a daily basis. A journey that would normally take twenty-five minutes has turned into an ordeal of three to four hours or a full day. Thus, through this policy of road closure and movement restrictions, the Israelis steal the Palestinians' open space. It is, indeed, not only the theft of the Palestinians' space, but also the theft of the Palestinians' time.

#### ***4.3.3 Effects of Internal Closure Policy***

Israeli closure policy imposed on the Palestinian movement has bad effects on both the physical structure of the OPT, and different aspects of Palestinian life including economy, health, education and social life. At the physical level, the closure policy resulted in, in addition to the segregation between the Israeli areas and the Palestinian areas, the fragmentation of the Palestinian Territories. The Palestinian Territories are transferred into several disconnected enclaves (see map 4.10).

More importantly, Israeli internal closure policy harshens all aspects of Palestinian life. It affects all Palestinians' rights as human beings: the right to work, to make a living, to proper medical treatment, to education, and to maintain family life.

***Economy.*** The Israeli siege and closure resulted in gross losses to the Palestinian economy because it mostly depends on the Israeli economy. According to Lein (2001), about 80% of the



Palestinian foreign trade (which comprises 80.4% of the Palestinian GDP) is with Israel (p. 16). Most importantly, a notable decrease in Palestinian economy resulted from the fact that different local industries and workshops were closed because either their sites were adjacent to Israeli checkpoints, or because workers were not able to reach these industries because of the closure of the main roads that leading to them. As a result, several Palestinians lost their jobs, in addition to those in Israel, in the Palestinian local market, which led to a sharp increase in unemployment and poverty rates. For example, the Palestinian unemployment rate reached in 2002, 65% and poverty rate 70% (Palestinian National Information Center, n.d., p. 1).

**Health.** Israeli's restrictions on Palestinians' freedom of movement have been also harmful to Palestinians' health leading to a deterioration of health conditions. This led to gross violations of the right of Palestinians to proper medical treatment. These violations resulted from the many difficulties placed by the Israeli authorities on the sick, on medical teams trying to reach treatment centers, and from obstacles to supplying hospitals and clinics with medicines, medical equipment and food.

Israeli closure policy has delayed ambulances from reaching sick or wounded people or reaching medical centers for treatment. Delays of patients or medical ambulances at checkpoints caused in several cases the deaths of the patients. For example, the delay of the ambulance carrying an eleven-year old girl at *Hawara* checkpoint in 2001 caused her death (Dudai, 2001). Additionally, in testimony to the Israeli Information Center for Human Rights in the Occupied Territories, B'tselem, a Palestinian taxi driver from Tell, a village near Nablus, described how the delay of his taxi carrying an unconscious Palestinian man (*Isma'il*) at a flying checkpoint north to Nablus, caused the death of *Isma'il* a few minutes after he reached the hospital from a heart attack, the driver said:

I walked over to the first jeep, which was only some five meters from where I was. In Hebrew, I told the soldier who was sitting in the front passenger seat that a very ill man was in a car and had to get to the hospital urgently. He said that he would take a look... [the soldier] said that it was forbidden to cross, sick or not... I continued to wait... [I was told] Isma'il had died... (B'Tselem, Dec. 12, 2006)

Moreover, many times ambulance crews have been subject to verbal and physical violence at the hands of Israeli forces stationed at the checkpoints. According to Swisa (2003), during the year of 2003, ambulance crews have reported to Palestinian Red Crescent and human rights organizations at least 28 cases in which soldiers and border police officers humiliated and beat medical personnel. In some cases, soldiers damaged ambulances or medical equipment. For example, from 2000-2003, soldiers damaged 118 ambulances, 28 of which had to be taken out of service (Swisa, 2003, p. 14). Additionally, Palestinian medical teams are subject to a critical phenomenon which harms and impedes their work: the use of ambulances by Israeli soldiers for non-medical purposes, actually to serve military objectives. Although these incidents are rare, they are worth special attention because they endanger not only the medical teams but also Palestinian civilians who require ambulances to assist them.

***Education.*** Similar to other aspects of Palestinians' life, Israeli siege and travel restrictions on free movement of the Palestinians impair the proper functioning of all levels of educational system. Many schooling hours, either of university or school education, have been lost due to absence of teachers because of delays at, or being denied passage, Israeli checkpoints and barriers. Additionally, due to many problems facing them to get to their schools, many university students quit their education, yet increasing the rate of unemployment, and the danger of having this large group of youths with nothing to do. For Palestinian students to complete their high education they have to struggle to reach their classes on time every day. However, there is no

guarantee that these young people will pass the series of checkpoints; if one has passed the first, there is no expectation to pass the second, the third or the fifth. Additionally, there is no guarantee that they will pass safely due to the danger of being humiliated, beaten, arrested or shot by the Israeli military forces stationed at stable checkpoints, or the military *jeeps*, which are in a continuous surveillance of the roads.

Another way for Palestinian university students to complete their studies is by living in the main cities where universities are located, the very option that is full of danger and bad living conditions. Parallel to the internal closure policy, the Israeli authorities, since the last decade, have been applying an intensive policy of, as called by Graham (2003), “urbicide”: attacks upon Palestinian main cities including military operations, sieges, and long curfews. Thus, Palestinian cities have become an unsafe place for the students to live in and economically hard for them to find suitable rent in a bad economic situation. According to Bocco, et al., (2003), 68% of Palestinian students were living in difficulties or found it impossible to attend classes.

***Social life and everyday needs.*** Israeli’s restrictions on Palestinians’ movements have noticeable effects on all Palestinians living in the Occupied Territories of different groups, ages or residency. Israeli movement restrictions have dispersed family members. Because of the many difficulties facing the Palestinians on their way to work, to school, or even to visit relatives, most of them have preferred to live in the same community, where their work or school is located. As a result, family members are scattered in different places according to work or school. For example, in 2002 my family was composed of only three, and we were separated into three different places because of the closure: I was in Nablus city for my work, my husband in Tulkarm for his work, and because it was hard for me alone and not safe for our three-year-old son to stay with me, he stayed with my mother in a small town seven kilometers from Nablus.

For Palestinian family members who already live in poverty to live in different places, it is economically hard, since having housing for each member of the family means an additional financial burden. Most importantly, this housing is usually unsafe with no security because of the crowdedness in the cities due to the siege and being subject to Israeli attack at any time.

Moreover, Palestinian society is famous for strong relationships between families and family members; however, dispersion of family members has minimized these relations or divided them because family members, relatives, or sometimes neighbors are not able to meet even for important feasts and occasions. As a result, during the last decade, different social problems have appeared in Palestinian society, which was not a noticeable phenomenon in the past, such as the increase of divorce cases. In addition to the increase of social problems, internal closure policy affected badly the everyday needs of Palestinian people. Basic important materials for people's daily living have been cut or have disappeared from the Palestinian society such as flour, baby formula and food, and gas. In turn the shortage of these materials produced further problems, such as the shortage of gas causing cut offs of electricity in various communities in the OPT since it is needed for electric generators, not to mention health and nutrition problems resulted from shortages in baby formula.

#### ***4.3.4 Palestinian Spatial Practices***

In the face of the Israeli closure policy of controlling Palestinian space, time and life, the Palestinians have their own spatial practices to maintain their rights to movement within the Palestinian Territories. To reach their destinations, the Palestinians have *invented* alternative spaces using various mechanisms.

Palestinian households have changed the roles of their family members according to closure policy. In the early 2000s, some Israeli checkpoints allow women and all old people (over forty

to fifty years old) to pass on specific days. Accordingly, women and elderly people in Palestinian families have become responsible for doing any work that required travelling through these checkpoints. In areas where the Israeli barriers are in the form of physical obstacles without Israeli guards such as roadblocks, trenches or earth-mounds, which are physically hard for elderly people to jump over, to walk up and down, or turn around them, young women of Palestinian households are responsible for the work that requires passing the obstacles. The importance of continuing claiming their rights to movements among their cities and towns is in a degree that caused the Palestinians to change mechanisms of travelling. For example, when vehicles are forbidden from travelling on specific roads, they walk, and when both walking and using vehicles are forbidden, they walk parallel to the main road in the adjacent lands. For example, in 2002 I used to walk every day more than ten kilometers taking me an average of two hours. An empty paved road with many Palestinians walking beside is not unusual in the Palestinian everyday life scenes.

When the Israelis intensified their closure policy, the Palestinians have *invented alternative spaces with alternative means of transportation*. The Palestinian people have used a local indigenous network of “bypass roads” to get around the Israeli checkpoints and roadblocks, which is known by the Palestinians as *the alternative road-networks* (see picture no. 8 and maps 4.11, 4.12, 4.13). Instead of the local primary roads from which they are prohibited, they depend on ancient rural roads through farmlands in order to move from one place to another in the OPT. In respect to the status of these *alternative networks*, the Palestinians use substitutive means of transportation; for example, they use animals, horse-carts, agricultural tractors, tractor-carts, or even walk. One might use all these means of transportation in one journey according to the status of the segments of the alternative road.



Picture no. (8): a Palestinian Taxi using an alternative road crossing the Ramin plain near Tulkarem.

Source: Sari Michaeli, B'Tselem, October 22, 2006.

Most importantly, Palestinian official system (the PNA institutions) cooperated with Palestinian people in facilitating their movement and, thus, defying the Israelis. In many cases in different localities in the West Bank, different Palestinian institutions including the Ministry of Local Government, the Ministry of Agriculture, the Ministry of Public Works and Housing helped in repairing or opening alternative roads by their crews and equipment such as the 2004 repair of the alternative road in Ramallah area that connected the city with Birzeit University (meeting with the General Manager of the office of the Ministry of Public Works and Housing, Ramallah, May, 2009). Palestinian civil organizations such as Land Research Center, the Applied Research Institute-Jerusalem, and the Welfare Association, also were involved in the work of repairing or opening alternative roads. Interestingly, individual Palestinians shared according to their different abilities in this work: farmers by their simple farming equipment or agricultural tractors during night time or early morning, people living near these alternative roads

by putting hand-written traffic signs to organize and direct movement of vehicles, and households in the areas by putting water coolers at the side of the road especially during hot, summer days.

Since Israeli closure policy has affected all aspects of Palestinian life, the Palestinians defy this policy by using new ways of living. Because of the bad economic situations and the increasing of unemployment in a society composed mostly of young people,<sup>33</sup> Palestinians have found new ways of livelihood such as selling goods near the checkpoints and at different points along the alternative roads. At specific points of the alternative roads within the Palestinian localities, and in areas adjacent to the Israeli checkpoints where Palestinian crowds usually gathered to pass the barrier, the Palestinians started selling food, cold drinks, and hot drinks. At the beginning they put their goods in boxes at the side of the street, then included various goods—such as newspapers, books, household items, fruits and vegetables—and built light structures for them. Over time, these areas became important trade places where small business took place and formed a source of income for many Palestinian families. For example, Palestinian villagers who could not pass the checkpoint to the city to sell their fruits, vegetables, cheese or oil, sell them in these areas, and any person, organization or small company that failed to pass the checkpoint might find their needs at these places. Although it is the Palestinians' economic necessity that motivates them, over time, working in these areas and their existence there, is seen by the Palestinians' as a kind of resistance to the Israeli imposed policies of closure. This is true, since, although the Palestinians working there are usually subject to

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<sup>33</sup> Palestinian people at the age of 18 and below form 64.6% of the total population of the OPT in June, 2009 (UNICIF, OPT, Overview), <http://www.unicef.org/oPt/overview.html>

humiliation, bother, attacks, or even arrest by the Israeli forces at the checkpoint, they do continue their work at these critical places.

Additionally, another new aspect of life that was adopted by the Palestinians in their practices of resistance to the Israeli closure policy is related to education. To decrease the probability of cancelling schooling hours, Palestinian teachers who could not reach the schools in which they were hired because of the closure, served in the schools near their residence in their communities and neighborhoods. More importantly, The Palestinian Ministry of Education not only accepted these teachers' actions, but also encouraged it. Additionally, facilitating and maintaining the normal study program, the Ministry of Education changed schools for teachers according to their residency. It assigned each teacher to a school closer to his/her house.

For education at university level, to facilitate and encourage university teachers to reach and stay in communities closer to their universities, some universities such as An-Najah University in Nablus allowed university teachers and staff free accommodation in residential buildings of its property. Additionally, for some basic university classes that usually have a large number of students in different sections, university teachers who live in other cities (such as Tulkarm or Jenin), and had enough students from the city of their residency, held their classes in one of the public buildings in the city where they live, and it was not required for them to go to the university in Nablus every day. For example, one of my colleagues at the Department of Civil Engineering who live in Tulkarm taught one of his classes in 2001-2002 in one building of Al-Khadori College in Tulkarm. Additionally, the university registration office directed and encouraged student from Tulkarm to register in the section that would be held in their city.

The discussion above highlights further dimensions of the ongoing spatial struggle in the Occupied Palestinian Territories. It points to the fact that space is not the only locus of power in



the struggle between the Israelis and the Palestinians. Time is also a significant dimension of this struggle.

## CHAPTER FIVE

### PLANNING IN THE FACE OF OCCUPATION

#### 5.1 Analytical Review

Spatial planning is at the core of the struggle over space in the context of occupation. In the Occupied Palestinian Territories (OPT), spatial struggle is complex, and spatial planning has been used in this complexity for the exercise of power relations: the top-down and the bottom-up power. There have been different groups of actors: some seeking control and others seeking resistance, each of which has employed their own spatial practices. Power relations are highly entangled, and not only space, but also time are important arena for this entanglement. This is learned from the historic analysis of afforestation planning during the British Mandate and the Israeli domination periods, and the contemporary closure policy during the current era.

This study shows that the symbolic meaning of trees and plantation for various actors involved has given afforestation in Palestine a great role not only in representing the vegetation of the landscape, but also in reflecting people's presence, identity and national ideology. Thus, afforestation planning has been changed and developed during the long colonial history of Palestine in respect to changes in ideology and the will of the people. Most importantly, as a result of differences in ideologies of people who live or contend to live in Palestine through its modern history, afforestation has been a core tool in the struggle over space across this history.

Afforestation planning has been a key tool in the exercise of, what Foucault (1977a) called the "disciplinary power" and, Mitchell (1988) referred to as the "disciplinary order" of the colonizer or the occupier. In the British period, planting trees was used to control the land and achieve economic and strategic goals by transferring afforestation planning into a *discipline of law*. This was reflected in the Mandatory government's large numbers of acts and laws imposed

on the local Palestinians concerning planting and cutting trees, grazing, zoning, and development. By doing this, the British controlled the Palestinian land and people by Foucault's (1977a) instrument of "normalizing judgment" of the disciplinary power by referring the local Palestinians to a set of rules and laws to be followed. In other words, the Mandatory government judged Palestinian land and people according to its legal system (which was in itself built on the Ottoman legacy of disciplinary power), without any attention to the concerns and needs of the local populations or the local conditions of the land. This clearly appears from their application of the British-born afforestation and planning laws in Palestine. Therefore, Palestinian people were excluded from the British planning process. When included, the Mandatory government, addressing one important feature of the disciplinary power as described by Foucault, regarded the local Palestinians as the Mandatory *instruments* for economic benefits.

While the British considered the local Palestinians as their instruments, they regarded the Jewish as their *objects* in the exercise of power, Foucault's second feature of disciplinary work. This study has shown how the Jewish immigrants in Palestine were included in the British planning process, but at a high level of decision-making. Additionally, afforestation practices of the Jewish immigrants were directed by their ideology and will in Palestine. So, they exploited the prevailing legal system to facilitate their goal of settling the land: the Ottoman legal system during the late Ottoman period and the British legal system in the Mandate period. The common interest of both the Jewish immigrants and the British Mandatory government in Palestine ended in cooperation between the British colonial professionals and their non-professional objects: the Jewish immigrants. This cooperation resulted in *afforestation order*. Plantation has been used to reflect Jewish identity in Palestinian space through the selection of the types of trees by using coniferous instead of olive trees. Palestinians' spontaneous plantation and agriculture, and the

indigenous life of the Palestinian Bedouins of grazing, for example, were considered as a kind of chaos that threatened the “order” and had to be controlled by the discipline. Most importantly, the cooperation between the professional British and the non-professional Jews in establishing this order of afforestation provided the land and the power that Jews needed to build their state in Palestine.

In the Israeli domination period, afforestation discipline continued to be sustained by the Israeli legal system, which depended on, and according to self-interpretation of, the British legacy, introducing a large set of Military Orders. Most importantly, analysis of Israeli forestry has shown that the Israeli occupying power has been exercised not only within urban areas, but also within rural areas. That is, the Israeli occupying power is exercised not only within cities, as described by Graham (2003), the historic medium of colonial or warfare power, by applying the policy of “urbicide,” but also, I argue, within the countryside by applying the policy of *ruralcide*. Thus, Israeli disciplinary power is exercised within the entire space of Palestine.

Israeli *ruralcide* (or anti-afforestation policy) imposed on the Occupied Palestinian Territories expressed Foucault’s *punishment instrument* of the power. This dissertation has revealed the ways in which cutting and uprooting trees have been used by the Israeli system to sanction the Palestinians, at the same time to hinder their source of living. The Israeli forestry planning, indeed, contradicts with itself within the same space. This system is seen conserving and protecting forests and open spaces as natural and recreation sources in Israeli areas including Israeli settlements in the OPT. At the same time, that it damages and destroys forests and farmlands in the adjacent Palestinian territories. This contradictory system of protecting and damaging forests, farmlands and open spaces is, I argue, a spatial expression of what Cresswell (1996) called “out of place” by the colonial power including the distinction between the same as

“ours” and the other as “theirs.” Creswell (1996) argues that the notion of “out of place” is that power interprets what is appropriate and acceptable in space (or place) with “intensively political implications.” That is, power creates in one’s mind a familiar space which is “ours” and unfamiliar space beyond “ours” which is “theirs.” This notion includes installing a gap or partitions between “us” or “ours” and “them” or “theirs.”

Like their precedents, the Israeli professionals cooperated with their objects of the non-professionals in their afforestation or *ruralcide* policies. This cooperation or “covert planning” in the early period of the Israeli domination helped in the establishment and development of the Israeli state, and in the most recent period, in maintaining Israel’s existence.

However, unlike their precedents, the Israelis have practiced their “disciplinary power” not only through space, but also time. Analysis of the Israeli closure policies in this dissertation has shown that the bureaucratic imposition of restrictions on Palestinians’ movement expands or compresses space and time according to the occupation goals in respect to whom is affected: “us” or “them.” Particularly, imposing the closure policy in the OPT compresses space and time for the Israeli settlers who live in these territories, at the same time expands them for the Palestinians. The Israeli occupation through the use of closure policy has transferred Palestinian places (cities and towns) into an extended space that needs a long time to move within it. This is while the Israeli occupation compresses space for the Israelis and transfers it into connected places that need a short time to move between them.

More importantly, by applying the closure policies, the Israeli authorities put the Palestinians under continuous “order” of “surveillance” and “examination”, Foucault (1977a) and Mitchell (1996) key instruments of the discipline. The whole society is monitored and must be kept readable. Thus, every person has to be *examined* according to the occupational standards. This

order views every Palestinian as a projection of a criminal, and thus, puts the whole society under the system of punishment in a way that not only their space should be controlled, but also their time.

Additionally, this exercise within space and time for the Israeli occupational power affects all Palestinians' aspects of life including education, health, and psychology, introducing them as main loci of spatial struggle. The policy of targeting the daily living requirements of people by using famines, which Kearns (2007) called the "bio-politics," is a key element in the practices of colonial power. Additionally, in the OPT, I argue, it is not only the "bio-politics," but also *edu-politics, psycho-politics, health-politics, or wholesale-politics*.

Because of the dyadic relationship between control and resistance, the Palestinian people practice their resistance within the same targeted space, time and other aspects of life. Their use of open spaces, whether by agriculture and plantation, anti-afforestation practices towards the Israelis, or by claiming their rights to movement by inventing alternative roads, is crucial to express their presence, their *sumud* on the land. This is a tool of their resistance to the occupier's control, and a means to maintain their rights to the land. Palestinian continuous use of the land, the Palestinian *sumud*, is itself a form of resistance since resistance includes not only collective, but also non-collective actions and activities. For example, Bayat (1994) shows that individual, discrete and silent direct actions by slum dwellers near Tehran were the reasons these slums continued to exist. Their continuous use of their captured places forced the government to recognize them by either formalizing and integrating these communities, or by tolerating their informal existence. In this sense, Palestinian anti-afforestation practices towards the colonial and occupational plantations also have been a form of their resistance because they interrupt the

occupational order. Additionally, they have threatened colonial and occupational existence by cutting or burning the colonial or occupational symbols of presence.

Most importantly, in the early periods of Israeli domination in Palestine, ordinary Palestinian people, the non-professionals, were involved in spatial practices of *sumud*, such as the resistance-anti-afforestation policies. After the establishment of the PNA and in the present time, and as we have seen in this dissertation, the Palestinian professionals and the Palestinian society: both groups and individuals are involved in spatial practices of resistance. Moreover, since all aspects of Palestinians' life are targeted by the Israelis, their resistance includes spatial inventions to claiming their rights to educate, to good health, to have income, to have family relations and even to live.

The above historic analysis of afforestation planning and the contemporary closure policies in Palestine reveals three lessons. **First**, the contemporary struggle over space in the OPT is historically constructed, and spatial planning played a great role in this spatial struggle as it has been a critical tool for control and for resistance. This has been through spatial policies and practices not only by professional planning processes and mandates but also by non-professional practices. This spatial struggle has been through a combination of official policies and non-official everyday spatial practices.

**Second**, the occupying power has used spatial planning covertly to achieve desires of control. There has been “covert planning” between the occupying system and its people that helped achieve their desires and goals of imposing control. This is far from the ideal concept of “covert planning” as identified first by Beard (2003). For Beard, covert planning is a radical planning concept that aims at transformation of the authoritarian regime. In her case study on Indonesia, Beard called the process of building a library an example of covert planning by the

insurgents because to do so they had to resist the oppressing state. The overt reason for building the library, which was known by the state, was for reading, but the library in reality was also used covertly as a place for resistance movements' activities since the state prohibited them apparently in any public space. Thus, in this sense "covert planning" is ideally a concept for empowering the oppressed and for the goodness of people not for oppressing them. In occupied areas, however, "covert planning" is used by the occupier to impose control upon people. This knowledge is crucial for radical planning scholarship since it points out the "dark side" of covert planning. That is, "covert planning" could be used accordingly in different contexts: in one context it can be used for the wellness of people, while in another such as in the occupied areas, can be used as a tool or a weapon against them.

**The third** is the combined importance of the 'state' and the 'people' for planning. Planning, I argue, cannot be the monopoly of the state, nor can it be sustained wholly by the people; both state and people are needed for valid planning.

Critiques of state-directed developmental projects do exist in planning scholarship. Scott (1998), for example, discusses the resulted major failures of the twentieth-century state high-modernist planning experiences, such as the total modernist planning of Brasilia, and the scientific forestry planning in Europe, namely in Germany. He argues that, although these projects were aimed at improving human conditions, they were built on an order that ignored local conditions. For example, Le Corbusier's plans for modern Brasilia lacked any attention to existing traditions, history, aesthetic tastes, or existing cities; the plans were neutral and abstract without context. Moreover, in German scientific forests, the attention was given to planting scientific kinds of trees in a very ordered way to achieve fiscal revenues without any attention to



natural diversity. Both cases failed: people could not live in modern machine-like Brasilia, and the scientific forestry model resulted in the death of most forests in Germany.

People-directed planning experiences also do not succeed. This dissertation has showed how the Palestinian people could not materialize organized afforestation strategies to resist colonial and occupational afforestation policies of control during early periods of the Mandate and the Israeli domination, because they lacked the official representative body to support them. The Palestinians have only been able to establish their afforestation-agricultural policies after the establishment of the PNA. Additionally, in the present time, Palestinians' spatial inventions resisting Israeli closure policies are also sustained and supported by the Palestinian system. This study also shows that during those early periods, the afforestation practices of colonial and occupational people (Jewish immigrants in the Mandate era, and the Israelis in the Israeli domination period) would not have succeeded without the support and power of state (the Mandate state, and the Israeli state). We see in this study how Jewish immigrants' afforestation practices were sustained first by the Turkish government in the late Ottoman period and then continued under the Mandate government through ignorance and inclusion. And also we see how the Israelis' practices have been supported by the Israeli state through management in afforestation work and their inclusion in the planning process.

In this sense, people need state power: organization, law, and finance to validate their planning practices. In the same vein, the state needs people for implementing planning projects; they are needed to transform state plans from mere utopian abstract plans into valid planning projects. The state is the umbrella for people's planning tasks, and the people are the supporting structure of this umbrella.

In this sense, this dissertation applies to planning endeavor in contexts where there is no sovereign state such as the OPT. This leads to the following section in which I am answering my early question of this dissertation regarding the ways in which a local indigenous spatial planning system can operate in the face of the complex conditions of occupation.

## **5.2 Conclusion and Recommendations: Planning in the Face of Occupation**

We have seen in this study that spatial planning in the OPT is a very complex task since it has been used as a main tool in the intertwined pattern of control/resistance. Existing literature on the role of planning from the perspective of the oppressed in the complex context of occupation is limited. Therefore, recalling my early question of this dissertation, the main query is: how can the local indigenous planning operate while resisting control of the occupying planning?

In the OPT—and other similar occupied areas—both the indigenous planning system (the Palestinian planning system), and the indigenous citizens (the Palestinian people) are occupied, limited and restricted. In the context of occupation, the occupied authority is clearly not a sovereign state. Not only the occupied society (the people) is restricted and regulated, but so is the occupied authority restricted and limited in its function— at times even paralyzed. Therefore, the indigenous occupied authority alone does not have sufficient power to do planning work through the known systematic top-down planning concept; nor does the local occupied society alone have sufficient abilities to do planning work conceptualized as insurgent or radical planning practices. Thus, the need is for an understanding of planning that recognizes both the indigenous occupied government and the local occupied people.

This understanding recognizes the specifics of the occupied areas as a context that lacks a sovereign state, and has only a local authority representing the local people. Thus planning

endeavor has come to include both formal and informal practices. It consists of a cooperative work in which the professional planning system takes into account the practices of people, at the same time ordinary citizens give their trust and workability to the professional planning system. Within this concept both the local government and the local society are empowered since both the professional planning system and the people change their tasks accordingly to deal with the problems they face. The people take the responsibility for issues in which the professional system is limited, and vice versa. With these turning roles of the indigenous professional planning system and the non-professional local citizens, they are engaged in a kind of “covert planning,” while at the same time it is an “insurgent planning.”

It is “covert planning” in the sense that its work is hidden, not known, but not in the sense that its goal is changing the local authority by its citizens. We should keep in mind that in occupied areas there are two authorities: the occupying and the local occupied. Political change or reform, which is a key goal of covert planning as first identified by Beard (2003), is within the agenda of planning endeavor in occupied areas, but in terms of empowering and reforming the local government and changing or even ending the occupying one. Planning in occupied areas, similar to that under the concept of “covert planning” includes identifying weaknesses of the local authority, but not like that under “covert planning,” for changing it. Rather, the identification of local government’s weaknesses in occupied areas is for the remedy of the local authority, for local society to take over responsibilities in these weak spots to empower its government. In other words, the covert part of planning endeavor in occupied areas is for empowering the local authority by achieving results on the ground, not for political transformation of it.

Moreover, planning in areas of occupation is “insurgent planning” but in the face of the occupying state. Insurgency, in “insurgent planning” means individuals’ strive to practice their constitutional rights beyond those given formally to them by their hegemonic state; it is a counter-politics that destabilizes their dominant regime (Miraftab and Wills, 2005; Miraftab, 2009; Holston, 2009). Thus, insurgency is the characteristic of citizens’ practices. In occupied areas, however, insurgency is not only the characteristic of citizens’ practices, but also of those of the local authority. In the face of the occupying state (and people) both local authority and local citizens involve in insurgent practices. Practices of insurgent citizenship, as identified by insurgent planning scholarship such as Miraftab (2009), include the emancipation from the “invited spaces” of citizenship that are endorsed by the authority (the citizen’s state), to “invented spaces,” which are new spaces or the re-appropriated old ones for the use of counter-hegemonic interest. Planning practices in the face of occupation, similar to those of insurgent planning, include the invention of new spaces different from those formal invited spaces. But such appropriation and invention is carried out by both the local people and the local authority. The cooperation between the local state and local people in planning in occupied areas is a kind of inventing new spaces different from those “invited” spaces provided by the occupier. Additionally, in the face of occupation, not only the people but also the local authority move across “invited” and “invented” spaces of citizenship as it is the case in insurgent planning. We see local state is involved in negotiation through formal channels with the occupying state. We also see local citizens use formal ways such as the law and regulations to gain their rights of citizenship. However, since Palestinians’ rights of citizenship and the Palestinian government’s right of authority are restricted and hindered by the occupying state, the Palestinian government and the Palestinian people cooperate informally: for the Palestinian citizens to get their rights of

citizenship, and for the Palestinian authority to facilitate giving these rights to its citizens.

Additionally, this cooperation empowers the local indigenous authority in the face of occupation by creating facts on the ground that could have good effects on its formal negotiations with the occupying state, and hence, sustains the local government's authority.

It is worth mentioning that the cooperation between the local state and the local people in planning endeavor in occupied areas is not governing through inclusion (inclusive governance), through which neoliberal governing dominates, and to which insurgent planning as originally articulated by Miraftab (2009) seeks to respond. This cooperative inclusion in occupied areas is driven not only by the agenda of the state, but also by people and their everyday agenda of needs and demands.

In short, planning concept that suits areas of occupation includes covert and insurgent planning. However, *hidden work* and *insurgency* are the characteristics of not only the practices of the local citizens, but also the practices of the local authority in the face of another occupying state (and citizens).

In this sense, as we have seen above, lessons from history are very important. The combined work in afforestation planning by both the professional planning system and the non-professionals during both the British Mandate and the Israeli domination periods resulted in establishing and supporting a state and a nation: the Israeli state with its Israeli people.

Currently, for the Palestinians to plan, maintain and protect their rights to Palestine's space and land, they need to develop and encourage the cooperation between the Palestinian planning system and the Palestinian people. This empowers both the Palestinian government and the Palestinian people, and is needed for effective and valid Palestinian planning in the face of the Israeli occupation. It is the cooperative work between the Palestinian planning system and the

Palestinian society (individuals and groups) that would help re-build the Palestinian state.

Thus, this dissertation concludes with my recommendations to the Palestinian planning system to develop and extend the ongoing cooperation in agricultural planning with the Palestinian society. I recommend expanding this to include all other aspects of planning, in order to make the cooperation between planning professionals and non-professionals the hallmark of Palestinian planning, and thus enable other similar occupied areas in the world to benefit from the Palestinian case.

My recommendations of “covert planning” and “insurgent planning” concepts for areas of occupation is not strange to planning scholarship but is, indeed, complementary to it. Planning scholars—such as Liggett (2009), Miraftab & Wills (2005), Miraftab (2006 and 2009), Perera (2009), Roy (2009a and 2009b), Friedmann (1987, 1988, and 2002), and Sandercock (1998a and 1998b)—have called for an expansion in the definition of planning, to shift it from a kind of planning that is the purview practices of trained professionals in suits and ties, toward a more expanded field that includes everyday spatial practices of people. This both reflects their power to shape the space and its territorial control, and to enhance it. The recommended insurgent and covert planning practices in occupied areas amplify planning scholarship by taking into consideration the complex conditions of occupation. Existing planning scholarship does consider the everyday practices of people in the face of their authoritarian state. However, in occupied areas, consideration should be given to both the everyday practices of the people and the informal practices and policies of their authority that itself has to deal with another authority above it (the occupying state and people). In other words, planning in areas of occupation should encompass both the informal practices of people and the policies of the local state or government to resist domineering spatial power of the occupier.

Moreover, my recommendation on the importance of occupation context contributes to participatory approaches in planning, in particular the forms of participation in non-western societies mainly eastern societies.<sup>34</sup> Planning is a contextual field: deeply dependent on socio-spatial and political processes that shape the context within which it operates (Watson, 2002; Roy, 2006; Yiftachel, 1995 & 2006). There are various cultural and social differences between western societies and eastern ones. Accordingly, the western participatory approaches in planning such as communicative planning are mismatched with a wide range of eastern-stubborn realities.

For example, in the western communicative planning model (Forester, 1989; Innes, 2004; Healey, 2006), public participation in planning is achieved by consensus building and the full participation of all stakeholders. However, full participation and consensus building is limited in the OPT and other eastern societies. Consensus building among entities with different viewpoints in western (industrialized developed) societies is achievable because western liberal democratic societies are relatively more prosperous, more stable, and in which most individuals, even members of minorities have reasonable personal liberties, existential security and basic welfare provision (Yiftachel, 2006). However, consensus building is rarely achieved in eastern societies since they are characterized by deep ethnic, caste and racialized conflicts that give rise to divisive political perspectives. For eastern societies, liberalism is not a stable constitutional order; it is mainly an economic agenda. Public participation efforts in eastern societies are often perceived as “lip service” or forms of co-optation (Yiftachel, 2006). These stubborn characteristics of eastern societies in general are of great significance in the OPT in particular.

Palestinian society faces some of the most complex and troubled political issues in the world

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<sup>34</sup> The non-liberal democratic societies that have a history of colonization and domination.

resulted from its colonial history and the Israeli/Palestinian conflict. Its institutional system is exposed to destruction at official and social levels. It is a society of increasing factionalism, and gives much respect to family relations, kinship, communal property, and tribal networks. Under these conditions, achieving consensus in the OPT is very hard and probably impossible.

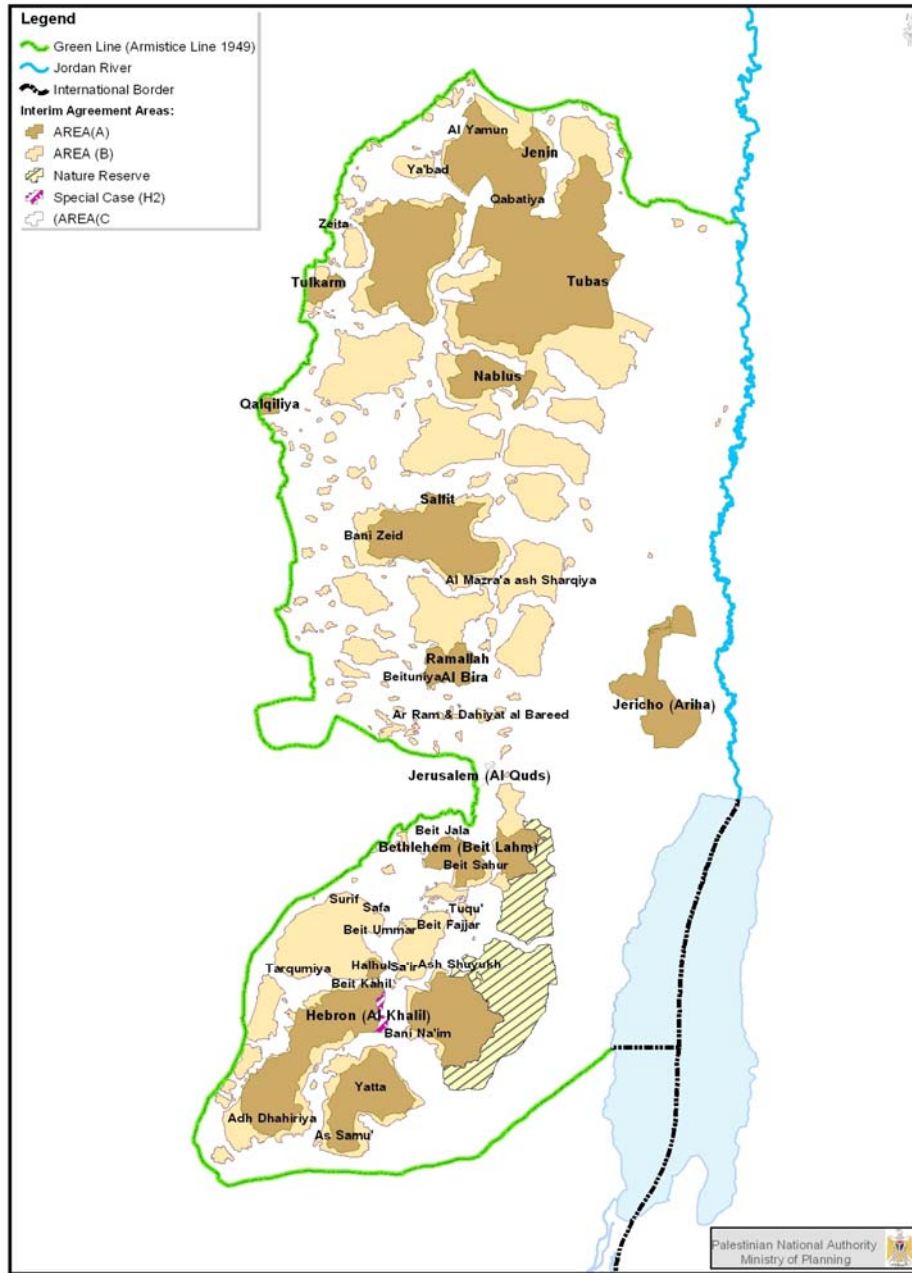
Thus public participation in planning in the OPT, and other eastern societies, has to be reconceived: instead of consensus, it needs to consider what people are spatially doing on the ground. This kind of participation forms the core of the covert and insurgent planning practices recommended in this dissertation for areas of occupation. The recommended cooperation between official planners and non-official people in occupied areas includes taking into considerations people's practices in planning. This is the very meaning of public participation.

The innovative aspect of the recommended planning for areas of occupation in this dissertation is that attention is paid to both planning process and outcomes, which is different from that in the western normative planning model. Communicative planning, for example, focuses on the planning process with the idea that a just process will result in just outcomes (Watson, 2002), which is not the case in the OPT and other eastern societies. The OPT, and other eastern societies, are volatile environments and often informally directed. Issues are likely to be changed at implementation stage according to frequent changes beyond the control of local authorities or local indigenous people. This decreases the probability of achieving just outcomes. Therefore, by taking into consideration the spatial practices of people on the ground in occupied areas both just public participation in planning process and just outcomes are achieved. This is the kind of public participation in planning needed in eastern societies.



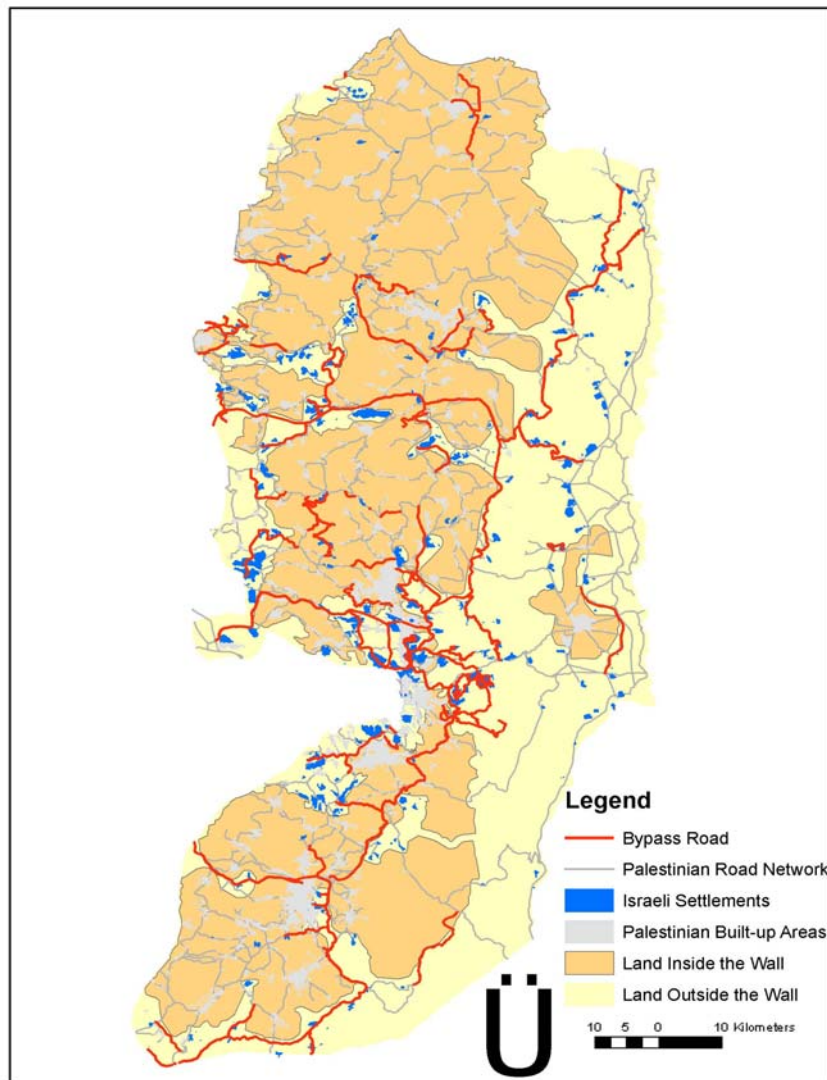
# MAPS

**Map 1.1**  
**Map of Oslo II agreement in 1995**



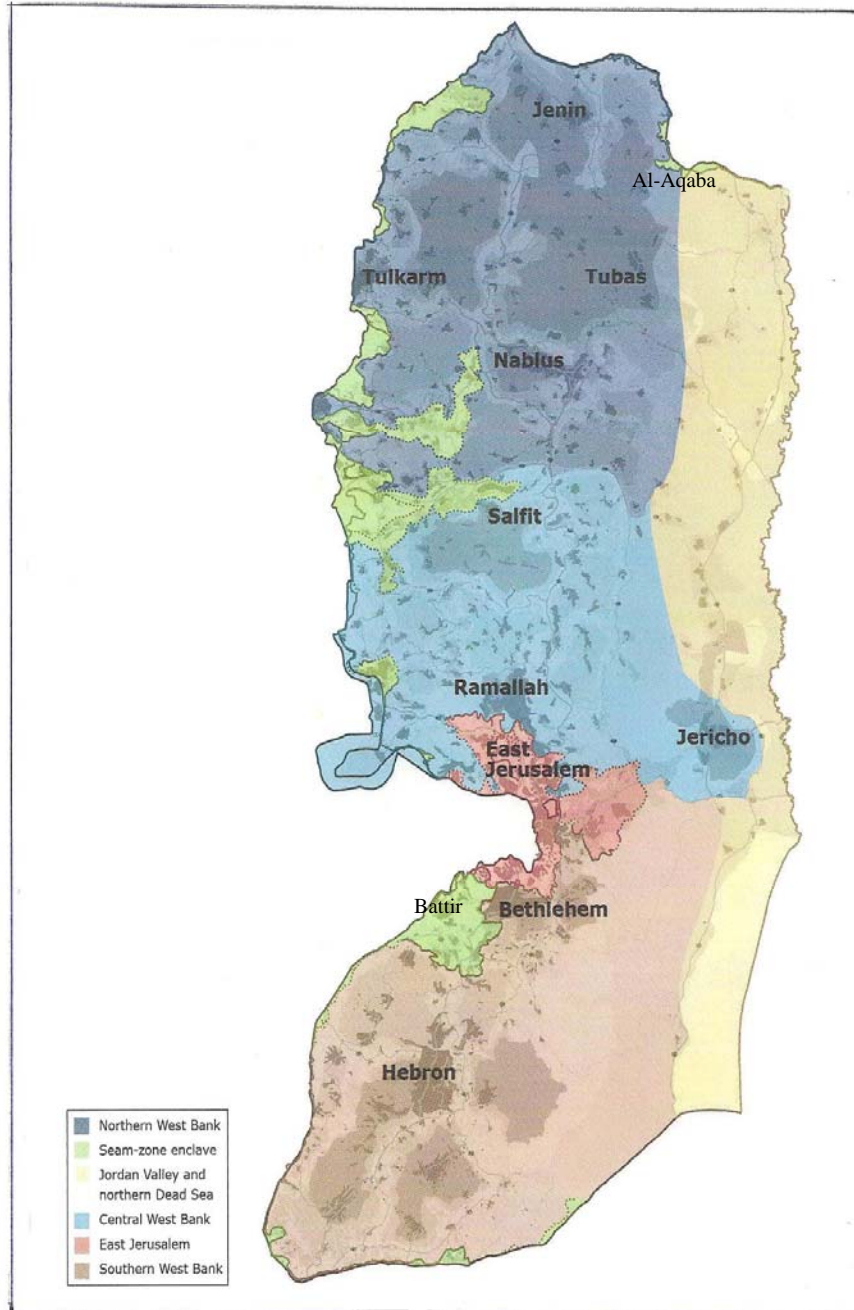
Source: Ministry of Planning (MoP), 2009

**Map 1.2**  
**The Israeli Settlements and the Bypass Roads in the West Bank in 2004**



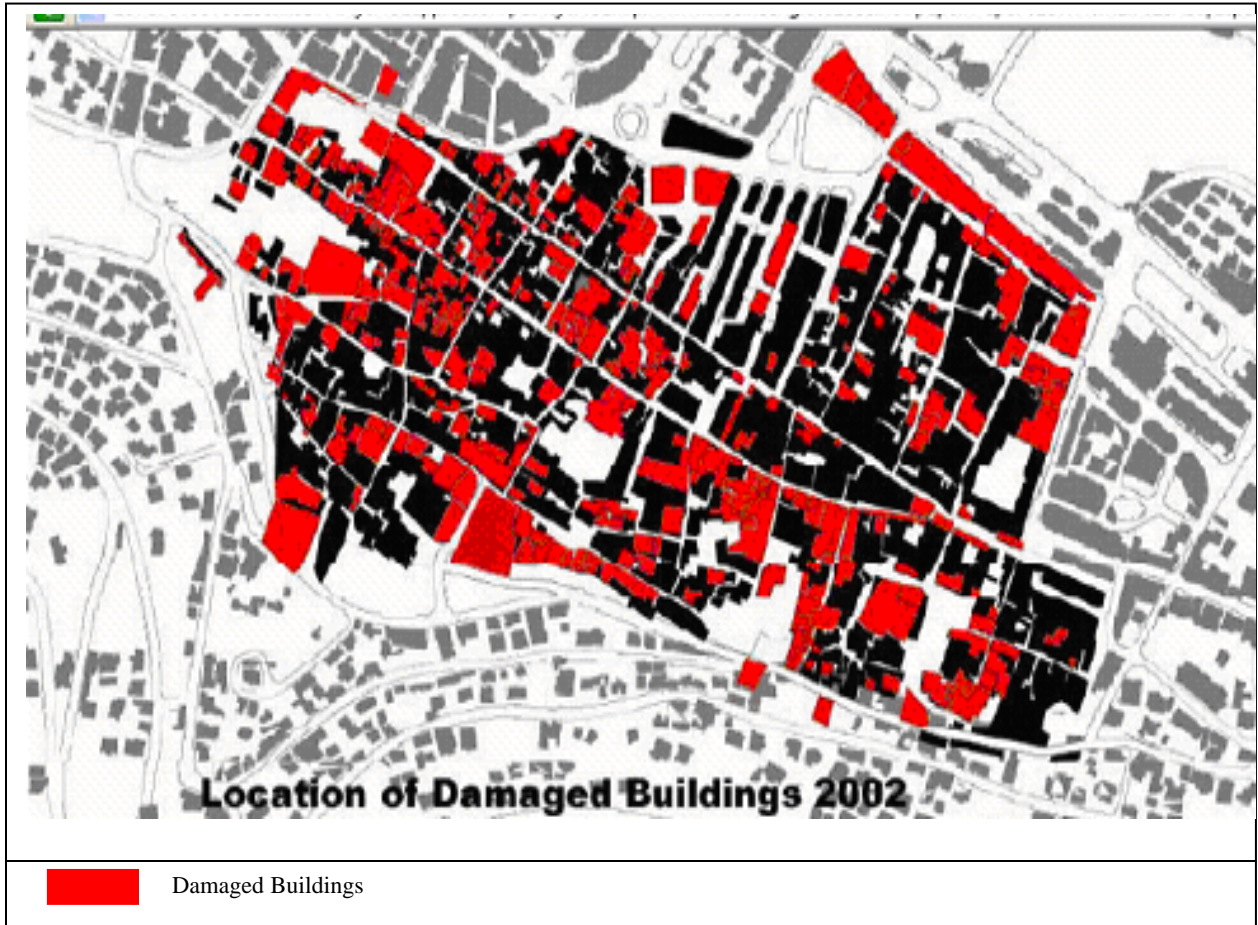
Source: The Applied Research Institute-Jerusalem (ARIJ), 2004

**Map (1.3)**  
**The Different Regions of the West Bank, 2006**



Source: Ministry of Planning (MoP), 2006

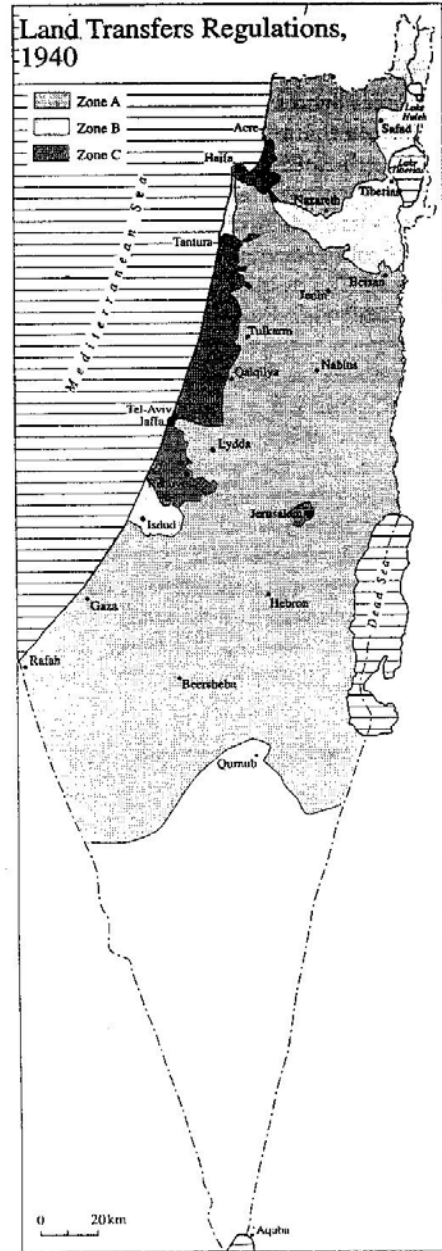
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**Damaged Buildings in the Old Section of Nablus City after the 2002 Israeli Attack**



Source: Nablus Municipality, the Old City Rehabilitation Unit, 2004

**Map (3.1)**

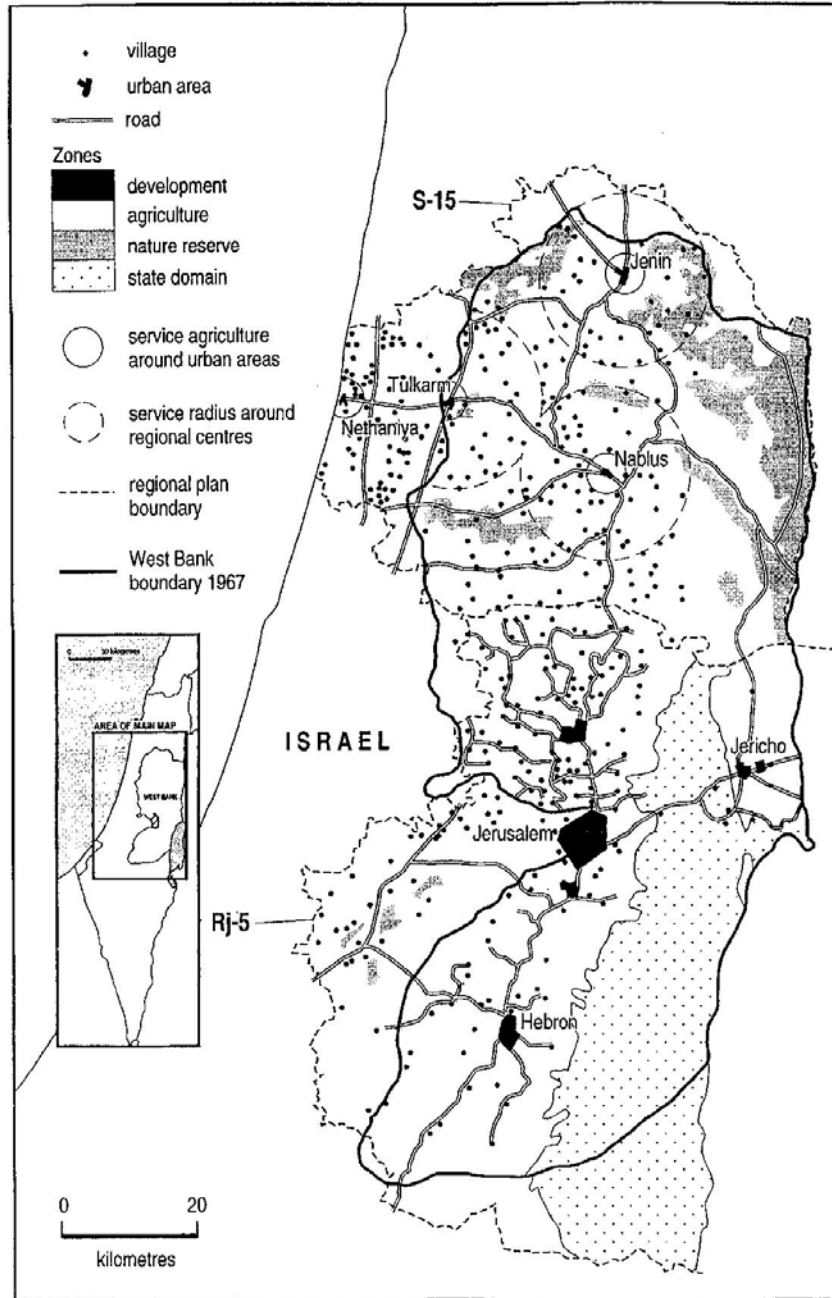
**The Geography of the Land Transfer Regulations: Zones of 1940**



Source: El-Eini, 2006, p. 262.

### Map (3.2)

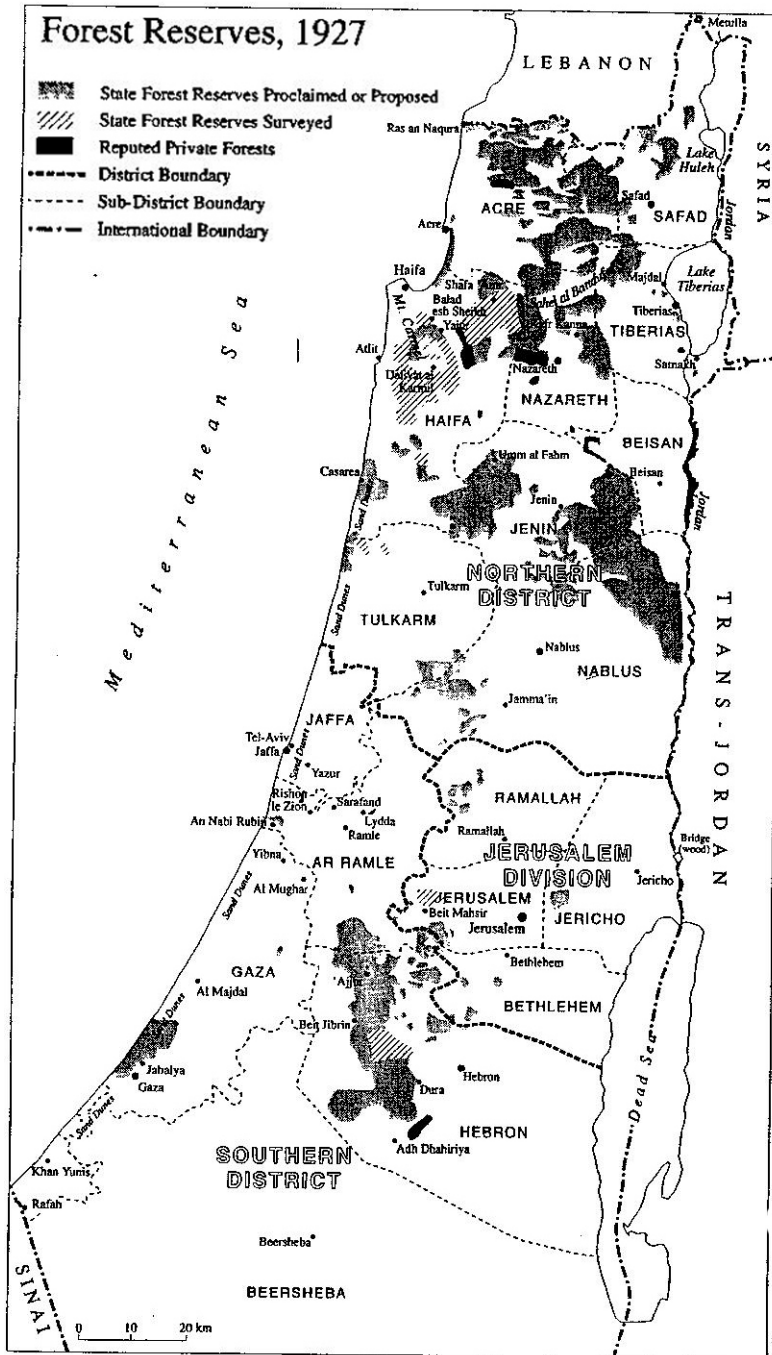
#### Zoning in the Mandate District Plans (RJ5 and S15) within the West Bank, 1936



Source: Khamaisi, 1997, p. 327.

**Map (3.3)**

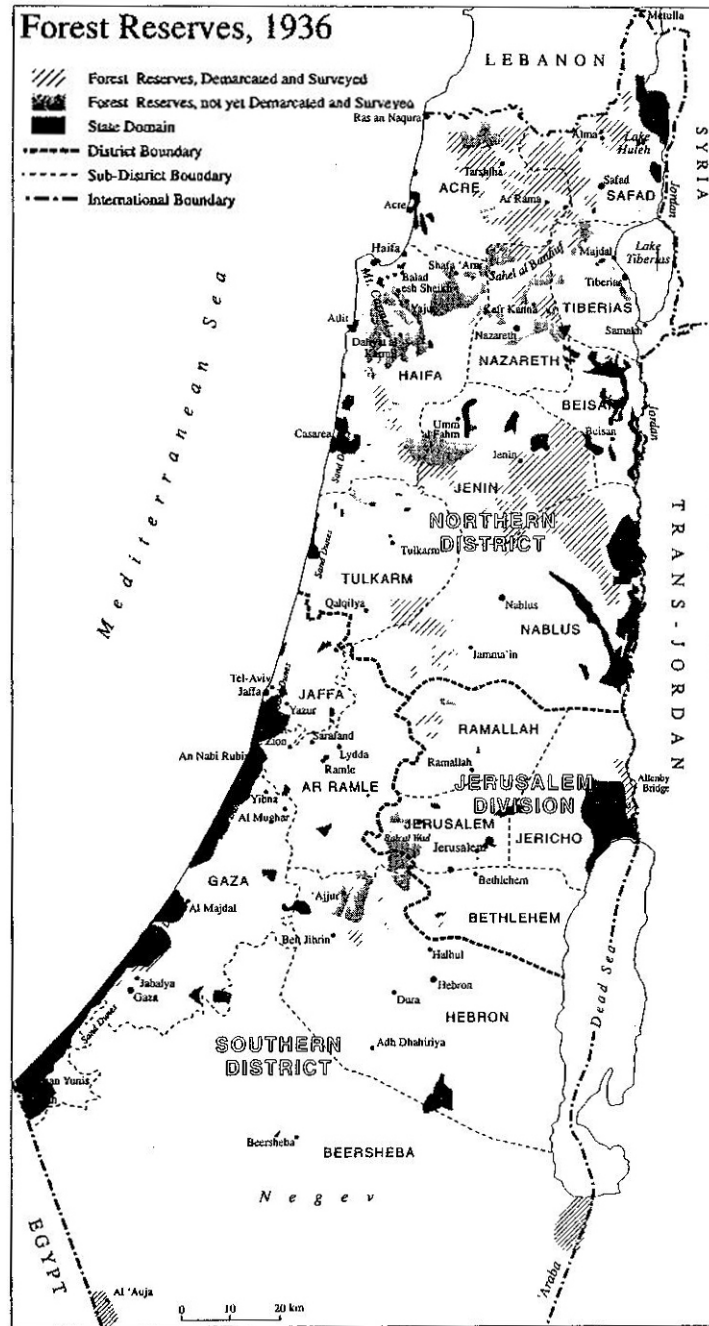
**State Forest Reserves and Private Forests in 1927**



Source: El-Eini, 2006, p. 202.

### Map (3.4)

## Forest Reserves and State Domain in 1936

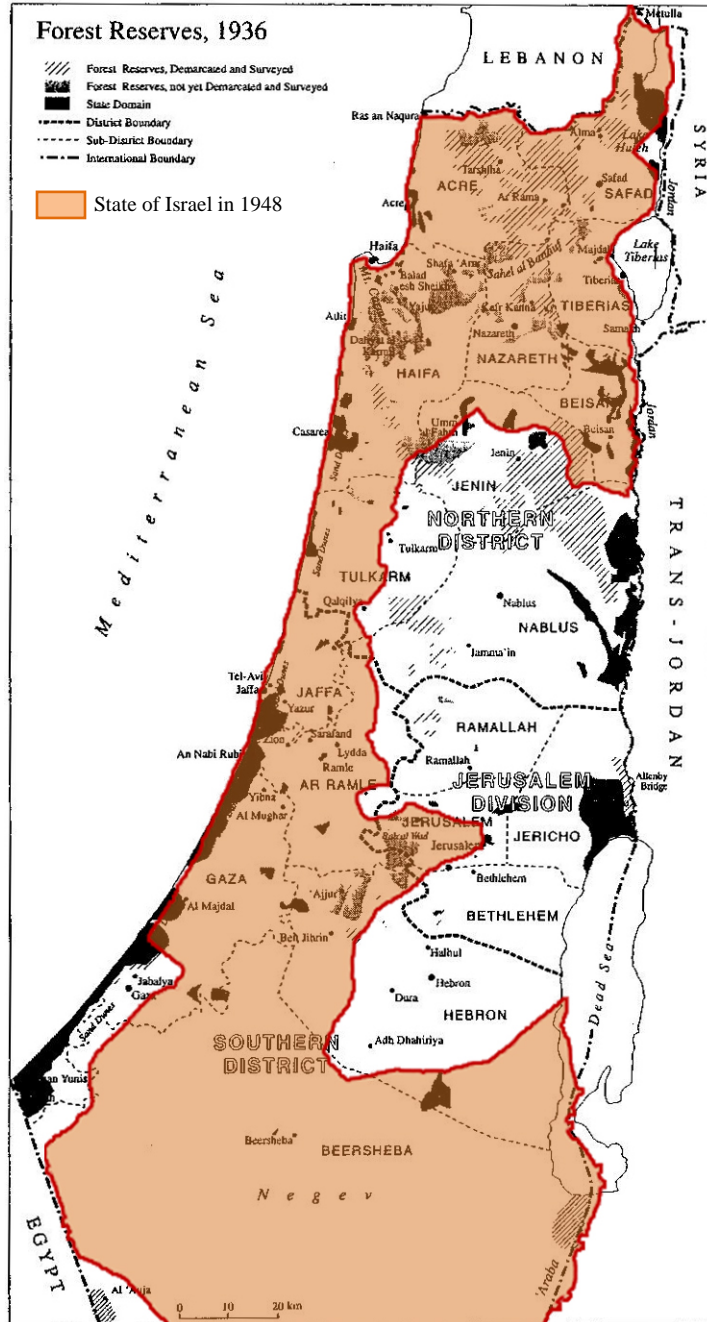


Source: El-Eini, 2006, p. 202.



### Map (3.5)

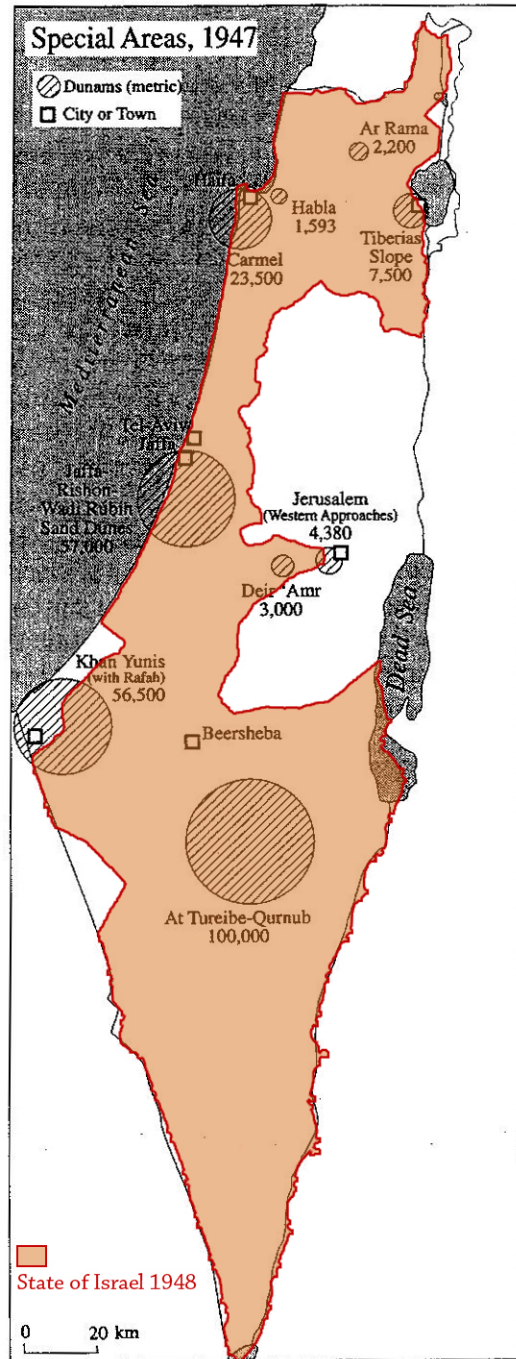
## Most of British State Domain Areas Located in the Then Israeli State in 1948



Source: Araj, based on El-Eini, 2006, p. 202.

**Map (3.6)**

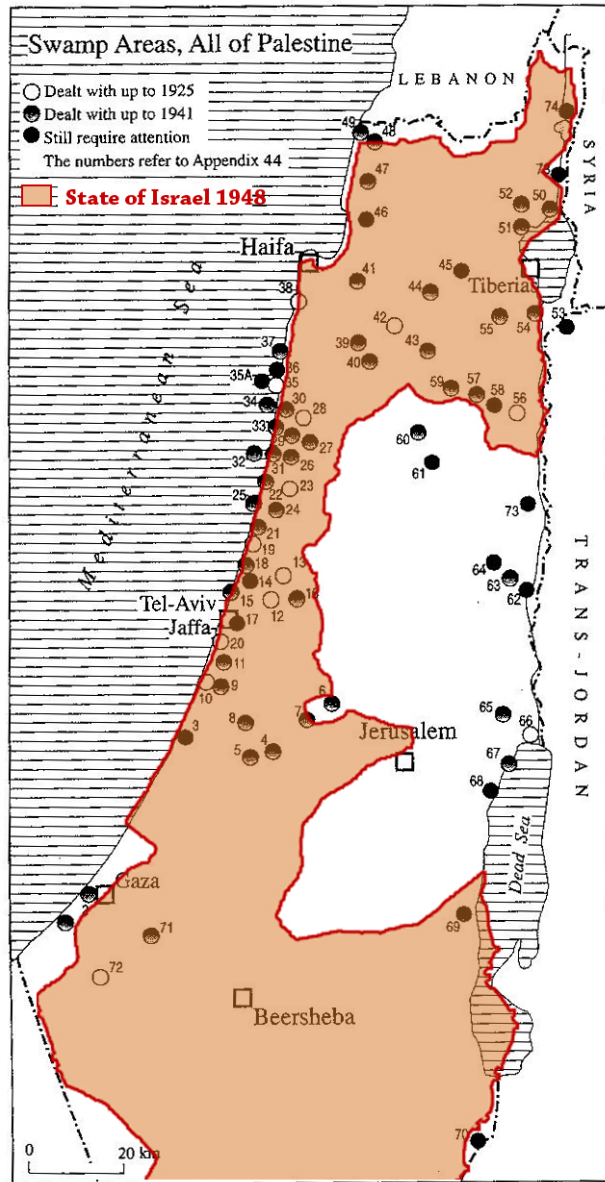
**British Special Areas in 1947 Located Within the Then State of Israel in 1948**



Source: Araj, based on El-Eini, 2006, p. 209

### Map (3.7)

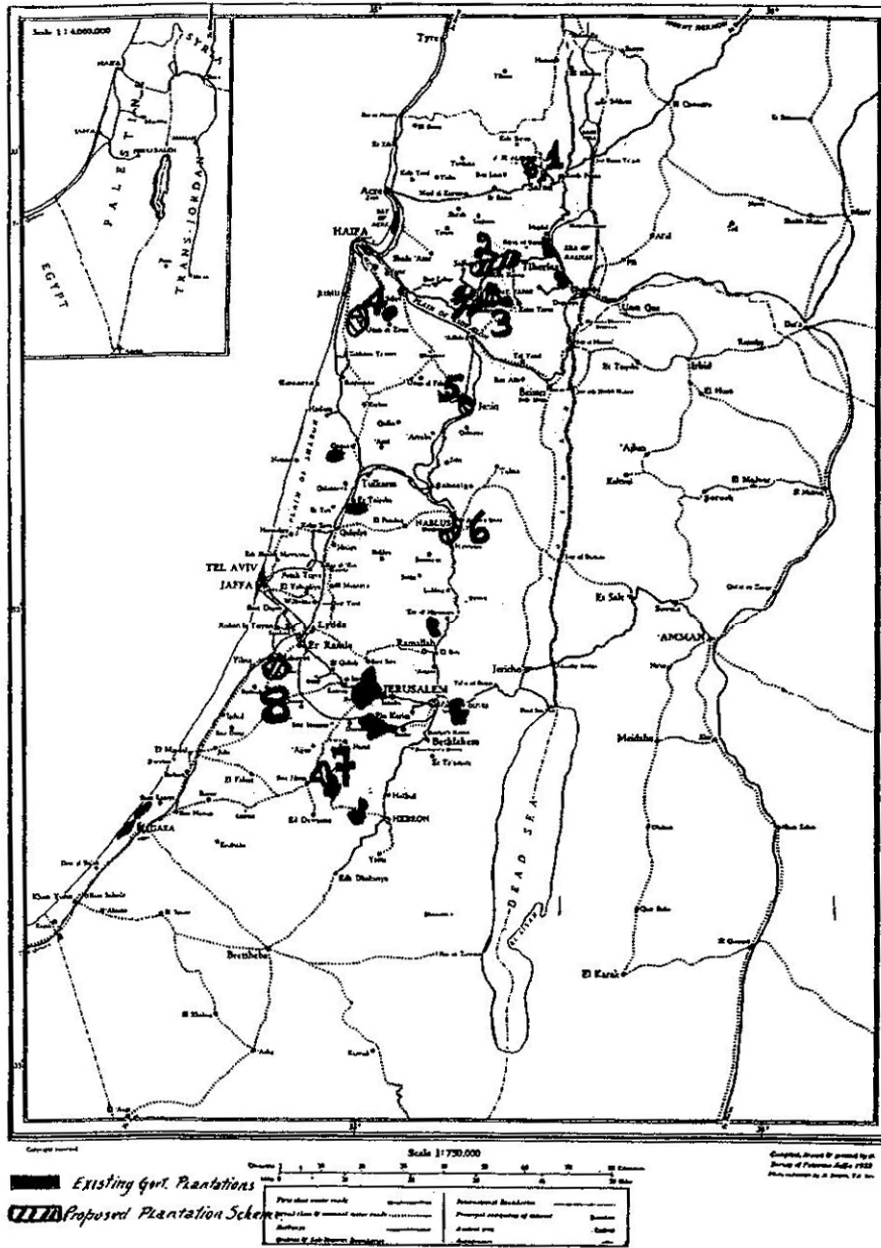
## Locations of British Swamp Areas Projects Were Within the State of Israel in 1948



Source: Araj, based on El-Eini, 2006, p. 527

### Map (3.8)

#### Dawe's Proposed Plantation Scheme (Read with table 3.1)

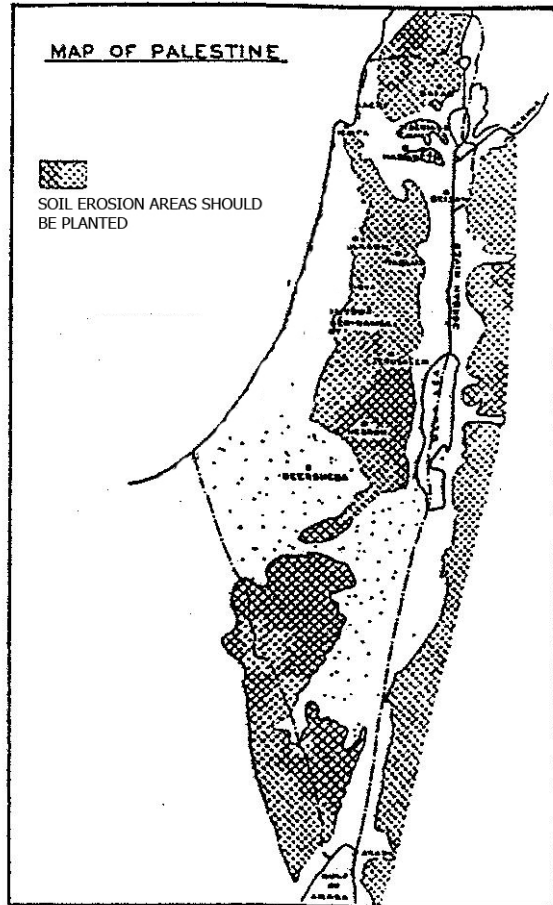


Source: El-Eini, 2006, p. 195



**Map (3.10)**

**British Proposed Soil Erosion Areas That to Be Planted, 1944**



Redrawn by author from : El-Eini, 2006, p. 217

### Map (3.11)

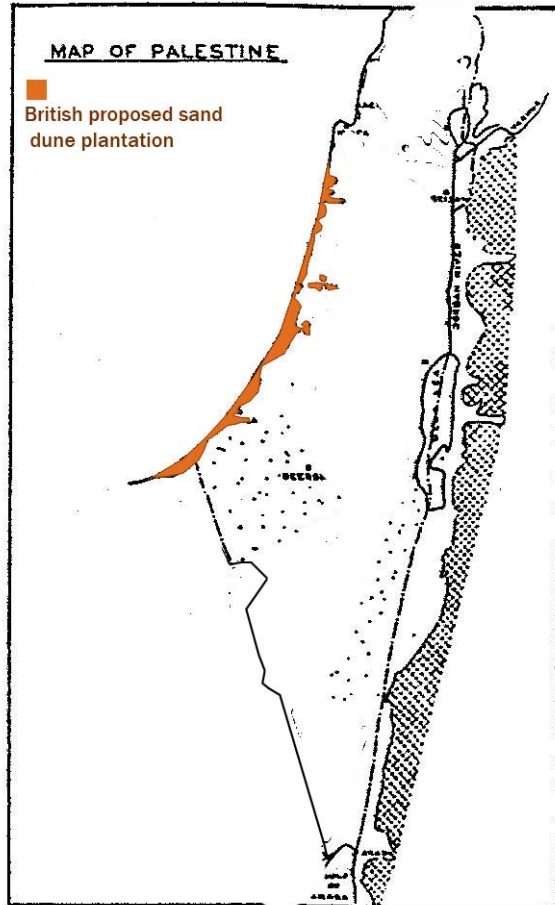
## British Forests on Hilly Areas Formed the Sites of Most of Existing Israeli Settlements in the West Bank



Source: Araj, based on El-Eini, 2006, p. 217 and MoP

**Map (3.12)**

**British Proposed Sand Dune areas for Plantation, 1944**

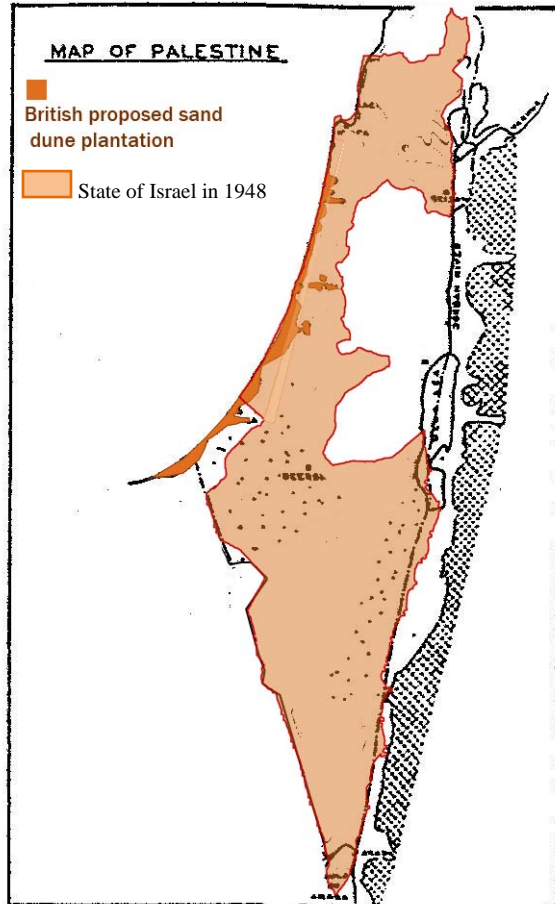


Source: Araj, based on El-Eini, 2006, p. 217



**Map (3.13)**

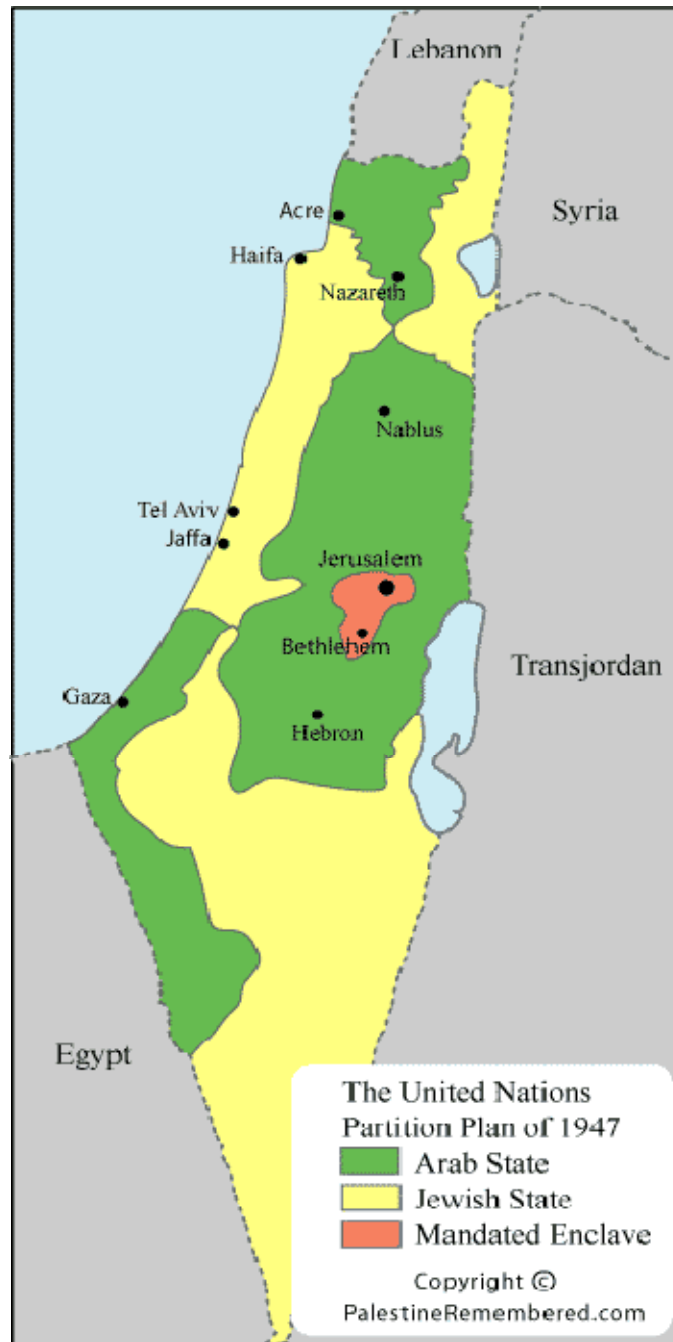
**Locations of British Sand Dune Fixation Projects Were in the Then State of Israel in 1948**



Source: Araj, based on El-Eini, 2006, p. 217

**Map (4.1)**

**The United Nation Partition Plan of Palestine in 1947**



Source: Abu Sitta (Dec. 22, 2006). The Atlas of Palestine  
<http://www.palestineremembered.com/Articles/General/Story1933.html>

## Map (4.2)

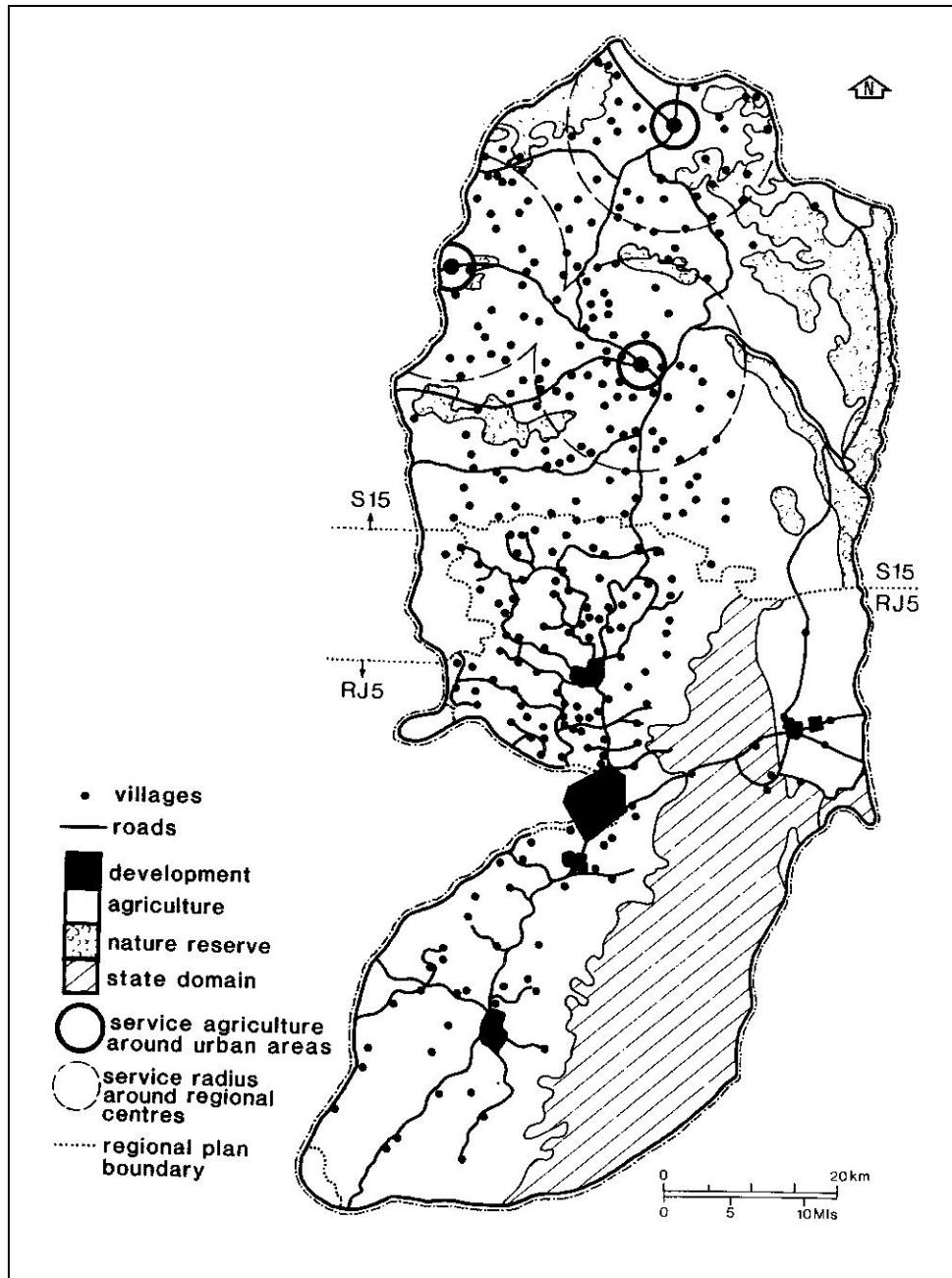
### The state of Israel in 1948 and the OPT in 1967



Source: An Atlas of Palestine, 2002, p. 20

**Map (4.3)**

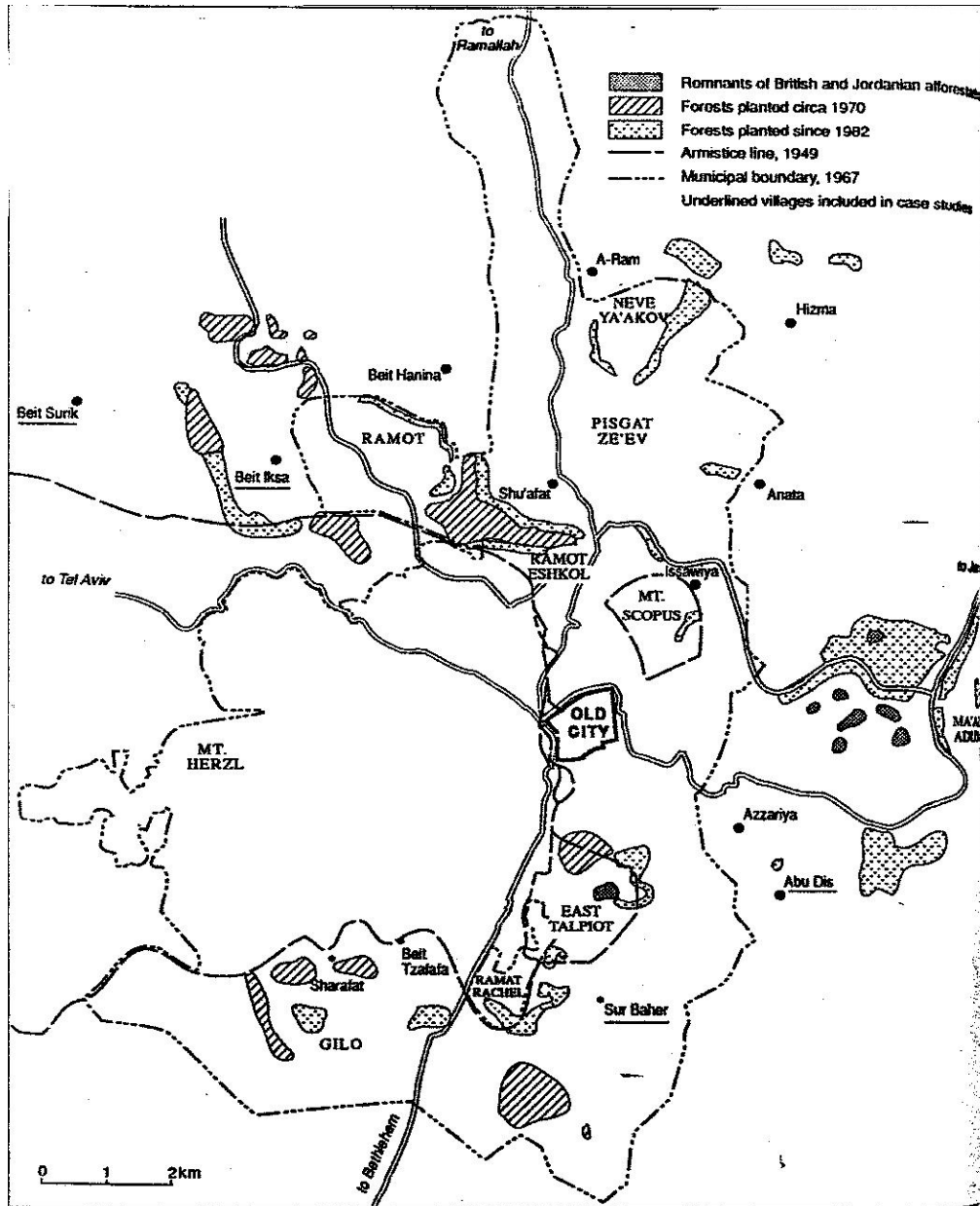
**The Mandate Regional Plans: S15 and RJ5**



Source: Coon, 1992, p. 75

### Map (4.4)

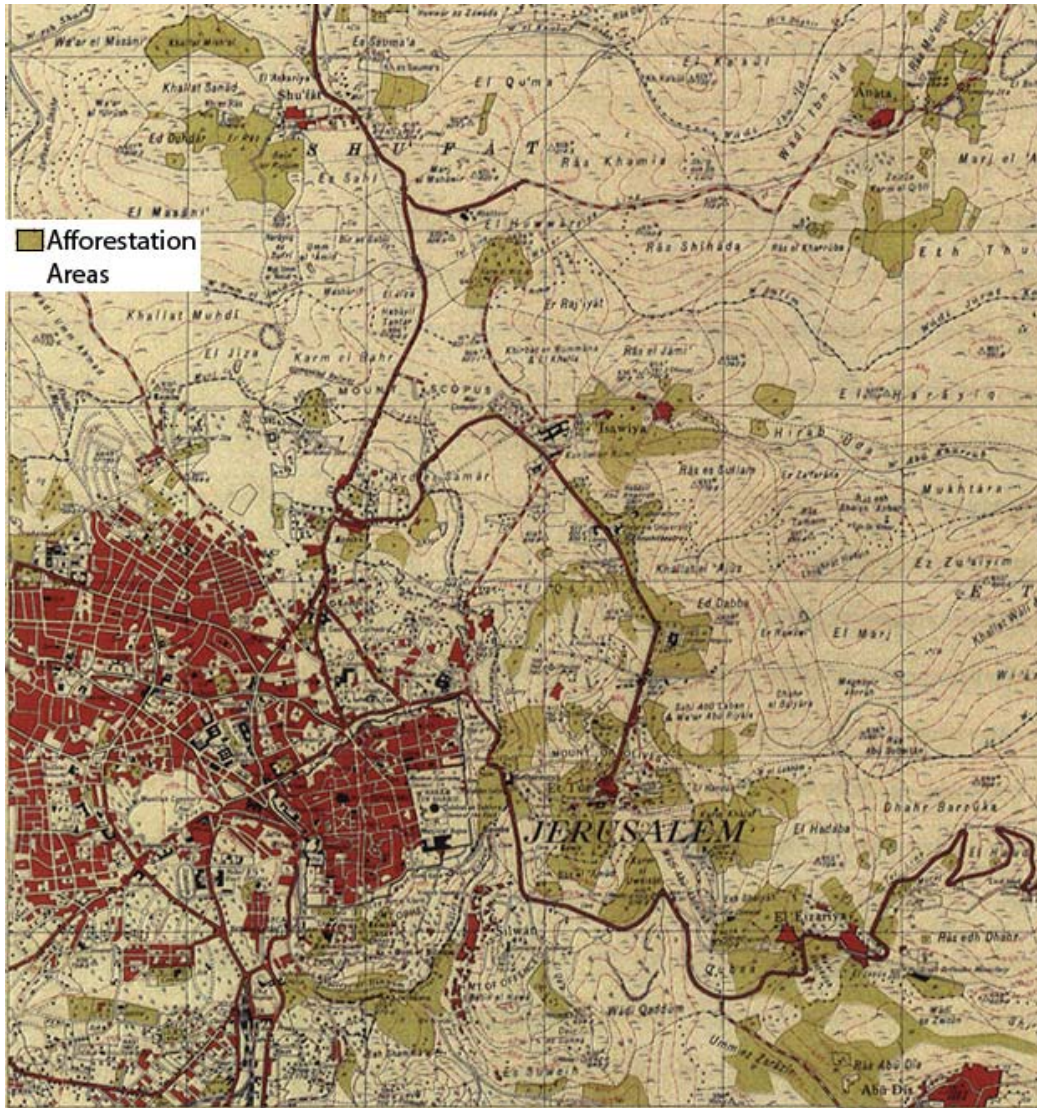
Green Belt Afforestation since 1967. This map highlights projects carried out since the reunification of Jerusalem.



Source: Cohen, 1993, p110.

## Map (4.5)

### The Mandate Afforestation around Al-Quds



Drawn by the Survey of Palestine, 1943  
Source: Archive, MoP

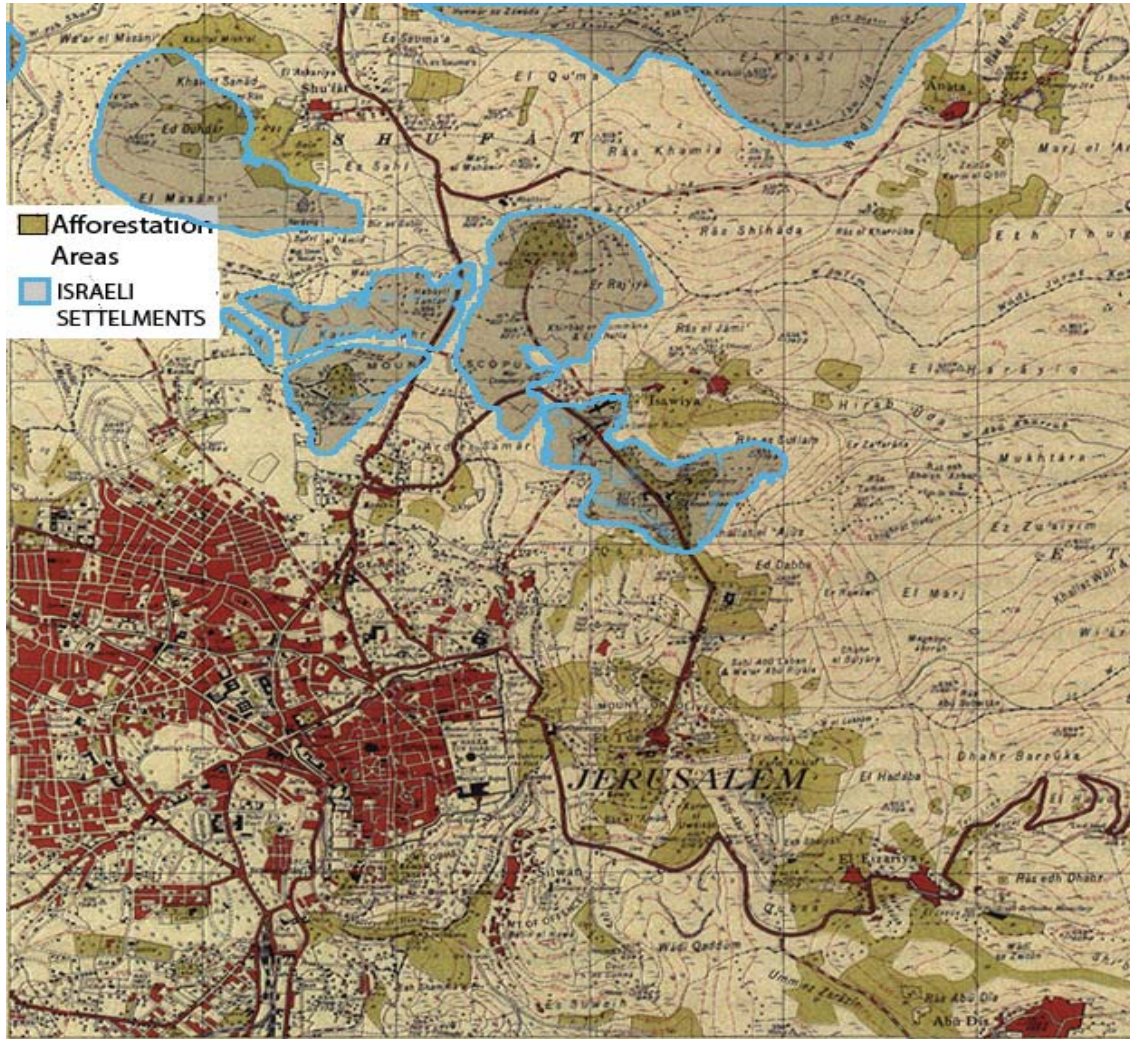






### Map (4.8)

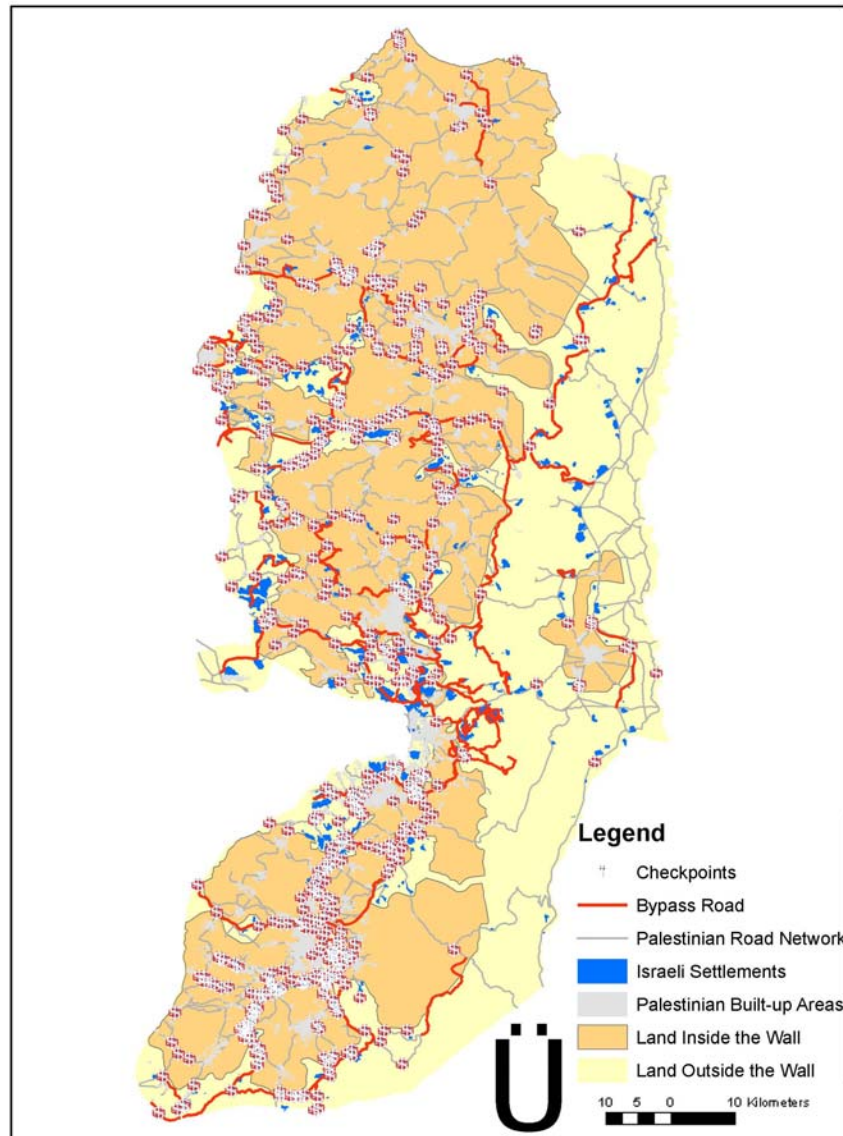
## The Relation Between the Locations of the Mandate forests and the Israeli Settlements in Al-Quds Area



Source: Drawn from Survey of Palestine (1943) & MoP (2009)

**Map (4.9)**

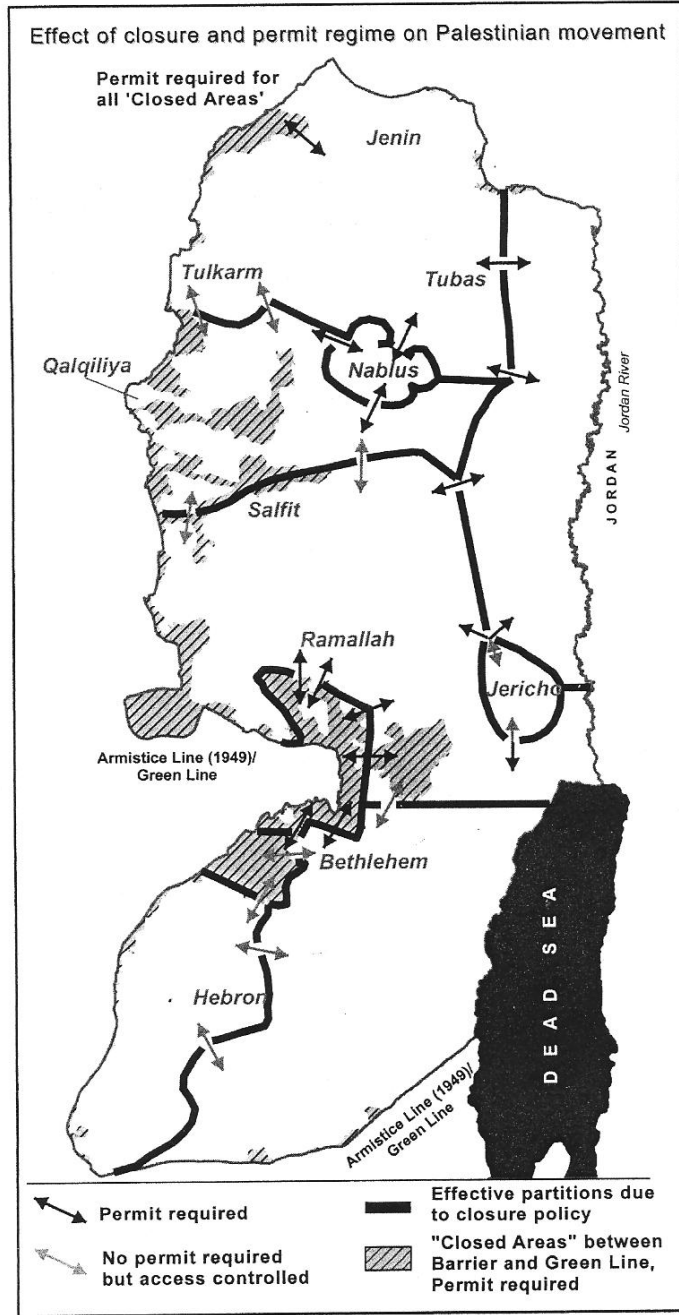
**The Israeli Checkpoints in the West Bank, 2004**



Source: The Applied Research Institute-Jerusalem (ARIJ), 2004

**Map (4.10)**

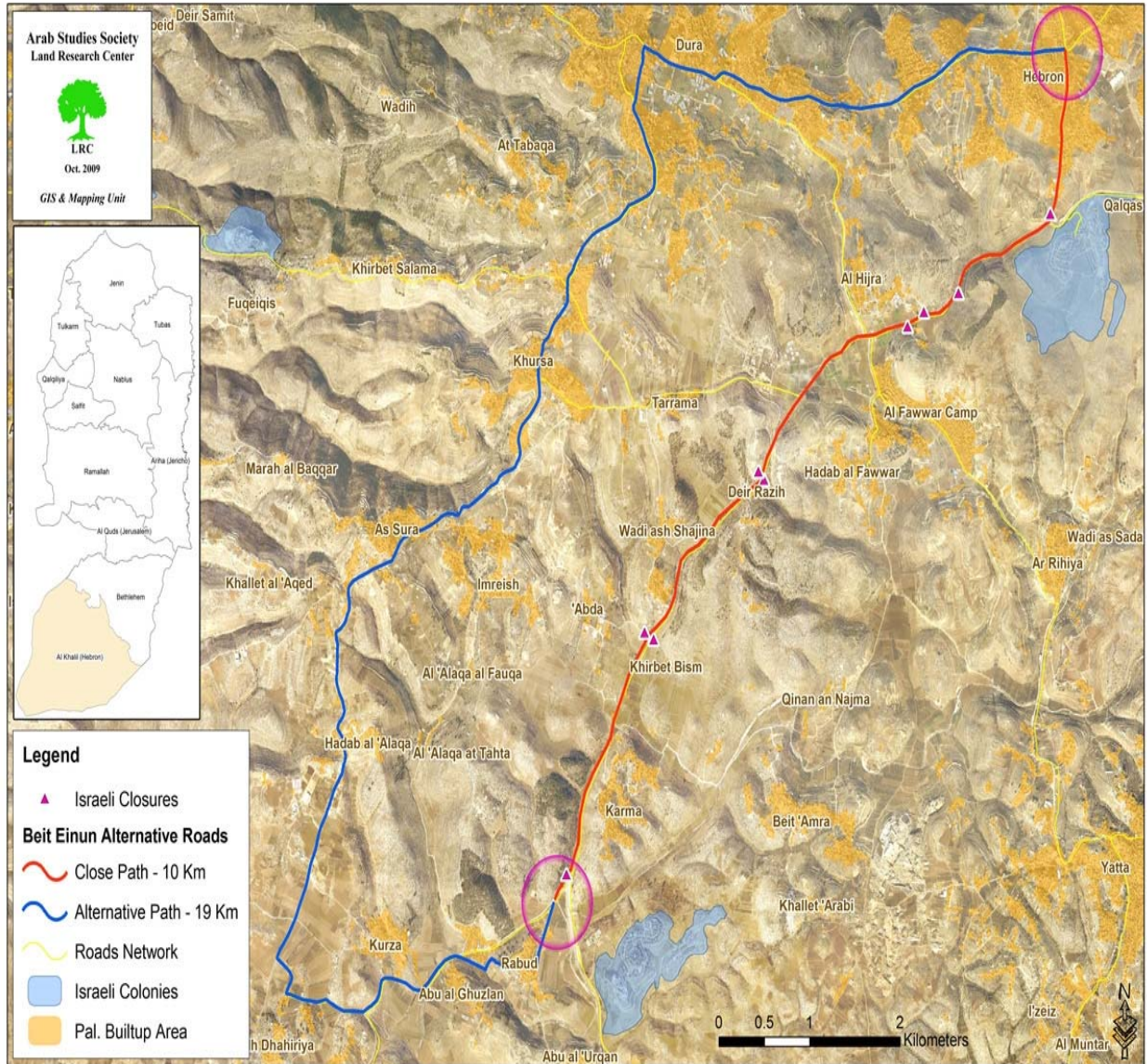
**The Effect of the Israeli Internal Closure policy of Splitting the West Bank**



Source: Makdisi, 2008, p. 338

## Map (4.11)

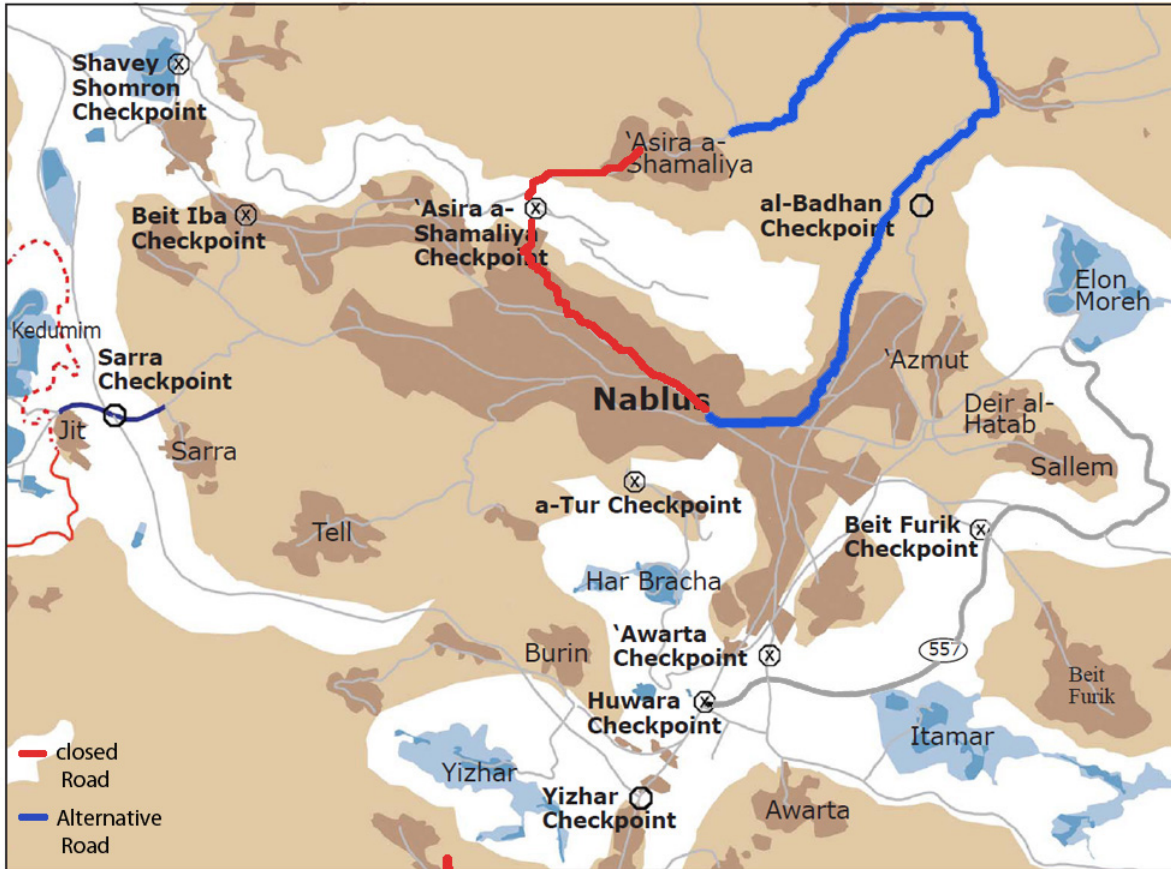
### Palestinian Alternative Road in Al-Khalil Governorate



Source: Land Research Center (LRC), 2009

**Map (4.12)**

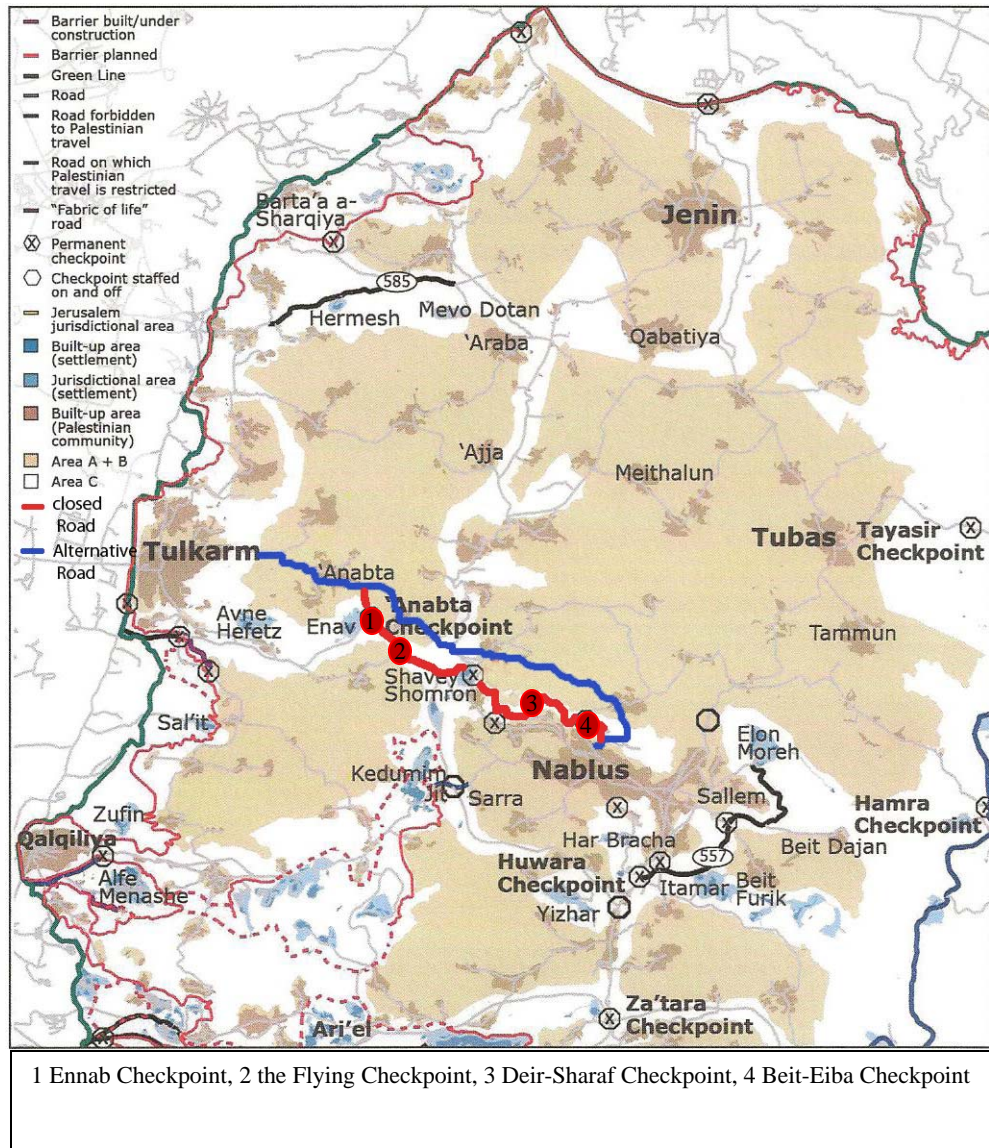
**Palestinian Alternative Road in Nablus Governorate**



Based on B'Tselem , August 2007

### Map (4.13)

## Palestinian Alternative Road from Tulkarm to Nablus Cities



Based on B'Tselem , August 2007

## TABLES

**Table (1.1)**

### **Cases of Israeli settlers' Attacks and Occupation of Specific Buildings in Al-Khalil City**

The case	Description
1. Seizure of Jamal Tahboub's roof	The house is located on Al-Shalalah old street in the Old City of Hebron. It is adjacent to the Beit Hadassa settlement on the Western side. Settlers invaded the roof of the house and installed an iron handrail. They created a door connecting the roof to the settlement.
2. Seizure of Sama'an Abou Sakour's land	The building and land are located in Tal Al-Rumeida. Settlers installed games and an iron ladder on the land.
3. Occupation of Zakaria Al Bakri's house	The house, located in Tal Al-Rumeida, near the Tal Al-Rumeida settlement in the Old City of Hebron was invaded and occupied by settlers.
4. Teachers' housing/sultan	This issue concerns the land assigned for the Teachers' housing project in Al Boueira, Hebron, where the Kiryat Arba' council unjustifiably took possession of part of the land and set up a park.
5. Partial demolition of Naser-Eddin building	Beit Hadassa settlers demolished part of Izzat and Dawood Nassereddin's house, located on the Old Al Shalalah street near the Beit Hadassa settlement on the Northern side of the Old City of Hebron.
6. Erection of electric poles in Wad Al Hassin	Settlers erected electric poles on the land owned by the Jaber, Souaifan and Da'ana families located in Wadi Al-Nassara, on the southwestern side of Kiryat Arba' settlement in Hebron.
7. Occupation of Al Nather house/phase I	The house is located in Bab Al Khan. It consists of three levels and is owned by Al Nather family. Settlers took over the house.
8. Occupation of Fayez Al Rajabi building	The building is located in Wadi Al-Nassara in Hebron. In April 2007 the settlers' occupied the building.

Source: From a Follow-up Report, Hebron Rehabilitation Committee (HRC), 2007

**Table (3.1)**  
**Index to Map (3.5) Above**

No.	Forest Reserve	Sub-District	Area of Reserve Dunams	No. of Units to Be Planted (1936-37)	No. of Years Planting to Continue in Each Reserve
1	Meirun (Meiron)	Safad	1,500	1	3
2	Jebel Toran Turan or Tur'an	Nazareth	14,000	2	14
3	Jebel Sacha (Sasha)	Nazareth	6,000	1	12
4	Wadi Mughara	Haifa	7,500	1	15
5	Abu Huran	Jenin	1,500	1	3
6	Ras Zeid	Nablus	2,000	1	4
7	Jebel Saradi	Hebron	3,800	2	3
8	Mughar	Ramle	1,800	1	2
Total			37,300	10	

Source: El-Eini, 2006, p. 194



**Table (3.2)**

**The Four Types of Land management for Closed Forest areas (Closed to Grazing and other Forms of Interference), 1936**

<b>Type</b>	<b>Management</b>
<b>(a) Experimental</b>	The area of land devpoted to an experiment depends on the nature of the experiment, and recors are kept in full deatil, both technical and financial.
<b>(b) Special</b>	In araes of specail importnace or difficulty, where accelerated afforestation is desired, intensive management is necesarry. The land is divided into compartments of approximately 100 dunams and full records of working [sic] are kept for each compartment.
<b>(c) Productive</b>	Where forest produce could be obtained from an area it will be divided into compartmnets for purposes of record, and a working plan made to determine araes and dates of cutting, and methods or regeneration.
<b>(d) General</b>	Ruined lands closed for regeneration will be divided into 'Blocks' of approximately 500 dunams based on the areas which one labourer can protect and work. The cost of the man engaged on guarding and cultural operations will be charged against the Block, and a report made periodically on the condition of the growing stock. When the vegetation has been completely regenerated, it is hoped that one man will be able to protect several Blocks during the resting period. (Owing to the disturbances [the 1936-39 Arab Revolt], no araes have so far been worked inder (c) and (d).

Source: El-Eini, 2006, p. 520.

**Table (3.3)**

**Land Categories as Defined by Sale in 1936**

<b>Category</b>	<b>Definition</b>
<b>AI State Forest</b>	State Domain definitely allocated to Forestry and declared as Closed Forest Reserve. Allocated by Government authority, while the declarations bring the land legally under the provisions of the Forests Ordinance.
<b>AII Allocated State Domain</b>	Land that for some reason (usually security-related) has not yet been declared a Closed Forest Reserve.
<b>BI Closed State Domain</b>	Land not yet definitely allocated by Government but which is under Forests Department protection and has been declared a Forest Reserve and Closed Forest Area.
<b>BII Open State Domain</b>	Land not definitely allocated which has been declared a Forest reserve but not a Closed Forest area.
<b>BIII State Domain: not Forest reserve</b>	Includes land which is to be declared or such land as nurseries, etc., where declaration is unnecessary or delayed.
<b>CI Closed Forest Reserve</b>	Land not registered as State Domain, which has been declared a Forest Reserve and a Closed Forest Area.
<b>CII Open Forest Reserve</b>	Land which has been declared a Forest Reserve, but not closed to grazing and cutting.
<b>CIII Undemarcated Forest Reserve</b>	Land similar to CII (Open Forest Reserve), which has been declared a Forest reserve with approximate boundaries, but which still awaits demarcation and survey.

Source: El-Eini, 2006, p. 521

**Table (4.1)**

**Total Numbers of Trees Uprooted in All Areas of the West Bank and Gaza Strip According to Tree Type During the Five Years of the First Intifada**

<b>Time, Period</b>	<b>Types of Trees</b>					<b>Total</b>
	Olive	Almond	Citrus	Vine	Other	
1 <sup>st</sup> year	13967	1748	1277	1841	4607	23440
2 <sup>nd</sup> year	22936	1944	3887	1932	5285	35984
3 <sup>rd</sup> year	23308	1431	3753	3826	2217	34535
4 <sup>th</sup> year	28533	4867	2406	6193	3697	45696
5 <sup>th</sup> year	28633	2096	3414	9425	1041	64279
<b>Total</b>	<b>117377</b>	<b>12086</b>	<b>14737</b>	<b>3217</b>	<b>26517</b>	<b>203934</b>

Source: Arab Studies Society & Land Research Committee, 1993, p. 16

**Table (4.2)**

**The Losses of Farmers Due to the Israeli Practices Relating to Destroying Houses,  
Wells and Agricultural Buildings from 09/28/2000-04/30/2005**

Losses	Unit	Total
Agricultural stores	N0.	770
Poultry Farms And Equipment	N0.	756
Sheep and Goats	N0.	14749
Animals	N0.	12132
Beehives	N0.	15265
Poultry and Birds Farm	Bird	1.250.059
complete water wells and supplements	N0.	403
Pools and Water Stores	N0.	1327
Basic Water Lines	Meter	929984
Irrigation Networks	Dunam	31263
Farms Fences	Meter	609593
Package and Storing Station	N0.	2
Experimental Station	N0.	2
Nurseries	N0.	16
Destroying Tractors	N0.	16
Number of Affected Farmers	Farmer	<b>16177</b>

Source: Ministry of Agriculture (MoA), retrieved June, 2009 from  
<http://www.moa.gov.ps/index.php>.

**Table (4.3)**

**The Losses Incurred the Palestinian Agricultural Sector Due to The Israel Aggressive Practices Relating to Destroying TREES, Greenhouses & Vegetable Farms from 09/28/2000-04/30/2005**

Losses	Unit	Total
Olive trees	Tree	445699
Date trees	Tree	34056
Citrus trees	Tree	542777
Almond trees	Tree	84191
Grapevines	Tree	88567
Banana trees	Tree	20400
other Fruit trees	Tree	128780
Forest trees and fences	Tree	10227
Total Number of Uprooted trees	Tree	1355290
Total of Uprooted Trees Area	Donum	48184
Vegetable Fields	Donum	12618
Greenhouses	Donum	2183
field crops	Donum	13882
Total Uprooted Area	Donum	76867

Source: Ministry of Agriculture (MoA), retrieved June, 2009 from <http://www.moa.gov.ps/index.php>.

**Table (4.4)**

**Agricultural Lands Confiscated and Bulldozed in Hectares in the First stage of the Separation Wall**

Plantation Cover	Bulldozed Lands	Confiscated Lands	Total
Olive	<b>6,262.3</b>	<b>974.3</b>	<b>7,236.6</b>
Citrus	<b>800.8</b>	<b>200.3</b>	<b>1,001.1</b>
Fruit Trees	<b>355.8</b>	<b>75.6</b>	<b>431.4</b>
Cereals	<b>1,852.2</b>	<b>61.7</b>	<b>1,913.9</b>
Green Houses	<b>191.4</b>	<b>61.7</b>	<b>253.1</b>
Grazing areas	<b>980.0</b>	<b>6.9</b>	<b>986.9</b>
Others	<b>155.5</b>	<b>6.9</b>	<b>162.4</b>
Total	<b>10,598.0</b>	<b>1,387.4</b>	<b>11,885.4</b>

Source: Ministry of Agriculture (MoA), retrieved June, 2009 from <http://www.moa.gov.ps/index.php>.

## APPENDIX A

### SUMMARY OF TEAR'S FORESTRY POLICY IN 1933

#### 1. Percentage of Land to be Dedicated to Forestry: Factors to Consider

- (i) • Population increase (natural and by immigration)
  - Increased demands for forest produce (rose from £P140,000 in 1922, to £P500,000 in 1933: villagers walk far to larger towns for fuel, wood, firewood and charcoal supplies, transporting these back by rail, car or animal. In Beersheba, problem is 'acute')
  - Loss of natural pasture to agriculture
- (ii) • Significance of forest growth on slopes to ensure rainwater storage by underground springs
  - Prevent further soil denudation on and between the hills
  - Prevent erosion of cultivated lands in the plains
  - Equalise climatic extremes
  - Shelter crops and orchards: important in a country of 35 per cent rocky hills
- (iii) • Large wasteland areas can only be economically developed by afforestation due to steep slopes, poor rainfall, shallow soil and 'impossibility of irrigation': for example, sand dune areas, Hill Country facing Jordan Valley, foothills in western parts of Hebron and Ramle Sub-Districts, parts of Safad, Southern Gaza, and Beersheba
- (iv) • Forestry in long-run is revenue-producing. Takes time to gain results, hence is more suitable to State than private initiative
  - A large total area is needed because of long period to forest maturity; can only cut annual increments to ensure regular and sustained yield

#### 2. Types of Lands to be Dedicated to Forestry

- Lands suited for economic [*sic*] agriculture or horticulture must not be given to Forestry. It is sometimes better, though, to afforest good agricultural land for timber and other forest produce. For example, eucalyptus in plains yielded profits, and fast-growing pine for citrus cases can be grown in deeper, plains soils
- Production of merchantable timber needs reasonable soil depth and fertility, and lower costs to bring existing forest growth to maturity by protection and by replanting banks in a forest soil. Is much cheaper than new-planting denuded soils
- Therefore, because have inadequate forest produce supply in Palestine, it 'is generally justified' to retain existing forests, even on soils that can be converted to agricultural or other use
- Where lands are precipitous or hilly, and where tree removal could lead to soil erosion, damaging crops and orchards, roads, rail lines and settlements, or where forest needed for watershed protection, or to maintain underground springs

Apart from that noted above, Forestry 'will generally be concerned with the poor classes of land'.

Source: El-Eini, 2006, p. 508.

## APPENDIX B

### SUMMARY OF SALE'S FOREST AND LAND POLICIES, 1936

#### Forestry

##### *Policy*

- Wide-range rural planning
  - Buy land important to water supplies and soil conservation: big acquisitions for rising population
  - Land buys, including Forest Reserves declared State Domain, to be divided into three categories: a) Forest; b) Grazing; c) Protected
- a) Forest Lands
- Best land to be used for forest produce. Soil to be good enough for high forest, and early and major improvement. Large blocks for Working Series, giving continuous produce and work for skilled labour in nearby villages
  - Forest section specifically for water conservation and prevention of soil erosion  
Produce not an aim here. Forest size and shape dependent on local circumstance
  - Village Forests: 'Reasonably productive land' near village 'solely' to supply it forest produce (fuel, small timber). Material paid by villagers; produce almost free if villagers work without pay; free/very cheap Forests Department supervision; low guarding costs
- b) Grazing Lands
- Due to slow agricultural education, need to provide fodder in hills and prevent erosion
  - Need grazing grounds where suitable and nutritious shrubs and grasses grown. Areas to be closed as necessary, limiting animal numbers. Charge only for minor costs (for example, fencing)
- Comment:* Overgrazing practised because gives 'maximum immediate benefit', but destroys land's productive power, preventing recovery
- c) Protected Lands
- Buy headwater areas of important streams or rivers requiring protection. Afforest steepest slopes; rest to be terraced and prepared for productive forestry or controlled horticulture  
*Note:* Land must not be alienated or terraces may be left to deteriorate; and State horticulture is 'undesirable'. Best to lease land at low rent, but with 'stringent conditions', ensuring water and soil conservation, settling 'men of good type' on land of 'desolate eroded slopes'
  - Advantage of terracing: can devote to fruit trees, notably increasing their number since mixed forest and fruit tree plantations fail



## 2. Land

### *Policy*

- Set aside approx. 15 per cent of Palestine's total area for Forestry
- Department of Forests to care for land too poor for agriculture. 'Cultivable land', as defined by Director of Agriculture (land on which can grow crops regardless if profitable or not), also applies to growing forest produce. Slopes and catchment areas should be purchased and afforested for water conservation (in accord with Empire Forestry Conference Resolution No. II.)

### *Sale's Comments*

- Palestine's total area 27,009,000 dunams
- Desert 10,000,000 ..
- Potential high forest, scrub and agricultural area 16,000,000 ..
- Of 16,000,000 dunams, 1,400,000 (less than 10 per cent) has some forest characteristic: in reality, majority is grazing ground with little scrub or no vegetation
- Forest of valuable scrub and plantations (approx.) 200,000 dunams
- Total area Forest Reserves (approx.) 739,000
- Many small blocks, strips and private property in Reserves
- Population increases (natural and by migration) causing rural 'devastation'
- Whole fertile area is divided into 'villages', and no reserved State Land is unconnected to a village
- Nearly all land possible is claimed as private or communal
- Rest of land has private land enclaves and unclear rights attached

Source: El-Eini, 2006, p. 511-512.

## APPENDIX C

### ARTICLE SIX OF THE BRITISH MANDATE

#### ARTICLE 6

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State Lands and waste land and waste lands not required for public purposes.

Source: El-Eini, 2006, p. 461

## APPENDIX D

### THE PALESTINIAN NGOs PARTICIPATE IN PNRMP

**PARTICIPATORY NATURAL RESOURCE MANAGEMENT PROGRAMME (PNRMP)  
NGOs PRE-QUALIFICATION MATRIX SHEET**

Date: 04/01/2005

AV. MARKS/ COMMITTEE MEMBER	Applicant Organizations												
	1	2	3	4	5	6	7	8	9	10	11	12	13
	JUHOUD	Al-Khader Coop.	PU	Ma'an	BERC	TCAS	UAWC	New Agr. Store	LRC	ESDC	Jenin Coop.	PARC	ACAD
Mahmoud Hussain	43	24	65		40	56	85	0	74	63	47	85	66
Dr. Zakaria Salawdeh	35	17	57	71	40	51	85	0	77	55	48	85	66
Ahmed Zakarneh	49	44	63	72	58	57	81	0	81				
Khalid Al-Khateeb	39	20	69	73	50	54	85	0	80	55	47	85	65
Kayed Janazreh	42	22	59	74	55	52	85	0	76	63	55	85	70
<b>TOTAL</b>	<b>208</b>	<b>127</b>	<b>313</b>	<b>290</b>	<b>243</b>	<b>270</b>	<b>421</b>	<b>0</b>	<b>388</b>	<b>236</b>	<b>197</b>	<b>340</b>	<b>267</b>
<b>AVERAGE</b>	<b>42</b>	<b>25</b>	<b>63</b>	<b>73</b>	<b>49</b>	<b>54</b>	<b>84</b>	<b>0</b>	<b>78</b>	<b>59</b>	<b>49</b>	<b>85</b>	<b>67</b>
MOA			3	2		2	5		2	3		5	2
Committee's member ava			5.2	6.8		4.8	8.6		6.2	5.8		8.8	6.6
<b>TOTAL Marks</b>	<b>42</b>	<b>25</b>	<b>71</b>	<b>81</b>	<b>49</b>	<b>61</b>	<b>98</b>	<b>0</b>	<b>86</b>	<b>68</b>	<b>49</b>	<b>99</b>	<b>75</b>
<b>Over 65 "Pass"</b>			Pass	Pass			Pass		Pass	Pass		Pass	Pass

Signatures:

Source: Land Reclamation Program in Economic and Agricultural Development Unit-UNDP/PAPP, 2005.

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