

THE FABRICATION OF ISRAEL

About the usurpation and destruction of Palestine through Zionist spatial planning

A UNIQUE PLANNING ISSUE

IV

Further Devastation and Destruction - Judaizing the West Bank and the Gaza Strip after the Occupation 1967, an overview

Conclusion from Chapter III:

Final comment

The year of 1948, the foundation of the Jewish State of Israel in new frontlines did not set an end to usurpation of the Palestinian land - it was but a starting point for more and more expropriation and expulsion. After all - with British and finally international support - the Zionist leaders succeeded in having a state in Palestine and even a larger area than the UN had proposed to them.

The state was founded on a dangerous Jewish nationalism, a racist ideology which backed a fateful ethnic cleansing of the Non Jewish Palestinians and expulsion of half of the indigenous people. However, more than 150.000 Palestinians remained in the country, at that time still forming one quarter of all inhabitants.

The usurpation of Palestine was not complete in terms of property and ownership; and finally in terms of land use it was not even Jewish: the majority of the Jewish immigrants concentrated living in the cities of the coast. Consequently, the Zionist leadership pulled out all steps useful for judaizing the land: extreme expropriation by laws and regulations; systematic Jewish immigration and distribution of Jewish people; imposing all kinds of restrictions and discrimination to the Palestinians. Spatial planning played a crucial role. Beside a framework of expropriation and annexation instruments national, regional, district and local plans became essential tools for judaizing and colonising the land of the Palestinians in a very short time. ...

The most important steps killing the Palestinian existence in Israel to the utmost were ... the implementation of the ***national plan for the distribution of Jewish immigrants***, the **program of 30 new cities** and the immediate expropriation of the so called absentees, the Palestinian refugees. The Palestinian land property shrank from 93-94 percent in 1948 to less than 3 percent of the total to date....Hence Palestinians ... have become a marginal minority in terms of political power, economic importance and social influence. Israel is the Jewish State.

The war of 1967 and the occupation of the West Bank including East Jerusalem and the Gaza Strip was the initial step for further colonization

The following section will investigate how Zionist ideology and strategic planning, was implemented within the new frontiers – also war might become a regular tool within further colonization.

IV

Further Devastation and Destruction - Judaizing the West Bank and the Gaza Strip after the Occupation 1967, an overview

At the end of the sixties, Israel had finished main issues of colonisation within the 48 borders: the Palestinians were a minority under control and more than 90% of their land was judaised. However, 'Israel in Palestine' was not complete and the Jewish State an amputee in sense of before 48 Mandate borders and the 'promised' land by the British. Furthermore, the important water resources, the northern and the southern aquifer were still under Palestinian control.

It was shown in the previous sectors that the military conquest of the West Bank and the Gaza Region was the logic consequence of Zionist policy from its very beginning. Most important aim of the 67 war was to reach control over the Jordan valley, the water resources (see section IV5) and finally East Jerusalem with the Old City including the 'Wailing Wall'. The occupation made the Zionist vision of a complete Jewish country in Mandate borders possible. Only 'obstacle' was the Palestinian people on that land.

Planning tools were already approved: 'waving a net of colonies, acquiring wide stretches of land, stretching strong ropes between the pegs' and so on was the already used colonial 'planning kit'. The same expropriation practice and land robbing like in Israel after 1948 was carried out. The destruction and colonisation process started again with a census. The Zionist movement, in form of the World Zionist Organisation (WZO) became again the driving force behind the usurpation process. How this happened is the matter of the following section.

Waltz will begin with an overview and summary of the main usurpation steps and special planning tactics, Jordan planning law had to be added. Isaac will follow up with details after Oslo and investigate the effects of the segregation wall. Gaza, what has been left by Israel in 2005 will be reviewed (Isaac/Waltz) as an example for Israel's high ambitions on the one hand and pragmatic retreat from the battle field on the other hand if necessary. Finally two aspects will be touched: transportation (Awadallah/Atrash) and water (Isaac/Waltz).

The following section aims to give an overview. Main steps are presented; method again is the review of results and interpretation of the driving forces, hence planning methods and instruments.

IV

Viktoria Waltz

1. General Planning Strategies and Executed Policies after Usurping West Bank and Gaza Region - Short Overview

West Bank and Gaza were pure Palestinian areas before 1967 under Jordanian and Egyptian governance. The population living in villages, cities and refugee camps earned more or less sufficiently their living with farming. The West Bank was serving Jordan with vegetables, fruits and crops; the 'Jerusalem stone' a favourite building material was exported to the Arab neighboured countries.

Jordan as well as Egypt had not done much for developing infrastructure. Roads, water pipes and electricity net were in poor condition. Social services, hospitals, schools, kindergarten were developed on a small level. Who could afford used private institutions – a tradition in Palestine. Who wanted a better and safe living for the family went out of the country to work or study in neighbouring states, the US or Europe. Thousands of Palestinians earned their living in the Gulf States and elsewhere, inspiring novels and poems about being exiled (Kanafani 1984).

When Israel occupied the West Bank and Gaza, life, especially mobility deteriorated again and Palestinians faced immediately what happened to many of them in 47- 49 during the first ethnic cleansing: expulsion, census, expropriation, restrictions of life in many directions. Same regulations and laws as before were used to expropriate land and extend Jewish colonies (see IV.1). A **census** declared people on their land as inhabitants and those, who had left their properties even only for a while were defined 'absentees' and their land fell for expropriation. Consequently, until the beginning of the so called peace process Israel authorities had already confiscated in the West Bank 79% of the land. From this

- 44% was taken for 'military purposes',
- 20% for 'safety reasons',
- 12% for 'public purposes' (e.g. green and recreation areas according to town planning acts), as well as
- 12% as land of the 'absentees'.

(Coon, 1992)

In addition to the Israeli law the **Jordanian Planning Law of 1966** was usurped and 'integrated' into Israel's military order system and managed to serve Israeli interest of changing the map. Al Haq revealed 1986 about Israeli planning strategies in the West Bank in detail the crucial mechanism of this new strategy (Al Haq 1986). Through military order 418 e.g., the 'Order Concerning Town, Village and Building Planning' of 1971, transferred the planning task of the Higher Planning Council under Jordanian Minister of Interior simply to the Israeli Military Administration. The person in charge was then an Israeli officer managing 'interior affairs'.

Since 1985 the tasks went over to the 'Infrastructure Branch' of the then called 'Civil Administration', replacing the former Jordanian 'Central Planning Department'. This branch became also responsible for the confiscation of land – eventually for the establishment of new Jewish colonies. Declaring specific areas as planning zones, approving planning schemes and amending and cancelling building licenses granted by lower planning levels etc. were according to the Jordanian law the responsibility of the Higher Planning Council, including the head of the Engineer's Union, the Attorney

General, the head of the Housing Institute and other individuals representing the various interests of the local population. Under the implementation of Military Order 418 these rights especially Palestinian participation were eliminated. (Rishmawi 1986, Shehade 1985)

The investigation of Rishmawi (1986) about the consequences of this order revealed, that as an example, Kiryat Arba, a most hostile colonial community to the Palestinians in direct neighbourhood to Hebron/Khalil was established under Military Order 418 and according to Plan No. 510 became a 'special planning zone', covering almost 30.000 dunam of expropriated Palestinian land. Benvenisti concluded in his analysis of this plan "The purpose of the Kiryat Arab master plan is three-fold: to impose a freeze on Palestinian land in the vicinity of Jewish housing estates; to expropriate all Palestinian land needed to connect and serve the pockets of Jewish settlements; and to ensure that Jewish areas will be used extensively for Housing." (Benvenisti 1986)

Furthermore, District and Local Planning Committees were abolished. Duties of these committees were approving detail plans in the respected area, serving also as an appeal committee in local planning zones. In some local cases these responsibilities were according to the Jordanian law transferred to the elected municipal councils. However, in 1982 they were dismissed and replaced by Israeli appointed officials. In the Hebron/Kiryat Arba case the Hebron Mayor before dismissed had taken proceedings before the Supreme Court of Justice against the master plan for Kiryat Arba. The Israeli appointed mayor after Natshe's dismissal withdrew the case from the court. These mechanisms were to ease the judaizing process slowly and step by step.

The **WZO** became again a main actor in this process, funding the colonisation and supporting immigration from outside to settle the newcomers in new West Bank, Gaza or East Jerusalem colonies. Whether Allon, Begin or Sharon, Likud or Labour plans - strategies were worked out before by politicians and engineers of the WZO. The WZO all over the world and especially in the US invited from abroad Jewish and Zionist groups to have visits to 'Samaria and Judea' to convince them to immigrate and to occupy buildings and land in the planned strategic locations. The Israeli governmental institutions, army, electricity company etc., followed more or less these plans and supplied such illegal colonisation with infrastructure and eventually using military force. (Benvenisti, 1984, 1988)

Likewise the policy in Israel, the Palestinians in the 1967 occupied territories were threatened by **refuse of building licenses**, 'illegalising' building activities within zoning and mapping restricted areas. Reasons for refusing a permit to build a house are again several. Reasons actually were given the following:

- (1) Agricultural Area S15/RJ5;
- (2) Plot too narrow / separation between building and edge of plot too small / density too high;
- (3) More than one building on a plot;
- (4) Insufficient evidence of ownership;
- (5) Land needed for road.

Reason (1) is given in almost every case; this and (2) refer to the provisions of plans S15 and RJ5. So also does (4) - though neither the plans nor the law in fact provide grounds for denying a permit for ownership reasons. Reason (4) arises from non-recognition of Palestinian ownership documents. Reason (5) has been used extensively only since Oslo II accord. (AI 1999)

Plan **S15 and RJ5**, together covering a large part of Palestine and almost all land of the West Bank were drawn up in the early 1940s under the British Mandate and zoned green areas as explained in section III. They were then filed and seemed more or less forgotten. According to Amnesty International there is no evidence of a regular use under either the Mandate or Jordanian rule or even in Israel between 1948 and 1967. Their still binding existence came to public notice in 1980 (RJ5) and 1985 (S15), when used as a justification to refuse building permits in the West Bank. First case was Bil'in, when RJ5 was used to justify the establishing of nature reserves on Bil'in land - even though it was revealed in the court that RJ5 is vague and not at all a clear plan (Rishmawi 1987). However, the Jewish colonies are all in land designated as 'agricultural areas' according to S15 and RJ5. Adopting these laws and plans Israel claim, that new master plans in these areas are not part of the planning zones according to Jordanian Law, hence participation of local institutions and persons not conditional. And plans for colonies and new roads, unlike plans for Palestinian houses, are simply labelled as 'amendments' to S15 / RJ5. Likewise, though hundreds of Palestinian houses have been bulldozed, none of the extensive development without permit within the colonies (whether built before or after approval of the settlement plan) has been demolished because conflicting with these Mandate plans. (AI 1999)

Also **master plans** were used in two directions and made a spatial expansion in legal frame impossible for the Palestinians: to refuse licenses if there is no master plan as a normative prerequisite to get a building license; or to limit areas for expansion, defining plan borders as a restricting borders of developing. Until the so called peace process master plans most of all did not exist for the Palestinian areas under the Israeli military or later civil administration. Therefore, Palestinian communities were incapable to develop their building areas under conditions of master plans and forced to unlicensed housing construction.

However, shortly before the negotiations with the Palestinians started, the Israeli government issued about 300 Master plans, covering most of the already built up Palestinian areas, 'limiting' building to the area within the plan borders, which was already built up. Extension outside these borders became impossible. In addition, these plans served as borders for the division of the West Bank into **A, B and C zones** even more restricting Palestinian urban growth and imposing restrictions of development. (Ministry of Local Government 2000)

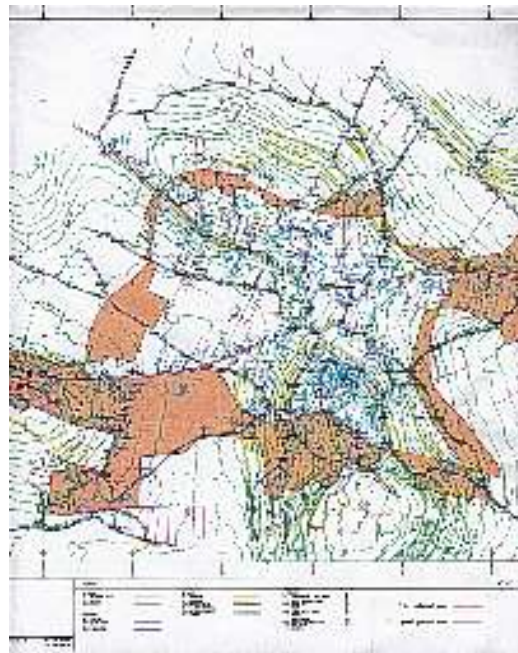
In Zone A under full Palestinian control, building became restricted by these new master plans. Villages and towns were not allowed to build on their fallow land outside these borders as long as these master plans were fact. In Zone B neither a road, nor new buildings or commercial areas could be established without an agreement of the Israeli administration, what never happens, simply because of the permanently given 'safety' argument. Zone C, under full Israeli control and covering the largest part of the West Bank, is still out of any negotiation. In many cases villages or city quarters are even surrounded by C, what means the Palestinian administration cannot even get a permission to build a new electrical line or a road to be connected to other areas and finally no new houses. The case of Al Jeeb village shows the irrational situation created by this zoning: the village is in area A, surrounded by C, and the red marked area shows the already built up area outside the master plan borders, hence 'illgal' according to Israel's logic (Waltz, 2000; Irshalem, 1998) (see map 1,2).

Map 1 Zoning A, B, C, 1999



Source: Arij, 2000

Map 2 Village Al Jeeb, Surround by Area C (brown) 1999



Source: Ministry of local Government,

As shown, the transformation of Palestinian land into Israeli and Jewish did not come to an end after Madrid and Oslo. In addition, the construction of the separation wall can be understood as part of a refining plan within the same goals. The next paragraph will go deeper into facts on the ground.

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