

JNF
Colonizing Palestine Since 1901

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Greenwashing Apartheid: The Jewish National Fund's Environmental Cover Up

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1. Introductionⁱ

By: Sara Kershner, Mich Levy, and Jesse Benjamin
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The goal of this JNF eBook is to show how Israeli settler colonialism and apartheid are served by and depend on the environmental racism and destructiveness of the Jewish National Fund (JNF). The struggle for home, land and justice by Palestinians is understood as inherently connected to struggles around the world against historic and contemporary forms of colonialism and racism, against militarism and war, and against foreign interventions, including in Southwest Asia/North Africa. Understanding the environmental racism practiced by the JNF also helps us to see how the Palestinian struggle is integral to movements for environmental justice and ecological sanity.

The [International Jewish Anti-Zionist Network](#) (IJAN) is honored to publish this volume of the JNF eBook as we embark with other organizations on an internationally coordinated [campaign to Stop the JNF](#). Publishing on the JNF, Israel and environmental racism is fitting work for IJAN as an international network of Jews who concentrate on the Palestinians' struggle as part of our uncompromising commitment to the interdependent struggles for human emancipation. Our commitment is to the dismantling of Israeli apartheid, the Palestinian refugees' right to return, and the ending of Israel's colonization of historic Palestine. Toward these ends, IJAN coordinates, urges and supports Jewish participation in local and international efforts to challenge Zionism, Islamophobia and other racism, separatism and militarism, and works towards a society premised on the economic, political, social, cultural and environmental rights of all people, beginning with those whose rights are most violated.

For IJAN, there cannot be 'two sides' to a 'Palestinian-Israeli conflict' that assumes each party is an aggressor actively violating the rights and safety of the other. Rather, we see what is obvious: Palestine is occupied and colonized. We oppose that occupation and colonization as we oppose any occupation and colonization.

Because Zionist institutions, including the JNF, propagate that myth that all Jews are Zionists, unless we pronounce otherwise, we lend legitimacy to their endeavors by the mere fact of our Jewish identities. They offer our Jewish histories of struggle for survival as justification for institutionalized Jewish power over others. It is, in part, to defend these legacies of struggle that our Palestine solidarity work – and social justice work more broadly – includes a challenge to Zionist institutions, to the ideological foundations on which they are built, and to the very real impact they have on people's daily lives and futures.

Created in 1901 to purchase land for a Jewish State in Palestine, the JNF is most commonly known for its century-old campaign to 'plant a tree in Israel' in order to 'make the desert bloom.' Contrary to the deception propagated by the JNF, Israel and Zionist mythology, the trees are not planted in a barren desert empty of inhabitants that Jewish people have come to

populate and make flourish. Lands were, and still are, obtained from their Palestinian inhabitants through exploitative land sales, forced removal or the State imposition of other apartheid policies. In its Memorandum of Association, two of the JNF's stated objectives are to:

“...purchase, acquire on lease, or in exchange, or receive on lease or otherwise, lands, forests, rights of possession, easements and any similar rights, as well as immovable properties of any class...for the purpose of settling Jews on such lands and properties” [Article 3(a)] and be of “benefit, whether directly or indirectly, to those of Jewish race or descendency” [Article 3(c)].

As the Palestinian refusal to succumb to colonial rule and expulsion perseveres, decade after decade, *intifada* after *intifada*, it sheds unavoidable light on the dark underbelly of ‘making a desert bloom’ in a place that is fully inhabited.

In the Jewish communities where Zionism and Jewish identity became conflated, donating money to the JNF became an integral part of Jewish life. The mass-produced blue JNF collection boxes were distributed as early as 1904. The JNF Blue Box became one of the most familiar symbols of Zionism and is taken to be the symbol of world Jewry's support for Israel. Trees were planted in Palestine, and then in Israel, in honor of births, *bar* and *bat mitzvahs*, marriages and deaths. For many Jewish households and establishments, money collected was not seen as a donation, but as an investment; the JNF was understood to be contributing to the well-being of Jews, and therefore it was only natural and right that Jews invested in it. Pride was taken in these acts, reflected in the seemingly endless JNF plaques imprinted with the names of those who donate money and those in whose honor or memory the money is donated.

In his piece, “Tree Planting as Pedagogy,” Corey Balsam describes the role of the JNF in investing Jews in Zionism: “In addition to serving as the ‘principal Zionist tool for the colonization of Palestine,’ the JNF has played a fundamental role as an agent of Jewish-Zionist education around the world... As recent JNF director of fund-raising Yechiel Leket once proclaimed, ‘we are not only raising funds but we are also raising people [...] to raise people is more important than to raise funds.’” Balsam also quotes Israeli geographer Yoram Bar-Gal:

According to the JNF, “the donation in its purest form” was a highly efficient means for the accrual of money for the Zionist movement. Donation of this sort strengthened national consciousness, so one should consider this, not the collection of funds, as the success of Zionist propaganda. This was so since the main purpose of collecting donations was “to win over the person”—meaning to bring the masses closer to Zionism.ⁱⁱ *Propaganda and Zionist education: The Jewish National Fund, 1924–1947*

Many of the Jews across the world who are invested in the JNF activities of colonization do so under false pretenses. For those who come to realize this as a gross and deadly deception, it inspires not only solidarity with Palestinians against the JNF, but also a corollary: Jewish

claims against the JNF. And halting the JNF becomes not only a moral obligation in the face of the destruction of Palestinian life, livelihood, history, culture, agriculture and environment, but also an act of repudiating one's own assumed or implied complicity in that destruction.

The devastation the JNF is engaged in through the acquisition of land has implications for the millions of people who lived there, and for the land itself. Far from the JNF claim of concern for the environment, the State of Israel and the JNF set out to destroy the way of life and indigenous habitat of the Palestinian people who in many cases have lived there for thousands of years. The JNF partners with the State of Israel in destroying villages, bulldozing agricultural land, uprooting olive trees – some of which are hundreds of years old – and stealing land with water sources that have served Palestinian communities for hundreds and in some cases thousands of years.

By the time of the founding of the State of Israel in 1948, approximately two-thirds of the Palestinian population had been forcibly removed from their land. In her piece, “JNF Greenwash,” Judith Deutsch describes the relationship between the JNF and the State of Israel in acquiring and maintaining land for Jewish-only ownership and use. She explains that national and international agreements that prohibited confiscation were evaded by putting property within Israel into the hands of the Israel Lands Authority (ILA) and of non-state organizations like the JNF.

“In 1961, JNF functions expanded as ‘...it was recognized as the official caretaker of Israel’s forests, granted the privileges of a public authority under Israeli law, while preserving its ability to operate as a charitable organization around the world (Balsam, p. 134).’ JNF greenwash conceals this entire history by depicting itself essentially as an environmental NGO.”

Through the JNF, Israel is able to outsource apartheid. Today, the JNF owns approximately 13% of the land in Israel. The JNF also has almost half the seats on the ILA Council which itself controls an additional 80% of the land base. Though it participates in the functioning of the state, as a non-governmental organization the JNF can explicitly discriminate in ways that the State of Israel goes to great lengths to cover up. To this day the JNF publicly defends its discriminatory constitution, policies and practice, as witnessed in its response to a petition filed against it with the Supreme Court of Israel in 2004:

“The JNF is not the trustee of the general public in Israel. Its loyalty is given to the Jewish people in the Diaspora and in the state of Israel... The JNF, in relation to being an owner of land, is not a public body that works for the benefit of all citizens of the state. The loyalty of the JNF is given to the Jewish people and only to them is the JNF obligated. The JNF, as the owner of the JNF land, does not have a duty to practice equality towards all citizens of the state.” (*December 2004*)

Its founding mission and current constitution explicitly state its colonial purpose: the acquiring of the land and property of indigenous Palestinians held in reserve for exclusive settlement and use by Jews. In addition to its role in the settlement and colonizing of

Palestine, discriminatory practices and funding of present-day colonies, the JNF plants pine trees and builds forests, parks and recreational facilities on the ruins of hundreds of destroyed and depopulated Palestinian villages. These forestation projects serve two purposes: to hide the ethnic cleansing of those Palestinians whose home it was, and to prevent Palestinians from returning to their homes.

This greenwashing, the use of greenery to camouflage evidence of violent displacement and destruction, is described in journalist Max Bluthenthal's piece, "The Carmel wildfire is burning all illusions in Israel."

"The pine trees themselves were instruments of concealment, strategically planted by the Jewish National Fund (JNF) on the sites of the hundreds of Palestinian villages the Zionist militias evacuated and destroyed in 1948. With forests sprouting up where towns once stood, those who had been expelled would have nothing to come back to. Meanwhile, to outsiders beholding the strangely Alpine landscape of northern Israel for the first time, it seemed as though the Palestinians had never existed. And that was exactly the impression the JNF intended to create. The practice that David Ben Gurion and other prominent Zionists referred to as "redeeming the land" was in fact the ultimate form of greenwashing."

These practices are still underway today. By erasing the traces of the ethnic cleansing of Palestine, the JNF greenwashes the history of the colonial settlement of Palestine and covers up its ongoing displacement of Palestinians. Astonishingly, by planting forests to hide this destruction, the JNF has managed to wield the tree itself as a weapon of destruction.

Another deception of the JNF is its claim to be an environmental organization. The JNF is not unique in attempting to pass itself off as "green." Like many "green" corporations, the JNF, a non-profit corporation, uses this self-appointed label to mask its true economic and political goals. Eurig Scandrett describes this in his "Open letter to the environmental movement."

"... the environmental movement is at risk of being infiltrated. I am not referring here to the infiltration of environmental activist groups by police and other security agents – that is clearly widespread. But the infiltration is from groups who wish to pass themselves off as environmentalists when in fact their objectives are contrary to the values of environmentalism. Their environmentalism is a mask, behind which is the objective of ethnic cleansing, colonial occupation and complicity in racist massacres...This is what is happening with the Jewish National Fund."

In addition to the harm it has caused and causes to Palestinian people and their ways of life, the JNF has inflicted and continues to inflict grave harm on the natural environment in Palestine. Its manner of planting, by its use of hazardous chemicals and by planting trees that are not native to the land, has been disastrous. Over time, extensive planting of pine trees by the JNF has killed off much of the native habitat and is implicated in massive forest fires.

Max Bluthenthal describes the environmentally destructive role of the JNF-planted pines in last year's fire in Northern Israel that killed 42 people.

"The JNF planted hundreds of thousands of trees over freshly destroyed Palestinian villages like al-Tira, helping to establish the Carmel National Park. An area on the south slope of Mount Carmel so closely resembled the landscape of the Swiss Alps that it was nicknamed "Little Switzerland." Of course, the non-indigenous trees of the JNF were poorly suited to the environment in Palestine. Most of the saplings the JNF plants at a site near Jerusalem simply do not survive, and require frequent replanting. Elsewhere, needles from the pine trees have killed native plant species and wreaked havoc on the ecosystem. And as we have seen with the Carmel wildfire, the JNF's trees go up like tinder in the dry heat."

As described in Akram Salhab's piece, "Drying and Re-flooding Lake Huleh: JNF's colonial designs in indigenous landscapes," Lake Hula is one of the most egregious examples of the role of the JNF in environmental destruction. In 1950, the JNF drained Lake Hula in the interest of agricultural development. Once rich with diverse animal and plant life, today the area is a barren desert devoid of life. Draining the lake not only resulted in the destruction of an entire eco-system; it later proved problematic for agricultural development as well.

While there are many examples of corporate activities and development efforts that play similar roles in the destruction of indigenous ways of life and of the natural environment, none compare in the distance between pretense and reality. The JNF is a corporation that secures properties for exclusive use by Jewish people in an apartheid state in which Jews are given rights and powers over and at the expense of Palestinians. Explicit in its own constitution and defended in its public statements and materials, the JNF is an organization whose racist land policy, backed by the Israeli occupation of Palestine, has the power of life and death over those who for centuries have lived by working their land.

Yet the JNF enjoys charitable status in over 50 countries.

This eBook is in support of an internationally coordinated [campaign to Stop the JNF](#).

The campaign seeks to stop the activities of the Jewish National Fund through popular, legal, legislative and international diplomatic mechanisms. First and foremost, the campaign seeks to support the individual daily acts of resistance and organized, collective resistance of Palestinians to the JNF. The JNF is an institution that plays a central role in promoting and implementing the colonial and apartheid policies and practices of the State of Israel. As such, the campaign applies [the call from Palestinian civil society for boycott, divestment and sanctions against Israel](#) to this institution. We propose applying BDS in the following ways:

- 1) Boycott the JNF by:
 - protesting JNF activities and events
 - associating the JNF with Israel's policies and practices
 - exposing public figures who lend support to the JNF

- refusing participation in JNF activities
 - refusing JNF participation in social and environmental justice movement activities, and
 - ending and refusing partnerships with the JNF
- 2) Divest donors, foundations, corporations and states from making monetary contributions to the JNF
 - 3) Sanction the JNF through revoking its charity status, excluding the JNF from participation in processes, meetings and institutions of international diplomacy, human rights and law, and applying fines and seizing its assets towards reparations

These actions are intended to expose, isolate and ultimately dismantle the Jewish National Fund. They don't amount to a demand for the JNF to reform itself. The JNF is not a moral agent which we can call on to "change its ways." As described in this volume, the JNF is a key vehicle of settler colonialism that was founded with precisely this intention. Across anti-colonial, anti-apartheid and abolition movements, the goal is to dismantle institutions of racism and colonialism, not reform them.

When the US slave states were defeated and slavery was abolished, the auction blocks were not reformed, they were dismantled. In ending South African apartheid, the Population Registration Act and the Group Areas Act were not reformed, they were dismantled. In the anti-colonial movements of the last century, colonial administrations were not reformed, they were dismantled.

Ending Israeli apartheid and settler colonialism requires that the institutions that administer both be dismantled. Therefore, the Jewish National Fund is a critical pillar to topple in the movement for justice in Palestine. Moreover, as a vestige of colonialism, it is an organization that demands the attention of anti-racist and anti-colonial movements across the globe. And, as the JNF claims environmentalism in order to disguise the displacement of Palestinians, theft of Palestinian land, and the destruction of Palestinian ways of life, including sustaining life through appropriate land use, movements for environmental and ecological justice as well as for indigenous land rights and self-determination share with Palestinians an interest in dismantling the JNF.

As Scandratt concludes:

"Environmentalists everywhere should recognise that the JNF is not an environmental organisation. It is a racist vehicle of colonial exploitation of the environment of the Palestinian people. Its objective is the dispossession from non-Jews of land and other resources, and their appropriation by Jews, who are regarded as a superior race.

"Yet the JNF continues to promote its 'environmental' credentials at global summits and international conferences. It is time the world's environmental movement exposed the JNF for what it is."

In Scandratt's article, he outlines specific actions environmentalists and environmental organizations can take to expose the JNF and isolate and exclude it from the environmental justice movement. As Deutsch points to in the conclusion of her piece, the United States, Canada and Europe share more than current economic and political interests with the State of Israel; they share histories and justifications of settler colonialism. She describes the JNF's Toronto Twinning Program in which the JNF planted a tree in local Downsview Park for every tree it planted in the Yatir Forest in the southern portion of the Hebron Hills. "The Yatir Forest protrudes into the West Bank, causes serious and irreparable damage to the ecosystem and keeps Bedouin people out, reinforcing mythologies of the empty land without people." Similarly, Toronto's Downsview Park sits on unacknowledged traditional First Nations territory.

As the text of a solidarity speech given by Coya White Hat-Artichoker, member of the Rosebud Sioux Tribe, demonstrates, efforts to confront the JNF have much to learn from the struggles of indigenous people to survive, claim sovereignty and reclaim land in the face of long histories of colonialism and the brutal acceleration of the destruction of peoples, cultures and the natural environment by capitalism. Likewise, as we challenge the JNF and organize in solidarity with the Palestinian liberation struggle, we are obligated to confront the histories of colonialism and the role of our own societies in this irrevocable destruction.

War and occupation destroy both the lives and cultures of those who live there and the history in which those lives are lived. In Iraq, one of the oldest civilizations on the planet, much of the gift of our collective history has been destroyed by war. In Palestine, scores of 2000-year-old cities and historical sites lie buried under JNF-planted forests and parks.ⁱⁱⁱ

The depth and extent of the destruction caused raises the question of what it means to decolonize a place and reconstitute its land. What has been lost is gone. Uprooted thousand-year-old olive trees cannot be replaced. Water sources have been emptied, depleted or contaminated. Entire ecosystems have been destroyed. And the societies and daily lives that depended on these resources have, to varying degrees, been dismantled. But, as is known by so many peoples the world over, it is upon the remnants of history, memory, and other inheritances that we rely in order to become who we are – as individuals, communities and societies. And it is in the repair and maintenance of what remains that together we determine what will be planted in its wake.

The power of an international effort to stop an organization like the JNF lies in the relationships it can build between our various and distinct struggles to survive, live in dignity, preserve our histories and cultures, and sustain life on this planet. The continued existence and toleration of organizations like the JNF are counterproductive to these ends. Therefore, the collective aim of defeating the JNF is a victory for our shared humanity and the sustainability of what matters most to our collective well-being. This volume of the JNF eBook series embraces the goals shared by millions in movements for liberation as well as for environmental and ecological justice.

The collection opens with three different lenses through which the role of the JNF is critiqued yet that share a common conclusion: the JNF should have no place in environmental

movements committed to fundamental frameworks of social justice. Eurig Scandrett's "Open Letter to the Environmental Movement," makes this clear and frames the succeeding discussion in the broadest terms for our readers. Judith Deutsch then closely analyzes the rhetoric and structures of JNF activities and propaganda worldwide, providing critical details and references for deeper investigation. David Schwartzman argues that the paths to global climate security run through Gaza, because this is the nexus of US-Israeli military industrial power, and only in addressing global imperial dynamics can anti-racist, anti-imperialist environmental social justice prevail.

Journalist Max Blumenthal takes us from the specificity of the Carmel wildfires, which mimic those of the artificial suburban/industrial built environment in California, through an artist colony founded on ethnic cleansing and segregation, back to the institutional roots of structural state-sponsored and engineered apartheid, culminating in the dispossession of whole communities in the Naqab or Negev Desert. Salman Abu-Sitta, leading scholar of the history and politics of Bedouin communities in Israel, then provides an in-depth study of land ownership [and alienation] in Beer Sheba. As the center of the Naqab region of occupied Palestine, this study is of wide importance, and provides necessary data, illustrations and details that will prove useful to activists, scholars and legal advocates alike.

Jesse Benjamin and Corey Balsam both make linkages between racism, settler colonialism, whiteness, and JNF policies and practices. The scientific racism that underscores the colonizations of Palestine and all other occupied peoples, also lies at the root of modern constructions of the environment, and it is only in decolonizing our environmental and social justice movements that successful multi-issue solidarities can grow. Following directly from Balsam's discussion of JNF Twinning Programs between Toronto, Canada and Canada Park in the West Bank, Ismail Zayid's recounting of the destruction of Imwas, Yalu and Beit Nuba in 1967 brings this case powerfully to light with the testimony of a dissenting Israel soldier and the incontrovertible evidence of photographic proof. Likewise, Akram Salhab deconstructs the occupation, maldevelopment and ecological destruction of the Huleh Valley and of Lake Hula, a quintessential case of the colonial conquest of nature to the ongoing detriment of local peoples and the world as a whole.

Then we hear the words of Coya White Hat-Artichoker, who makes tangible links between the struggles of Palestinian peoples and First Nations peoples everywhere. At this moment of burgeoning BDS solidarity across the world, and growing pushback as the forces of Zionism start to feel their bite, these connections are more vital than ever. So too are tangible courses of action, of which we offer three here: the Stop the JNF Campaign, the [Plant a Tree in Palestine Project](#), and the Call for Papers for JNF eBook Volume 5. The final chapter comes in the form of a philosophical *Afterword* by Joel Kovel, pulling several threads from the volume together and ruminating on issues of redemption, from the realms of the spiritual to the political and environmental/ecological.

Following the *Afterword*, is a Correspondence Section comprised of supplements to the preceding essays that can serve as tools for the movement. We hope these essays and documents prove useful to you, that you will share them widely, and that you will share critiques and additional information with us as we continue this work in the coming months

and years.

Lastly, a brief note on style. The language throughout moves between Arabic and Hebrew names and pronunciations, reflective of the conflicted and occupied nature of the spaces in question. No effort was made to regularize this complexity, either within essays or between authors. Similarly, measurements appear in hectares, dunums, and acres, and dating conventions also shift between US, Canadian, British and Palestinian conventions. We did try to utilize US English spellings, rather than the British, but this may not be entirely uniform. Further, the facts themselves appear fluid at times, reflecting their contestation on ground. For example, exact numbers of Bedouin in the Negev are hard to ascertain, given the illegal status they hold, and therefore range in estimates between 120,000 and 190,000. No proper estimates of trees uprooted by the JNF are yet available; this remains a task for us to complete. Again, we hope you will join our conversation here with testimonies, facts and perspectives of your own, either in correspondence, contributions to forthcoming JNF eBooks, or other interventions within the movement.

Toward justice,

Sara Kershner, Mich Levy, and Jesse Benjamin
The International Jewish Anti-Zionist Network

ⁱ Special thanks to Selma James for her close and thoughtful reading of this text in an earlier iteration.

ⁱⁱ Yoram Bar-Gal, *Propaganda and Zionist Education: The Jewish National Fund, 1924–1947* (Rochester, N.Y.: University of Rochester Press, 2003), 11.

ⁱⁱⁱ See Salmon Abu Sitta at <http://www.plands.org/speechs/016.html>

2. Open letter to the environmental movement

By: Eurig Scandrett

2.1 The Environmental Movement

The environmental movement is one of the most successful social movements in the 21st century. In the 50 years since Rachel Carson published her iconic book *Silent Spring*, environmental concerns have moved from the marginal fringes to the mainstream of social policy in most countries throughout the world. The impact which our everyday lives have on the environment is widely acknowledged. While major real achievements in the wider world have yet to be achieved (stopping climate change; turning around biodiversity loss; a moratorium on nuclear power; food security without chemical or genetic pollution), nonetheless, as a social movement it has made a bigger impact on the consciousness of policy makers and the public alike than most other social movements of the same period.

With this success it is perhaps not surprising that the environmental movement is at risk of being infiltrated. I am not referring here to the infiltration of environmental activist groups by police and other security agents – that is clearly widespread. But the infiltration is from groups who wish to pass themselves off as environmentalists when in fact their objectives are contrary to the values of environmentalism. Their environmentalism is a mask, behind which is the objective of ethnic cleansing, colonial occupation and complicity in racist massacres.

This is what is happening with the Jewish National Fund.

The Jewish National Fund (JNF) claims to be an environmental organization. “Over the past 109 years, the JNF has evolved into a global environmental leader by planting 250 million trees, building over 210 reservoirs and dams, developing over 250,000 acres of land, creating more than 1,000 parks, providing the infrastructure for over 1,000 communities, bringing life to the Negev Desert and educating students around the world about Israel and the environment.”ⁱ It is registered for charitable or tax benefit status in many countries across the world.

The JNF owns and manages land in Israel and the occupied Palestinian territories, on which it plants trees, creates reservoirs and landscape features, and establishes parks and nature reserves. But these activities are a cover for the real purpose of the JNF, which is the colonization and ethnic cleansing of Palestine: the dispossession of land from Palestinian people for the sole use of Jewish colonizers. Since its establishment, in 1901, by the World Zionist Association, the JNF has obtained land in Palestine for the Zionist purpose of ensuring that Palestinian land is made available for Jews only and will ‘remain the inalienable possession of the Jewish people’. It has raised money throughout the world to obtain land in Palestine, and its constitution as a body, plus its legal status in Israel, is to make land available only to Jews. The mechanisms by which the JNF has obtained land have varied – commercially, legally, extra-legally, violently and even as the result of war crimes – and are well documented.ⁱⁱ

For example, at the end of the British Mandate, when the state of Israel was declared in May 1948, it was accompanied by orders for the Zionist military to “attack and cleanse” a number of Palestinian villages between Tel Aviv and Haifa, including Ayd Hawd on the western slopes of Mount Carmel. The village resisted but succumbed in July that year and its residents forcibly expelled. The buildings were retained and the village renamed Ein Hod and occupied by Jewish artists from Europe whence it became an artists’ settlement amongst the JNF’s trees in the Carmel hills.ⁱⁱⁱ

During the war that established the state of Israel in Palestine, hundreds of villages were forcibly depopulated and most destroyed, their inhabitants – some three quarters of a million in total – forced into exile. On many of these demolished villages, parks were established and trees planted by the JNF in order to prevent the refugees’ return. According to a JNF pamphlet aimed at British Jews in 1944, the organization spent its money “afforesting tracts not otherwise suitable for cultivation, thus paving the way for permanent (Jewish) occupation.”^{iv}

One such forest park established with funds from British Jews became the ‘British Park,’ in the Hebron Hills, in the center of which is now a scattered pile of rubble, the remains of the village of Ajjur. Prior to 1948 the village was home to 3730 people who were expelled during a series of military attacks between July and October 1948, and the military-occupied land subsequently made available to the JNF. With one exception, the buildings were demolished and the new, Jewish settlement of ‘Agur built nearby.

When Israel expanded its territory in the 1967 war, more Palestinian villages and land were expropriated and the JNF again was used to prevent the inhabitants’ return. The residents of Imwas in the West Bank, some 20 km from Jerusalem, were driven out in the 1967 Israeli military expansion and occupation, and their homes, shops, mosques, church, cafes and graveyards bulldozed and dynamited. Trees were planted over the remnants to form ‘Canada Park’.

Palestinian houses and villages were thus sold to Jewish immigrants or else destroyed in order to establish Jewish-only settlements or to plant trees. This is the so-called ‘environmentalism’ of the JNF.

2.2 Valuing Nature – Devaluing People?

At the core of the claims of environmentalism lies the value of nature. Drawing on the romantics, the environmental pioneers of the 19th and early 20th centuries such as John Muir, Gifford Pinchot and Aldo Leopold emphasized in their various ways that the natural world should be valued – for Pinchot, forests should be valued as a manageable resource for human productivity, for Muir an intrinsic value of spiritual uplift to those who would spend time immersed in the wilderness, for Leopold, a new ethic derived from the land and its ecology. The modern environmental movement, which emerged from the 1960s, put the revaluation of the natural world more strongly into policy, as nongovernmental organizations proliferated and the challenges of environmentalism reached the United Nations.^v

Despite its positive revaluation of nature, environmentalism has had a murky underbelly. There has often been a strand of radicalized misanthropy in environmentalism. Some versions of agrarian romanticism resonated with exclusivist nationalism, which has tempted some environmentalists towards ‘blood and soil’ Naziism.^{vi} Malthus has been a regular favorite amongst some environmentalists in the capitalist west. His warnings in the 18th century that population growth would outstrip food production and lead to famine and disease might have contained a concern to protect all of humanity. But Malthus’ own interests, and certainly the interpretation of many of his more recent followers, led in fact to a concern to protect the privilege of rich countries and classes, and to constrain and control the toiling poor both within rich countries and across the world.

Adding to Malthus some ideas from the modern science of ecology, some environmentalists have proposed that there is a human carrying capacity, and human population growth must be constrained – if not ecologically then politically, through ‘education’ or coercion – if we are to prevent ecological disaster.^{vii} Muir’s ideal of the wilderness was largely devoid of the Native Americans who had populated it for thousands of years. Deep ecologists and Gaianists have attempted to humble human beings before the ecological systems of which we are part, and some have taken that to the extremes of valuing ecology to the point of devaluing human life and welfare. A once-famous cartoon had a sick-looking anthropomorphic earth suffering from an ‘attack of the humans,’ which presumably it must be rid of if it were not to prove fatal. And wherever human life is devalued, intentionally or not, it is the people whose lives are already devalued – through poverty, oppression, racial supremacy and patriarchy - who suffer the most.

But while a strand of racialised (and gendered) misanthropy has always existed within environmentalism, it has largely been a result of the distortion that comes from revaluing nature. Seeking appropriate humility beside nature has often reinforced the humiliation of some people. In the struggle to reassess how human societies had devalued the environments in which they lived, the devalued humans within these societies were not only overlooked, but their oppression was reinforced. Inexcusable though this has been, it has rarely been the case that the environmental cause has deliberately been employed for the sole purpose of devaluing people.

2.3 Environmentalism and Social Justice

The environmental movement has done some soul searching over how its understanding of the environment has historically distorted its evaluation of unequal human society. Much of this reassessment has been due to environmental justice movements, which towards the end of the 20th century emerged into public discourse and challenged their fellow environmentalists to look at the racial and social implications of their claims.^{viii} In the USA, African Americans and Latinos drew attention to the fact that it was they who were disproportionately affected by industrial pollution, toxic waste and agrochemical poisons, while the middle class whites were busy saving whales and rainforests. Activists and researchers from Africa, India, South East Asia and Latin America brought to the world’s attention the environmental struggles of the poor, of workers and peasants, of indigenous peoples, struggles against the commercial operations of the rich countries or their colonial, post-colonial or client governments. The

environmental movement began to recognize that environmental damage follows social gradients – the poorest and oppressed receive the worst environmental costs while the benefits are claimed by the powerful.^{ix}

Today, most environmental organizations and campaigners embrace social justice in some form or other. The international environmental organization WWF, founded in 1961 as the World Wildlife Fund for the purposes of conserving wild animals and natural habitats, have developed a philosophy more consistent with social justice. “Poorer communities are most affected by [ecosystem] decline since they are most directly reliant on ecosystem services for their well-being... Damage to the environment, as well as a lack of clean water and land suitable for farming or growing food, leads to more hunger, illness, poverty and reduced opportunities to make a living. Poorer people are also less resilient to natural or manmade disasters, including climate change. Conflict over natural resources threatens their development... Looking after natural resources makes poorer communities more resilient.”^x

Greenpeace, whose tactics of nonviolent confrontation has earned it the highest profile of the mainstream international environmental NGOs, claims core values which “take great care to reflect our fundamental respect for democratic principles and to seek solutions that will promote global social equity.”^{xi} Greenpeace UK argues that “Governments and industry around the world must ensure that the Earth's finite resources are shared fairly, so people have what they need to live peacefully.”^{xii}

The newer direct action environmental groups are also aware of the social justice implications of environmentalism. The annual Camp for Climate Action which started in the UK in 2006 agreed to “take responsibility for averting climate change, taking individual and collective action against its root causes and to develop our own truly sustainable and socially just solutions. We must act together and in solidarity with all affected communities - workers, farmers, indigenous peoples and many others - in Britain and throughout the world.”^{xiii}

Most explicitly amongst the big environmental NGOs, Friends of the Earth is committed to “environmental and social justice, human dignity, and respect for human rights and peoples’ rights so as to secure sustainable societies.”

“Our vision is of a peaceful and sustainable world based on societies living in harmony with nature. We envision a society of interdependent people living in dignity, wholeness and fulfillment in which equity and human and peoples’ rights are realized. This will be a society built upon peoples’ sovereignty and participation. It will be founded on social, economic, gender and environmental justice and free from all forms of domination and exploitation, such as neoliberalism, corporate globalization, neo-colonialism and militarism.”^{xiv}

Disagreements amongst environmentalists continue – between deep ecologists and eco-technologists, reformists and direct activists, environmental justice activists and nature conservationists. But the major battles over social justice are largely a thing of the past. While it may be interpreted in different ways (and debates about this must continue), few environmentalists would challenge the assertion that environmentalism must embrace social justice.

2.4 Environmental Justice

The study of environmental justice, the environmentalism of the poor, and political ecology has enabled scholars and activists to analyze what was going on. Environments are resources for human societies – material and symbolic, at once natural and artificial, our understanding of them always socially constructed. As resources, environments and the values that are attached to them are distributed within societies in similar ways to other resources. Just as material wealth, and the dignity of human beings is maldistributed in society along racial, gender and other socially stratified lines, so also is the environment.

Environmental justice is now recognized as what unites struggles of African American communities fighting toxic dumps, Indian tribal people resisting the dispossession of their land for mineral extraction, workers organizing in trades unions to workplaces free from hazards, the populations of African countries used as a dumping ground for waste from the West and the post-industrial poor in Britain campaigning against fuel poverty. A less well recognized environmental justice struggle is that of Palestinians demanding the right to return to the land from which they were driven out by Zionist colonization – of which the Jewish National Fund has played, and continues to play, an intrinsic part.

How is environmental injustice to be understood? David Schlosberg^{xv} has suggested that the US environmental justice movement demonstrates an integration of demands for two distinct forms of justice: redistribution and recognition. ‘The environment’ is not universal. Demanding that the environment be understood from the perspective of African Americans, Latinos, Native Americans and other racialized minorities, they have challenged the Big 10 US environmental NGOs on the grounds of their racially exclusive focus on wilderness, nature and resource conservation. Affording equal dignity to diverse experiences of environment – the urban, the agricultural, the sacred, the workplace – means that the distribution of environmental costs and benefits must be subject to democratic negotiation between groups whose dignity, status and knowledge is recognized equally.

By this understanding, the JNF is a clear perpetrator of environmental injustice. By promoting a Jewish conception of environment – which is European, afforested, recreational, and universalized – the JNF excludes the Arab environment, denying its validity or dignity. The destruction of Arabic architecture, agriculture, landscape and its forcible replacement with ‘Jewish’ environments is intrinsic to a Zionist supremacist form of environmental injustice.

Juan Martinez Alier^{xvi} has analyzed struggles for environmental justice – in his terminology, environmentalism of the poor – as an incommensurable valuation in ecological conflicts. How we value the environment is a question at the core of environmentalism. When the language of valuation of the most powerful is imposed on the less powerful, the incommensurability often results in resistance and social struggle. In most cases, the language of valuation of the powerful is that of money, the commodification of the environment on terms favorable to the corporation, the state or the developer. In Palestine, the language of valuation is racial, based on the assertion of superiority of Jews over Arabs, Bedouins and non-Europeans.

Ecological Marxists such as James O'Connor and David Harvey have understood environmental injustice as resulting from capitalist expansion.^{xvii} For David Harvey, this leads to the dispossession of resources from disempowered peoples through their appropriation by powerful corporate elites and their allies in the state. For James O'Connor, the environment constitutes the conditions of production which capitalism both exploits and depends upon, leading to increased pressure on exploited groups and creating a division amongst the polluted. Colonialism and neo-colonialism have been agents for dispossession and shifting conflicts, so that colonized countries become the source of resources and the dumping site for waste as well as cheap labor for the colonizer. Capitalist Israel expropriates materials from, and pollutes Palestine, and is certainly dumping on its own poor; but the dispossession of Palestinian land underscores all of these processes – which have been made possible through the work of the JNF.^{xviii}

2.5 The 'Environmentalism' of the JNF

The Jewish National Fund claims to be environmental. It plants trees. In some places the trees it plants are indigenous to the Levant or the Mediterranean, which undoubtedly improves biodiversity. In other places it plants trees that are not only alien but ecologically destructive – such as the fast growing but water-hungry Eucalyptus in the Naqab desert. All trees fix carbon dioxide and therefore contribute in some small way to efforts to tackle climate change. On that basis, the JNF attends global summits on sustainable development and climate change, masquerading as an environmental NGO, presenting fringe meetings on tree planting in the desert. How climate change is tackled is as important as that it is tackled. Addressing climate change through ethnic cleansing is not an environmentally justifiable position.

Indeed, the JNF's commitment to ecological quality of its forests is somewhat questionable, judged in terms of its employment of specialist staff. Writing in Haaretz, Zafrir Rinat highlighted the lack of scientific expertise in the JNF. Rinat refers to the complaints of retired forest scientist Professor Gabi Schiller that "the JNF allocates meager resources to forest research and does not employ experts with the relevant knowledge. [Schiller] also accuses the fund of being far more interested in public relations for the purpose of receiving donations."^{xix}

In fact the 'environmentalism' of the JNF needs to be seen in the context of its history of utilizing the symbolic value of trees and forests for the purposes of Zionist propaganda. As Bar-Gal notes "From the outset the JNF learnt how to use the tree and forest not only for programmatic motifs such as land but also for symbolic, cultural motifs."^{xx} In the early days this symbolism was resonant with Jewish mythology and linked antithetically to the Zionist 'conquest of the wilderness' – the untamed hills and deserts and any spaces occupied by 'alien' oriental agriculture, horticulture and people. A JNF pamphlet of 1944 conjured the incorporation of tree planting in Palestine as a 'Jewish ritual':

"Manifold and age-old have been our links with Eretz Israel. On Shevouth we symbolically remembered the first fruit, we mourned in Tisha B'av the fall of the Temple, we rejoiced on Succoth at the time of the harvest, we prayed for the rain as we had prayed in the land of our fathers when the sun parched the fields and vineyards of our ancestors... And to the old rituals, new customs

have been added. The planting of trees in Eretz Israel has become a solemn custom among the Jews in the world ...”^{xxi}

The environment as ‘Jewish’ is a central part of JNF imagery since well before the modern environmental movement, and the JNF’s ‘environmentalism’ must be seen as nothing more than an adaptation of its propaganda effort to a more environmentalist age.

Is the JNF replacing the lost forests of the past? What little record the Hebrew Scriptures provide does suggest that the hills of Palestine were once afforested but cleared during the early settlement by the peoples who subsequently understood themselves as Israelites. Indeed the narrative of identity recorded in the book of Joshua, chapter 17, suggests that forest clearance was an integral part of the settlement and linked with ethnic cleansing of Canaanites.

“Joshua said to the House of Joseph, to Ephraim and Manasseh, ‘You are a large population and one of great strength; you shall not have one share only but a mountain shall be yours; it is covered with woods, but you must clear it, and its boundaries shall be yours, since you cannot drive out the Canaanite because of his iron chariots and his superior strength.’”^{xxii}

Borowski notes that forest clearance “continued throughout the period of the Judges ... Remains of almond wood [a species normally cultivated for fruits, not for timber] in [archaeological site] Fortress III (eighth to seventh century BCE) at Tell el-Ful suggest that by that time most of the coniferous forest had disappeared.”^{xxiii}

We can now recognize that Palestine was an ecologically highly diverse region, being a topographically and geographically complex narrow strip of land at the interface of four different vegetation systems.^{xxiv} The process by which the various marginal tribes, escaped slaves, nomads and outlaws emerged with the national identity Israelite and the common cult of Yahweh, and their short periods of governance of Palestine, was associated with deforestation, ecological destruction, ethnic cleansing and social exploitation. In this they are hardly different to most forms of development practiced to this day. Unlike pantheistic and animistic cults practiced by many tribal societies, the cult of Yahweh, and its principal rival cult of Baal, was strongly divorced from nature. That modern day Zionists are using claims to being their successors certainly provides no justification for the JNF’s environmental injustices committed today.

2.6 Reflections of an Environmentalist

My own personal journey as an environmentalist has taken me from ecological scientist to environmental justice activist, and during my first visit to Palestine in 2010, what I witnessed was environmental injustice. My university studies and first career was that of an environmental biologist. I was in the middle of doctoral studies in plant ecology in 1984 when the Bhopal Union Carbide gas disaster occurred. The death and disabling of thousands of the Indian urban poor by a US multinational corporation making insecticides for the ‘green revolution’ had a profound affect on me – as it did on millions. I started to recognize the

injustices embedded in all environments – from the Scottish heather moorlands, which I was studying to the urban industrial slums in India. I decided to leave scientific research and worked as a community worker in the environment of the post-industrial public housing estates in which the urban working class were warehoused and which became the dumping ground for many of the lowest paid unemployed, sick, drug addicted and most vulnerable.

My next step as an environmentalist was working with Friends of the Earth Scotland, supporting community action in pollution-affected communities. In 2006, stepping back into academia, I had the opportunity to carry out research with the survivors of the Bhopal disaster who were still, over 20 years later, struggling for justice. And then in 2010, I was invited to participate in a fact-finding tour of JNF lands in Israel.

What I saw in Israel corresponded with my experiences of environmental injustice. We visited Ein Hod where the Palestinian inhabitants had been driven out in 1948 and whose homes were now taken over and ‘modernized’ by middle class white European Jews – and also the resurrected Ayn Hawd nearby, the result of a sustained campaign by former residents. We saw Ajjur – or at least all that was left of it - in the middle of British Park^{xxv} and later met a 90-year-old former resident in the Aida refugee camp in Bethlehem, who recalled her expulsion in the Zionist invasion of 1948 as if it were yesterday. We also saw the scattered remnants of Imwas in Canada Park,^{xxvi} through which Jewish mountain-bikers keep fit, and met a group of former residents, now refugees in Ramallah, who are organizing a campaign for their right to return.

When we saw the village of Al Araqib it constituted piles of twisted construction materials on top of children’s toys, kitchen utensils and furniture. It had been destroyed only six months previously – and its residents’ attempts to rebuild destroyed again and again – to make way for the JNF’s Destiny Forest in the Naqab desert. We were welcomed by the Bedouin Palestinians – Israeli citizens - who had been dispossessed of their homes, fields, olive trees, angry yet dignified, sitting amongst the wreckage of their homes.

2.7 Conclusion – A Just Environmentalism

A socially just understanding of the environment must end injustice and enable oppressed groups to construct their environment from their local resources with a fair share of the earth’s global resources. This precludes colonial dispossession, and the JNF, which exists for this purpose, has no place in an environmental movement. Environmentalists need to recognize the environmental injustices perpetrated by the Jewish National Fund, deliberately, as part of a systematic project of ethnic cleansing, apartheid segregation and colonial dispossession.

These are environmental injustices perpetrated by the JNF – destroying the environment of Palestinians, denying their right to construct their environment, imposing an alien environment for a ‘master race.’ The Rio Declaration on the Environment and Development was signed in 1992 at the first Earth Summit. Despite Israel’s attempt to remove it, principle 23 declares: “The environment and natural resources of people under oppression, domination and occupation shall be protected.” Israel has been dispossessing Palestinian resources since 1948 and the JNF has been its constant ally.

Environmentalists everywhere should recognize that the JNF is not an environmental organization. It is a racist vehicle of colonial exploitation of the environment of the Palestinian people. Its objective is the dispossession from non-Jews of land and other resources, and their appropriation by Jews, who are regarded as a superior race.

Yet the JNF continues to promote its 'environmental' credentials at global summits and international conferences. It is time the world's environmental movement exposed the JNF for what it is.

Environmental groups, organizations and networks are invited to make a public commitment to denounce the JNF as a perpetrator of environmental injustice by supporting the following call:

Environmentalists and environmental organizations everywhere are asked to:

- Denounce the JNF as alien to the environmental movement,
- Recognize the JNF's sole objective of colonialism and ethnic cleansing,
- Expose the JNF's complicity in war crimes,
- Raise awareness of the JNF's real purpose and activities among environmentalists, including members, supporters and activists of environmental organizations and networks,
- Isolate the JNF and distance environmental organizations from the JNF,
- Exclude the JNF from all environmental networks and associations,
- Boycott any meetings hosted by the JNF at conferences or international events,
- Exclude formal JNF representation from campaigns and activities,
- Support the efforts to remove charitable and tax exempt status of the JNF.

ⁱ <http://www.jnf.org/about-jnf/>.

ⁱⁱ For example, Walid Khalidi (ed.) 1992 *All that remains: The Palestinian villages occupied and depopulated by Israel in 1948*, Washington: Institute for Palestinian Studies; Hussein Abu Hussein and Fiona McKay 2003 *Access Denied. Palestinian land rights in Israel*. London: Zed Books; Ilan Pappé 2006 *The Ethnic Cleansing of Palestine* Oxford: Oneworld. See also the JNF ebook series.

ⁱⁱⁱ Pappé 2006 p. 132. See also: Blumenthal, this volume.

^{iv} *JNF in action* 1944 pamphlet, London, UK.

^v World Wildlife Fund, 1961 Switzerland; Environmental Defense Fund, 1967 USA; Friends of the Earth, 1969 USA; Greenpeace 1971 Canada. The United Nations Conference on Environment and Development, Stockholm, 1972.

^{vi} See Ramachandra Guha's summary of the relationship between Nazism and environmentalism in Guha 2000 *Environmentalism: a Global History* Harlow: Longman pp 17-19.

^{vii} Garrett Hardin, in his notorious essay 'The tragedy of the Commons' (1968) *Science* 162 pp 1243-8 laid a strong foundation for a supremacist interpretation of population control: "Confronted with appeals to limit breeding, some people will undoubtedly respond to the plea more than others. Those who have more children will produce a larger fraction of the next generation than those with more susceptible consciences. The differences will be accentuated, generation by generation."

^{viii} Guha 2000, *Environmentalism: A Global History*.

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- ^{ix} Agyeman, Bullard and Evans 2003 *Just Sustainabilities: Development in an Unequal World*. London: Earthscan Southern People's Ecological Debt Creditors Alliance <http://www.ecologicaldebt.org/>.
- ^x www.wwf.org.uk.
- ^{xi} www.greenpeace.org.
- ^{xii} www.greenpeace.org.uk.
- ^{xiii} www.climatecamp.org.uk.
- ^{xiv} Vision and mission statement of Friends of the Earth International. Annual Report 2009.
- ^{xv} Schlosberg, D 1999, *Environmental justice and the new pluralism* Oxford: Oxford University Press
- ^{xvi} Martinez Alier, J 2002, *Environmentalism of the poor: a study of ecological conflicts and valuation* Cheltenham: Edward Elgar.
- ^{xvii} Harvey, D. 1997, *Justice, Nature and the Geography of Difference* Oxford: Blackwell; O'Connor, J. 1998 *Natural Causes: Essays in Ecological Marxism* London: Guilford Press.
- ^{xviii} PENGON - Friends of the Earth Palestine, <http://www.pengon.org/>.
- ^{xix} Zafirir Rinat, *Last one standing* Haaretz December 17th 2010.
- ^{xx} Yoram Bar-Gal 2003 *Propaganda and Zionist Education: the Jewish National Fund 1924-1947* New York: University of Rochester press.
- ^{xxi} JNF in action.
- ^{xxii} Jerusalem Bible.
- ^{xxiii} Borowski, O. 2002, *Agriculture in Iron Age Israel*. American Schools of Oriental Research.
- ^{xxiv} Zohary, M 1982, 'Vegetation of Israel and Adjacent Areas'. *Beihefte zum Tubinger Atlas des Vorderen Orients. Reihe A (Naturwissenschaften)* No. 7.
- ^{xxv} See photos of British Park in the Correspondence section of this Volume, below.
- ^{xxvi} See Chapter 9 in this volume, by Ismail Zayid, for more information and photographic evidence.

3. JNF Greenwash

By: Judith Deutsch

The Jewish National Fund (JNF) centrally describes itself, on its home pages, as clean and green. A brief sampling from its websites also contains political, nationalistic, and military subtexts. The present article includes two sections: (1) Image vs. Reality with regard to water, forestry, and agriculture as depicted by the JNF and Israel; and (2) a brief analysis of the political, economic, and psychological functions of JNF greenwashing.

Chomsky identifies the key features of the JNF problem:

“The most extreme departure from minimal democratic principles has been the complex array of laws and bureaucratic arrangements designed to vest control of over 90 percent of the land in the hands of the Jewish National Fund (JNF), an organization committed to using charitable funds in ways that are ‘directly or indirectly beneficial to persons of Jewish religion, race or origin,’ so its documents explain; ‘a public institution recognized by the Government of Israel and the World Zionist Organization as the exclusive instrument for the development of Israel’s lands,’ restricted to Jewish use, in perpetuity (with marginal exceptions when useful), and barred to non-Jewish labor (though the principle has often been ignored for imported cheap labor).” (*Hopes and Prospects*, p. 158)

Uri Davis, author of *Apartheid Israel*, provides a detailed history of the JNF and affiliated organizations that established the infrastructure of political Zionism since the beginning of the twentieth century. Comparing Zionism to other colonial projects, he writes that the Zionist effort in Palestine “systematically followed a pattern of colonization that has emerged as much more cruel and disastrous for the native indigenous population: colonization through the dispossession and exclusion of the native people.” (p. 27) With the establishment of the State of Israel in 1948, these Zionist organizations implemented the apartheid legal system. The State of Israel maintained apartheid “through the mechanisms of legal duplicity” of ceding sovereignty to these organizations (Davis, p. 48). In 1961, JNF functions expanded as “...it was recognized as the official caretaker of Israel’s forests, granted the privileges of a public authority under Israeli law, while preserving its ability to operate as a charitable organization around the world.” (Balsam, p. 134)

JNF greenwash conceals this entire history by depicting itself essentially as an environmental NGO. A founding Israeli myth is that Palestine was “a land without people for a people without land,” settled by Jewish pioneers who with great cleverness and communal spirit forested the barren landscape and invented drip irrigation. Representing itself as an “international environmental organization with more than 50 offices around the globe,” the JNF had a “consultative” role at the Johannesburg World Summit on Sustainability in 2002, and was approved by the United Nations Department of Public Information as an NGO in 2004.

(http://support.jnf.org/site/PageServer?pagename=PR_UN_NGO_Status)

It is plausible, in contrast, that planting trees while uprooting people might have been the cause for denial of consultative status with the UN Economic and Social Council (ECOSOC) on 18 May, 2007. The uprooting process continues with the current drive to transfer the land of the Negev and Galilee to the JNF and to transfer Bedouin people from their Negev villages (Uri Davis, 08/02/2011). As is detailed below, the reality in Israel is far different from the founding myths. The JNF, and the overall policies of Israel, are ruinous to the indigenous Palestinian people through land and resource confiscation and a multitude of cruel practices. And far from being at the forefront of ecological best practices, Israel's water, forestry, and agricultural policies are shortsighted and destructive at this critical time of climate crisis. Israel's non-native monoculture forest was planted over razed Palestinian villages and sustainable farms. Israel's industrial monocrop agriculture is water intensive, exporting virtual water in its flowers and oranges trade. Israel's water is stolen from the West Bank aquifer and increasingly relies on energy-intensive desalination. Israel's neglect of wastewater treatment contaminates both Israeli and Palestinian sites and waterways, including the ruined Jordan River.

The following selection is culled from many JNF websites in which the home pages explicitly link the JNF, Israel, and environmentalism. The websites illustrate the intention to convey a benign image of the JNF and of the State of Israel.

JNF South Africa: The homepage has the title, "Turning the Desert Green" and "the miraculous reclamation of the wastelands and the greening of Israel's deserts." The homepage includes: "Presenting a tree planting certificate to George W. Bush; By planting trees, President Bush is helping the worldwide struggle against global warming," with this link: <http://www.jnf.co.za/pages/newsandevents.htm>. "There is one country in the world that has devoted over a century to reforestation and greening the land. And I'm not talking about the United States or Liechtenstein. There is one country in the world that ended the 20th century with more trees than it began with; a country that has devoted over a century to reforestation and greening the land. I'm not talking about the United States or Liechtenstein." <http://www.jnf.co.za/>

JNF Australia: The JNF is "The Environmental Arm of the Jewish People. Create Life in the Desert." "Interesting Facts about JNF: JNF has been involved in land reclamation for more than 100 years... Has built thousands of kilometres of roads;.... Has planted over 240 million – and continues to plant – trees on thousands of acres of land helping to combat global warming and improving the carbon balance in the environment; Has changed the face of a nation – from desert to arable and habitable land... Forefront of river rehabilitation and water conservation" <http://www.jnf.org.au/>

(Comment: Roads have innumerable detrimental environmental effects. In addition, Israel's apartheid roads are also used to prevent expansion of Palestinian towns and villages. JNF afforestation is an example of poor forestry practice: the intensity of the recent forest fires are attributed to monoculture tree plantations; the fires emitted large quantities of greenhouse gases, greatly adding to Israel's emissions as the forests no longer served to absorb carbon dioxide).

JNF UK: “For over a century, JNF has been engaged in its historic mission of turning the Land of Israel green. The trees and crops that were planted were crucial to making the Zionist dream a reality. Israel is now a mature state in its 63rd year, but the imperative of greening the land still remains vital to Israel’s future.” <http://www.jnf.co.uk/index.html>

JNF US: “Go for the Green.” “Some 25 percent of all tree plantings in the 1980s were carried out in the Negev, bringing its forest area to a total of 45,000 acres. Army camps that had been set up in the Negev after the evacuation of the Sinai were planted with JNF-KKL trees to create shelter from the burning sun, shield soldiers and equipment from dust storms, and provide some respite for those soldiers stationed in the harsh desert.” <http://www.jnf.org/>
(Comment: the evacuation of the Sinai refers to the withdrawal of the Israeli army from the Sinai in 1982, the agreement reached at Camp David. However, the soldiers stationed in the Negev “forcefully evacuated Bedouin from their homes to areas where they are to be concentrated, terrorizing women and children, shooting animals, destroying tents, and in general behaving in the manner that has typified the bloody and brutal career of [Ariel Sharon]...” (Chomsky 1999). A further twist on greenwash is the Green Patrols, directed by Sharon, preventing Bedouins from encroaching on “national lands.”

JNF France, Germany, Greece, Guatemala, Holland. “JNF For the Environment.” “Israel’s forests and parks were not always here. The first Jewish settlers in the country, at the end of the 19th century, found a desolate land with not a mite of shade.”

“Keren Kayemeth LeIsrael-Jewish National Fund was founded in 1901 to purchase land in Eretz Israel on behalf of and for the Jewish People. In 1904, in addition to this work, it embarked on a project to plant olive trees on the lands of Ben Shemen and Hulda, which it had recently purchased. The idea was to plant top-quality, fruit-bearing trees for which there was demand.”

“KKL-JNF Helps Combating Desertification Worldwide; Green at the Edge of the Desert; The International Arid Lands Consortium”
http://www.kkl.org.il/kkl/english/top_toolbar/kkl_offices/office_addresses/franceguate.x
(Comment: as detailed below, this is a hypocritical assertion, given Israel’s confiscation and squandering of water particularly in Palestinian areas).

JNF Canada: “Go Neutral: An Environmental Movement for Tomorrow.” “When the JNF was founded, over 104 years ago, much of the ancient homeland of the Jewish people had deteriorated through centuries of neglect into a patchwork of quagmires and arid land. Through its care for the land of Israel, the JNF has made it bloom again.” Also from this website: “Calculate your personal carbon footprint, and then counter it by supporting afforestation programs in Israel,” as tree planting has offset “about 110m tons of carbon.” JNF Canada funded Canada Park, Begin Park, and also plans Park Rabin, “as testimony to the hopes, dreams and accomplishments of a courageous leader. Park Rabin will embrace the very hills on which he fought.” <http://www.jnf.ca/>
(Comment: this is an entirely erroneous description of Palestine. Of note, both Begin and Rabin are well-known for their extreme violence).

JNF New Zealand “Sustainability, Afforestation, Bringing Streams Back to Life.” “KKL-JNF’s work in its early decades sketched and determined the boundaries of the State of Israel that rose in 1948. Its extensive afforestation endeavor, begun soon after its inception and pursued to the present, has no parallel.”

<http://www.zfnz.org.nz/index.php/community/jnf-kkl>

(Comment: as detailed below, the extensive afforestation projects were used to confiscate Palestinian land and to clear the land of the ethnically cleansed villages and towns. See Pappe.)

3.1 Image vs. Reality

The following section includes representative examples of environmental practices in Israel connected with the JNF, either through its funding these projects and/or its misrepresentations of Israel’s impact on people and the environment.

FORESTS

JNF tree-planting contrasts with the gratuitous destruction of Palestinian olive trees, many of which are hundreds of years old. The JNF has ostensibly planted some 240 million trees in forests and national parks throughout Israel.

Susan Nathan, a Jewish Israeli living in the Palestinian town of Tamra, writes that for Israel, “trees are a weapon of continuing dispossession.” First was the National Carmel Park Law in which the “state uprooted natural vegetation of olive, carob and fruit trees for which the area was renowned and which the villagers had cultivated for generations and surrounded them instead with useless pines.” These pines are aging, demanding more water and they are more prone to problems like pests, disease and fire. Tree planting projects prevent Palestinians from planting, while expanding land confiscation around illegal Jewish settlements. Pine trees, which grow fast, destroy all other small plants because of their acidity, and ultimately make the land unusable for Palestinian shepherds. (Balsam, p. 139) Ironically, Israel is now introducing (really reintroducing) “native” varieties like carob and pistachio.

Canada Park, funded through charitable JNF donations, exemplifies the JNF modus operandi. “Seeking revenge for having lost the Latrun area near the foothills of the Jerusalem Mountains to the Jordanians in 1948, and wishing to cleanse the approach to Jerusalem of Arabs, Israel summarily expelled 5,000 residents from the villages of ‘Imwas, Yalu and Beit Nuba. The razed villages were then “‘Judaized, covered over by a recreational forest planted by the Jewish National Fund and called ‘Canada Park’.” (Halper, p. 144). The park is located in the West Bank, beyond Israel’s internationally recognized borders, and thus violates the Geneva Convention. [See Zayid, this volume.] This year a number of Palestinian news agencies, Jewish Voice for Peace, and the Israeli newspaper *Yediot Aharonot* reported actions that are “transforming the olive tree from a symbol of peace into one of theft and extortion.” (Mondoweiss, 23 Feb. 2011) In the last two years, the Israeli government has uprooted more than 160,000 olive trees in the West Bank. “Many of these trees were hundreds of years old and had sustained the Palestinian economy for generations.” Stolen olive trees are taken to Israeli nurseries to be resold. “None of the money is returned to the original owners. In

addition, even when trees are not uprooted, settlers in many areas are using force to prevent owners from reaching them. In some cases, the settlers have harvested the olives, which they have offered to sell back to the tree owners. The settlers add a threat: if the owners refuse to pay, the settlers will simply cut down the trees.” The military clears the land at will, even when the farmer has legal documents to prove ownership.

(<http://jewishvoiceforpeace.org/content/battle-olive-sharons-fingerprints-latest-suicide-bombing>)

In 2005, JNF USA, JNF Israel and the government of Israel launched a program for developing the Negev, aiming to increase the population to 500,000 people, and subsequently revised downward to 250,000. There are 190,000 Negev Bedouin, Israel’s poorest minority who live in villages without electricity, running water, and sewage disposal. The plan involved massive dispossession and relocation of Arab Bedouin and intensive forestation measures to prevent the Bedouin from returning to their land forever. The village of Twail Abu Jarwal was destroyed at least 50 times over the past four years, and Al-Arakib was destroyed for the 18th time in February 2011.

Uri Davis, one of the first to use the term “Israeli apartheid,” now reports a Palestinian Authority/Jewish National Fund collaboration to build a Palestinian enclave near Ramallah on confiscated Palestinian village land: “the continued construction of Rawabi places the PA in a position of complicity with one of World Zionist Organizations and Israel’s ugliest apartheid instruments, the Jewish National Fund, a body that ‘greenwashed’ the ethnic cleansing of Palestine in 1948 and 1967.... To add insult to injury, rather than plant indigenous arboreta, notably olive tree saplings, the tree saplings planted by the JNF in the area designated for the Rawabi projects are typically political-Zionist pinera (conifers), the most common tree planted by the JNF in the forests and recreational centers on the lands and over the ruins of Palestinian-Arab villages ethnically cleansed by the Israeli army.” (Rawabi 2011)

Balsam points to JNF’s current twinning program in Toronto, Canada. “Today, the Yatir Forest is the largest forest in Israel, situated on the southern portion of Hebron hills...boasting that it is a research lab for environmental experiments and a ‘green lung’ to absorb greenhouse gases.” (Katz, A. 2008, Dec 21. “Green at the edge of the desert.” *KKL-JNF* http://www.kkl.org.il/kkl/english/main_subject/latestupdates/.../word-yatir.doc)

The Yatir Forest protrudes into the West Bank, causes serious and irreparable damage to the ecosystem and keeps Bedouin people out, reinforcing mythologies of the empty land without people. JNF Canada twins with Toronto’s Downsview Park, which sits on unacknowledged traditional First Nations territory. Another twinning project is described in the “water section” below. [See: Balsam, this volume.]

WATER

Here is a JNF website message designed explicitly for children [note the youthful font]:

“Describe the desert:

Sandy, extremely hot during the day, no natural water, rarely rains. Discuss the underground pipeline that JNF built, to bring water to the desert, to enrich the soil.”

(Comment: this benign-sounding message for children is representative of the ways the JNF and Israeli textbooks omit inconvenient facts about the environment and about Israel's deplorable treatment of Palestinian children within Israel and in the territories. In Gaza and the West Bank, Israeli practices deprive Palestinian children of uncontaminated water, adequate food, medical care, education).

The JNF website, citing its participation at the UN World Summit on Sustainable Development in Johannesburg in 2002, states that JNF scientists presented during the UN's International Year of Freshwater 2003 "some of the solutions to problems of fresh water scarcity including building reservoirs and dams to gather and recycle runoff, rain and wastewater for agriculture and the development of arid and semi-arid regions..."

JNF websites misrepresent both the JNF and Israel by leaving out the whole picture, particularly the Palestinians. The websites highlight how the JNF invests "\$100m in cutting edge water programs for Israel," that it halts desertification, that there are water certificates and water greeting cards that donors can proudly purchase, that Israel is a water-scarce land but for advanced Israeli technology. In this writer's city of Toronto, major streets display JNF billboards saying: "Give Water, Give Life," while in fact Israel's wars, its siege of Gaza, its matrix of control, *takes water, takes life*.

The attacks on Gaza and Lebanon of 2006, and on Gaza in 2008/9, destroyed the electric power systems necessary to treat and pump water and treat sewage. Israel's environmental record needs to include the siege of Gaza, the blocking of necessary construction and maintenance supplies into Gaza which led to the collapse of a sewage reservoir in the Bedouin village of Umm Nasser near Beit Lahiya in 2007, killing two children and three women. JNF and Israeli claims of being green, of offering solutions to water scarcity, need to be seen in this context.

Hydrologist Clemens Messerschmid challenges the prevailing lies. He states that Israel/Palestine's water resources and rainfall patterns surpass many European countries but that water has been squandered by Israelis. Messerschmid details a series of regulatory policies. In August 1967, right after the 1967 war, order #92 gave the military all authority and power over water. Order #158 gave the military authority over the permit system for houses, roads and water infrastructure, meaning that the military did not need to give justification for confiscating water resources or destroying wells. The third order in December 1968 cancelled all other prior agreements, including those of Israeli courts.

Selective closure intensified following the Oslo agreements in 1993, resulting in long-term Palestinian unemployment as high as 77.3% that will only change if more water is made available for irrigation. The Separation/Apartheid Wall is located within the boundaries of the Western Aquifer. The pumping area is confined to a narrow strip of land running parallel to the Green Line itself. The Western Aquifer, lying completely within Palestinian territory, is the most important groundwater resource in the whole of Israel/Palestine. The military allowed drilling of only 23 wells in the entire West Bank by Palestinians between 1967 and 1990. Twenty were exclusively for drinking water, and no drilling was allowed in the Western Aquifer. In Israel by contrast, there are approximately 500 strongly flowing deep

wells, whereas Palestinians must make do with 159 old wells, which were designed for irrigation and are less deep.

A study by *New Scientist* (Fred Pearce 2004) describes how Western Aquifer fresh water, replenished within the West Bank, is primarily allocated for Israeli use, whereas the current plan is to transfer desalinated water from the Mediterranean back to the West Bank. Israel wants the U.S. to fund this project, and to date, USAID has agreed. The study notes that the plans for a giant desalination plant to supply drinking water to the Palestinian territories is a means to diminish pressure to grant a future Palestinian state greater access to the Western Aquifer. In the end, too, aid money to provide water to Palestinians benefits Israel. As part of Oslo, four-fifths of West Bank water allocated to Israel is replenished by the waters falling on Palestinian territory. Shamir told *New Scientist* that “the plant will be funded by the world for the Palestinians. Israel will not be willing to carry this burden, and the Palestinians are not able to.” Hydrologists contacted by *New Scientist* point out that desalinating seawater and pumping it to the West Bank could cost around \$1 per cubic meter, three times as much as acquiring water from the aquifer. The scheme would leave an independent Palestinian state more dependent on desalination than almost any other nation in the world. It should be noted that desalination requires a great amount of energy.

Messerschmid gives many examples of how military orders confiscate and obstruct availability of water. In 2003, a Palestinian well had a technical problem. The repair work had to be done by Israelis who found one excuse after another so that the well did not operate for months. The villages had no water while settlers had plenty. The West Bank water department has only one function, which is to get bills paid. The military refuses permits even for cisterns, some of them ancient, and destroys them in the south Hebron hills so that Palestinians are even dispossessed of rainwater. Reservoirs have two outlets, with the higher one for Palestinians and the lower for settlers, so that in summer the Palestinian pipes run dry as the water has to be 2/3 full in order to flow to the villages. Often the amount of flow is changed as a means of collective punishment. Each pipe needs a permit. Messerschmid describes how West Bank Palestinians who picnic on the Duma cannot even touch the spring. The World Health Organization minimum water standard is 100 liters/day, but Palestinians in the South Hebron area often have less than 30 liters/day.

The Palestinians are blamed for showing a “general lack of understanding for the value and scarcity of water.” The aquifer recharge area had never been used for waste disposal before the implementation of IDF policy of total closure inside the West Bank. There are vast obstacles to movement such as: earth mounds, cement blocks and trenches that disconnect Palestinian villages from each other. Waste trucks simply do not reach their destination, and drivers who dare to remove obstacles in order to fulfill their mission are shot at, arrested, their IDs torn, their trucks damaged or even destroyed by the army. “As for the claim that Palestinians fail to give priority to waste water projects as opposed to drinking water projects, it should be noted that this accusation completely disregards the extremely heavy lot of the Palestinian population with regard to access to sufficient and suitable drinking water (not to mention water for irrigation) – a basic human right.

Messerschmid, interviewed by Amira Hass, also notes that large quantities of sewage and industrial waste are still allowed to flow to the sea, making Israel one of the biggest polluters of the Mediterranean. “For Israel to consume all the water it does, it must keep that water away from its neighbors and from the people it is occupying. Israel uses water from the Golan, Jordan comes out the loser in the arrangement for usage of the Yarmouk waters, and Lebanon was not permitted to use fair quantities of the Hatzbani waters. Wherever Israel is located downriver, it uses military force to ensure that most of the water that flows in that river will reach Israel.... The Jordan is a river of the past... Nothing remains of it since Israel has been pumping so extensively from Lake Kinneret.” (also known as the Sea of Galilee, or Lake Tiberias)

In more than 35 years of occupation, Israelis failed to invest in Palestinian infrastructure, in water supply and wastewater and solid waste facilities, though this is a duty under international law. Israeli authorities and their policies obstruct, delay and prevent the implementation of projects. International donors are pressured to also serve the illegal Jewish settlements. Often, funded projects are permanently put on hold because of the permit system and the checkpoints that prevent workers and equipment from accessing sites.

Mark Zeitoun, co-leader in the London Water Research Group and the University of East Anglia Water Security Research Centre, has written extensively about transboundary cooperation and conflict in which domination is dressed up as cooperation (p. 90). Findings indicate that water problems are chiefly rooted in power imbalances between two sides, permitting a highly asymmetric outcome. “The Israeli assault on the main electrical power plant in Gaza in June 2006 denied tens of thousands of people access to water and further endangered the highly contaminated sources that lie under the sands. The water towers of over fifty villages in southern Lebanon were crippled by damage inflicted during the summer 2006 war between Israel and Hezbollah.... The destructive power games with water in the region are momentous, and regularly occur below the radar screen, with superficial understanding and inadequate concern from the international diplomatic, donor and academic communities. Zeitoun writes that frequent NGO and media reports of water cooperation, particularly about the Joint Water Committee made up of Palestinians and Israelis, deflects attention from the extreme power imbalance.

David Brooks of CIDA, member of Canada’s delegation to the Middle East Multilateral Peace Talks on water and the environment.... commented on Jordanian/Israeli water agreement, in which not a word is said about water rights for the Palestinians, nor about giving them a role in managing the waters of the Jordan valley: “Palestinians are not even party to the negotiations,” Brooks observes, “Their omission is staggering given that most of the Lower Jordan River forms the border between Jordan and what is likely in the near future to be Palestinian, not Israeli territory.” (Chomsky 1995).

Like Messerschmid, Zeitoun’s work exposes a range of false claims about rational water management. “Israeli over-abstraction of the Western Aquifer may be further aggravating the situation. Israeli supply-driven water policy will meet domestic demand from whatever source is available. When the level of the Lake of Tiberias is too low, the difference is not made up through reduced consumption, but through increased reliance on the hidden groundwater

resources of the aquifers. The less water in the basin, the more easily the untreated waste trickling down from above contaminates it. Hydrologists are tired of reminding us that by the time they detect such contamination, it will be too late to do anything about it.... For all of the hundreds of millions of dollars and buckets of sweat spent, the [water] sector is less developed a decade on from the Oslo II agreement than it was at the outset....” (Zeitoun 2008)

A number of descriptive reports on the water situation convey the human and environmental side that is not reported by Israel or by the JNF. Industrial parks allow Israel’s most polluting industries (aluminum, metal works, plastic and chemical concerns, and slaughterhouses) to exploit cheap Palestinian labor. Lax environmental standards in the Occupied Territories permit the dumping of industrial wastes into the West Bank. (Halper 2008)

In the Israeli military attacks on Gaza in 2006 and 2008/2009, Israel’s first target was the electrical power and water treatment and sewage systems used by 1.5 million people. Damaging Gaza’s sanitation network caused 150,000 cubic meters of untreated and partially treated sewage wastewater to flow over agricultural and residential land and into the sea during the attacks. The daily average of wastewater being pumped into the sea is still a staggering 80,000 cubic meters.... Some of the greatest damage was done in northern Gaza, where three new facilities were totally destroyed. Severe damage was caused to the North Gaza Emergency Sewage Treatment Plant, as well as to wastewater distribution networks throughout the north. Government sources say that more than 800 of Gaza’s 2,000 water wells were destroyed or rendered not useable from the last Israeli attacks.” (Eva Bartlett 2009)

Still recovering from the 2006 attack, Gaza was repeatedly denied pumps, metal pipes, air and oil filters, and other goods. As a result, 15% of Gaza’s population, 225,000 people, could access water for only two hours per day. Water extracted from the coastal aquifer was not replenished and the poor quality water had not been tested for more than a year because laboratories were not allowed to import chemicals to test it. World Health Organization tests carried out several years prior had concluded that Gaza’s water was unfit for human consumption. (Mel Frykberg 2008)

In the West Bank, Israel demands that Palestinians meet advanced tertiary wastewater treatment standards in all planned Palestinian facilities. The World Health Organization requires secondary treatment standards, and tertiary treatment standards are not yet in effect within Israel or the settlements. This would increase costs by 66% to 100% per cubic meter of water. At present, Israel exploits Palestinian wastewater, treating it inside its sovereign area and using it for agriculture irrigation and to rehabilitate streams, yet deducts the cost of building these facilities from tax monies owed to the Palestinian Authority. Illegal Jewish settlements pollute nearby Palestinian water sources and farmlands. Many settlements do not have adequate wastewater treatment facilities and at times raw wastewater floods West Bank valleys. B’Tselem reports that there is now pollution of groundwater and of the Dead Sea, seeping into the Mountain Aquifer. Israel’s neglect is a major reason for the lack of wastewater treatment facilities in the West Bank. Many families are too poor to pay for emptying the cesspits, and Israeli restrictions on movement make it difficult for tankers to reach distant communities to pump out wastewater. “To date, no comprehensive

epidemiological research has studied the effects of the free-flowing raw wastewater on West Bank water sources. The flow of the settlement's wastewater destroyed crops and desiccated olive trees.... The farmers of 'Azmut could not sell their crops as they were contaminated. Wastewater created a severe mosquito problem and a powerful stench that caused allergies, dizziness, and headaches among many residents of the village, particularly children." (June 2009. "Foul Play: Neglect of Wastewater Treatment in the West Bank," B'Tselem Report).

The B'Tselem report contains a number of first-person testimonies and it is worthwhile quoting from several reports. The Ariel Municipality (a large illegal Jewish settlement) does not inform the Salfit Council (in Palestine) of wastewater overflows from the settlement's treatment plant heading in the direction of Salfit. Ariel's wastewater has already damaged seasonal crops and livestock that used to live in the area where Salfit's residents used to hike before it became polluted. Water contamination has brought about the extinction of the deer, rabbits and foxes once common to the area.

"Our suffering from the wastewater that comes from Ariel and Salfit through the Brukin stream began in 1999. Since then, we have suffered very much from the pollutants and stench coming from the wastewater. We can't sleep because there are so many mosquitoes and rodents. Nobody eats the produce we grow, especially the vegetables, because my family and neighbors are afraid that the juice in the vegetables is contaminated by the wastewater." (Fatmeh Kadurah, wastewater from Ariel settlement, p. 32)

"Our life has become terrible. We're bothered day and night. The odor is horrible. We can't open the windows because of the smell and the mosquitoes. It's worse in the summer, when it gets hot. We've tried everything but we haven't been able to get rid of the mosquitoes. My small children cry at night from the mosquito bites and wake up with their faces all red and stains on their bodies." (Nihadeh Sawalha, p. 29 wastewater from Elon Moreh settlement)

Twinning projects between Manitoba and Israel conveniently omit indigenous peoples in their sanitized use of environmentalism. A Manitoba-Israel water symposium, hosted by the JNF, involved ten Canadian and ten Israeli scientists studying annual migrations of birds.

"There are many benefits to be derived from 'twinning' such as, for example, offering visitors complementary information on both marshes, and enabling scientists to work together to solve similar wetlands issues," Melnick explained. Christine Melnick, a member of the provincial parliament, was also a driving force behind the creation of the Manitoba-Israel Shared Values Roundtable, which emphasizes the shared values in both societies, including democracy, freedom of speech, diversity of opinion, high literacy rates, commitment (sic) to family, and public services, among others."

http://www.winnipegjewishreview.com/article_detail.cfm?id=827&sec=2&title=JNF_GEAR_S_UP_FOR_NEGEV_GALA_HONORING_MINISTER_CHRISTINE_MELNICK

Regarding free speech and diversity of opinion, Melnick called for the banning of Israeli Apartheid Week at the University of Manitoba. The Winnipeg Free Press gives a different impression of Manitoba's water problems and the long history of racist colonialism: "... the appalling lack of basic infrastructure in some First Nation communities in Manitoba. No running water, no sewage systems –things that most of us take for granted are still not

available in many of our northern communities. Manitoba Keewatinowi Okimakanak Grand Chief David Harper told a Senate committee hearing Tuesday the lack of running water in more than 1,000 homes in northern Manitoba is a violation of the United Nations Declaration of the Rights of Indigenous People.” (“First Nations to alert UN to water woes: minimum standards not being met: MKO” <http://www.winnipegfreepress.com/local/first-nations-to-alert-un-to-water-woes-116296654.html>. See also: *Canadian Dimension Magazine*, April 2011. “No running water,” calling for a “Racial Redistribution of Wealth”). These twinning projects merit a study of their own. They are examples of falsifying colonization and environmental malpractice by creating an impression of benevolent, respectful collaboration between partners.

AGRICULTURE

Here is another JNF message written for children (again, note special font):

The Negev is sand. JNF has done many wonderful things in the Negev. Draw a picture that shows what JNF has done:

- o wildlife nature reserves
- o olive and orange groves
- o fish ponds
- o forming and growing plants in hot houses

(Comment: children are indoctrinated at an early age. The JNF is instrumental in uprooting and transferring thousands of Bedouin from the Negev and of stealing Palestinian aquifer water to make the desert bloom. Bedouin houses and tents are repeatedly demolished and they are not provided with water or electricity. The image of wildlife nature reserves deceptively hides unrelenting brutality towards people. Using massive amounts of water for export crops belies Israel's claims to rational and sustainable water policy. Finally, saying “the Negev is sand,” plays into the stereotype Westerners have of deserts, when in fact most of the world's deserts, the Negev included consist more of mixed pasture/steppe and rock, with little sand at all.)

The frontier myth falsifies Israeli confiscation of Palestinian land, knowledge, and way of life. Traditional Palestinian farming methods, plants and foods are construed as Israeli in origin. The Zionist sense of entitlement for over a century has rationalized the victimization of Palestinians, restrained only by the need to preserve an image of power and righteousness before the international community.

Confiscation, identity theft, loss continues into the present. “Gazans, once farmers, are today impoverished, their lands cleared of fruit and olive trees and other crops as ‘security measures.’ Some 75% of Gazans live on less than \$2 a day, 80% are refugees living mainly in squalid camps. Gaza has one of the highest population densities in the world – 10,665 persons per square mile, almost four times the density of Bangladesh. Malnutrition among children is rampant....” (Halper 2009).

The dominant media reported with much sympathy about the forced re-location of Jewish settlers but nothing about the Palestinian inhabitants. “What skill it takes to step out of your well-cared for greenhouse and walk unmoved past 60-year-old fruit-bearing date trees that are

uprooted for you, roads that are blocked for you, homes that are demolished for you, the children who are shelled from helicopters and tanks and buried alongside you, for the sake of the safety of your children and the preservation of your super-rights. For the sake of about half a percent of the population of the Gaza Strip, a Jewish half-percent, the lives of the remaining 99.5% were totally disrupted and destroyed.... And most Israelis did not demand that their government put an end to it.”

“When the settlers left Gaza, the Israeli army created a no-man’s-land around the Jewish settlements, making sure that agricultural land was permanently degraded under hundreds of hectares of devastated fields and thousands of uprooted trees. Some 40% of the surface is now ‘airtight.’ because it is covered with millions of tonnes of rubble.” (Dagga and Rakacewicz 2005)

Amira Hass (2008), interviewed hydrologist Clemens Messerschmid about agriculture and water use. Israel uses over 60% of its water for agriculture, which only amounts to about 2% of GDP. “Agriculture in Israel is important in terms of preserving the national ethos, and is not calculated in terms of the actual conditions of the water economy... They talk about drought and meanwhile water the city lawns. Agriculture has a political-strategic-Zionist value that goes beyond its economic contribution.... Most of the area that is currently cultivated for agriculture in Israel was cultivated long before 1948 by Palestinians.” The Palestinians used every plot of land, using the ancient method of mountain-terraces, “an important factor in ensuring the refilling of groundwater and the prevention of flooding.”

Vast amounts of water are lost through citrus and flower virtual-water exports. International shipping and aviation are among the highest greenhouse gas emitters. Since the Kyoto protocol exempted international shipping and aviation, nations are able to conceal an accurate accounting of their emissions. “The Israeli management style of the water economy is a gambling style. Moreover, Israel does not use the best methods for conserving water.” (Messerschmid) Also see: Israel Shahak for virtual water exports and for decimation of Palestinian agriculture. They continue to use sprinklers midday in the summer for agriculture.

Moreover, land is confiscated from Palestinians with various rationales: that it is needed for agriculture, afforestation, security. The Separation/Apartheid Wall functions as a silent land grab, taking the best agricultural land, uprooting or confiscating olive groves and orchards. For Palestinians, the loss drastically reduces agricultural production and expropriates their future. The village of Jayyus, because of the Wall and the consequent loss of water wells, “has lost entire fruit and vegetable harvests. Vegetables grown in an extensive system of greenhouses, which require daily irrigation and care, have often had to be left to rot. A year after the Wall was completed, agricultural production from Jayyus had dropped by almost half.... Villagers gain access to their land through a permit system regulated by Israeli authorities.” (Christison and Christison 2009) The loss of agricultural land and water means that “even if a political settlement is one day achieved, Israel’s annexation of this vital undeveloped resource will continue to undermine the lives and hopes of millions of Palestinians, both now and in generations to come.” (Messerschmid 2007).

3.2 Comments and Analysis

JNF greenwash masks many breaches of international law and UN Conventions, among them the Fourth Geneva Convention on the duties of the occupying state, the Convention on the Elimination of All Forms of Discrimination against Women, the UN Convention on the Rights of Indigenous Peoples, and the UN Convention on the Right to Water. Described in this JNF Greenwash report are the institutionalized ways the JNF serves Israeli objectives of depriving Palestinians of necessities and keeping an entire people at the level of bare subsistence. The wholesale destruction of Palestinian agriculture renders the Palestinians a captive market for Israeli goods.

Mention needs to be made of Israel's military-industrial-complex. Following Jeff Halper, – re-framing is necessary to dispel illusions about Israel and its allies. Halper points out that Israel is hardly a victim with its thriving military and surveillance trade. Significant in terms of greenwash, Israel is a nuclear weapons state and its attacks on Gaza and Lebanon involved widespread infrastructural and environmental destruction and use of non-conventional weapons. At present, India is Israel's largest "defense" industry market. It is hard to conceive of anything being more destructive to the environment than nuclear weapons and war in general. Both India and Israel now justify using nuclear weapons against non-nuclear weapons attacks by biological or chemical weapons. In terms of climate change, military emissions are exempt – destruction of the entire climate system can proceed with impunity.

The environmental degradation and contemptuous treatment of Palestinian people are carefully documented in a number of reliable sources. In Canada, the JNF partners with various provinces in twinning projects that conceal the same kind of colonial practices, particularly the confiscation and exploitation of resources. For example, Canada has an appalling record when it comes to providing infrastructure for water treatment and sewage for indigenous peoples. The Canadian Alberta tar sands and its toxic water are linked to rare forms of cancer in the nearby Chipewyan community. Well known is the misuse of vast amounts of water in extracting tar sands. The JNF Canada site announced that "Alberta and Israel have a lot in common when it comes to water shortages. Now, Jewish National Fund and Alberta's Government have started a 2 million dollar joint research project on water conservation."

Environmentalism itself requires careful scrutiny. In "A Challenge to Conservationists," Mac Chapin writes that the environmental organizations that dominate the world's conservation agenda "have been marked by growing conflicts of interest – and by a disturbing neglect of the indigenous peoples whose land they are in business to protect."

This article has presented a brief overview of representative policies involving claims of advanced environmental practices by Israel and the JNF. In reality, these policies confiscate Palestinian resources and drive home contemptuous and degrading ways of treating people. As articulated in the Olga Document signed in June 2004 by several hundred Israelis, "We are talking of a road that has not been tried hitherto: being honest with ourselves, with our neighbours and particularly with the Palestinian people.... If we muster within ourselves the appropriate honesty and requisite courage, we will be able to take the first step in the long journey that can extricate us from the tangle of denial, repression, distortion of reality, loss of

direction and forsaking of conscience, in which the people of Israel have been trapped.” Appropriate words, too, for the JNF.

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4. The Path to Climate Security Passes through Gaza: a Prologue to Rethinking Strategy

By: David Schwartzmanⁱ

4.1 Abstract

The stakes are very high for a just and peaceful resolution of the struggle for full recognition of the individual and collective rights of the Palestinian people. Achieving this goal is not only critical for the securing of life, rights and sustainability of all living in Palestine and the broader region. The struggle for justice in Palestine also lies at the heart of global movements against imperialism, occupation, war and militarization of the global political economy that threatens us all. The Israeli occupation of Palestine and military aggression in the region is a central part of the US-European imperialist agenda. Only global equity and cooperation made possible by the termination of this agenda will create the possibility of preventing catastrophic climate change. Thus, the convergence of the climate security, environmental and ecological justice, peace, anti-occupation, Palestine solidarity, and anti-imperialist movements is imperative while we still have time to act.

4.2 Introduction

Preposterous, some readers may object, what possible connection could the struggle for justice in Palestine have with confronting the challenge of mounting carbon emissions to the atmosphere which will lead us to climate catastrophe unless these emissions are radically curbed in the near future? I argue here that the connection is profound, with the challenge of achieving a just resolution of this conflict being the potential lever that will make global prevention of C3 possible. And only convergence of the climate security, environmental and ecological justice, peace, anti-occupation, Palestine solidarity, and anti-imperialist movements has any hope of success for C3 prevention.

The climate security and peace movements remain divided, the former gaining global momentum while the latter, at least in the global North, is just beginning to wake up from the illusions generated by Obama's election just two years ago. No surprise here, since while the right wing is the bastion of global warming denial, even the anti-imperialist left has its ill informed advocates (e.g., Alexander Cockburn), as well as those who acknowledge the reality of anthropogenic climate change while still refusing to prioritize this issue of critical significance to the survival of human civilization. Nevertheless, the realities of the Afghan War combined with global economic distress and alarming new signs of climatic instability are now forcing a rethinking of strategy.

Let's start with the historical context. The US-Israel client state relationship has been a critical component of US imperialism. Its central objective has been the control of the petroleum resources in the Middle East, with extension to the Near East, including Iran. Even

conservatives commonly admit to this agenda as central to the preservation of the American way of life.

As Haddad (2004), put it in his discussion of the Iraq war and occupation:

“Of course it is no secret that oil is at the heart of the occupation’s objectives. American and world dependence on Gulf oil will increase precipitously over the next twenty years. Veteran Middle East analyst Anthony Cordesman of the Center for Strategic and International Studies (CSIS)—well connected to the U.S. intelligence community—describes this dependency in a document written before the occupation of Iraq:

We need to remember what our key strategic priorities are. The U.S. is steadily more dependent on a global economy and the global economy is steadily more dependent on Middle Eastern energy exports, particularly from the Gulf. We tend to take this so much for granted that we sometimes fail to consider just how serious this dependence is and how much it is estimated to grow in the future. There also is still a tendency to view the issue in terms of American import dependence, our normal peacetime dependence on given countries for imports, and dependence on direct imports. These are all false approaches to the problem. We are steadily more dependent on global imports; what affects the global economy affects us and our direct level of oil imports is no measure of strategic dependence. Similarly, we compete for oil on a world market. Any shortage or price rise in a crisis forces us to compete for imports on the same basis as every other nation. Finally, focusing on direct imports of oil ignores the fact that the U.S. has steadily shifted the pattern of its manufactured imports to include energy dependent goods, particularly from Asia. These, in turn, are produced by economies that are critically dependent on oil imported from the Middle East. Estimates of import dependence that only include direct imports of crude understate our true net dependence on oil imports to the point where they are analytically absurd.ⁱⁱ

This client-state relationship was founded in 1967, with Israel becoming a willing instrument of U.S. imperial power. This type of relationship was first built in the Middle and Near East, attacking Arab nationalist regimes and movements, and then elsewhere such as in Central America, Iran and even in continued support of the U.S. blockade of Cuba. The U.S. had become completely isolated in the world community aside from Israel’s obsequious loyalty (e.g., latest General Assembly vote, October 27, 2010, 187 against the blockade, 2 in favor (U.S. and Israel).

4.3 My Summary Thesis

A just resolution of the struggle for Palestinian rights will terminate the US-Israeli imperial axis, thereby undermining US imperialism that acts as the dominant military arm of transnational capital.

This agenda is the actual policy of the MIC, the Military Industrial [Fossil Fuel Nuclear Terror] Complex, with the Pentagon & Israeli military acting as its “Petroleum Protection Service.” As such, MIC is the biggest obstacle to achieving climate security in the face of the looming threat of catastrophic climate change. I will not make the case here for the reality of climate change and the real potential for climate catastrophe in this century, if not in a few decades (see documentation in Schwartzman, 2009).

Thus, I submit: *The path to climate security must pass through Gaza*, i.e., Climate Security for humankind will only be achieved with the end of the Israeli blockade of Gaza, termination of the Israeli Apartheid regime, and the full realization of the individual and collective rights of the Palestinian people. As Evo Morales, President of Bolivia, put it:

“The budget of the United States is \$687 billion for defense and for climate change, to save life, to save humanity, they only put up \$10 billion. This is shameful. The budget for the Iraq war, according to the figures we have, is \$2.6 trillion for the Iraq war, to go kill in Iraq. Trillions of dollars. But directed towards paying the climate debt, \$10 billion. This is completely unfair. These are our deep observations of what’s going on. That’s why—for the war, while trillions are going to the wars, on the other hand, to save humanity and the planet, they only want to direct \$10 billion.”ⁱⁱⁱ

Thus, I argue that the struggle for justice in Palestine is a transcendent challenge for the global human rights, peace, ecological and environmental justice, anti-war and emerging climate security movements. On one hand, it is the nexus of potential escalating conflict, even nuclear war. On the other hand, its just resolution is likewise an immense opportunity to create the “other world that is possible.”

4.4 New developments that may enhance our struggle

We now witness growing isolation of Israel in the world community, translating into growing weakness and contradictions in the US-Israel alliance. The ruling elites of U.S. and Arab/Near East Client states, such as Egypt, Jordan, Pakistan, increasingly risk losing their legitimization with the potential for regime change unfavorable to U.S. imperialism. The current popular uprisings in Tunisia, Egypt, Yemen and Bahrain have brought this possibility closer to reality. This poses an increasing threat to the US agenda in the Middle and Near East. The current, now frozen, negotiations between Israel and the Palestinian Authority forced by Obama are simply a delaying action, postponing the inevitable rupture in U.S. foreign policy that will come to recognize the necessity of a just resolution of the conflict. The alternative is unthinkable: escalating conflict in this region, with the real potential of war, even nuclear war. US-Israel imperialism has no sustainable future.

The decision in May 2010 of the Non-Proliferation Treaty (NPT) review conference called for a nuclear-free Middle East. This development exposes the pure hypocrisy of the US-Israel campaign against Iran’s nuclear program for peaceful use. Israel rejected the NPT conference for nuclear-free Middle East, even while its sponsor the United States was forced to sign the conference document.

4.5 Conclusion

Already a component of the global human rights and peace movements, the mushrooming Global BDS movement should now seek convergence with the newly emerging climate security movement growing out of the historic World People's Conference on Climate Change and the Rights of Mother Earth, held in Cochabamba, Bolivia. Likewise we should encourage leaders and activists in the climate security, anti-war, and environmental and ecological justice movements to support the global BDS movement. We have a common challenge that requires broad unity.

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ⁱ Department of Biology, Howard University, Washington DC 20059, dschwartzman@gmail.com.

ⁱⁱFootnote 14: "The U.S. Military and the Evolving Challenges in the Middle East," Anthony Cordesman, Center for Strategic and International Studies, March 9, 2002, 5.

ⁱⁱⁱ*President Evo Morales, Interviewed by Amy Goodman, Dec. 16, 2009, for Democracy Now!:* http://www.democracynow.org/2009/12/16/bolivian_president_evo_morales_shameful_for.

5. The Carmel Wildfire is Burning all Illusions in Israel

By: Max Blumenthal

"When I look out my window today and see a tree standing there, that tree gives me a greater sense of beauty and personal delight than all the vast forests I have seen in Switzerland or Scandinavia. Because every tree here was planted by us."

-- David Ben Gurion, Memoirs

"Why are there so many Arabs here? Why didn't you chase them away?"

-- David Ben Gurion during a visit to Nazareth, July 1948

Four days after Israeli Prime Minister Benjamin Netanyahu announced plans to place thousands of migrant workers in a prison camp deep in the Negev Desert because, as he claimed, they pose a "threat to the character of [the] country," a burning tree trunk fell into a bus full of Israeli Prison Service cadets, killing forty passengers. The tree was among hundreds of thousands turned to ash by the forest fire pouring across northern Israel, and which now threatens to engulf outskirts of Haifa, Israel's third-largest city. Over the last four days, more than 12,300 acres have burned in the Mount Carmel area, a devastating swath of destruction in a country the size of New Jersey. While the cause of the fire has not been established, it has laid bare the myths of Israel's foundation.

Israelis are treating the fire as one of their greatest tragedies in recent years. A friend who grew up in the Haifa area told me over the weekend that he was devastated by the images of destruction he saw on TV. His friend's brother was among those who perished in the bus accident. Though he is a dedicated Zionist who supported Netanyahu's election bid in 2008, like so many Israelis, he was furious at the response -- or lack of one -- by the government. "Our leaders are complete idiots, but you already know that," he told me. "They invested so much to prepare for all kinds of crazy war scenarios but didn't do anything to protect civilians from the basic things you are supposed to take for granted."

On 3 December, Netanyahu informed the country, "We do not have what it takes to put out the fire, but help is on the way." To beat back the blaze, Bibi has had to beg for assistance from his counterpart in Turkey, Recep Tayyip Erdogan, the Western-backed Palestinian Authority and Israel's American and British patrons. Israel is a wealthy country which boasts to the world about its innovative spirit -- its US-based lobbyists market it as a "Start-Up Nation" -- but its performance during the forest fire revealed the sad truth: its government has prioritized offensive military capacity and occupation maintenance so extensively that it has completely neglected the country's infrastructure, emergency preparedness and most of all, the general welfare of its citizens.

Beyond the embarrassing spectacle of Turkish supply planes landing in Tel Aviv just six months after Israeli commandoes massacred Turkish aid volunteers on the Gaza Freedom Flotilla, or the confessions of impotence by the hard-men Netanyahu and Avigdor Lieberman,

the fire exposed a terrible history that had been concealed by layers of official mythology and piles of fallen pine needles.

5.1 "There are no facts"

Among the towns that have been evacuated is Ein Hod, a bohemian artists' colony nestled in the hills to the north and east of Haifa. This is not the first time Ein Hod was evacuated, however. The first time was in 1948, when the town's original Palestinian inhabitants were driven from their homes by a manmade disaster known as the Nakba.

Most of the original inhabitants of Ein Hod, which was called Ayn Hawd prior to the expulsions of '48, and was continuously populated since the 12th century, were expelled to refugee camps in Jordan and Jenin in the West Bank. But a small and exceptionally resilient band of residents fled to the hills, set up a makeshift camp and watched as Jewish foreigners moved into their homes.

In 1953, a Romanian Dadaist sculptor named Marcel Janco convinced the army not to bulldoze Ein Hod as it did the scores of nearby Palestinian towns it had ethnically cleansed five years prior. He proposed establishing an art commune to generate tourism and contribute to the culture of Zionism. Today, the rustic stone homes that once belonged to Palestinians are quaint artist studios, while the village mosque has been converted into an airy bar called Bonanza. Visitors to the town are greeted at the entrance by Benjamin Levy's "The Modest Couple in a Sardine Can," a sculpture depicting a nude woman and a suited gentleman in a sardine can, which was unveiled by Israeli President Shimon Peres in 2001.

After the catastrophe of 1948, the original Palestinians of Ayn Hawd set up their own village three kilometers away from what is today known as Eid Hod. For decades the villagers resisted attempts to dispossess them and were surrounded by a fence during the 1970s to prevent them from expanding according to natural growth. But they finally won official recognition in 2005. This meant that for the first time since the establishment of Israel they could receive electricity and trash service. Meanwhile, more than forty other Palestinian villages inside Israel remain "unrecognized." The 80,000 or so residents of the villages, which lay mostly in the Negev desert, are tax-paying citizens of Israel. However, they have few rights; their homes are routinely demolished to make way for Jewish settlements and they are deprived of basic services.

I visited both Ein Hod and Ayn Hawd in June. When the residents of the Jewish village Ein Hod saw me filming, they reacted with a mixture of suspicion and hostility. "I know what you're doing!" an elderly woman sneered at me, insisting that I not film her. Inside the bar, I asked patrons if the place was in fact a converted mosque. "Yeah, but that's how all of Israel is," a woman from a nearby kibbutz told me as she sipped on a beer. "This whole country is built on top of Arab villages. So maybe it's best to let bygones be bygones."

I provoked another annoyed reaction when I began filming a tour guide leading a group of elderly Israelis around the village. Speaking in Hebrew, the guide told the tourists as she took them through the art studios that they were inside "third generation houses" -- forget the

Arabs who lived in them for hundreds of years. In the studios I noticed that much of the art being produced was Judaica kitsch for sale to foreign tourists -- generic shtetl scenes from the long lost, distant world immortalized in films like *Fiddler on the Roof*.

Later, before taking her group to the town's Hurdy Gurdy museum, the guide mentioned a "welcoming committee" that vetted potential residents. Presumably this was how Ein Hod kept the pesky Arabs down the road from returning home. That and the Absentee Property Law of 1950 which placed all "abandoned" Arab property in the hands of the Jewish National Fund and the Israeli Land Administration, a provision that consolidated what the exiled Palestinian member of the Israeli parliament Azmi Bishara called "the largest armed robbery in history."

During a break, the tour guide pulled me aside and demanded to know who I was. It was clear the villagers had grown wary of curious outsiders. Introducing herself as Shuli Linda Yarkon, a PhD candidate at Tel Aviv University, the tour guide told me she the leading authority on Ein Hod. She said I had to allow her to review all the footage I shot. She claimed that this would ensure that I not mistranslate words she used like *kibbush*, a Hebrew term that means "conquest" but is commonly used to refer to the occupation of Palestine.

"So what about the conquest you mentioned?" I asked her. "Why didn't you tell the tourists who lived in the houses before 1948?" Visibly irritated, Yarkon remarked, "I've concluded after years of research that there are really no facts when you discuss this issue. There are only narratives." She assured me that Ein Hod's Jewish population maintained excellent relations with the expelled residents: "Go ask them. They will tell you how they feel."

So I did. After following a winding dirt road around a hillside for several kilometers, I was inside Ayn Hawd, the Palestinian village. There was no installation art here, just ramshackle houses, dirt roads, a mosque with a tall minaret and lots of kids playing in the streets. Almost immediately some of the town's residents appeared from their homes to greet me. Abu al-Hisa Moein, a village council member and schoolteacher, invited me to spend the rest of the afternoon with his family on a patio beside his home, which appeared newer and more stately than those of his neighbors. He told me his ancestors arrived in the village more than 700 years ago from what is now Iraq. His relatives who were expelled to Jenin in 1948 told him they would be too angry to even lay eyes their former homes with the new occupants inside. When I mentioned the bar built into the old mosque, Moein shook his head in disgust. "It's very bad. It's an insult," he said.

Moein took me inside his home for a tour, showing me the spacious, immaculately clean parlor and the picture window with a sweeping view of the valley below. He had built the whole place, he said with pride. Down a hall, his 13-year-old daughter, Ansam, was reclining on the floor of her room reading John Knowles' classic bildungsroman, *A Separate Peace*. She leapt to attention when I entered and spent the next ten minutes showing me her library of literature. With night setting in, Moein and his family took me back on the patio. There, he unfurled a map of Mandate-era Palestine and ran his fingers over the names of scores of villages destroyed on the coast between Jaffa and Haifa by Zionist forces in 1948. He pointed to towns like Kafr Saba, Qaqun, al-Tira and Tantura, the site of a horrific massacre of

unarmed Palestinian prisoners on the beach just one month after the Deir Yassin massacre. Moein was a history teacher, but Israel had forbidden him from discussing these events in his classroom, and is in the process of criminalizing any public observance of them.

As darkness blanketed the hills, I realized that I had lost track of time. I told Moein that I needed to get back to Tel Aviv. With that, his wife rushed into the house and gathered a bundle of grapes she had picked from a tree in the family's yard, packing it for me in some tupperware from their kitchen. Then Moein walked me to my car and hugged me goodbye.

5.2 Redeeming the land

By now, both Ein Hod and Ayd Hawd are nearly empty. Most of their residents have fled for safer ground while the thousands of pine trees planted to provide Ein Hod's artists with a sense of solitude are reduced to ash. As the trees burn, the fire exposes another dimension of Israel's foundation that it has attempted to bury.

The pine trees themselves were instruments of concealment, strategically planted by the Jewish National Fund (JNF) on the sites of the hundreds of Palestinian villages the Zionist militias evacuated and destroyed in 1948. With forests sprouting up where towns once stood, those who had been expelled would have nothing to come back to. Meanwhile, to outsiders beholding the strangely Alpine landscape of northern Israel for the first time, it seemed as though the Palestinians had never existed. And that was exactly the impression the JNF intended to create. The practice that David Ben Gurion and other prominent Zionists referred to as "redeeming the land" was in fact the ultimate form of greenwashing.

Described by Israeli historian Ilan Pappé as "the quintessential Zionist colonialist," the first director of the JNF, Yossef Weitz, was a ruthless ideologue who helped orchestrate the mass expulsion of Palestinians in 1948. Weitz notoriously declared "It must be clear that there is no room in the country for both peoples ... If the Arabs leave it, the country will become wide and spacious for us ... The only solution is a Land of Israel ... without Arabs ... There is no way but to transfer the Arabs from here to the neighboring countries, to transfer all of them, save perhaps for [the Palestinian Arabs of] Bethlehem, Nazareth and the old Jerusalem. Not one village must be left, not one tribe."

After Weitz's wishes were fulfilled, the JNF planted hundreds of thousands of trees over freshly destroyed Palestinian villages like al-Tira, helping to establish the Carmel National Park. An area on the south slope of Mount Carmel so closely resembled the landscape of the Swiss Alps that it was nicknamed "Little Switzerland." Of course, the nonindigenous trees of the JNF were poorly suited to the environment in Palestine. Most of the saplings the JNF plants at a site near Jerusalem simply do not survive, and require frequent replanting. Elsewhere, needles from the pine trees have killed native plant species and wreaked havoc on the ecosystem. And as we have seen with the Carmel wildfire, the JNF's trees go up like tinder in the dry heat.

But it seems that nothing can stop the JNF's drive to "green" the land. Even in the parched Negev desert, the JNF is advancing plans to plant one million trees in a plot called "GOD TV

Forest." To accomplish the highly unusual feat of foresting a desert, the Israel Land Administration has ordered the expulsion of the Bedouin unrecognized village of al-Araqib, home to hundreds of Israeli citizens who have lived in the area for more than 100 years and who have served in the army's frontline tracker units.

The Israeli government has tried time and again to force the people of al-Araqib into an American Indian reservation-style "development town," but they have refused. The village has been razed to the ground by bulldozers on eight occasions, but each time the residents have rebuilt their homes, hoping to outlast a ruthless campaign to destroy their way of life.

What about the strange name for the proposed forest? It is a reference to GOD TV, a radical right-wing evangelical Christian broadcasting network that hosts faith-based fraudsters like Creflo Dollar and rapture-ready fanatics like Rory and Wendy Alec.

And why is GOD TV bankrolling the JNF's ethnic cleansing campaign in the Negev desert? According to its website, "GOD TV is planting over ONE MILLION TREES across the Holy Land as a miraculous sign to Israel and to the world that Jesus is coming soon."

In his 1970 short fiction story "Facing the Forest," the famed Israeli author A.B. Yehoshua portrayed a mute Palestinian forest watchman who burns down a JNF forest to reveal the hidden ruins of his former village. Forty years later, as the JNF forests around Mount Carmel burn, right-wing Israeli lawmakers have demanded a search for the Arab who must have sparked the blaze, even though there is no firm evidence about the cause of the fire. Michael Ben Ari, a extremist Member of Knesset from the National Union Party, called for "the whole Shin Bet" -- Israel's domestic intelligence agency -- to be mobilized to investigate what the right-wing media outlet Arutz Sheva said "may turn out to be the worst terror attack in Israel's history."

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The Denied Inheritance: Palestinian Land Ownership in Beer Sheba

Salman Abu Sitta

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Paper presented to the International Fact Finding Mission
Initiated by RCUV, Beer Sheba

Father: This land was Arab land before you are born. The fields and villages were theirs. But you do not see many of them now. There are only flourishing Jewish colonies where they used to be....because a great miracle happened to us...

Daughter: How can one take land which belongs to someone else, cultivating that land and living off it?

— There is nothing difficult about that. All you need is force. Once you have power you can.

— But is there no law? Are there no courts in Israel?

— Of course there are. But they only held up matters very briefly. The Arabs did go to our courts and asked for their land back from those who stole it. And the judges decided that yes, the Arabs are the legal owners of the fields they have tilled for generations.

— Well then, if that is the decision of the judges... we are a law-abiding nation.

— No, my dear, it is not quite like that. If the law decides against the thief, and the thief is very powerful, then he makes another law supporting his view.

The father is Maariv founder and first editor, Dr. Israel Carlebach. This exchange was published in Maariv, 25th December 1953.

1. INTRODUCTION

1.1 The Original Sin

It is impossible to examine the Palestinian land ownership in Israel outside the context of the general Palestine-Israel conflict. This question is not a domestic, municipal or local dispute, common in other countries. This is an integral component of the Zionist invasion of Palestine in 1948 which was preceded by massive Jewish immigration to Palestine under the British Mandate.

While the Allied powers promised the Arabs their freedom and independence after they together defeat the Turkish domination in WWI, they secretly conspired to divide Arab countries between them. One result of this conspiracy had a lasting devastating effect.

The colonial alliance between the British and the Zionists gave birth to Balfour Declaration¹ in which Britain promised to "view with favour the establishment in Palestine of a national home for the Jewish people"; a home, not a state; in, not of Palestine.

Under the British umbrella, the Zionists managed to bring in to Palestine legal and illegal immigrants and to form, train and equip an army of 65,000 -120,000 soldiers (20% of Jewish community), in 1948/49 led by officers of WWII experience.²

¹ Henry Cattán, *The Palestine Question*. 2nd Edition. London: Saqi Books, 2000, pp. 13-15. Also see, Sami Hadawi, *Bitter Harvest: A Modern History of Palestine*, Scorpion Publishing Ltd., London, 1989; W. Khalidi (ed.), *From Haven to Conquest: Readings in Zionism and the Palestine Problem until 1948*. 2nd Edition. Washington, DC: The Institute of Palestine Studies, 1982. For an analysis of the Balfour Declaration and international law see, Henry Cattán, *Palestine and International Law*. London: Longman, 1973; Francis A. Boyle, *Palestine, Palestinians and International Law*. Atlanta: Clarity Press Inc., 2003; W.T. Mallison, *The Legal Problems Concerning the Judicial Status and Political Activities of the Zionist Organization/Jewish Agency*. Monograph No.14. Beirut: Institute for Palestine Studies, 1968; W.T. Mallison and S.V. Mallison, *The Palestine Problem in International Law and World Order*. Essex: Longman, 1986; and, Musa Mazzawi, *Palestine and the Law*. Reading: Ithaca, 1997.

Although the Jews owned only 5.5% of Palestine under the umbrella of British protection, they managed to occupy by military force 78% of Palestine in 1948, on which the state of Israel was established.

That was the largest, planned, comprehensive and still continuous (62 years later) ethnic cleansing operation in modern history. As a result, 675 Palestinian towns and villages were totally depopulated. Its inhabitants are still homeless and are refugees till this day. Israel was declared on this part of Palestine (78%), of which 93% is Palestinian land.³ In 1967, Israel conquered what is left of Palestine in the West Bank and Gaza and parts of Egypt, Syria and later Lebanon.

1.2 The Master Plan

Today 70% of all Palestinians (10.6 million in 2008) are refugees expelled from their homes in Palestine in what is Israel today. If we add those displaced in 1967, fully 81% of all Palestinians are removed from their homes and not allowed to return. The remainder of Palestinians lives under brutal and discriminatory Israeli rule.

That a foreign immigrant minority descends upon a natural majority of a country, armed by a pre-meditated plan, supported by Western colonial powers through providing arms, money and political backing, dispossesses its people, empties its land, erases its physical and historical landscape is unprecedented in history. No wonder it has been the cause of continuous wars since its inception. This is the longest war (92 years and counting) against a defenseless people.

The Zionist master plan of ethnic cleansing against Palestinians has three objectives:⁴

1. The land: To conquer it, confiscate it and deny its original ownership.
2. The people: To kill them in massacres, to expel them, to chase them in exile or to make their life unbearable under occupation or siege in order to force them to leave.
3. The identity: To erase physical signs of Palestinian presence (destruction of villages, monuments, holy sites), to change maps and delete Arabic names and replace them with Hebrew names, and to erase their mention in history and geography books.

In spite of these great odds, the Palestinians are still here and resisting. They obviously did not disappear. Thus we have a strange stalemate of asymmetrical war between Palestine and Israel. Neither did win squarely. The battle still rages on.

1.3 The Role of the Law

The legal effort to pursue the restoration of Palestinian rights would have to use (i) Israeli Law and (ii) International Law.

² *All That Remains, The Palestinian Villages Occupied and Depopulated by Israel in 1948*. Walid Khalidi (ed.) Washington, DC: Institute of Palestine Studies, p. 575. Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited*. Cambridge: Cambridge University Press, 2004. See also Table 1, Amitzur Ilan, *The Origins of the Arab-Israeli Arms Race: Arms, Embargo, Military Power and Decision in 1948 Palestine War*. Oxford: McMillan and St. Antony's College, 1996, p. 61. The table shows 66.7 percent of the population in the 15-44 year bracket. Estimate of 62 percent in 16-50 bracket. Taking half for males and multiplying by the Jewish population gives 185,000 able-bodied Jewish males. By January 1949 the Jewish fighting force numbered 120,000, including 32,000 front-line troops. The number of 120,000 is cited in David Ben Gurion, *War Diary, 1947-49*. [Arabic]. Washington, DC: Institute for Palestine Studies, 1993, pp. 778-782; Elias Sanbar, *Palestine 1948*. [Arabic]. Beirut: Arab Society for Studies and Publishing, 1987, p. 14.

³ Salman Abu Sitta, *The Atlas of Palestine 1948*, London: Palestine Land Society, 2005.

⁴ The subject of ethnic cleansing, known politely as Transfer, has always been an integral component of the Zionist policy since Herzl. See, e.g., Nur Masalha, *Expulsion of the Palestinians: The Concept of Transfer in Zionist Political Thought, 1882-1948*. Washington, DC: Institute of Palestine Studies, Washington DC, 1992; Nur Masalha, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber and Faber, 1997; Nur Masalha, *The Politics of Denial: Israel and the Palestinian Refugee Problem*. London: Pluto Press, 2003; and, Nur Masalha, *An Israeli Plan to Transfer Galilee's Christians to South America: Yosef Weitz and 'Operation Yohanan' 1949-1953*, Center for Middle Eastern and Islamic Studies, University of Durham, Occasional Paper No.55, 1996.

The Israeli law is the law of the conqueror to deprive the vanquished of his rights. Thus, there is a major obstacle in appealing to a law which is designed, through a pseudo-legal web of law formulation, to confiscate the property of the Palestinians. This formulation has the double objective of taking Palestinian land and making them homeless, so they may eventually leave. Even when a court decision repeatedly affirmed the right of the Palestinians who are Israeli citizens, such as in Iqrit and Bir'im, to return to their homes, the government of Israel blocked the enforcement of this decision since 1951.

Take the celebrated case of the Advisory Opinion of the International Court of Justice (ICJ) given on 9th July 2004 and endorsed by the UN General Assembly. It stated that the West Bank and Gaza are “occupied territories” and that the Apartheid Wall is “illegal” and must be demolished and compensation be paid to Palestinian farmers. The Israeli High Court of Justice did not recognize this Advisory Opinion of the highest court in the world, and merely yielded to petitions to slightly change the course of the Wall to ‘alleviate’ some of the occurring damages.

While the pursuit of rights through Israeli courts is still necessary, to keep up the pressure and to expose the injustice to the world, it will not create tangible results and may give the false impression of procedural justice being pursued.

The international law, in the form of several dozens of UN General Assembly and Security Council resolutions, has already confirmed the Palestinian right to repossess their lands and to return to their homes over 130 times in 62 years. A resolution of particular importance to property affirmed regularly is, for example, Resolution A/RES/52/62 “Palestine refugees’ property and their revenues” of 10 December 1997, which states:

- Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to preserve and modernize the existing records of the Commission,
- Calls upon all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

This resolution and others like it affirmed also the entitlement of Palestinians to the revenues from their property since 1948.

The problem of course is that Western colonial powers, which created Israel in the first place, blocked any implementation of these resolutions and vetoed any resolution which called for Israel’s sanctions.

No resolution is spared from Western blocking, including the Humanitarian Law based on the 4th Geneva Convention. It will be recalled that no serious action was taken against Israel for its recent massacres and destruction in Gaza in December 2008- January 2009. Many of the victims are refugees from Beer Sheba.

When it comes to expanding or threatening Western colonial interest any where in the world, the UN resolutions, even those of doubtful legality, have been hastily enforced by Nato forces, such as in Iraq, Bosnia, Kuwait, and Afghanistan, to name a few.

1.4 The Voice of Justice

However a new world force is now growing. Through the proliferation of NGO’s, the wider use of internet and its derivatives, and the immediate dispatch of news through satellite stations, facts cannot be easily

hidden and injustices are frequently exposed. This put a partial lid on Israeli government propaganda and myth propagation which have been the staple of Zionist effort feeding western audience for decades.

A further manifestation of this new force is the growing impact of Boycott, Disinvestment and Sanctions (BDS) campaign to which many European and few American universities and unions have responded positively. A similar campaign was waged against South Africa's Apartheid policy, which helped to dismantle the system.

The road to justice is not easy but it must be taken. For silence is complicity in crime. In our world today, a crime, complicity in it or the failure to stop it by any means available, will not escape notice and perpetrators will be brought to justice however long it takes.

2. THE OTTOMAN PERIOD

2.1 Islamic Law

It is ironic that a Palestinian has to prove his origins, domicile and property in Palestine to a Polish or Latvian Jew who arrived to the shores of Palestine in the middle of the night from a smuggler's ship. That is what is required of Palestinians today. However, the facts speak for themselves; they are beyond dispute.

Ownership of land in Islam rests ultimately with the *umma* (Islamic nation), as God's trustee. Caliph Omar I (634- 44) acted upon this principle, although the principle of communal ownership for the benefit of the whole people was known in Byzantine Syria and Egypt. The Ottomans adopted and developed the same Islamic principle into a refined set of state laws.

In the words of Halil Inalcik, an authority on Ottoman history,⁵

“The underlying argument always was that such lands belonged to God, or to the imam as His trustee, who represented the Islamic community, it was his duty to see that such lands were administered in the way that would best serve the interests of the community and Islamic state, ‘Din u Dawla’.

The principle was applied in a two-tier system: (1) *rakaba*, ownership rested with the Caliph, imam, Sultan or state, (2) *tasarruf, manfa'a*, usufruct. While the first was always held by the state, the second was granted to a member(s) of the community, *ra'iya*, in a manner close to independent ownership in that the land in question may be inherited. Most of the lands, over 90% of arable land in the Ottoman empire, was considered state land (*miri*). The rest had been removed from this domain by a special dispensation from the Sultan. The underlying aim was to put all land for the use of the community as cultivators of the land and a source of income tax for the general benefit of *al umma*. Accordingly, foreigners were not allowed to own land. Late in the nineteenth century, under intense European pressure, the Ottoman laws restricting the sale of land to non-Muslims were relaxed. But these sales were insignificant.

For over 14 centuries, the land was cultivated under these Islamic rules. Beer Sheba land was no exception. It was cultivated where possible according to rainfall and taxes were paid. There was no question that such land was not *mewat*.

⁵ Halil Inalcik with Donald Quataert (ed.), *An Economic and Social History of the Ottoman Empire 1300-1914*. Cambridge: Cambridge University Press, 1994, p. 104.

2.2 Ottoman Tax Register of 1596

We have one of the earliest Ottoman documents to prove this, namely *Dafteri-Mufassel* of 1596, one of the earliest Ottoman Tax Registers. **Table 1** shows sites in Beer Sheba Sub-District which grew wheat, barley and summer crops (e.g. maize, melon) and paid taxes accordingly. The remarkable fact is that the names of these sites are the still same until 1948, before the ethnic cleansing of Palestine. The value of tax of these sites is the same or sometimes longer than a typical Gaza coastal village.

S.No.	Reference	Name in 1596 Register	Coordinates PGR	Land Owners pre 1948	1596 Population (No. of Families)	Wheat (Ocga)	Barley (Ocga)	Summer Crops (Ocga)
	Col. 1	Col. 3	Col. 5		Col. 11	Col. 14	Col. 15	Col. 16
1	P 275	Ma'in	093-082	Ma'in Abu-Sitta, Ghawali, Terabin	80	1250	4200	1450
2	Z45	Nakhrur	095-097	Abu Khammash, Ghawali Terabin	69	5000	2100	474
3	M 22	Kh. Sha'arta	117-106	Abu Thabet, Jubarat	6	3740	1820	480
4	Z54	Kh. Ju'atheni	116-093	Galazin, Beni Ukba, Bdinat, Tayaha	43	6250	2940	2184
5	P 292	Jadida	124-109	Al Walayda, Jubarat	12	4750	1260	
6	P 293	Kh. Ajlan	123-108	Abu Rawwa', Jubarat	10	750	840	
7	Z 59	Kh. Furt/ Furatiya	131-111	Al-Ra'i, Abul Udous, Jubarat	22	1250	1120	500
8	Z 74	Sihan	105-095	Al Wuheidat, Tarabin	11	3500	4200	528
9	Z 78	Idra	113-088	Al-Sani, Qudeirat, Tayaha	59	2500	1400	1500
10	Z 120	Al Baha	110-093	Franji, Tayaha	15	1000	980	
11	Z 121	Rasm Al Gharbi	108-093	Atawneh, Tayaha	35	2500	560	1000
12	Z 122	Rasm Al Sharqi	109-093	Atawneh, Tayaha	43	3750	1680	2085
13	Z 127	Salga	094-085	Abu Mugheisib, Terabin	63	2500	4200	1700
14	Z 130	Umm Al Kais	120-109	Bin Rafi', Jubarat	44	1000	280	400
15	Z 154	Tei Jamma	098-088	Al Zray'i, Terabin and Hanajera	32	2500	2660	180
16	Z 114	Barjaliya	097-095	Al Wuheidat, Tarabin	12	500	700	480
17	Z 180	Kh. Ammoudiya	122-094	Beli, Atawneh, Tayaha	16	2500	1400	500
18	Z 99	Suq Mazin	090-086	Al Smeeri, Hanajira	19	1000	980	1620
19	M 6	'Urban Tawayif Bani 'Attiyya	various	Tayaha				
20	M 7	'Urban Tawayif Bani 'Ata	various	Tayaha				
21	M 8	'Urban Bani Hutaym	various	Jubarat				
22	M 9	'Urban Bani Sawalima	various	Jubarat				
23	M 10	'Urban Jaram		Terabin				
24	M 21	Burayr	115-108	Just east of Burayr: Abu Thabet, Jubarat	210	9000	12600	4070
26	Z194	Abasan	087-081	Just east: Ghawali, Najamat, Terabin	28	2500	6300	1000
27	Z199	Muharraga	113-097	Just east: Abu Shunnar, Beni Okbeh, Tayaha	83	6000	2100	356
25	Z33	Bayt Jirja	110-112	Gaza Sub-District Village: for comparison only	85	7500	4200	6300

Notes:

1. The above are selected sites in Beer Sheba Sub-District which had been identified in 1596 Register. Other listed sites in the same district were not identified because of Turkish spelling.
2. Sites in Gaza Sub-District (of Gaza District) were not included in this table except one for comparison.
3. The Ottoman Tax Register listed all above (in pt. 1,2) under "Liwa Gazzeh", roughly equivalent to Mandate Gaza District.
4. The Ottoman Tax Register of 'Urban (Tribes) of Jaram, Beni Ata, Beni Htam, Beni Sawalima in Liwa Gazzeh are without defined location.
5. Column numbers refer to original Register. Columns 14, 15, 16 give Tax Assessment for agricultural produce of cultivated land in Ocgas.
6. PGR = Palestine Grid Reference.

Source: W.D Hutteroth, Kamal Abdulfattah, Historical Geography of Palestine, Transjordan and Southern Syria in the Late 16th Century, Erlangen: Erlanger Geographische Arbeiten, 1977

Table 1: Beer Sheba Villages/Tribes cited in the *Dafteri-Mufassal* Tax Register of 1596

2.3 Turkish Land Registration

At no time, whether before the promulgation of the Ottoman Land Code of 1858 or after, did the Turks challenge the land ownership of Palestinians in Beer Sheba.

Three hundreds years after the *Dafteri Mufassel*, at about the end of the 19th century, we have further confirmation that the Turkish authorities recognized the land ownership in Beer Sheba.

On 4 May 1891, upon orders from the Ministry of Interior in Istanbul, the Gaza District Council (which the British split into two sub-districts: Gaza and Beer Sheba for the same region: *Bilad Gazzeh*) decided to "register these lands in the Gaza District of Jerusalem *Mutassarefiyat* and cultivated by 'urban' (tribes) at the Land Registry (*tapu*) since absence of this registration may cause conflict and inter-fighting".

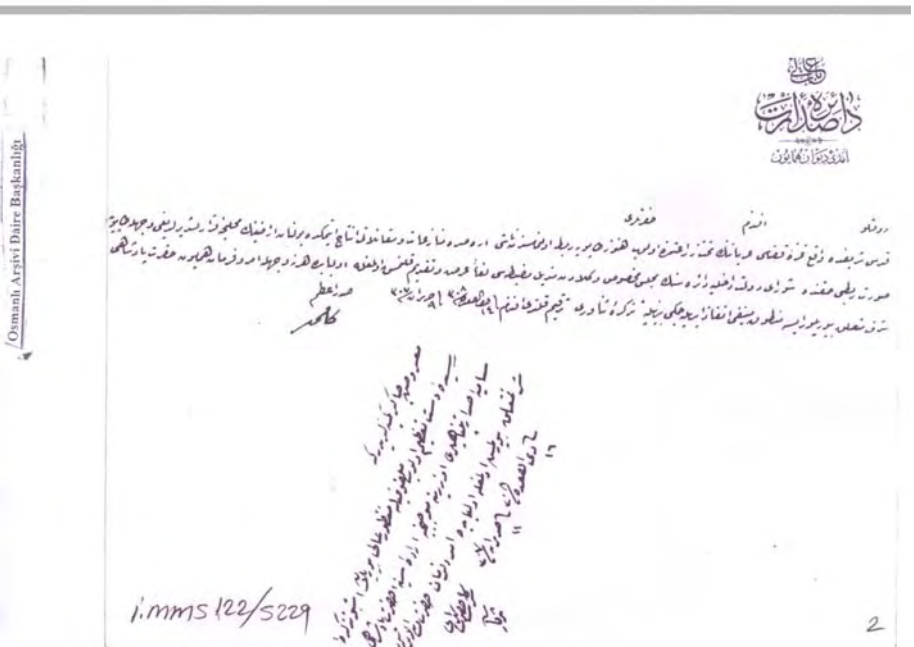
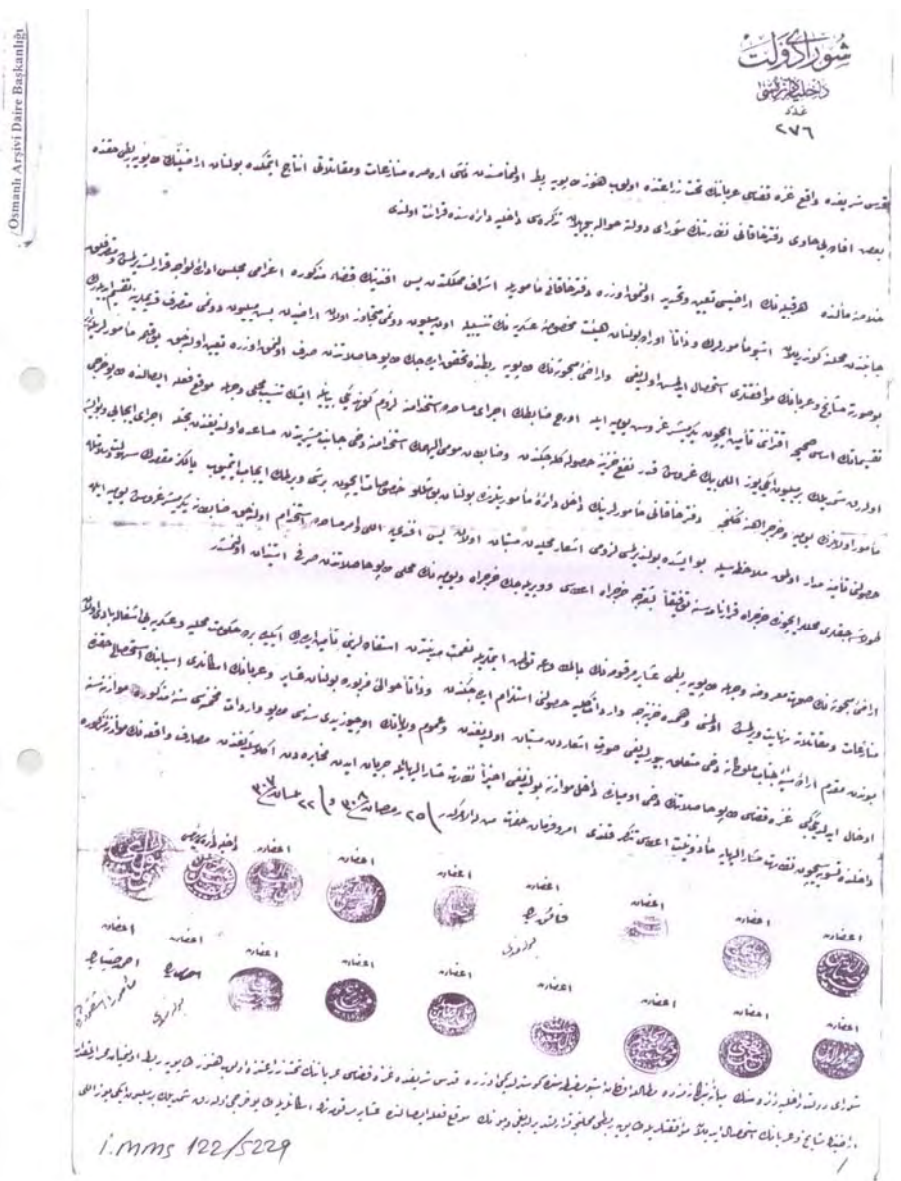
The council sent a five-member committee of notables together with official surveyors "to delimit and record the lands of each tribe... The officials sent by the *Mutassarefiyat* delineated 5 million donums out of lands exceeding 10 million donums [of the District] among its ancient holders with the approval of the Special Military Committee. Then the approval of the sheikhs was obtained." The Turkish document goes on to say that 3 survey officers were needed to plot demarcation points on "proper basis". See Fig. 1.

Fig 1. Turkish Document on the Registration of Beer Sheba Land to its Holders, IMMS. 122/5229 dated 4 May 1891.

The boundaries of individual ownership of the land in most of Palestine, including Beer Sheba, was known and acknowledged by Custom Law (*al 'urf wa al 'ada*).

The principle is of course well known. One definition is: "law generated by social precedent and acceptance as distinct from institutional law..."⁶ In other words, it is an observed legal practice and the relevant actors consider it to be law.

⁶ Eddie Durie, Custom Law, (1994).4.



2.4 Sharia Court in Jerusalem

On this basis tracts of land were bought, sold, inherited and taxes paid for. The town site of Beer Sheba itself was "purchased", not confiscated, from al Mohamadiyeen, Azazema, in 1900. If the land was *mawat* or state land, this would not be needed.

A proof of this may be found in two documents registered at Sharia Court in Jerusalem, in the period 1906-1910. The first of these two documents deals with appointing a power of attorney to do the transaction of the ownership of a tract of land in Abu Sdeir (PGR 121-078) "whose borders are known, requiring no description or delimitation as well-known to all", and the second in Khirbet Muleih (PGR 116 - 078) "judged by District Council to be the property of Sheikh Ismail". These locations are deep into Beer Sheba district and roughly correspond to sites in the 1596 Tax Register. See Figs. 2,3. (For location see Fig 7 which follows.)

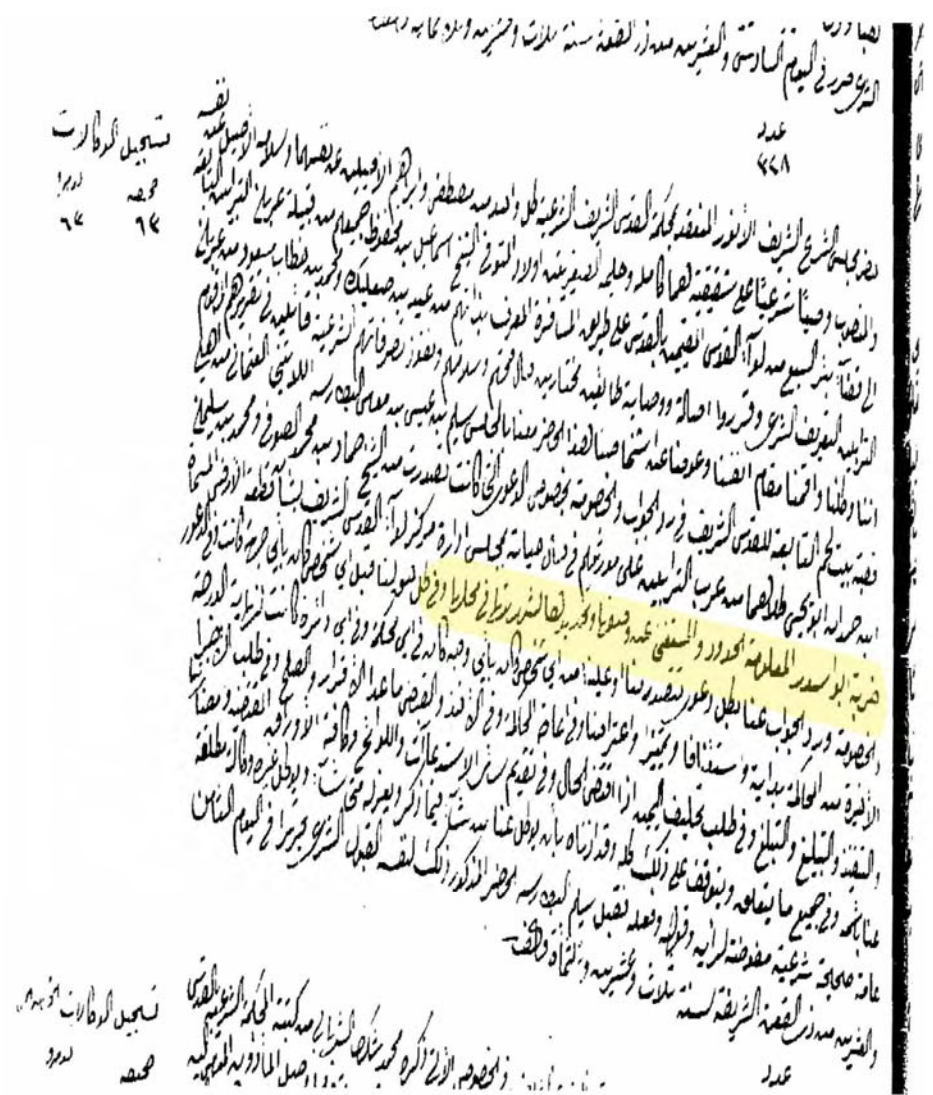


Fig. 2 Power of Attorney regarding Abu Sdeir Land in Beer Sheba in the Ottoman Period

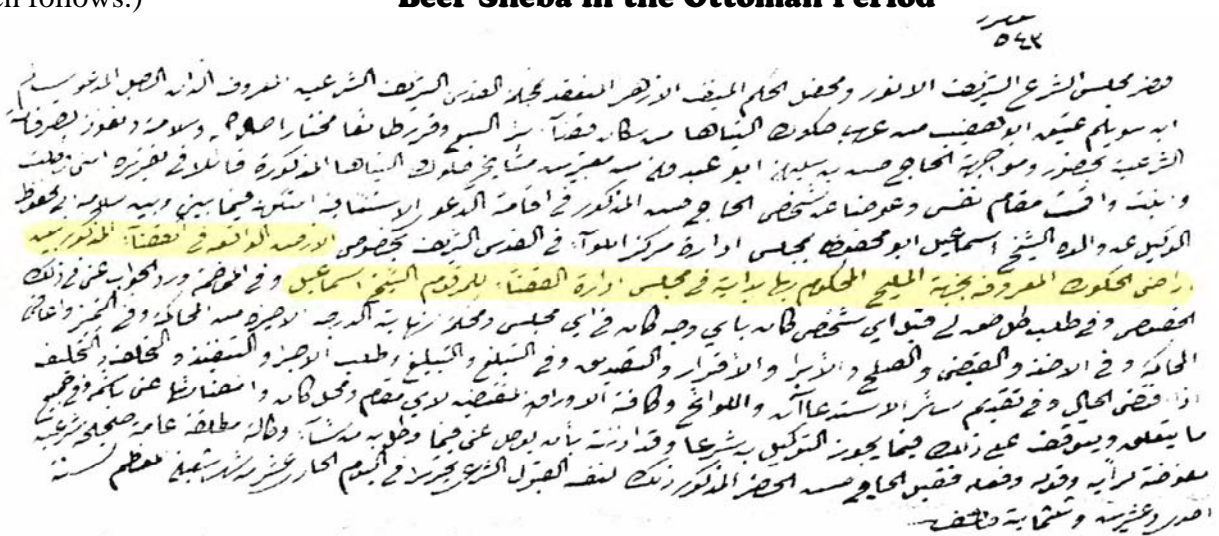


Fig. 3 Power of Attorney regarding Khirbet Imleih Land in Beer Sheba in the Ottoman Period.

2.5 Egyptian – Turkish Documents

Palestine, a Turkish Dominion, was threatened by British invasion from Egypt which British forces occupied in 1882. In 1906, the Administrative Line Agreement between Egypt and Palestine was signed, limiting access between the two countries. This line annexed Palestinian land to Sinai, under the pressure of British gun-boat diplomacy. See Fig. 4.

Fig. 4
Palestinian Tribal Land annexed to Egypt.

Notes: The land of Palestinian tribes extended into Egypt. Cultivation was developed around water resources. In Beer Sheba proper and annexed land in Sinai, the inhabitants bought and sold their land and paid tax to the *Qaimmaqam* of Beer Sheba who also solved disputes about land ownership. The 1906 Administrative Line Agreement respected all these rights in Art. 6, 8.



The Turks presented proof to the British-led Egyptian government that the tribes of Beer Sheba (*'urban*) paid taxes to the *Qaimmaqam* of Beer Sheba, in order to prove that this territory and land ownership in it belong to its inhabitants in Palestine, not Egypt.⁷

In the following 10 years, the British threat to Palestine became ominous. The Turks mended fences with Palestinian citizens in Beer Sheba. They bestowed honours on the Sheikhs (see Fig. 5) and sought and obtained their support in the Turkish campaign on Suez Canal in 1914/1915.



Fig. 5 Akram Bey, Jerusalem *mutassaref* honours Beer Sheba Sheikhs, 1906-1908

Thus it may be concluded that during the Ottoman period (1517 – 1917), land ownership in Beer Sheba was recognized, its boundaries were known as per Custom Law; land was purchased and sold by individual owners; citizens paid taxes. There was never any ruling that their land, where they lived, was *mewat*.

⁷ See the British-led Egyptian government correspondence with London and Constantinople for several months, about the tribe's rights, property and reaction, the strength of Turkish forces in Palestine, the power of Sultan to intervene, the role of British fleet in the area. For details, see Patricia Toy (ed.), *Palestine Boundaries, 1833-1947*, Cambridge: Archive Editions, 1989, Vol.1, pp. 548-630.

The Turkish authorities embarked on a plan to survey Beer Sheba in detail, but the British threat from Egypt, culminating in the 1906 Administrative Line Agreement and finally WWI aborted these plans.

No authority challenged this concept from time immemorial, except Israel.

2.6 The European Return

The European re-discovery of the Holy Land confirmed this state of affairs.

When Napoleon ventured into Palestine in 1801, his seventy-nine savants left us the encyclopedic “*La Description de l’Egypte*” which included a detailed description of Arab clans all the way from Cairo to Damascus. In particular, his savants (and ‘Syrian’ dragomen) left us a list of clans in southern Palestine, their number, their homelands and the number of their cavalry.

Although Arab scholars wrote about Palestinian clans from the 10th century, and particularly through the description of *Dar al Haj al Masri and al Shami*, Napoleon record is probably the first modern European record of the inhabitants of Beer Sheba and Gaza. It was then called Gaza Country (*Bilad Ghazzeh*), Gaza being the capital of the southern half of Palestine.

The nineteenth century in Palestine was invariably recorded by European travellers, priests, spies and soldiers.

The reverend W. M. Thompson who visited the area, from Majdal in the north to Wadi Ghazzeh, in April 1856, exclaimed in his famous book “*The Land and the Book*”, when he scanned the horizon, “*wheat, wheat, an ocean of wheat*”.⁸ Just before the First World War, Gaza port was crowded with vessels carrying wheat for export. Beer Sheba was truly the bread basket of Palestine.

The head of the British Geological mission to Palestine, Hull, observed in 1883 when he visited the area, “*The extent of the ground here [near Beer Sheba town] cultivated, as well as on the way to Gaza, is immense and the crops of wheat, barley and maize vastly exceed the requirements of the population*”.⁹ He thought the territory looked like southern Italy.

In 1863, Victor Guérin, the French scholar who wrote 7 volumes and drew maps of all Palestine, observed the land ownership of each clan in Beer Sheba. On crossing the territory, he was challenged by each clan upon entering their land.¹⁰

But it was not until late 19th century and early twentieth when serious scholars and professional spies mapped and recorded the territory in greater detail. We have the voluminous work of the Austrian-Czech scholar, Alois Musil, unofficially the spy for the Hapsburg Empire, who documented the names, numbers and the lands for all clans, including those in Sinai, Syria and Hejaz.¹¹ Not to be outdone, the Germans sent

⁸ W. M. Thompson, *The Land and the Book*. London: Thomas Nelson, 1911, p. 556.

⁹ Edward Hull, *Mount Seir; Sinai and Western Palestine*. London: Richard Bentley and Son, 1885, p. 139.

¹⁰ Victor Guérin, *Description de la Palestine*. 7 Volumes. Amsterdam: Oriental Press, 1969. See Vol. II, pp. 178-290.

¹¹ Alois Musil, *Arabia Petraea*. 3 Volumes. Vienna: Kaiserliche Akademie der Wissenschaften, 1908.

their spy, the scholar, Baron Max von Oppenheim to do the same.¹² The French sent their local spy, who lived in Jerusalem, Father Jaussen of l'Ecole Biblique, to do the same. All these European spies were vying for a piece of the Ottoman cake.

It is ironic that the late comers were the winners. The British, who were stationed in Egypt since 1882, only lately surveyed the 'Negev' (a Hebrew word foreign to the Arabs, meaning south). The British officer-surveyor, Newcombe, a man who rose to prominence in the delimitation of the boundary between Palestine, Syria and Lebanon, produced an excellent map of 'Negev' in 1914, which was the main source of information for Allenby in his Campaign into Palestine in 1917.¹³

We cannot fail to mention the huge documentary work in 26 maps and 10 volumes of Palestine Exploration Fund, which started in 1871 and lasted 8 years, 4 years in the field and 4 years of writing in London. But the survey covered only one third of Beer Sheba district. It stopped at Wadi Ghazze in the south.¹⁴ Yet it showed the names and lands of the tribes.

We mention all these records to dispel the myth created by the Zionists to justify the confiscation of Beer Sheba land on the pretext that this land had no owners and that it was barren, fit only for the Zionists to acquire and develop.

3. THE MANDATE PERIOD

3.1 Before the Storm

Beer Sheba Sub-District, as delineated by Palestine Government of Palestine, is the largest district of Palestine, at 12,577,000 donums, or 62% of Israel today. The southern half of the district, south of 31° N, has rainfall of less than 100 mm/year, hence sustained agriculture is minimal. Apart from grazing, this southern half is rich in minerals and archeological sites dating back to the fourth century A.D. But the northern half is fertile. It is where 95% of population used to live and cultivate their land extensively. Only 5% live on grazing. The population of Beer Sheba district was about 675,000 in 1998. Israeli population estimates are considerably lower because they erroneously use the 1931 census figures, not upgraded to 1948. They also do not correct the 1931 figures for underestimation of females or absence of figures for some tribes.

The British Mandate government listed 77 official clans (*ashiras*) grouped into 7 major tribes, in addition to Beer Sheba town and about a dozen settlements around police stations. The major tribes are listed in **Table 2** in their homeland pre 1948 and after al Nakba in 1998. Their cultivated land and rainfall are shown in **Table 3**.

¹² Max von Oppenheim, *Die Beduinen*. Zurich: Georg Olms Verlag, 1983.

¹³ Newcombe surveyed the area with the help of local people from al Arish (for camel transport) and from Beer Sheba acting as guides and identifiers of place names. Staff from the Survey of Egypt accompanied him; hence place names were (wrongly) spelt following the Egyptian accent, not as pronounced by local Arabs. When compared with modern maps, errors in location were detected. In the same period the famed T.E. Lawrence and C. Leonard Woolley gathered intelligence in the area under the guise of archeological investigation. Their report was entitled "Wilderness of Zin", re-published recently (London: Stacey International, 2003).

¹⁴ See, The Survey of Western Palestine, 1882-1888, 10 vols. and maps, London: PEF and The Royal Geographical Society, reprinted by Archive Editions with PEF, 1998.

أهالي قضاء بئر السبع قبل وبعد النكبة													
المسلسل	القبيلة	العشيرة	تاريخ النزوح	اتجاه النزوح	لاجئون في					اللاجئون المسجلون	مجموع اللاجئين	الباقون	المجموع ١٩٩٨
					الضفة	غزة	لبنان	سورية	الأردن				
Beer Sheba Population before and after al Nakba													
S. No	Tribes	Ashira	Date of Main Exodus	Direction of Exodus	West Bank	Refugees in			Jordan	Registered Refugees	Total Refugees 1998	Remaini ng in Israel 1998	Total Population 1998
						Gaza	Leban on	Syria					
1	Tarabin	Al Sani		Displaced within Israel	65	2,448			7,575	10,087	11,386		12,337
2	Tarabin	Al Soufi		Displaced within Israel	8	10,737		1	1,886	12,633	10,970		10,970
3	Tarabin	Abu Althera	ca 1/11/48	Gaza Strip/Egypt	5	5,372			2,307	7,685	8,534		8,534
4	Tarabin	Abu Sousain	ca 1/11/48	Gaza Strip/Egypt	29	5,075		22	564	5,691	7,522		7,522
5	Tarabin	Al Ksar	ca 1/11/48	Gaza Strip/Egypt	8	5,564		8	2,343	7,924	11,245		11,245
6	Tarabin	Abu Suhaiban		Displaced within Israel	28	19,296			4,313	23,637	28,700		28,700
7	Tarabin	Abu Sitteh	5-Dec-48	Gaza Strip	79	4,093			949	5,121	8,196		8,196
8	Tarabin	Abu Al Hussain	5-Dec-48	Gaza Strip		3,185	5		844	4,035	10,470		10,470
9	Tarabin	Abu Shalhoub	5-Dec-48	Gaza Strip	6	911			394	1,311	3,199		3,199
10	Tarabin	Abu Khalleh	5-Dec-48	Gaza Strip	2	495			1,498	1,995	2,449		2,449
11	Tarabin	Abu Bakrah	5-Dec-48	Gaza Strip		828			243	1,071	1,249		1,249
12	Tarabin	Abu Amrah	5-Dec-48	Gaza Strip	3	3,770			711	4,484	5,318		5,318
13	Tarabin	Al Zraiye	5-Dec-48	Gaza Strip	18	11,816	7		708	12,549	29,437		29,437
14	Tarabin	Al Omour	5-Dec-48	Gaza Strip	2	3,289			154	3,445	4,573		4,573
15	Tarabin	Nabaat		Gaza Strip/Egypt	17	2,677			471	3,164	17,542		17,542
16	Tarabin	Wuhaidat Tarab	5-Dec-48	Gaza Strip	177	2,236			3,107	5,520	5,847		5,847
17	Tarabin	Abu Mualliq	5-Dec-48	Gaza Strip		3,198			372	3,570	6,085		6,085
18	Tarabin	Abu Ghaliou		Displaced within Israel	29	35			8,929	8,993	12,157		12,157
19	Tarabin	Abu Yehya		Displaced within Israel					4,944	4,944	9,383		9,383
20	Tarabin	Abu Sualliq		Displaced within Israel	4				2,779	2,783	6,338	94	6,432
	Others				36	3,299			2,312	5,648		311	311
	Total Tarabin				518	88,324	12	31	47,402	136,287	200,600	1,356	201,956
21	Tayaha	Al Huzayil		Displaced within Israel	35	1,310			1,691	3,036		34,495	34,495
22	Tayaha	Al Assad		Displaced within Israel					46	46		1,286	1,286
23	Tayaha	Abu Abdoun		Displaced within Israel		109			1,400	1,509		363	363
24	Tayaha	Al Bursaiqi			38	3,292			1,150	4,479	5,994		5,994
25	Tayaha	Beli			31	24			2,037	2,092	3,736		3,736
26	Tayaha	Abu Libbeh	20-Oct-48	Al Khalil	135	571			2,246	2,953	8,908		8,908
27	Tayaha	Abu Jugaim	21-Oct-48	Al Khalil	157	287			1,875	2,319	4,198		4,198
28	Tayaha	Abu Shunnar	22-Oct-48	Al Khalil	157	615			2,025	2,797	9,308		9,308
29	Tayaha	Shlalyeen		Displaced within Israel	326				4,341	4,668	7,953	89	8,042
30	Tayaha	Abu Rqayliq		Displaced within Israel		1,585			1,952	3,537		17,156	17,156
31	Tayaha	Al Sani		Displaced within Israel	337	1,136			5,077	6,549	5,251		5,251
32	Tayaha	Abu Kaff		Displaced within Israel	176	401			1,435	2,012	8,134	4,994	13,128
33	Tayaha	Al Asam		Displaced within Israel	6				323	329	13,492	16,646	30,138
34	Tayaha	Abu Rba'a		Displaced within Israel	160				399	560		13,745	13,745
35	Tayaha	Abu Junwayed			53				1,526	1,579	2,468		2,468
36	Tayaha	Abu Grainat							556	556	3,940		3,940
37	Tayaha	Masamereh	20-Oct-48	Al Khalil	2,487				1,476	3,963	3,436		3,436
38	Tayaha	Sho'our	21-Oct-48	Al Khalil	1,335				883	2,217	3,348		3,348
39	Tayaha	Beni Okbeh		Displaced within Israel/Al Khalil	113	833			1,308	2,254		515	515
40	Tayaha	Atawneh		Displaced within Israel	151	2,715			2,349	5,215	10,606	4,081	14,687
41	Tayaha	Rawashdeh			31	1,041			658	1,730	2,786		2,786
42	Tayaha	Bdinat	20-Oct-48	Balqa, Jordan	576	305			2,862	3,743	3,986		3,986
43	Tayaha	Uroul				1,245			977	2,222	3,623		3,623
44	Tayaha	GalazinTayaha				764			150	914	2,049		2,049
45	Tayaha	Janabib							5	5	1,941	658	2,599
46	Tayaha	Gatatweh			123	6,147			981	7,251	6,285		6,285
	Others				377	7			4,102	4,487		2,496	2,496
	Total Tayaha				6,864	23,575	6		44,261	73,023	99,783	108,185	207,968
47	Hanajreh	Abu Middain	22-Dec-48	Gaza Strip	128	15,516	8		1,472	17,124	17,729		17,729
48	Hanajreh	Al Dhawahreh	22-Dec-48	Gaza Strip	22	2,165		4	181	2,372	5,760		5,760
49	Hanajreh	AL Smeeri	22-Dec-48	Gaza Strip	26				84	110	9,383		9,383
50	Hanajreh	Nseirat	22-Dec-48	Gaza Strip	207	4,406			145	4,761	13,794		13,794
	Others					4			17	21			
	Total Hanajreh				383	22,091	8	4	1,902	24,389	46,666		46,666
51	Jbarat	Abu Jaber	6-20/10/48	Gaza Strip/Al Khalil	162	114			2,297	2,573	5,023		5,023
52	Jbarat	Abu Al Udous	6-20/10/48	Gaza Strip/Al Khalil	399				4,716	5,115	8,822		8,822
53	Jbarat	Al Fukara	6-20/10/48	Gaza Strip/Al Khalil	64	65			1,996	2,125	4,885		4,885
54	Jbarat	Galazin Jbarat	6-20/10/48	Gaza Strip/Al Khalil	57	1,187	6		433	1,683	3,798		3,798
55	Jbarat	Bin Sabbah	6-20/10/48	Gaza Strip/Al Khalil	100	35			1,678	1,813	2,824		2,824
56	Jbarat	Bin Aflon	6-20/10/48	Gaza Strip/Al Khalil	1,361				4,189	5,550	7,771		7,771
57	Jbarat	Wuhaidat Jaba	6-20/10/48	Gaza Strip/Al Khalil	52				819	871	3,536		3,536
58	Jbarat	Al Nuwairi	6-20/10/48	Gaza Strip/Al Khalil	92				697	789	1,674		1,674
59	Jbarat	Abu Jraiban	6-20/10/48	Gaza Strip/Al Khalil	22	5			779	808	2,574		2,574
60	Jbarat	Al Diqs	6-20/10/48	Gaza Strip/Al Khalil	293	494			3,431	4,218	7,572		7,572
61	Jbarat	Bin Rifee	6-20/10/48	Gaza Strip/Al Khalil	39	1,474		19	2,085	3,616	6,047		6,047
62	Jbarat	Wulaydeh	6-20/10/48	Gaza Strip/Al Khalil		463			533	996	1,687		1,687
63	Jbarat	Abu Rawwa	6-20/10/48	Gaza Strip/Al Khalil							1,412		1,412
	Others				200	1,014			1,519	2,733			
	Total Jbarat				2,782	3,664		19	24,741	32,889	55,625		55,625
64	Azazema	Mohamediyen			453	533			3,140	4,126	24,814		24,814
65	Azazema	Subhiyeen		Displaced within Israel/Egypt	54	366		10	877	1,306	19,916		19,916
66	Azazema	Subaihat			15	13			231	258	2,824		2,824
67	Azazema	Zarabeh		Displaced within Israel/Egypt	135	190			702	1,028	5,360		5,360
68	Azazema	Faraheen		Displaced within Israel/Egypt	43				1,896	1,939	6,247		6,247
69	Azazema	Masoudiyen		Displaced within Israel/Egypt	225	1,550			4,781	6,556	5,981		5,981
70	Azazema	Usaiyat		Azazema tribes were	17				53	70	8,546		8,546
71	Azazema	Sawakhneh		expelled (some returned)	131	1			2,489	2,621	14,306		14,306
72	Azazema	Murcial		several times in the period	22				154	176	4,910		4,910
73	Azazema	Saraheen		of 1949-1954.					438	438	9,933		9,933
	Others				205	37			4,863	5,106		8,486	8,486
	Total Azazema				1,300	2,690		10	19,624	23,625	102,837	8,486	111,323
74	Saidiyen	Hamayteh	From May 50-	Maan, Jordan							1,924		1,924
75	Saidiyen	Rummaneh	to 1954	Maan, Jordan							1,699		1,699
76	Saidiyen	Malhaker	From May 50-	Maan, Jordan	6				37	44	2,336		2,336
77	Saidiyen	Rawaytheh	to 1954	Maan, Jordan					4	4	2,099		2,099
	Others								10	10			
	Total Saidiyen				6				51	57	8,058		8,058
	TOTAL TRIBES				11,854	140,344	27	65	137,981	290,271	513,569	118,027	631,596
	Beer Sheba town and PS				6,041	15,501	22	72	19,702	41,337	42,244		42,244
	Total Beer Sheba SD ex Hewat				17,895	155,845	48	137	157,683	331,608	555,813	118,027	673,840

Table 2: Beer Sheba Population in 1948, 1998.

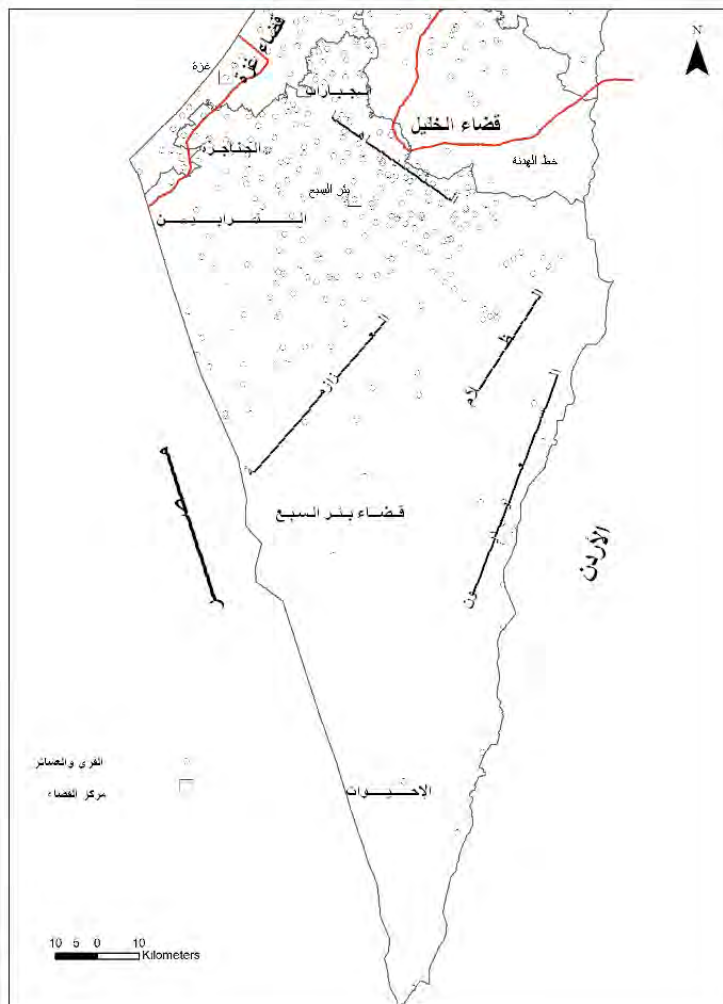
CULTIVATED LAND AND RAINFALL 1948							
TRIBE by order of rainfall	LAND AREAS UNDER DIFFERENT CONDITIONS (donums)						
	Tribal Land	Cultivated Area	Crop: Rain:	Wheat Wet	Wheat/Barley Rainy	Barley Fair	Grazing Dry
			% Cultivated	Rain over 300mm/yr	Rain300-200	Rain200-100	Rain less 100
Hanajreh	78,325	78,325	100.0%	78,325			
Jbarat	379,175	379,175	100.0%	319,175	60,000		
Tarabin	1,362,475	1,089,980	80.0%	90,825	300,825	970,825	
Tayaha				48,325	507,500	64,175	
Zullam					198,325	636,675	630,825
TOTAL TAYAHA	2,085,825	1,543,511	74.0%	48,325	705,825	700,850	630,825
Azazema	5,700,000	427,500	7.5%			1,621,675	4,078,325
Saidiyeen	1,238,375						1,238,375
Ehewat	1,732,825						1,732,825
TOTAL	12,577,000	3,518,491	28.0%	536,650	1,066,650	3,293,350	7,680,350

Table 3: Cultivated Land in Beer Sheba pre-1948.

Fig. 6 shows the land holding of tribes pre-1948.

Fig. 6 Lands of Beer Sheba Tribes until 1948

Notes: This map is based on Aref Al-Aref, *History of Beer Sheba Tribes*, n.p., ca 1940 and on Survey of Palestine 1:100,000 sheets. Aref was the *Qaimmaqam* of Beer Sheba. Circles show location of tribes and their lands.



Figs. 7 (a, b) in the next 2 pages show details of the cultivated area, place names, wells, cisterns and land holders in the northern half of the district.

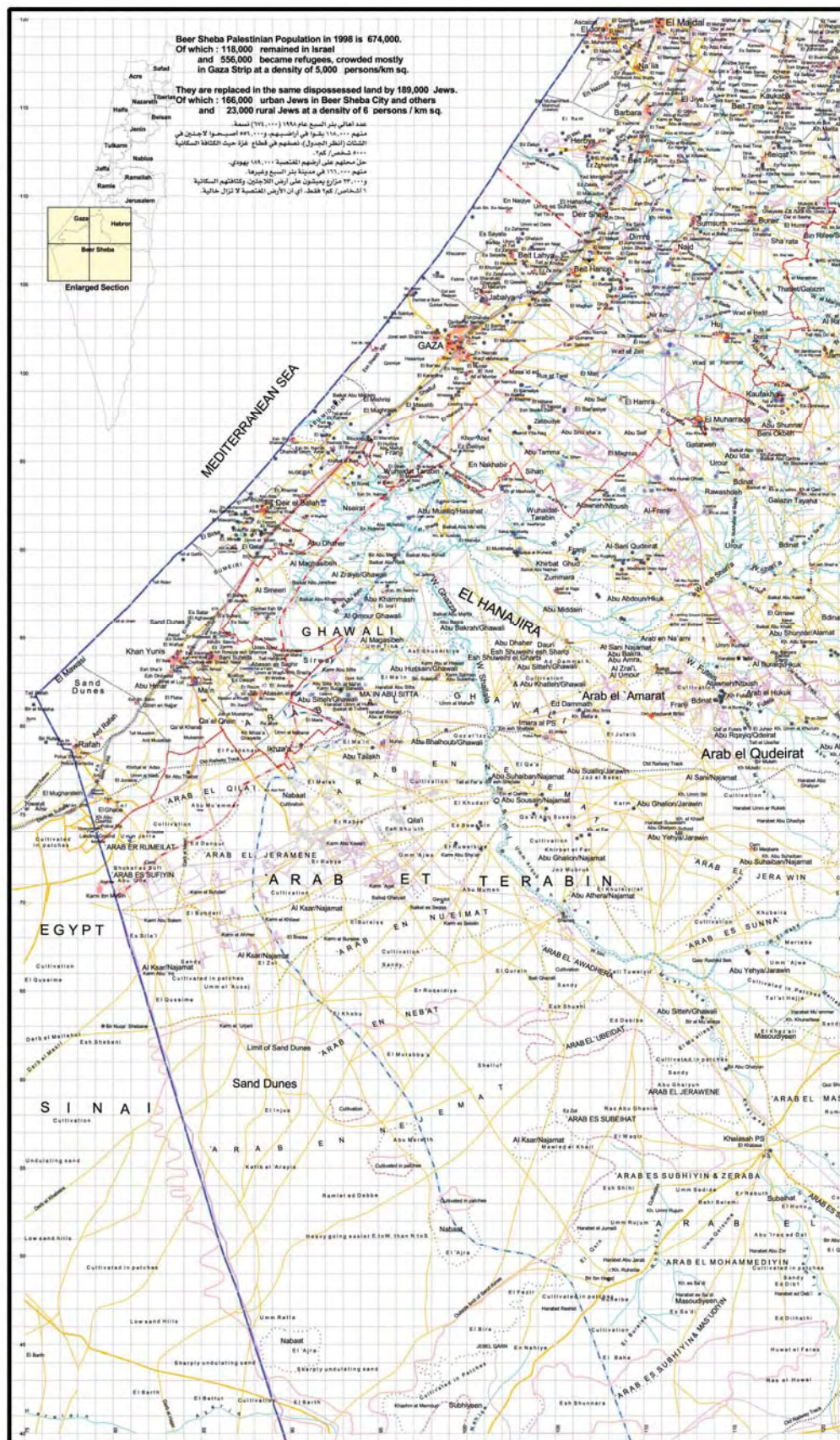


Fig.7a Beer Sheba Population Distribution pre 1948 in the Inhabited Upper Half of Beer Sheba Sub-District

Notes: Map is extracted from: Salman Abu Sitta, *The Atlas of Palestine 1948*, London, Palestine Land Society, 2005.

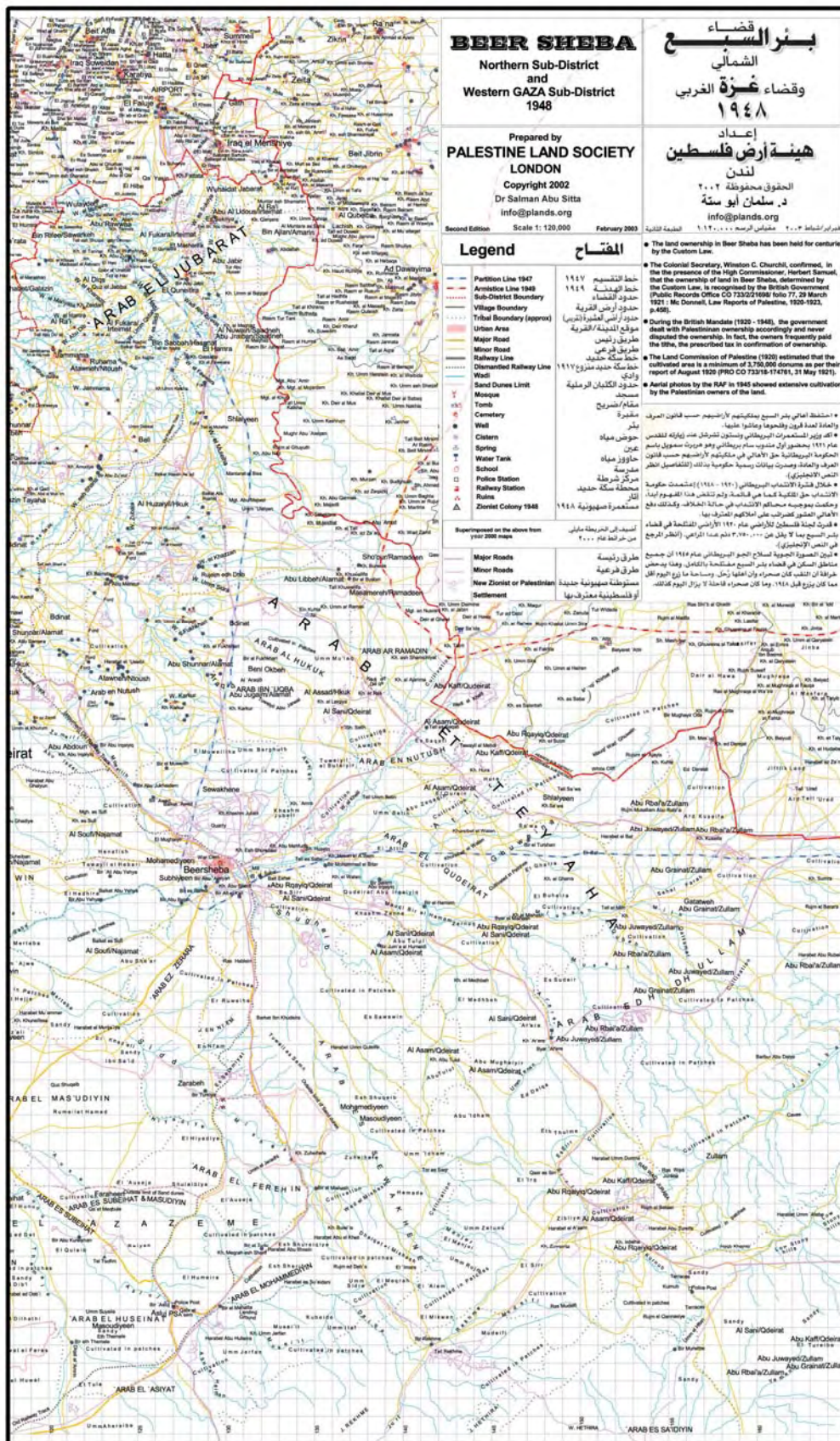


Fig.7b Beer Sheba Population Distribution pre 1948 in the Inhabited Upper Half of Beer Sheba Sub-District

Notes: Map is extracted from: Salman Abu Sitta, *The Atlas of Palestine 1948*, London, Palestine Land Society, 2005.

As indicated earlier, the land ownership has always been held by Custom Law, on which basis individual plots were sold, inherited, mortgaged, rented, divided or taxes paid.

The Custom Law, hence land ownership, were recognized by the British government in the person of W.C. Churchill, Colonial Secretary and Herbert Samuel, the first High Commissioner of Palestine.¹⁵

Article 45 of the Palestine Order in Council confirmed that legal jurisdiction in Beer Sheba district would be governed by tribal custom. The government waived the Land Registry fees to facilitate acquiring title deeds. But the clans did not take up the offer as they saw no need for confirming land ownership on paper. They responded with what became a classic answer, “with this (pointing to their swords), we register”.

3.2 The Zionist Quest for Land

In order to facilitate the settlement of Jewish immigrants, the pro-Jewish British Mandate government created the Land Commission in August 1920 to examine the status and ownership of land in Palestine. Members of the Commission were an Arab (Faidi Alami), a Jew (M. Kalvarisky) and the Chairman was British (Albert Abramson). Kalvarisky was also the manager of the Jewish Colonization Association whose interest was in the acquisition of as much Palestinian land as possible, and therefore in estimating the cultivated land in Palestine as little as possible. The Commission's Report¹⁶ essentially written by Kalvarisky, estimated that the cultivated land in Beer Sheba, on the basis of agricultural production and taxes, to be 2,829,880 donums (donum=1000m²) plus the major share of 1,059,000 d. – grazing land. The report uses double the commonly accepted yield/donum value, hence the real cultivated area should be double that calculated. Further, the cultivated area is estimated on the basis that the land is cultivated one year and left fallow for another year. While this may be acceptable for moderate rainfall, it is not so for light rainfall as in Beer Sheba where the fallow years may be one, two or three. Therefore the cultivated area in Beer Sheba is at least double this figure or about 5,500,000 d., according to this calculation.

As shown in Table 3, estimates for cultivated areas, based on rainfall isohytes (average for 1931 to 1960, Mandate and Israel figures), gave a minimum of 3,750,000 d. and a maximum of 5,500,000 d. plus about 750,000 d. for grazing. This is comparable to the total area which receives rainfall from above 300 to 100 mm/year. Areas for various rainfalls are by measurement: above 300 mm/year: 536,650 d; 300-200 mm/year: 1,066,650 d; 100-200 mm/year: 3,293,350 d. Total is about 5,000,000 d.

Thus, it is evident that the regularly cultivated land in Beer Sheba, and owned by its cultivators, is about 5,000,000 d of which 3,750,000 are annually cultivated.

3.3 Map and Grab

The Zionist colonial project tried to over-turn these facts in order to confiscate the land. While maps for Palestine were prepared for historical or military purposes, surveying after Balfour Declaration of November 2, 1917 was primarily intended to capture the country's land assets by the Zionists.

During the British military administration (1917-1920), the Zionists took steps for the eventual take over of territory in Palestine. Chaim Weizmann headed the newly formed Zionist Commission for Palestine and

¹⁵ Public Records Office CO 733/2/21698/folio 77, 29 March 1921; McDonnell, Law Reports of Palestine, 1920-1923, p. 458.

In March 1921, Churchill met with leading Beer Sheba sheikhs, Sheikh Hussein Abu Sitta and Sheikh Freih Abu Middain, He assured them that their land ownership and Custom Law are respected. Taped interview with Sheikh Abu Sitta, July 1969, Amman).

¹⁶ Public Records Office CO 733/18-174761, May 31, 1921

appointed Herbert Samuel, the Jewish future High Commissioner for Palestine, as the head of its Advisory Committee.¹⁷

Weizmann urged the British to close Land Registry books to prevent rise in land prices and called for forming a Land Commission to examine land status in Palestine. The most urgent task was to possess as much land as possible, particularly the 'state land, waste land', 'abandoned' and uncultivated land,¹⁸ whose definition was left to interpretation.

When Samuel took his post as High Commissioner of Palestine under the Mandate, he assumed the authority of the Sultan, leader of the Islamic *umma*. But instead of applying his authority for the benefit of the Arab inhabitants of the country, he served the interest of Zionists. During his tenure (1920-1925) he issued dozens of ordinances changing or modifying land laws in order to enable Jews to possess land. He formed the Land Commission (previously mentioned) to evaluate available land for Jewish settlement. Most of the legislation he initiated was legally flawed as he had no authority to do so under the Mandate before Turkey signed the peace agreement in 1924, that is, one year before the end of his tenure.

Contrary to general practice in which country surveys started with topographical maps to describe the earth surface, there was great rush to produce cadastral maps. A survey department was hastily established using the services of highly experienced British colonial officials, particularly from Egypt. The aim, as Weizmann demanded, was to undertake "legal examination of the validity of all land title deeds in Palestine".¹⁹ Thus, the extent and ownership of private land, if proven beyond doubt, would be determined. All else would be subject to interpretation as 'state or waste land', open for Jewish settlement.

In July 1920, the survey started in Gaza. In October 1921, it established a baseline, 4730.6 m long, in the flat country of Imara, half-way between Khan Younis and Beer Sheba. Palestine local grid ("Palestine 1923 Grid") was established with the coordinates (100, 100) km assigned to Sheikh Ali al Muntar hill on the eastern outskirts of Gaza. In February 1921 a triangulation network system was established. By the end of 1946, triangulation was completed for Palestine from Khalasa in the south to el Khalisa in the north. The emphasis was always on the coastal plain and water resources and, in particular, on areas with Jewish land ownership.

The Zionist pressure on the British Mandate to start immediately land survey pertaining to ownership of land, rather than the basic topographical mapping, caused confusion and delayed the surveying project for almost 8 years. Finally the Australian Torrens system was adopted and the necessary ordinance ("the Land Settlement Ordinance") was promulgated in 1928. The British started applying this system but left Palestine in a hurry in May 1948 leaving the armed Jews to deal with the defenseless Palestinians.

The map of completed Land Settlement (of title), up to 1947, which covered only 20% of Palestine (5,243,042 d. as on 30 April 1947) corresponds very closely to the area in Palestine proposed to be the northern part of a Jewish state under the Partition Plan of 1947. In this area lies the Jewish-held land during the Mandate, which was about 5% of Palestine. As described earlier, the Partition Plan allocated 56% of Palestine to a Jewish state, which roughly covers the 'settled area'. (As it happened, Israel occupied in 1948 all the 'settled' area, Beer Sheba (*Naqab*) and Galilee, totalling 78% of Palestine). During the Mandate, the British saw no urgent need to complete Land Settlement in Galilee, West Bank and *Naqab* because it was predominantly Arab. After 1948, Israel used this accidental fact to show that no title existed

¹⁷ Don Gavish, *A Survey of Palestine under the British Mandate, 1920-1948*, Oxford: Routledge-Curzon, 2005, p. 33.

¹⁸ Don Gavish, *supra* note 17, p. 33

¹⁹ Don Gavish, *supra* note 17, p. 32.

for Arab owners in these areas. Israeli legislation created new criteria for settlement of title to deny Arab ownership and confiscate land. That was particularly applied in Beer Sheba.

When Britain decided to abandon its obligations in Palestine after WWII, without completing the Land Settlement, the British Mandate, by way of compensation, undertook an aerial survey in 1945-1946. Over 5000 aerial photos were taken mostly at a scale of 1:15,000, yet again with emphasis on the coastal areas with Jewish concentration, and less emphasis on the West Bank, Jordan River and Beer Sheba district. The populated northern half of Beer Sheba district was covered by this aerial survey. The photographs show intensive and close cultivation everywhere, which belies the Israeli myth that it was barren. **Figs 8, 9** show intensive cultivation in two locations in Beer Sheba district. This is a further proof that cultivation and land ownership have been maintained and recognized since 1596 at least.



Cultivation in El Ma'in (Nuran)

الزراعة في المعين قرب الشيخ نوران

**Fig.8 Cultivation in Al Main 1945
(RAF photo)**



Cultivation in Abu Ruqaiyiq (Futeis)

الزراعة في أبو رقيق (قلعة فطيس)

**Fig.9 Cultivation in Qal'at Fteis (Abu
Rqaiyiq) 1945 (RAF photo)**

We now turn to the legal formulation initiated by the Zionists during the Mandate to alienate Arab land.

3.4 Killing the Live or Reviving *Mewat*?

Herbert Samuel and his legal secretary Norman Bentwich, known for their Zionist sympathies, reformulated Art 103 of the Ottoman Land Code, intended to revive *mewat* land, to do the opposite effect, to punish those who do.

Art. 103 of the Ottoman Land Code provided in its last paragraph that, if a person cultivated *mewat* without authorization, he should pay the *Tapu* value (*Bedl Misl*) and would be given a *Tapu* grant. In Palestine, the Mewat Land Ordinance, 1921, provides that, not only has the person who breaks up *mewat* without authorization no legal right to a *Tapu* grant, but that he is doing a wrongful act and will be treated as a trespasser.

This Ordinance repeals the last paragraph of the Art.103 of the Land Code and substitutes the following provision:-

“Any person who without obtaining the consent of the Administration breaks up or cultivates any waste land shall obtain no right to a title-deed for such land and further, will be liable to be prosecuted for trespass.”

An exception, however, made in the case of persons who had broken up *mewat* before the Ordinance, the Ordinance provides the following:-

“Any person who has already cultivated such waste land without obtaining authorization shall notify the Registrar of the Land Registry within two months of the publication of this Ordinance and apply for a title-deed.”

This last paragraph can only be interpreted as meaning that no claim to a title-deed on payment of *Bedl Misl* will be recognized unless the notification was given to the Registrar within the two months, i.e. before the 18th April, 1921. But, in fact, a more lenient view has been taken and it was the practice during the Mandate to make *Tapu* grants on payment of *Bedl Misl* to persons who can show that they broke up *mewat* and have revived the land before the Ordinance though without authorization to do so.²⁰

This practice of not enforcing this Ordinance, was confirmed by the last official report by the Government of Palestine, prepared for the Anglo-American Committee of Enquiry in 1947.

The official Survey of Palestine in its concluding report stated:

It is frequently difficult to assume that there was in the past no grant, and consequently it is not safe to assume that all the empty lands south of Beersheba or east of Hebron, for instance, are *mewat*.

.....

It is possible that there may be private claims to over 2000 square kilometers which are cultivated from time to time. The remainder may be considered to be either *mewat* or empty *miri*.²¹

This is not the only piece of evidence.

3.5 The British Late Action

The Land Transfer Regulations of 1940 were intended to prevent the alienation of Arab land to Jewish colonists in response to the White Paper of May 1939. The revolt and unrest of Palestinian population against the creeping Jewish control of Palestine led to creating 3 zones in Palestine under these regulations:

Zone A (16,680 sq. km): Transfer of *any* land, save to a Palestinian Arab, is prohibited. Thus Arab ownership in this zone is safeguarded by the government.

Zone B (8,348 sq. km): Transfer of *Arab* land, save to a Palestinian Arab, is prohibited.

Free Zone (1,292 sq. Km): No restrictions are imposed.

The whole Beer Sheba district lies in Zone A. See Fig. 10. Thus Palestinian Arab ownership in the district is assured under the British Mandate.

²⁰ F.M Goadby and Moses Dukhan, *The Land Law of Palestine*, Tel Aviv, Palestine, 1935, p. 64.

²¹ Survey of Palestine, Vol. I, Chapter VIII, para 77, 82, pp. 256-257.

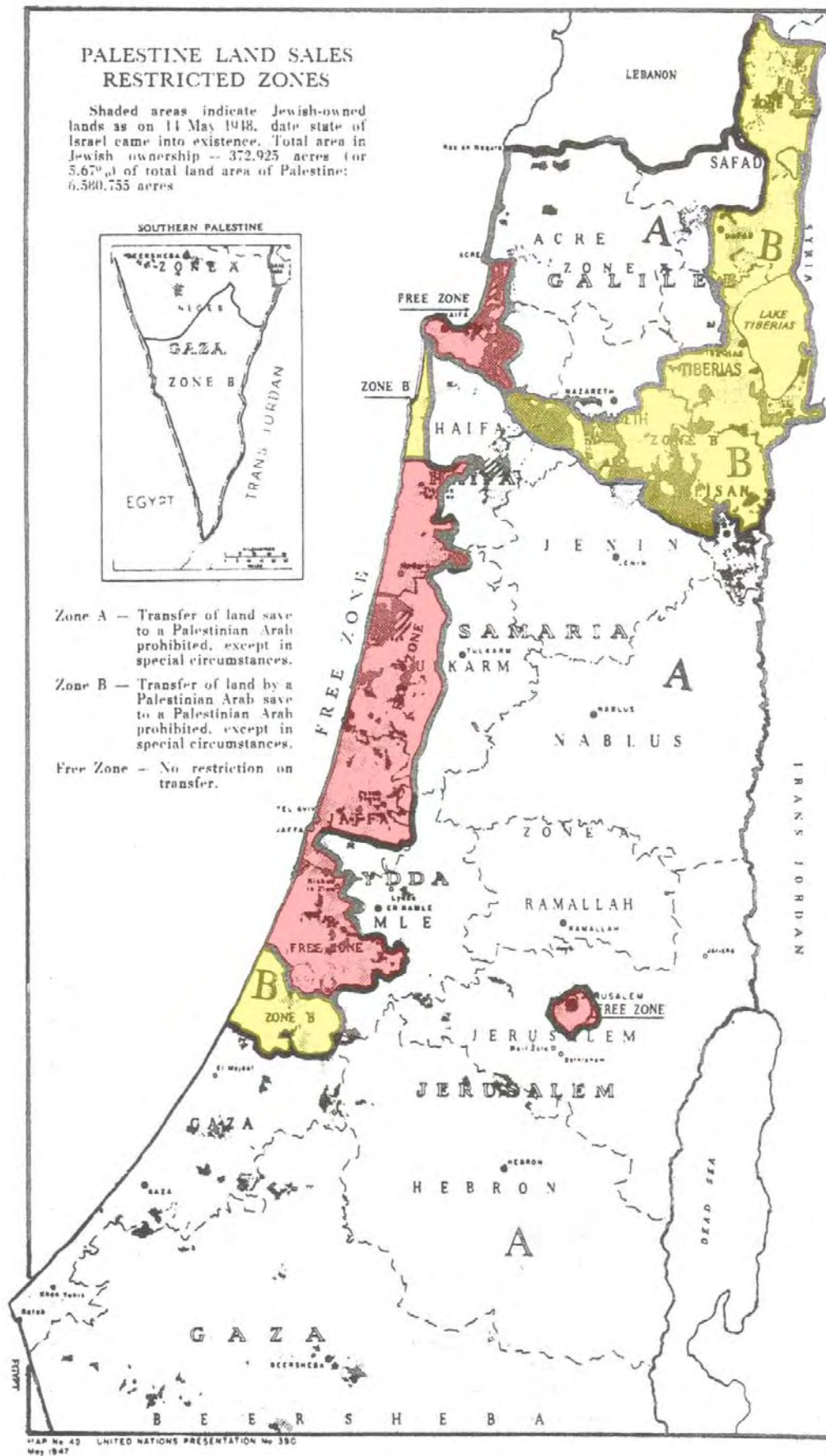


Fig. 10 Restricted Zones according to Land Transfer Regulations Ordinance of 1940

The Zionist attempts to avoid the application of the 1940 Transfer Regulations by fraud or deceit had been rebuffed by the Mandate authorities. For example, much land claimed by Jews in Beer Sheba was not legally registered. The fortnightly reports of the Beer Sheba District Commissioners to the High Commissioner in Jerusalem, forwarded to London, are replete with examples of Jewish fraud and illegal land dealings, particularly in the nineteen forties. A case in point is this excerpt from the Gaza Fortnightly Report No. 161, of 1-15 October 1945 from District Commissioner (Gaza) to Chief Secretary, Jerusalem:

“para 209: Protests have been raised at attempted ploughing by Jews of land in Asluj to which they have an extremely doubtful title. I am hearing a case under the Land Dispute (Possession) Ordinance, pending a decision by the Land Court. There are large areas in Beer Sheba sub-district which the Jews claim to have bought before the date of the Land Transfer Regulations but which are not registered in the Land Registry”.²²

In order not to be exposed, the Jews submitted to the following court session an undertaking to the District Commissioner not to plough the land in question. Otherwise the Court would have clearly ruled against them. The land was never registered in the Land Registry. Yet it appeared as ‘Jewish’ in maps prepared by Y. Weitz. Colonies were built on it after 1948.

The British Mandate did not ever consider Beer Sheba district as a State Land or State Domain. **Fig. 11** shows the State Land (Domain) in Palestine in 1947, just before the Mandate end, which clearly does not include Beer Sheba.

To conclude, just like the Ottoman authorities, the British Mandate recognized the individual ownership in Beer Sheba, did not consider this land to be *mewat* or State Land. The British did not also enforce the 1921 *mewat* ordinance created by Samuel.

4. AL NAKBA

4.1 The Aftermath:

In 1945, the Zionists had about half a dozen military outposts in Beer Sheba district, each was manned by 30 armed men, making a total of some 200 people. This is to be compared with over 100,000 Palestinian population.

Total land in Jewish possession, whatever its legal meaning was, did not exceed 60,000 donums. which is 0.5% of Beer Sheba district of 12,577,000 d. This negligible Jewish presence was forcefully expanded by the military occupation of the district in 1948 and committing massacres leading to the almost complete ethnic cleansing of the district.

²² *Political Diaries of the Arab World – Palestine and Jordan, 1945-1946*, Vol. 8, Archive Editions, Reading, UK, 2001, p. 228.

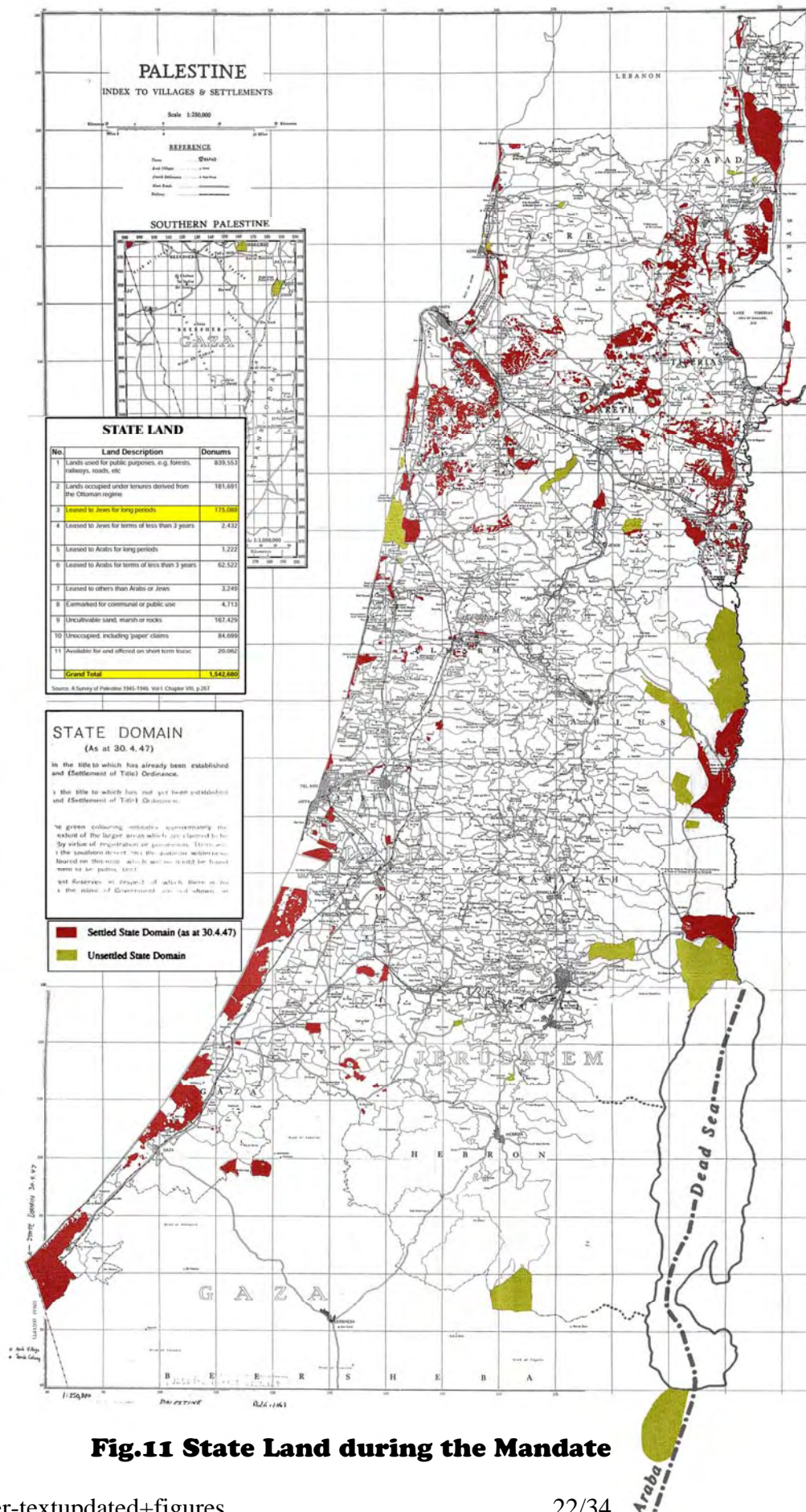


Fig.11 State Land during the Mandate

Using superior military force against a civilian population, with tanks, jeeps with mounted machine guns and aircraft, the Israelis occupied Beer Sheba town on 21 October 1948. From October to December 1948, they expelled almost all population to Gaza Strip, Al Khalil (Hebron) district then to Jordan, almost equally. Some went to Sinai. Details are already shown in Table 2.

Early in July 1948, many of Jubarat tribe were expelled but their total expulsion took place after Yoav operation which started in mid-October 1948. A small group went westwards to Gaza and eastwards to Hebron in the West Bank, but the absolute majority ended up in Jordan especially after 1967.

Terabin remained in their homes till November/ December 1948, when they were expelled towards Gaza in the Israeli operation which attacked Egypt and came close to al Arish. Today the majority of Terabin are refugees in Gaza with a considerable number in Jordan. About 1000 are in Israel.

Tayaha, including Dhullam, were split, almost half were expelled to Gaza and Jordan and half remained in Israel. They represented about 90% of Palestinians who remained in Beer Sheba. Remnants of other tribes made up the remaining 10%.

Al Hanajera, whose land straddle the railway line, leaving half of their land in Gaza and the other half in Beer Sheba, all moved to Gaza Strip after the main Israeli attack on Gaza Strip failed at the end of December 1948.

Al Azazema had a mixed fortune. Their land extends from Palestine to Egypt (Sinai). They were expelled to Sinai, then some returned and were expelled again in the period 1950- 1954. Sharon, commanding the infamous unit 101, massacred many members of al Azazema by land and air attack. Some fled to Egypt but returned.

Smaller tribes in the southern part of the district were expelled to Jordan through Wadi Arabeh. The files of the Arab Legion, then commanded by Glubb pasha, are filled with reports of their expulsion and mistreatment by the Israelis. About 12% remained in Israel, but they were displaced by Israel from their home-lands to north and east of Beer Sheba.

Upon its full occupation of Beer Sheba district, (the southern part of which was occupied after signing the Armistice Agreement with Egypt on 24 February 1949 and in violation of its terms), Israel started confiscation of the Palestinian land by pseudo-legal devices which have no substance in fact or in law.²³

The first act of confiscation took place at the end of 1948 when Ben Gurion felt that the international community will force his not-yet-recognized government to allow the expelled refugees to return home in accordance with the now-famous UN resolution 194. So he entered into a fictitious, and obviously illegal, “sale” of refugees’ land to Jewish National Fund, a Zionist multi-national corporation. This ‘sale’ involved strategically located land at the Armistice Line to prevent the return of the refugees. **See Fig. 12.**

²³ This subject of Beer Sheba situation in Israel was covered by several authors. See for example, *By All Means Possible: A Report on the Destruction by the State of Crops of Bedouin Citizens in the Naqab by Aerial Spraying with Chemicals*. Nazareth: Arab Association of Human Rights, July 2004, website: www.arabhra.org/NaqabReport_English.pdf. [last visited]; *Off the Map: Land and Housing Rights Violations in Israel's Unrecognized Bedouin Villages*, Human Rights Watch March 2008, Vol. 20, No. 5 (E); Alexandre (Sandy) Kedar, the Legal Transformation of Ethnic Geography: Israel; Law and the Palestinian Landholder 1948, 1967, *International Law and Politics*, Vol. 33, pp. 923-1000; Ronen Shamir, Suspended in Space: Bedouins under the Law of Israel, *Law and Society Review*, Vol. 30, Number 2 (1996), pp. 231-257; Sabri Jiryis, *The Arabs in Israel*, New York and London: Monthly Review Press, 1976; David Kretzmer, the Legal Status of the Arabs in Israel, Jerusalem: The Institute of Israeli – Arab Studies, 2002 (in Arabic).

PALESTINIAN VILLAGE LANDS EXPROPRIATED BY THE JNF

— Armistice Line	
— Partition Line	
■ Village boundaries which lost part of its land to JNF, Number :	336
Not shown :	36
Total	372

Lands Transferred to JNF

■ January 1949	
■ October 1950	

Parks established on Palestinian Village Lands by :

● National Parks Authority, Number :	33
● JNF	61
● Both	22
Total	116

Source : N. Kadman
See Appendix 2 for names given to these parks.

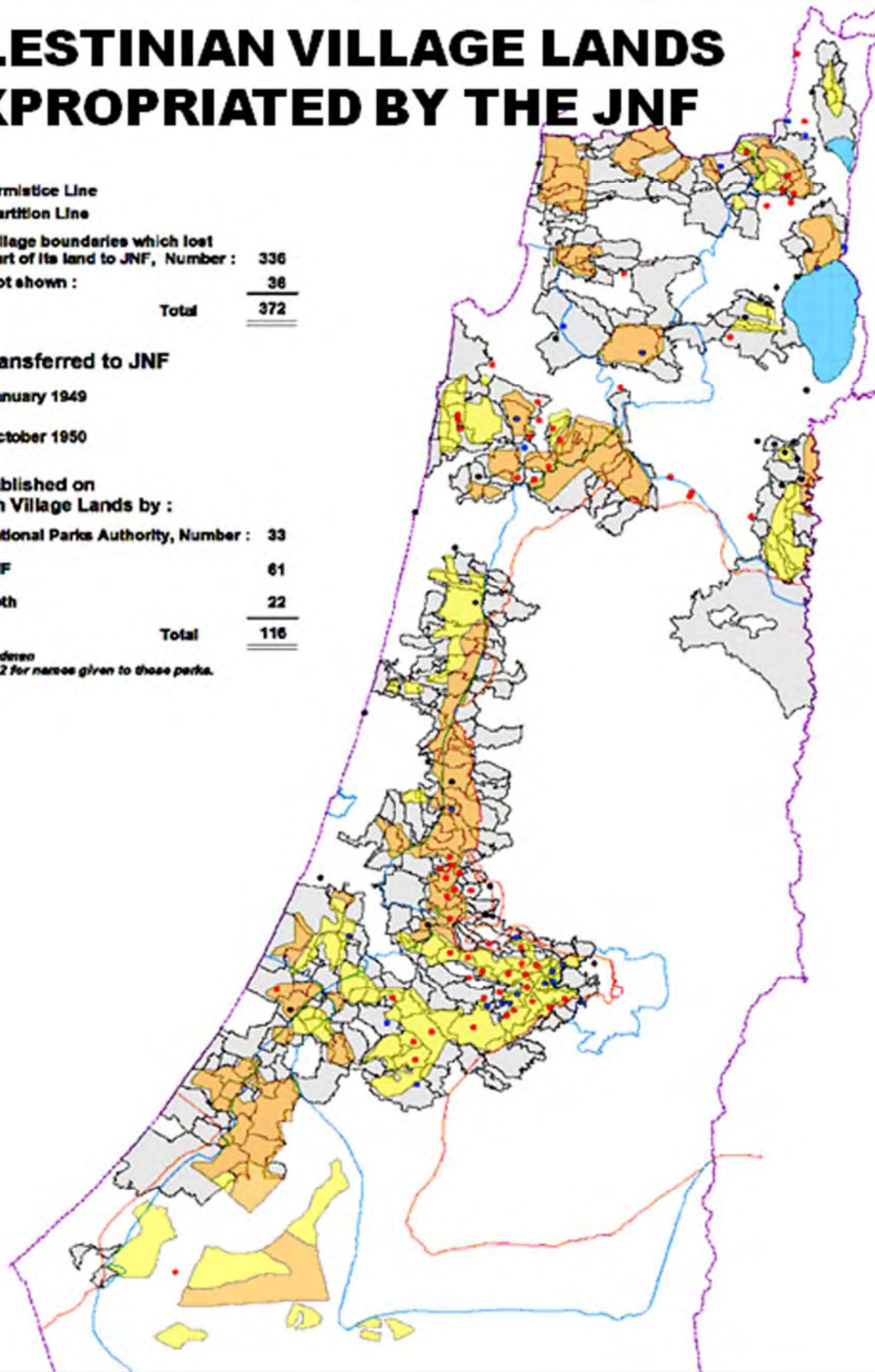


Fig.12 Beer Sheba Land confiscated by JNF in 1949, 1950.

As is well known, Israel took drastic measures after occupation of Beer Sheba district in 1948. It rounded-up all the remaining inhabitants from their land and put them in a reserve (*siyag*) north and north east of Beer Sheba town. The area of this *siyag* is 900,000 d. which is 7% of the district's area. In 1952, it confiscated 1,225,000 d. of land owned by its citizens as Present Absentees.

When Martial Law was lifted in 1966 and it was possible to leave the reserve, many owners submitted applications to repossess their land. Until 1979, 3,220 applications were made, none was recognized. Still, confiscation continued. In 1969, a law was passed that "all Mewat land is a state land" and that long-time possession does not confer ownership rights.

The cultivated area of the reserve (about 360,000 d.) was further reduced by more confiscation. Land was expropriated under the 1953 Land Acquisition (Validation and Compensation) Law and the 1980 Negev Land Acquisition (Peace Treaty with Egypt) Law. It is curious that the Peace Treaty with Egypt should be the excuse for land confiscation. Restoration of land to owners would be more in the spirit of peace.

Out of 12,577,000 d, Israel 'leases' 250,000 d. annually to the Palestinians for cultivation in addition to recognizing ownership of only 150,000 d. The 'lease' can be revoked any year; rendering cultivation a risky business. Granting the 'lease' is subject to coercion and frequently conditional on providing 'services' to the state.

In 1976, the "Green Patrol" was created to terrorize the population, confiscate animals, beat up women and children, destroy homes. Dubbed as "Black Patrol", they pull down houses, burn tents, plough over crops, uproot fruit and olive trees, spray crops with toxic material, demolish dams, shoot dogs and flocks and evict people from "state land". A soldier who killed an Arab a mother was imprisoned for 38 days. Despite overwhelming evidence of brutality, charges against Green Patrol are not upheld in court.

The purpose of all these measures is to confiscate land and gather the Palestinian population in residential centres (dormitories) to provide cheap labour for Jewish industries. Uprooting them from their land and depriving them from their livelihood (mostly agriculture) is meant to achieve this purpose.

Israel planned 7 townships (Rahat, Tel Sheva, Kessifa, Ar'ara, Shegib, Hura, Laqiya) on a total land area of 57,778 d. These are so-called "recognized villages". About 50% of the 130,000 (2002) Palestinian population of the district live there. These villages were intended to uproot people from their agricultural land and their means of living in agriculture.

The remaining 50% refused to be uprooted and remained in 40 "unrecognized villages". Just like their counterparts in the north of Palestine, these villages are not shown on Israel's maps, not connected to roads or provided electricity, water, health and education services. Because of distances, they have to travel miles for these services. They get no subsidies or economic support. The only provided 'service' is the brutality of the Green Patrol. Israel dumped toxic waste in Ramat Hovav, near Azazema clan, which caused several cases of blisters and cancerous growth. The dump is still there, although it was condemned by local and international environmental groups.

See **Fig 13** for the distribution of Palestinians in Beer Sheba (2002) in recognized and unrecognized villages.

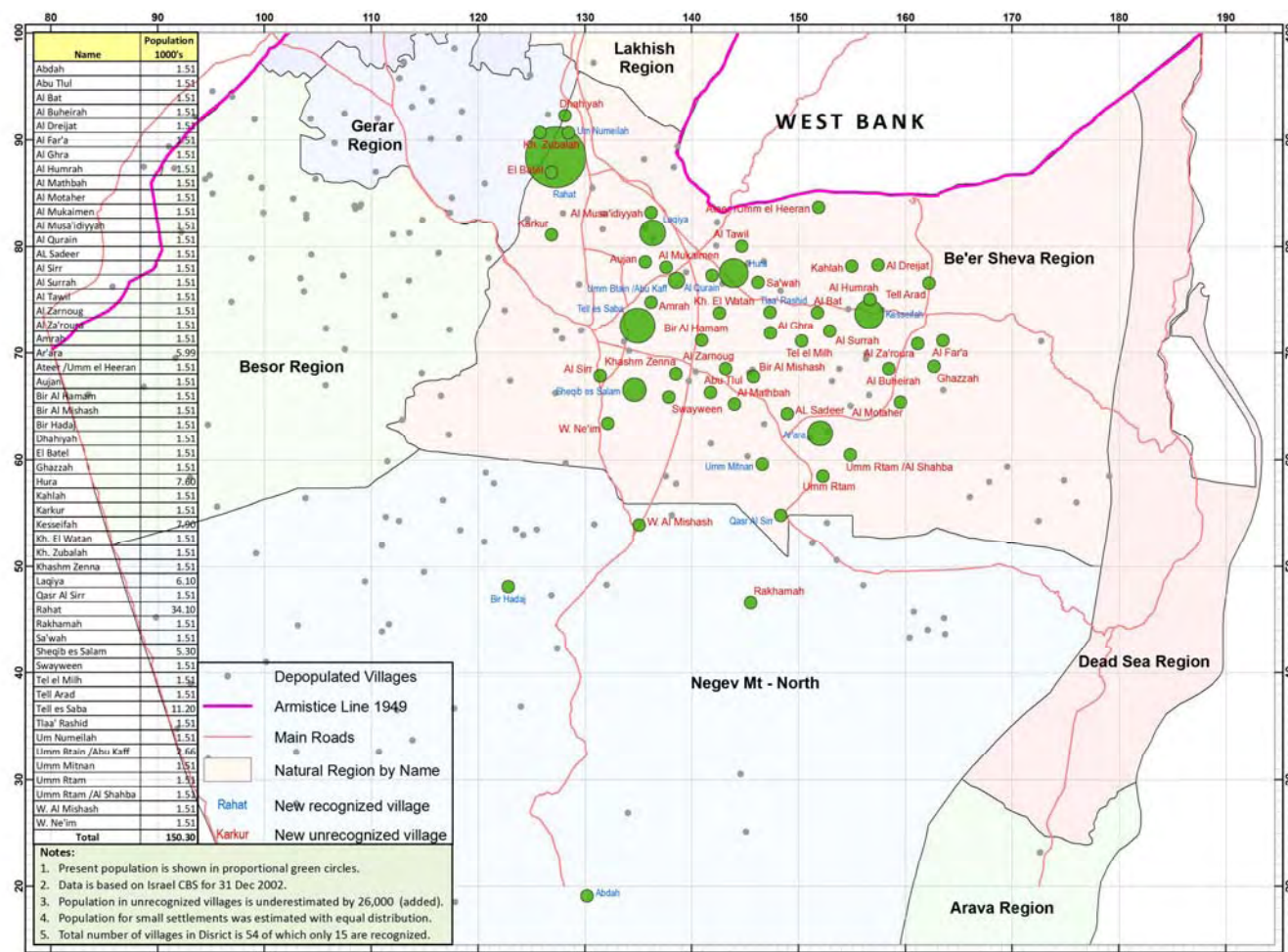


Fig.13 Palestinian Population Distribution in Beer Sheba

Continuing the policy of confiscation, uprooting and land alienation, Israel resorted to think-tanks such as Florsheimer Institute for Policy Studies. The Institute's report, by Y. David and A. Gonen, dated 16 August 1999, suggested a Master Plan for the acceleration of uprooting by encouraging Palestinians to abandon their land for improved land "settlement" terms. (Compensation ranges from \$4,000/donum, or \$16,000/acre for good cultivable land to \$1,000/d. for grazing land). This proposal refers only to the land 'eligible' for compensation and does not mention the land to be forfeited. It also refers to only 400 'eligible' applicants. Ownership claims submitted by the Palestinians cover 890,000 d. while only 224,000 d. of 'disputed' land are now in their possession. The report categorically denies the right of Palestinian ownership to their land but offers the proposal of compensation as a sign of good will. The report laments the misunderstanding that this "good will" and ingratitude it created and instead "it merely strengthened their belief that the land is theirs while in fact it is state land".

4.3 Sharon's Plan

Sharon's mortal enemy in Israel are its Palestinian citizens. His constant ambition was to dismember the Arab population in Galilee, the Little Triangle and the Negev.

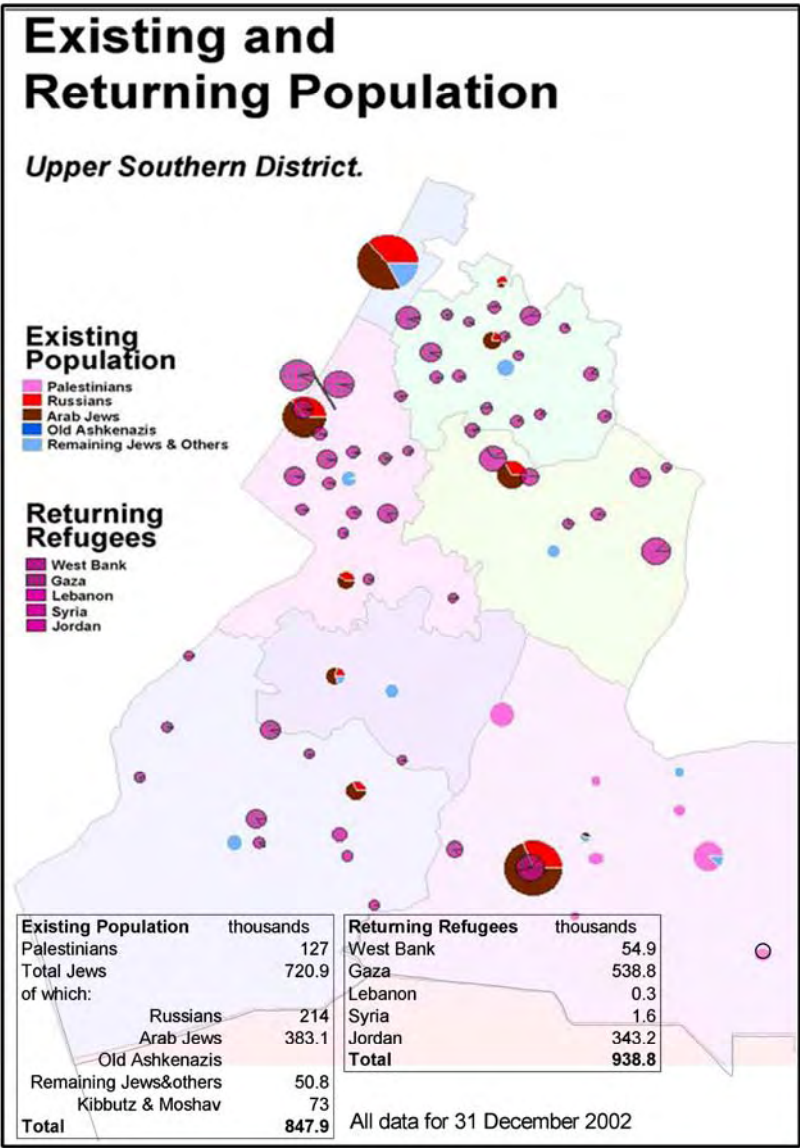
Early in 2003, Sharon initiated a five-year plan, with a budget of \$100 million, to Judaize the Negev. This included a plan to establish 14 settlements, gave more power to the Green Patrol to erase the 40 unrecognized villages in which half the Palestinians in the district live. The first Jewish settlement was to be built in the land of Araqueeb village, the site of a massacre in 1948.

Spraying toxic on their crops, demolishing their modest houses and demolishing mosques (e.g. in Tell al Milh) were common occurrences which attracted a lot of attention by Human Rights NGO and little, if any, attention by the Israeli press.

Behind this policy lies the failure of the Zionist policy in Beer Sheba district. The often-tooted slogan that Israel made the desert green, a promise never fulfilled, has met an abject failure. While the Palestinians before 1948, with their limited means and capital, depending on rain only, cultivated anywhere between 2 to 5 million donums, the Israelis with their huge capital, irrigated only 880,000 d. Their agricultural produce hardly competes with the produce of the limited agricultural land in Gaza with its salty water. What also irked Sharon was the failure of the so-called “development towns”. Jews of the Arab countries were brought in on the assumption that they are used to hot arid climate. This turned out to be a study of the failure of Zionist policies.

The Ashkenazi Kibbutz fare no better. There are no new recruits. Their population is aged, the remnants of the 1948 conquest. Although Jewish settlements of Beer Sheba district consume about half of the irrigation water, the value of their produce is negligible.

Jewish immigrants tend to congregate in the centre where city life is much more appealing. In contrast, only 73,000 rural Jews in Kibbutz and Moshav live in a vast area of 12,000 sq. km. That is 10% of Beer Sheba population had they not been ethnically cleansed in 1948. The remainder of about 800,000 Jewish Israelis in the district lives in 3 cities and a number of dysfunctioning “development towns”. Of those over 200,000 are recent Russian immigrants and double that number are Arab Jews at lower economic ladder. Meanwhile, the Palestinian citizens are denied the right to their property, their houses demolished, their crops destroyed and their villages unrecognized. See **Fig 14** for distribution of Jewish colonists and refugees expelled from Beer Sheba.



**Fig.14 Jewish and Refugee Population
Distribution in Beer Sheba**

Looking at the big picture, the Palestinian population of Beer Sheba as they were in 1948 are today about three quarters of a million, about 15% remained in Israel and the rest are refugees. The refugees in Gaza are crammed at a density of 5000 persons/sq. km while those who dispossessed them roam their land at a density of 6 Jews/sq. km only.

The situation today in Beer Sheba is desperate. The Israeli practices led to thousands of confiscated donums. These hardships created very poor economic, social and educational conditions. Few examples will suffice. The largest Palestinian town in Beer Sheba, Rahat, is the poorest in Israel. In terms of education, the percentage of those students who completed secondary education is 10%, compared to 47% for Jewish students and, significantly, 44% for Palestinian refugees students. This shows that Palestinian refugees outside Israel, in spite of severe economic and political hardships, achieve levels of education comparable to Jewish students but Palestinian citizens of 'democratic Israel' fare much worse.

5. TERRA NULLIUS OR MEWAT

5.1 Hobson's Choice

In order to justify Palestine conquest, the Zionists invented the myth that: 'Palestine is a land without people. This is a variation on the notion that Palestine was *terra nullius*, land belonging to no one. Thus it is available for grab. The notion of *terra nullius* was common in the 17-19th centuries when colonial Europe was looking for new faraway territories, slave labour, natural resources and hidden treasures.

How could this apply to Palestine, the cradle of civilization, a land that is older in recorded history than many European countries? How could a country that has 1300 towns and villages, some of them 5000 years old, be called 'desolate' and 'barren'?

Yet this is what the Zionist delegation submitted to the 1919 Versailles Peace Conference. In this conference the victorious colonial powers met to divide the lands of the Arabs, their erstwhile allies to throw the yoke of Turkish rule, between Britain and France. The Zionists were present to implement Balfour's promise for them to have a foothold in Palestine. They incredibly submitted a Palestine map, hatched all over it, including most of 1300 towns and villages, with the word "grazing", thus implying that only nomads, who have no land or no attachment to it, are roaming the country intermittently. They also word used the word 'nomad', in a truly 'orientalist' mindset, to describe the Palestinian people. There is not an iota of evidence that 1948 Palestinians, including these in Beer Sheba, have not lived in their defined lands for hundreds of years. Of course there were migrations here and there, due to wars, plagues, conquests and famine but the bulk of the people remained, until the Israeli ethnic cleansing of 1948.

Grazing outside own territory was practiced by 5% of the population in Beer Sheba. The orientalist mentality confused the shepherds' pursuit of pastureland elsewhere, on behalf of all the tribe and interpreted it to be abandoning their homeland. Alois Musil and Max Von Oppenheim maps shows these pasture trips, much like trading trips, especially in Transjordan. But in no case did the tribe abandon their homeland. If they did, there would be no Jordan, Saudi Arabia or Kuwait today.

As shown earlier, the Ottomans never considered Beer Sheba land, where 95% of the population lives, to be *mewat*, neither before or after 1858. Also, the British, in spite of the flawed legal formulation of the Zionist High Commissioner Herbert Samuel and the Zionist legal secretary, Norman Bentwich, never challenged the ownership of Beer Sheba. They collected taxes on cultivated land. Moreover, as the regular fortnightly reports of the District Commissioners indicate, they supplied tractors to improve productivity and supplied flour and fodder in drought years. They adjudicated disputes about individual land ownership. They registered land sales, when desired, including land sold to Jews who wanted a title deed to prove ownership in Palestine. They also refused to register Arab land sold to Jews in contravention with Land Transfer Regulation of 1940. They never classified these lands as State Domain.

5.2 Reviving the Dead Law

Israel maintains that Beer Sheba District is a 'state land', on the basis it is *mewat* land, according to the Ottoman Law of 1858 and thus it has no owners as the inhabitants were 'roaming nomads'. This claim is entirely false.

Mewat land means dead, uncultivated, vacant, according to the Ottoman Law.

Article 103 of the 1858 Ottoman Land Code specifies *mewat* land as (1) vacant (2) grazing land not possessed by any body (3) not assigned *ab antiquo* to the use of inhabitants and (4) land where no human voice can be heard from the edge of habitation, a distance estimated to be 1.5 miles (2.85 km). The latter is a distance travelled on a horse in about 40 minutes, in wilderness where no human being lives ordinarily.²⁴

It is clearly evident that such description does not fit in any way the populated and cultivated areas mentioned above. Indeed any casual observation of the district at the time would confirm this. There is a great deal of historical evidence, British Mandate documents, maps and aerial surveys, to prove it. Israel's claim that this is *mewat*, hence State Land, is farfetched and cannot constitute a serious legal claim. It can only be explained in the context of ethnic cleansing and land confiscation. This contradicts the Israeli position itself when it recognized Palestinian ownership rights if the same land was sold to Jews before 1948, and as such considered the Jewish ownership valid.

In reactivating or revoking the British Law, Israel considers itself a *successor state*. If this assumption refers to its military conquest outside the limits of the Partition Plan, then the inadmissibility of conquest and the Fourth Geneva Convention safeguard the sanctity of the property of the subjugated people. International law stipulates that, upon extending a new sovereignty on a territory, people and land go together, both stay protected. Expelling people and confiscating their land is not permissible. On the other hand, if this assumption refers to the UN Partition Plan resolution No. 181, which was the basis of Israel's declaration of independence in 1948, this resolution clearly stipulates that Arabs in the Jewish state (and vice versa) shall enjoy full civil and political rights, including ownership, without discrimination on any grounds and of course without expulsion..

²⁴ Referring to the original Turkish text with equivalent Arabic, Article 103, translated here into English, reads:

"The empty (*Khali*) places, such as rocky or stony areas, or lands where cultivable soil is scarce or grazing land not held by anyone with *tapu* or not assigned *ab antiquo* to the use of towns and villages or far from towns and villages such that a clear loud cry would not be heard from the edge of cultivation, is *mewat* land. Any one in need of a tract from this land can, free of charge, break up or dig a place with permission and make it a field on condition that its *raqaba* belongs to *Beit el Mal*. All the applicable legal rules of other agricultural areas will then apply to this land fully. But the person who had permission to dig [and cultivate] a place did not do so for 3 years without a good reason, the place is given to someone else. If someone digs one of these lands without permission and made it into a field, he will be charged *bedl mithl* (equivalent price) and land be allocated to him and granted title deed (*tapu*)."

From the original Turkish and Arabic: Ottoman Land Law, Beirut: Jesuit Fathers Press, 1873.

5.3 Resuscitating The Dead

In two excellent papers, Shamir²⁵ and Kedar²⁶ analyzed the anomalies of the Israeli claim that Beer Sheba land is *mewat*: The arguments put by Israeli Courts to show that Beer Sheba land is *mewat* as summarized by these two Israeli authors are as follows:

1. The voice criterion is not acceptable. What was needed is a “modern” or “objective” criterion.
2. The distance to *mewat* land should be greater than 1.5 miles (2.5 km). The distance is the criterion.
3. The distance is to be measured from a town or village.
4. Cultivated (*miri*) tract of land is not an acceptable point of measurement, as a town or village would be.
5. Similarly, a movable abode such as tents is not an acceptable reference, even if this cluster of tents includes a school or cemetery.
6. Also unacceptable is an inhabited area with amenities, houses and some cultivation around a government centre such as police or railway station.
7. Also unacceptable is measurements from an isolated house at the edge of a village.
8. An Arab tribe abode should prove existence before 1858, otherwise all cultivated land after 1858 will be classified *mewat* (the case of Arab Suead).
9. To prove that an area is not *mewat*, cultivation must cover at least 50% of the land.
10. Tax records are not proof of ownership.
11. RAF aerial photography (1945) is acceptable if it shows more than 50% cultivation, as certified by the government expert, provided that the holder possessed and cultivated the land for 20 years. That is, if land was cultivated in 1945 and shown so on aerial photos, it should be held and cultivated till 1965. (All Palestinian lands were confiscated according to Land Acquisition (Validation of Acts and Compensation) law, 1953. This makes this condition impossible to fulfill.)
12. The onus of proof of ownership lies with the holder – that is, he has no ownership rights unless he proves the opposite. His long history before the arrival of the Jewish immigrants does not count.

This is a surreal situation.

5.4 The Reward for Ethnic Cleansing

How could the material of building houses be a criterion? The building material is always derived from the surrounding environment. It is stone in the hilly country of Palestine, mud reinforced by hay in the coastal plain villages and a combination of mud and hair-tents in *al badia*. How can the natural selection of house-building material be the arbiter in owning, cultivating land and living off it?

If the pretext is that these houses are not “permanent” and movable, how could that explain the prefab units used by the Zionists in 1946 and 1947 to build 11 ‘isolated’ colonies? These prefab units were used to show the mission of UN Special Committee on Palestine, when visiting the area in 1947, that the Jews existed there and that they were entitled to annex 12,500,000 donums of Beer Sheba district in the Partition Plan.

The requirement that a measurement of the distance of 1.5 miles from a town or village, not from any other clear sign of cultivation and habitation, is simply a play on numbers.

²⁵ Shamir *supra* note 23.

²⁶ Kedar *supra* note 23.

Suppose that Beer Sheba population was living in small villages closely spaced adjacent to and stretching from fertile Gaza villages to the east. Would this not solve the proximity problem?

The number of inhabitants of Beer Sheba district in the 1800's was about 21,000 (8% of 275,000). Just before al Nakba, it was 100,000, an increase of over 5 times. They were grouped in 77 tribes located in 88 locations. (as was shown in Fig. 7) Thus the average size of a village/tribe is 1,250 persons. By many estimates they cultivated an area of 3,750,000 d., but not less than 2,500,000 d. In the first case, the average area per village is 43 km², giving a radius of 3.5 km between one village and another. In the second case, the radius is only 2.5 km, within the limit of the Ottoman Code.

This covers the whole north western part of Beer Sheba district. Since cultivation followed in practice water resources, i.e. wadis, wells and high rainfall, habitation clusters were much more closely packed to a smaller radius than 2.5 km. This habitation stretched continuously from the coastal villages of Gaza sub-district into the hinterland till east of Beer Sheba.

If ethnic Israeli cleansing of Palestinians in *al Nakba* of 1948 did not take place, Beer Sheba district population would be in 1998 650,000 and over three quarters of a million in 2008.. This means a string of villages can stretch from Gaza to east of Beer Sheba at a radius of 1.0 km each for a village size of 1,250 and a radius of 1.8 km each for a village size of 2,500. This qualifies squarely with the definition of cultivated land proximity according to the Ottoman Land Code.

The obvious conclusion is that the ethnic cleansing of 1948 was intended to rob the Palestinians of their land and make it sparsely populated or *terra nullius*. Without this ethnic cleansing, this robbery, and the pretext for it, would not be possible.

Kedar gave a penetrating analysis of these anomalies and questioned the logic of the Israeli Supreme Court in affirming the state of Israel's position that Arab claimed land was *mewat*.²⁷ This position was achieved by imposing impossible conditions to meet, some are invented, and some are bent beyond recognition, some are convoluted procedures based on willful intent.

Both Kedar²⁸ and Shamir²⁹ note that the British Mandate Supreme Court never adjudicated *mewat* cases against inhabitants and the Mandate authorities did not interfere in Bedouin land possession and instead helped the farmers in their agricultural work.

Israel's justification to confiscate Beer Sheba land by pseudo-legal means can run into difficulties. Shamir notes,³⁰

A double bind is completed: The lands were legally and justly registered as state property because the Bedouins did not hold lands in said period (they were rounded up and held elsewhere, yet this is rendered irrelevant). Alternatively, Bedouins may have been in said area but as invisible nomads who cannot prove any thing because the temporal signpost prevents them from doing so.

Shamir, quite rightly, points out that the orientalist mindset (eg. inhabitants are 'nomads', have no land ownership, no identity) is coupled with the physical plan to confiscate their land.

Shamir writes,³¹

²⁷ Kedar, *supra* note 23, p. 952 ff.

²⁸ Kedar, *supra* note 23, p. 952 .

²⁹ Shamir, *supra* note 32, p. 239-240.

³⁰ Shamir, *supra* note 23, p. 245.

³¹ Shamir, *supra* note 23, p. 232.

Two material practices are at the forefront of Israeli policies concerning the Negev: (a) mass transfer of the Negev's indigenous Bedouin population to planned townships and (b) a corresponding registration of the Negev lands as state property. A cultural vision complements these practices: The Negev is conceived as *vacuum domicilium* – an empty space that is yet to be redeemed.

It would have been unnecessary during the Ottoman and Mandate periods to rebut the Israeli contention that Beer Sheba land was *mewat*, because the subject did not arise. But at present we have a case of ethnic cleansing, still active since 1948.

6. THE LEGITIMACY OF THE OFFICIAL ISRAELI POSITION

6.1 The Hasbara

The Head of the Land Title Settlement Unit in the Southern District, Havatzeler Yahel, gives a summary of the standard Israeli position.³²

He boldly states, "Neither the Ottoman Empire nor the British Mandate recognized the ownership of *nomadic* Bedouin over land in the Negev" [emphasis added]. "Israeli Law...is based on earlier Ottoman and British Legislation".³³

He also used the population figure of 1931 census (65,000), instead of the 1948 figure. The racist tones are abounding in this paper indicating the prevalent attitude among Israeli officials. He writes, Negev 'residents' "feel they live on a different planet from the rest of Israel". Where they live is referred to as the "Wild South".³⁴ He also ridicules local and foreign NGO's defending their rights; these NGO's "share the belief that the illegal actions are justified and that the [Israeli] authorities will eventually accept the Bedouin demand..."³⁵

The Goldberg Report is less inflammatory but adheres to the same contention.³⁶ The Report again underestimates the 1948 population number, using the figure of 1931 census. The report is also based on the claim that:

- (i) The Ottomans never recognized the Bedouin ownership in Beer Sheba
- (ii) The population is "nomads"

On this basis, the Israeli government applies its law.

6.2 All Palestinian Land up for Grab

As stated in the Introduction, appealing to Israeli law will have limited effect. The Israeli policy of land confiscation applies to all Palestinian land, whether in Galilee, Beer Sheba, or in the 1967 occupied West Bank, even though land owners have certified title deeds. So it is immaterial if the land is claimed *mewat* or not.

³² Havatzeler Yahel, Land Disputes Between the Negev Bedouin and Israel, Israel Studies, Vol. II, No. 2, 2006, pp. 1-21

³³ Yahel, *supra* note 31, p. 2.

³⁴ Yahel, *supra* note 31, p. 4.

³⁵ Yahel, *supra* note 31, p. 9.

³⁶ The Recommendation of the Goldberg Commission Jerusalem, Dec. 2008 (Arabic Translation).

As 7% of Israel's area was controlled by Jews during the Mandate and 93% by Arab Palestinians, the massive land confiscation which took place, in 1949 and after, was transferred from the Custodian of Absentee (read: refugees) Property to the Development Authority to be, in the end, administered, with JNF original and confiscated land, by Israel Land Administration (ILA).

Now, there is a plan before the Knesset to allocate by "sale", these lands to Jewish individuals or corporate entities and to grant them title deeds. Thus the confiscated land is privatized, creating a new barrier between the dispossessed Palestinian original owner and the present Jewish landholder.

6.3 Adalah Intervention

In an important letter by Adalah, a Nazareth NGO defending the rights of Palestinian in Israel, to the Israeli Attorney General protested this action.³⁷ It argued that privatization is contrary to Israeli law itself, during early debates at the Knesset, when it was stated that the law's "backbone... is undoubtedly to protect the property of the absentees", not to confiscate it. As experience in the last 60 years has shown, confiscation has many forms; one of them is to claim the Palestinian land is *mewat*.

Adalah also argued that the Israeli government action is also contrary to international law, in particular Article 147 of the Fourth Geneva Convention which prohibits "destruction and appropriation of property".

Kretzmer also pointed out an important principle on which UN resolutions, for example Resolution A/RES/52/62 of 10 Dec 1997, previously mentioned, are based, namely that "although the Zionist movement succeeded in extending its sovereignty [on 78% of Palestine, or 20, 255 sq. km., now Israel], it did not acquire the ownership of this land".³⁸

To conclude, the legal basis of Israel confiscation of Arab Palestinian land is false, whether the land was designated by Israel to be: closed area, reserved for security reasons or public interest, public or State Land or *mewat*. The latter is by far the largest and least publicized.

This acquisition of land is pure land robbery in a thinly-veiled legal garb. The steps taken after creating Israeli laws, rounding up the people, moving them away from their land, demolishing their houses, burning their crops, killing their cattle, are all clear violation of international law.

6.4 What to do

The steps to rectify this situation by human rights groups and concerned parties could include the following:

1. Pursuing the matter before Israeli courts with corresponding media campaign, possibly with the help of supportive Jewish groups.
2. Mobilizing human rights NGO's all over the world to explain the plight of the Palestinians and to expose the Israeli policies abroad.
3. Gathering material support so that Palestinians can stay put, resist their uprooting and have a modicum of decent living on their land.
4. Supporting Boycott, Disinvestment, Sanctions (BDS) campaign, now growing in the western world with increasing success.

³⁷ http://www.adalah.org/eng/pressreleases/pr.php?file=09_06_22 , <http://english.aljazeera.net/programmes/insidestory/2009/06/2009623142649311>.

³⁸ Kretzmer, *supra* note 23, p. 62 (Arabic).

5. Presenting the Palestinians' case at all UN fora, including the General Assembly and UN agencies and pushing for resolutions with operative clauses.

6. Sending delegations from Beer Sheba citizens to American and European capitals to speak personally about their everyday experiences. This could be very effective.

7. Similarly, inviting delegations and high-profile personalities to spend a week in Beer Sheba district to see for themselves and report back to their constituencies.

As Western colonial powers failed to take action to uphold justice and continued to support Israel policies, then it is imperative that the world public opinion, especially in the western world, to be mobilized and encouraged to act. Its action, together with the steadfastness of the Palestinians, will provide a credible effort to expose injustice and restore justice.

After all, it was this world public opinion, which had been fed Israeli propaganda, that provided support for Israel's actions all these years. Now it should be the one which should reveal the truth and pursue justice. Nobody can be neutral about justice.

7. Orwell's 'Green Patrol' and the Relentless Racialized Illogic of Ethnic Cleansing in the Name of Environmentalismⁱ

by: Jesse Benjamin

My introduction to the hypocrisy and racism of Israeli policy toward its Arab citizens, and the case of the Bedouin communities in particular, came in the period 1987-1990, during the beginning of the First Intifada. I was engaged in fieldwork in the Negev and Sinai Deserts through the experiential university I attended, and much of my work focused on the forced resettlement of Bedouin communities in both areas. I was fortunate to also be studying desert ecology from a hard science perspective, in that it brought me into direct contact with the Israeli academy and its research arms, which claimed to be interested in: 'greening the desert,' ending the [mythical] encroachment of desertification, and arid and semi-arid lands development more generally. The best part of this experience was an early association with Nuri el Okbi, a fiercely dedicated Bedouin community leader and activist, then running the Association for the Support and Defense of Bedouin Rights in Israel, with which I interned.

7.1 Learning the Rules of Bedouin Life with Nuri

Although an Israeli citizen, I had grown up in North America and other parts of the world, and on arriving in Israel in my late teens I was fresh out of the Zionist ideological prisms of US and Canadian Reform Jewish communities, with a brief stint in the somewhat different Zionisms of Brooklyn Hassidism. I had left religious life behind because of its racist contradictions, so crude and explicit in Crown Heights, only to enter into the apartheid system of Israel, Palestine, and the occupied territories. One of the first books that guided me was Edward Said's decisive The Question of Palestine. During the orientation program at Friends World College in 1987, still half way through Said's magnum opus, we were lucky enough to visit Nuri in Be'er Sheva [Bir Saba] for a tour of the Negev [Naqab] Desert. Most memorable was the visit to the lush and growing exclusively Jewish Be'er Sheva suburb of Omer, now Israel's third wealthiest community, which looked like a posh California town replete with parks, swimming pools and armed security guards. At the edge of Omer, amidst the dry rocky desert, was the unrecognizedⁱⁱ Bedouin village of Amra, completely underdeveloped by the state of Israel and subject to total demolition at any time. While we were followed and questioned in Omer, and no one wanted to talk with us or let us take pictures, we were warmly welcomed by the members of the Tarabin a-Sana communityⁱⁱⁱ who resided in this valley. We were toured through the area and fed a large meal while discussing the history and politics of the region over endless cups of tea and coffee.

This was my first visceral experience of in-your-face apartheid.^{iv} The Tarabin a-Sana had been forced off of their lands, like all Bedouin in Israel, during the 1948-1951 period

of the Nakba.^v The Tarabin had been purposely settled in this area because it was the land of another tribe, the el-Okbi, in what is the common divide-and-conquer technique of colonizers. Like all such resettlements, it was to be temporary, but became permanent. Yet, the Israeli state never developed the basic infrastructure available to Jewish citizens: piped water, sewage, garbage removal, electricity, roads, schools, hospitals, etc. As such, almost two hundred people therefore lived in this community relying solely on one water spigot shared by all, including more than four hundred livestock. This was while, meters away, elevated on the heavily developed land of Omer, water was being wasted on swimming pools, sprinklers for US-style grass covered front lawns, newly paved roads, heavily funded schools, electricity.

As nightfall came and the heat of the day yielded to the cold evening of the desert in Amra, lanterns were kindled. The few houses that had generators cranked them up so students could keep studying [for their unrecognized and underfunded Bedouin-only schools], and the Americans could continue to talk with their guests in relative comfort. This experience began my research in this area, and 25 years later it is unfortunately still an urgent, if not intensifying subject of human rights and social justice concern.

I signed up to work with Nuri el-Okbi and was soon spending my days in his dusty offices in Be'er Sheva, where a stream of Bedouin from all over the region came for services not provided by the government. Many also needed help resisting the government and its incursions. Since the late 1970s, the Zionist state's Master Plan for the Development of the Negev had determined to literally remove the then 70,000 strong Bedouin [now c.150,000] from their ancestral lands and force them into 7 planned industry-adjacent townships. More than half the Bedouin refused this force and coercion, because the houses and the communities were purposefully anathema to Bedouin culture. These were dense urban spaces, where farming and animal husbandry were impossible, even illegal. The apartments were small 1 and 2 bedroom spaces where separate gender spheres were impossible to maintain, and where nuclear rather than extended family structure was assumed as the norm. Also, they were placed next to existing or planned Jewish industrial centers like the nuclear facilities in Dimona, with an eye to turning the Bedouin into a cheap labor proletariat. They had to sign away all current and future claims to ancestral lands in order to receive access to the new housing, which was never fully developed in terms of basic infrastructure, even though significant rents were charged. For the most part, therefore, only the most desperate, poor, isolated and vulnerable Bedouin took up this "opportunity." The rest were declared illegal, wherever they lived or worked, and persecuted as a way to force them to urbanize. Home demolitions were threatened and occasionally carried out; as has been seen recently with alarmingly increased frequency, as in the case of Al-Arakib and elsewhere.

This is the context, in 1987, in which I first came to encounter the notorious Green Patrol. At the Association offices, Bedouin of all ages were coming in with stories of tree uprootings, cereal crop destruction, and livestock confiscations at the hands of the paramilitary Green Patrol. As a branch of the JNF, itself a branch of the Israeli state, the Green Patrol operated under the fundamentally racial assumption that all Bedouin use of the land was primitive and therefore destructive, while all Jewish use was modern and

therefore beneficial. My expanding ecological and environmental studies would soon confirm that the exact opposite was true. Somehow, this racist and evolutionist [il-]logic was enough to underwrite the activities of the Green Patrol, which helped justify the colonial proposition that Israel should be a Jewish-only land. [This is the central tenet of the Jewish National Fund, to this day, which on its official facebook page currently lists the following self-descriptive text on its ‘wall,’ under the generic heading of “About,” “The Caretaker Of The Land Of Israel, On Behalf Of Its Owners – Jewish People Everywhere.”]^{vi}

One afternoon, Nuri drove me to a remote place on the edge of Be’er Sheva, where a huge electrified fenced-in compound held the confiscated livestock of local Bedouin families. We were there to confirm the presence of 200 goats belonging to an Association client, and request their release. We were denied entrance or an audience with anyone beyond the guard at the security gate, who certainly was familiar with Nuri from his previous visits. So we walked around the edge of the barbwire fence and eventually, among the hundreds of goats, sheep and camels there, spotted the goats we had come to confirm, based on the blue marks their owner had made to identify them. All we could do was take photos and stare at the guards who were now gathering inside to threaten us to leave. As always, Nuri tried to non-violently engage them, even to shame them, as always using his excellent and idiom-laden Hebrew. This was the only recourse, as the fortifications were too solid to penetrate, having been beefed up after a successful effort to liberate the animals had recently been made when the fencing was still lightweight.

Armed with photos and visual confirmation for future testimony, Nuri added this information to the 3000+ land and 2000+ property cases then filed in the Israeli courts. Unfortunately, these cases were always delayed, as a tactic to avoid their resolution, so they languished for decades without hearing in what was yet another aspect of this apartheid regime, the segregated legal system. This is especially poignant now, in light of Nuri’s recent partial success in his own decades-long family land legal suit, which several Israeli commentators have noted, if successful, will undermine the very basis of Israeli society because the whole country, as with all colonial-settler societies, is built on brazenly stolen lands.^{vii} While the cases languished, the goats were sold for a profit at the famous livestock market in Be’er Sheva, where tourists looked on at the “traditional” proceedings hoping perhaps to see feisty camels for the first time, as advised by their guidebooks, while random Jews got good deals on goats, or Bedouin sometimes bought back their own herds if they were willing to bid high enough.

7.2 Israel’s Desert Research Facilities

At the same time as the visit to see the jailed goats, I was in a unique position to further appreciate the deep ironies of this situation, as I was also taking classes and studying at the Desert Research Institute miles south of Be’er Sheva known as Sde Boqer. It is a deeply funded facility in a very remote and inaccessible part of the southern desert, which is extremely arid. To get there, one had to pass by the house where Ben Gurion retired after being Prime Minister, and was now buried in a sort of shrine to Jewish settlement of the Negev Desert. It was his fanatical dream to “make the desert bloom.” A few miles

further south, almost as a state-funded extension of his dream, is the Sde Boqer Research Center, with all sorts of scientists working on studies of the harsh desert environment in an effort to make his vision a reality. I soon learned that the desert already did bloom, and always had. My urban Toronto and Brooklyn eyes soon learned to look past the pale grey rocks and see the dusty shrubs and trees, the occasional colorful bursts of flowers and desert fauna such as jackals, snakes, birds, leopards, ibex, insects, and so on. Most of the researchers I interacted with in their labs and the lunch rooms or in their quaint provided housing were filled with a generalized Zionist triumphalism about conquering nature in the desert, and talk usually turned right away to the generosity of sharing the wondrous insights of Israeli development with those who most needed it: Africans. At the beginning, I asked why they didn't wish to share their knowledge with the local inhabitants, the Bedouin, and the answers were always dismissive and condescending, usually overtly racist: "they are unwilling to learn," "they are not willing to educate themselves," "they refuse to change from their ancient and destructive ways."

Individual scientists worked within their narrow fields, studying hydrology, or insect biology, or ibex mating habits, which made for interesting field trips, but few wanted to piece things together or ask bigger questions about the larger society around them. The few anthropologists stationed there were typical colonial anthropologists interested in the minutia of Bedouin culture, without willingness to listen to actual Bedouin concerns about contemporary politics and the destruction of their societies. They studied marriage patterns, internal justice systems, disease vectors, all as though in a contextual vacuum. They were, without a doubt, the creepiest, as they actually entered into Bedouin spaces, knew and spoke with Bedouin, were aware of the political context, and either ignored it, or in many cases willingly abetted the state's destructive resettlement policies. Some even spoke, at the same time, of advocacy anthropology, the highest insult of all.

The soil scientists showed me the greatest threat to the desert: tire tracks from Israeli research jeeps and especially military vehicles. They created ruts on each passing, which then disrupted rare water flows, destroyed fragile flora, and remained impactful for decades. The gentler footprint of camels or human feet ushering flocks bore no ill effect in the desert. The plant biologists were looking for desert super crops, and were experimenting at that time with large stands of *lucaena*, a fast growing drought-tolerant Australian plant then being touted as the solution to desert life. But it turned out to be invasive, poisonous to some birds, and made the livestock it was to feed sick. They also noted that plants indigenous to the area were healthy for livestock, and were even made heartier when grazing sheep or goats briefly foraged on their leaves.

Bedouin cultural knowledge in the form of the shepherd skill set could identify the exact rain and drought conditions, species and ages of plants in the area, time since the last flock grazed there and what a safe degree of impact from current grazing would be. Unfortunately, Bedouin were never consulted about these matters, notations were simply made about how it might be interesting to get a grant and talk about this with the Tuareg in Mali, or the Turkana in Kenya.

7.3 Avdat and the Depths of Contradiction

At one point in 1989, I moved even further south, to an almost abandoned research facility in Avdat/Obda. On the plateau above were the ancient ruins of the 2nd largest Nabatean city, second only to the famed center of Petra, not far away in Jordan. While tourists now occasionally visited this remote and spectacular site, then we toiled in the valley below to unlock the secrets of how the Nabateans made this almost barren landscape support cities of 30,000 people with more than 100,000 animals.

Dr. Evenari, an early Zionist plant biologist, who has since passed away, worked with archaeologists and a team of researchers and eventually figured it out, and proved his case, although his hypothesis was unpopular because it showed that indigenous technology had always contained the secrets to desert life and that modern science was not needed as a savior. He and his colleagues had brought Avdat Farm back to life in its exact archaeological site,^{viii} where it had been farmed in the shadow of Avdat City several centuries before and after the time of Jesus.

Using low clay ‘bund’ walls of several inches, across the surrounding hillsides of several miles in each direction, the trickle of annual rainfall was “harvested” into a few acres of fields so crops could grow the rest of the year. Even though we tended to the barley fields and almond and pistachio trees thus sustained, the once thriving agricultural center was all but abandoned. I since learned that this was because the proof professor Evenari had confirmed led inevitably to valorization of contemporary Bedouin farming practices, including bund catchment systems, terraced *wadi* [dry river beds] catchments, and utilization of ‘loess’ soil for sustaining moisture in the soil long after rainfall. Bedouin were also using and maintaining the elaborate cistern catchment pools adjacent to wadis, which filled in seconds when the annual or semi-annual flashflood rains came, and then held thousands or even millions of cubic meters of water for years at a time, usually unbeknownst to regional authorities and other passersby.

The Avdat farm had one Bedouin employee, and during my six months there I think I was the only person who spoke with him. He was the night watchman, and he routinely built a fire several dozen meters from the main house where I and the other employees stayed. He would set up his “watch” each night and bake *hubes* [bread] in the coals before morning. I spent many nights with him, practicing my Hebrew and Arabic with this patient old man, Tsuelim, and came to learn much of the above through his pithy comments about the strange Israeli scientists who never spoke with him. On nights with a full moon, he showed me how to spot the fierce wildlife in the distance, as they hunted, and we smoked his harsh semi-wild tobacco gathered from nearby wadis. One night he took me home to his family’s nearby tent encampment, in a particularly rocky valley, where they now lived. Their lands, including those of the research facility that now hired him for a pittance, had been appropriated by the Israeli military in 1950. At 3:00 AM, shivering over a fire under deeply chilled stars, I will never forget the site of two nearly silent stealth military attack helicopters, bristling with cannon and missiles, flying just a few meters over us, unseen and unheard until they were on top of us, so low their wind almost knocked the tents over and I could see the faces of the soldiers inside them. Just routine military exercises, Tsuelim explained, as they practiced their ability to “sneak up”

on adversaries -- but also intended to intimidate the family into leaving for the planned cities, which they refused to join. Perhaps also an indication of disapproval on the part of the unseen nearby military at my visit to his family, he suggested, as this rarely happened and I was his first visitor in many years. It was my last visit.

7.4 The Colonial Limits of Modern Thought

Israel's civilizational ideology is profoundly modern in every sense, including its epistemological grounding in the racist evolutionism of 19th century Western science. This theory, made famous by Herbert Spencer and Charles Darwin, and adopted uncritically by early anthropologists and even Karl Marx, believed human beings evolved in a unilinear line of progressive cultural stages through which all peoples eventually passed, like a ladder, and by which societies could be ranked. Hunter-gatherers were the first, at the bottom, pastoralists were next, followed by agriculturalists who eventually elevated themselves to the despotic system of serfdom and exploited peasant labor, yielding to urbanization and the rise of the bourgeois, or townsfolk, who brought about capitalism.

Israelis and the Jewish tourists who briefly visit Israel are notorious for their romanticization of Bedouin as living exponents of the tent-dwelling Abrahamic ancestors of contemporary Jews. But like other noble savages of the colonial imagination, whether Iroquois or Lakota in the US, or Maasai in Kenya, they can only be understood as static, frozen in the past, unable to survive within their culture and also in the modern world. This racial ideology helps legitimize the Zionist colonization of Palestine and also enables the total neglect of contemporary Bedouin culture and society within Israel and the rest of Palestine today as potentially worthy interlocutors in problems such as co-existence, dispute resolution, or desert agriculture and development. The great anthropologist Johannes Fabian developed his theory of allochronism in his Time and the Other: How Anthropology Makes its Object.^{ix} He explained that ethnographic or other encounters with non-Western peoples were literally understood as time travel – a glimpse at an earlier time. This is a convention we still see in newspaper articles and movies but that has become unacceptable in critical anthropology circles everywhere, with the exception of still-colonial Israel.

It is from the lofty perch of imagined racial superiority, underwritten by their 'superior' Western, rational, secular-scientific cultural modernity, that the Israeli state and society can justify its blatantly segregated development patterns, and enable its seemingly irrational and contradictory practices, emblemized in the Orwellian specter of the Green Patrol. This violent para-military arm of the JNF and the Israel state, actively assaults the Bedouin mode of subsistence, both pastoralist and agricultural, in a stated effort to 'protect the environment'. Yet, in so doing, they are vilifying the historic protectors of the environment, the Bedouin, who have lived with, protected and sustained the land, and attempting to ensure their inability to continuing to do so. They are also removing the very greenery that actually makes the desert bloom each year, all to make way for Jewish settlers who have nonetheless shown their general unwillingness to live in this region when they eventually sell their subsidized homes and move to greater Jerusalem or Tel Aviv.

There can be few better exemplars of the racialized ironies and madness that characterizes Israel's apartheid culture than the persecution of its Bedouin citizens as an inferior people, literally 'from an earlier time,' who need to be removed from the land in order to protect it. This representation is used to justify Israel's on-going, forced displacement of the Bedouin from the land they've lived on and worked for several centuries. This makes way for the land to then be brutalized and suburbanized and used for military exercises by the Jewish population.

In an absurd Orwellian fashion, Israeli scientists, working in state-funded institutions, justify these efforts as potentially helpful to distant impoverished 'Africans.' The use of abstract African recipients of their 'aid' speaks to the racial overcompensation of the daily racial avoidance of local Arab peoples and issues. It also speaks to the avoidance of their whiteness, and is thereby a primary site of the construction of their racial whiteness. We have all seen the recent spectacle of Nuri's ancestral village, Al Arakib, being demolished now over 20 times and counting, in order to force the Bedouin to leave the land and urbanize as second-class low-paid laborers. This is while, supposedly, making way for Jewish settlers, who can only be lured into the region with free housing and low-interest loans, which they will eventually capitalize into wealth enough to leave. That this is being funded now by God-TV and other evangelical Christian Zionists, partnered with the ever opportunist JNF, just adds another layer to the spectacle and complexity of this racial system of privileges for white Jews and discrimination for racialized Arab citizens of the state.

That this sort of craziness and juxtaposed inequality can be exposed and yet rationalized in such confined spaces, yet amplified globally by JNF fundraising and propaganda all over the world, along with the wider Zionist project, is generally a part of the [il]logic of colonialism. This is why parallels to this Bedouin Palestinian specificity can be found all over the colonial world, particularly in indigenous rights movements in the world's many white settler colonies. It is therefore not surprising that in trying to explain the plight of the Bedouin to the thousands of visitors to the region that Nuri has hosted in the past three decades of his work and activism, he has often made reference to the somewhat better known Native Americans and their struggles as a way of illustration.

Fulfilling a promise I made to Nuri that I would remember what he had done to educate me as a teenager, in January 2006, I invited him to the US for the first time, to attend an indigenous rights conference I had organized and convened with other indigenous leaders around issues of landlessness, disposessions, statelessness and resistance. There he met with Winona LaDuke and other local American Indian leaders and community members, as well as Kurdish activist Kani Xulam, Pan-Africanist leader Jesus "Chucho" Garcia of Venezuela, US-based Hmong professor Dia Cha, and others. The highlight was a visit to the White Earth Indian Reservation in sub-zero wintery northern Minnesota where we were hosted by Winona LaDuke and able to see first hand her efforts at land reclamation and acquisition, education, and sustainable community development through local industries. Across great gulfs of language and cultural difference, and with the support of

translation, meaningful connections were made and similarities were explored and discussed.

7.5 The Return of the Oppressed

Inspired by what he learned from his fellow activists, Nuri returned to Israel to find his annual hectares of barley crop had been meticulously destroyed by JNF and Green Patrol tractors just as it was ready for harvest, seemingly in retaliation for his visit to the US and the ensuing press coverage. Slightly more than a month later, Nuri led members of his el-Okbi tribe in a protest tent encampment at Al-Arakib village, shouting: “Down with Poverty, down with discrimination,” on the Jewish holiday of Passover,^x to call attention to his people’s figurative bondage and the irony of commemorating Jewish freedom in this context. Following his Kurdish colleague’s example in Washington DC, where he remained in a protest encampment indefinitely to publicly call for justice, Nuri resolved to remain in protest until justice was achieved. He remained there, with rotational relief from colleagues, over most of the next three years, while inviting media to witness the local situation, and even holding a public ‘university’ or day of lectures there the following year, giving classes on Bedouin and Zionist history.^{xi} Nuri was often arrested and harassed, his tent ropes cut and then repeatedly confiscated by the JNF, and he was forcibly removed from the area more than 40 times^{xii} - but he continued unabated, until eventually a restraining order was issued preventing him from visiting his ancestral lands, where he grew up as a child and his ancestors are buried.

Last year, one of his many struggles finally resulted in his decades-long awaited high court appearance, where he defended himself with such intensity that he won over the hostile judge and convinced the Israeli judicial system of both his sound legal case and the impossibility of so admitting, because of the vast implications for the whole society. During recess from this trial, Nuri’s auto-repair shop was denied renewal of its license even though everything in his application was in order. He was then arrested for operating an illegal business, taken to court, found guilty, and sentenced in January of 2011 to a term of 7 months in jail. Also around this time, the emboldened right-wing government in Israel began its destruction of Al-Arakib, in what seems to partially be a punishment of Nuri and the other activists, and partially an experiment to assess whether they can get away with this ethnic cleansing throughout the Negev, to make way for planned Jewish Settlement. From jail, Nuri has continued his struggle unabated, as have the Bedouin of Al-Arakib and the dozens of other unrecognized Bedouin communities, and the wider Palestinian communities of which they are a part. His struggle began when he was a young child of 6, in 1948 when the Nakba began and his family was forced from their land to another area in contemporary Israel.^{xiii}

Meanwhile, home demolitions and intensified harassment of the villagers in Amra continues to escalate, as suburban Omer tries to remove them so it can expand its Jewish only suburb in their direction. As I found the case to be in 1987, so it continues. Professor and activist Yitzhak Nevo said of this situation: “Even though they live within Omer’s municipal limits, their children get no education from us; our health clinic does not treat them; they are not hooked up to our water or electricity supplies and their refuse is not collected.”^{xiv}

So, the struggles of Nuri el Okbi, the Tarabin a-Sana and El-Okbi tribes, and the villages of Amra, Al-Arakib and all the other unrecognized Bedouin villages continue -- as do the struggles of those who support them in the fight for a world in which racism and injustice is not allowed to prevail, because it dehumanizes us all. It is important to explore the intricacies of evolutionist and scientific racism, uneven development and underdevelopment, and the use of environmental rhetoric to justify colonization. As Edward Said taught us, it is in critically dissecting systems of oppressive knowledge that our greatest chances for transforming relations of power lie.

ⁱ The author wishes to thank Sharana B., Mich Levy and Sara Kershner for their close and thoughtful readings of earlier versions of this essay.

ⁱⁱ The issue of Unrecognized Bedouin villages, of which there are about 45 with a population of about 90,000 people today, is discussed more below in this essay, and in several other essays in this volume, and refers to Israel's legal maneuvering to declare all existing Bedouin settlements illegal, other than the 7 planned urban townships it created in the 1970s and 1980s.

ⁱⁱⁱ One of the dozen or so Bedouin 'tribes,' or nations.

^{iv} Although, the racially divided conditions in parts of Brooklyn could also be considered apartheid of a sort, and in this sense I was just experiencing a more codified and extreme version in Israel, the two not being entirely unrelated – but that is a story for another time...

^v The launch of this edited volume is timed specifically to commemorate the Nakba, as is done each year, and to join the strengthening JNF Campaign, part of the growing BDS Movement.

^{vi} <http://www.facebook.com/jewishnationalfund>

^{vii} See Abu Sitta, in Volume 3 of the JNF series: <http://jnfebook.net/>

^{viii} Michael Evenari, Leslie Shanan, Naphtali Tadmor, *The Negev: The Challenge of a Desert*, 2nd Edition, Harvard University Press, 1982.

^{ix} Columbia University Press, 1983.

^x The protest happened on 4/14/2006.

^{xi} "Protest and Study Seminar Highlights Nuri Al-Okbi's Struggle," The Negev Coexistence Forum Newsletter, 9th Edition, September 2007, www.dukium.org.

^{xii} For an extensive list of home demolitions and other JNF and ILA [Israeli Land Authority] actions in the Negev this calendar year, and which put the Al-Arakib actions in broader context, see: <http://www.dukium.org/modules.php?name=Content&pa=showpage&pid=23>.

^{xiii} This struggle for rights in Israel stands in stark contrast to the 90% of the region's Bedouin who were forced into exile during the Nakba, and whose struggle to this day is for the Right of Return.

^{xiv} Jonathan Cook, "Israel Turns up the Heat to Evict Bedouin from Desert Lands," Dissident Voice, August 2009, <http://www.jkcook.net/Articles3/0417.htm>.

8. Tree Planting as Pedagogy

By: Corey Balsam

8.1 Introduction

On 17 June, 2009, close to 1,300 Toronto students from grade five through grade eight participated in a tree planting initiative at the newly-established Canada Forest in Toronto's Downsview Park.¹ The event was the first of its kind as part of a partnership agreement between Parc Downsview Park Inc. and the Toronto chapter of the Jewish National Fund (JNF) of Canada. Termed a “Twinning Program,” the event linked the federally funded Canada Forest at Downsview and the so-called Toronto Community Forest, a subsection of the JNF Yatir Forest in the northern Naqab² desert. Five area Jewish schools and nine area public and Catholic schools took part in the activities, which gave student participants the opportunity to plant trees locally in the Canada Forest such that an equal number of trees would also be planted in the Toronto Community Forest on land that had been confiscated from the Bedouin in the Negev.

A subsequent event—this time open to the public—was held in the fall. According to a joint press release in September 2009, the Twinning Programs intend to “build bridges of sustainability” and “highlight the shared values of Canada and Israel with respect to the environment.”³ For a minimum donation of \$36 per tree to the JNF, participants spent the day planting trees and engaging in other green activities. For every tree they planted, another would be planted in Israel.

Those who are aware of the JNF's tactics abroad will see through this program as yet another JNF attempt at “greenwashing” its colonialist operations under the guise of environmentalism. Tree planting has after all been a central mode by which the JNF has sought to garner funds and support, going back several decades. The Twinning Programs differ little in this regard from more traditional JNF tree planting initiatives, which have involved exchanging small donations for a certificate of recognition that a tree was planted in the donor's name. The main difference between the more traditional tree planting initiatives and the Twinning Programs is that the latter involve a truly embodied experience. Instead of simply sending money, the Twinning Programs allow participants to physically act out the planting as if they themselves were Zionist pioneers, breaking the Palestinian soil and “making the desert bloom.”

This article argues that through this act, Canadian students are being inculcated into “naturalizing” the history of colonial settlement in both Canada and Palestine.

8.2 Seeing the Whiteness for the Trees

In a country that relies heavily on forests and mountains for its sense of self and national identity, few scholars have stepped back from popular discourses of environmentalism to take a critical look at some of the non-environmental impacts of the spaces which many Canadians hold so dear. Sherene Razack and Andrew Baldwin are the exception to the rule. They draw attention to some of the originary injustices that made possible the creation of Canadian national parks as

well as to the ongoing significance of such spaces with respect to social constructions of race—particularly that of whiteness.

To reveal the violent histories haunting colonial spaces—wherever they may be—Razack suggests that we engage in a process of “unmapping”:

Just as mapping colonized lands enabled Europeans to imagine and legally claim that they had discovered and therefore owned the lands of the “New World,” unmapping is intended to undermine the idea of white settler innocence (the notion that European settlers merely settled and developed the land) and to uncover the ideologies and practices of conquest and domination.⁴

“Want a nice view? a lovely hiking trail? a sustainable resource?” asks Razack rhetorically in the soon-to-be-released edited collection *Rethinking the Great White North*. Just “call a colonizer.”⁵ Her point is to incite readers to recognize the violence that had to be enacted to create these spaces, and to acknowledge for whom they primarily remain. A product of clearing territories of their indigenous inhabitants and produced as the domain of the European pioneer or adventurer, these spaces are mired in the legacies of violent conquest and colonial racism.

It is in the spaces of wilderness and the national park that Razack argues colonial white subjects can come to be reassured of colonial narratives of *terra nullius* and know themselves as dominant and white. “While wilderness makes no explicit reference to its whiteness,” writes Baldwin furthermore, “it nevertheless remains one of the privileged spatial tropes in the construction of ‘white’ settler mythology in Canada”⁶ as elsewhere.

Baldwin aptly cautions his readers not to conflate whiteness entirely with white skin colour. To do so, he argues, would be to accept that race is simply a matter of biology and to neglect that it is fundamentally a social construct. The socially constructed nature of race means that it is constantly in flux and subject to differing boundaries and interpretations depending on time, space, and context.

To be white in places like Europe and North America is to be able to move undetected, to pass without being unduly scrutinized as biased or threatening, and to achieve success without being evaluated on the basis of denigrating racial characteristics. More than that, it might be the difference between life and death. If, for instance, you are positioned on the other side of whiteness, your life somehow comes to matter less than if you are perceived to be on the white side of the divide.⁷

We should not be surprised, therefore, that whiteness has been so sought after by peoples who have historically been considered non-white or less-than-white. As Richard Dyer, author of the book *White*, has written: “because whiteness carries such rewards and privileges, the sense of a border that might be crossed and a hierarchy that might be climbed has produced a dynamic that has enthralled people who have had any chance of participating in it.”⁸

For many groups, the quest for whiteness has involved changing names, dress, habits, accents, and even political ideologies to fit with the dominant white norm. For others, approximation of

whiteness has gone as far as involving an outright project of European-style settler-colonialism. Such is, of course, the story of the Zionist movement.

8.3 Colonial Mimicry

As should be clear from any examination of early Zionist discourse, the leaders of the Zionist movement saw in their particular form of Jewish nationalism an opportunity for the destigmatization of Jews, perceived at the turn of the 19th century in Europe as a degenerate and non-white race. The only way they thought to deal with Jewish racialization and exclusion, known widely as “the Jewish Problem,” was to transform Ashkenazi Jews in a manner that would put them on the same plain as the European nations. In other words, they hoped that through Zionism, they could normalize and whiten the racialized, downtrodden Jew of Europe. The new Jew was produced to be as white as possible in direct contradistinction with what anti-Semites along with many Zionists perceived as the ‘degenerate blackness’ of the wandering Diaspora Jew.⁹

A 1905 quote from revisionist Zionist leader Vladimir Jabotinsky is suggestive here: “Because the *Jid*¹⁰ is ugly, sickly, and lacks decorum, we shall endow the ideal image of the Hebrew with masculine beauty, tall stature, mighty shoulders, vigorous movement, radiance of colors and complexion.”¹¹

Theodore Herzl, for his part, initially advocated for Jews to convert *en masse* to Christianity, only later opting to accomplish his aims through the alternate route of nation/state-building. Through transplantation to Palestine, Herzl imagined that the Jews would become just like any other Euro-Christian nation. The fact that they would be situated in the Orient, outside the borders of Europe, was not perceived as an impediment but rather a necessary condition, since in Palestine a Jewish state would serve as an “outpost of civilization against barbarism.”¹²

Daniel Boyarin describes Herzlian Zionism as a sort of “colonial mimicry”¹³ in which Ashkenazi Jews attempted to model themselves after European colonial nations as a means of escaping persecution and the stigma of their Jewishness.¹⁴ “Herzlian Zionism imagined itself as colonialism” writes Boyarin, “because such a representation was pivotal to the entire project of becoming white men.” And “what greater Christian duty could there be in the late nineteenth century than carrying on the civilizing mission, exporting manliness to the Eastern Jews and to darkest Palestinians.”¹⁵

Here we have one of the central paradoxes of Zionism. In order to truly approximate normative white Europeans, Jews required people of their own to denigrate and subjugate. As Joseph Massad writes: “while it sought to metamorphose Jews into Europeans, [Zionism] set in motion a historical process by which it was to metamorphose Palestinian Arabs into Jews in a displaced geography of anti-Semitism.”¹⁶ Furthermore, “in transforming the Jew into the anti-Semite,” Massad suggests “it became necessary to transform the Palestinian Arab into the disappearing European Jew.”¹⁷ The result was the forced displacement of more than three-quarters of a million Palestinians and the establishment of a Jewish supremacist society characterized by a racism reminiscent of that which Jews faced ever so recently in Europe.

8.4 Environmental Colonialism and the JNF Forest

The JNF was established in 1901 at the Fifth Zionist Congress as an arm of the World Zionist Organization for the explicit purpose of purchasing and developing land for Jewish settlement in Palestine. Following the creation of Israel—the Palestinian Nakba—the new state allocated large parcels of confiscated land to the JNF. These lands included those of so-called “present absentees” who remained within Israel’s new borders and became citizens, but lost title to their property. Today, the JNF owns approximately 13% of Israel’s land area, which it reserves for the exclusive benefit of Jews. An additional 80% is under the control of the Israeli Lands Authority (ILA), on whose board the JNF appoints 10 out of 22 seats. ILA lands are likewise in most cases forbidden to non-Jews.

In 1961, the JNF was recognized as the official caretaker of Israel’s forests, granted the privileges of a public authority under Israeli law, while preserving its ability to operate as a charitable organization around the world. As the caretaker designate of Israel’s forests, the JNF went on to occupy a central place in Zionist discourse. According to popular Zionist mythology, the Israel of the bible was like a “fertile garden,”¹⁸ but since the Jewish exile some 2000 years ago it had turned into swampland and desert as a result of apparent misuse and neglect by its Arab inhabitants. Palestine was understood to be essentially uninhabited and uncultivated in the absence of the Jews, and Zionists of all political stripes believed that the return of the Jews redeemed the land as it redeemed the Jewish people. It is believed that the Jews brought the land back to life, returning it to its prior glory through, amongst other things, their unique love and biological connectedness to the land. As Israel’s first President Chaim Weizmann once remarked, “It seems as if God had covered the soil of Palestine with rocks and marshes and sand, so that its beauty can only be brought out by those who love it and will devote their lives to healing its wounds.”¹⁹

Accompanied by colonial discourses of civilizing and modernizing the landscape with superior European agricultural techniques, this type of logic has helped the JNF to “greenwash” its operations, painting itself simply as an environmental organization while engaging in the ongoing colonization of Palestinian territory.

The JNF’s work since the establishment of Israel in 1948 is perhaps best described as a form of “environmental colonialism.”²⁰ Robert Nelson uses the term environmental colonialism to describe efforts by certain environmental organizations to establish national parks and conservation reserves in eastern and southern Africa. The results of these projects, he explains, do not compare with the harm caused by slavery, for instance, but they have most often served Western interests at the expense of Africans.²¹ The creation of national parks has led to the displacement of ordinary Africans, and has served to prevent Africans from reoccupying lands from which they either had left because of disease or had been expelled by European military forces.²² Canadian national parks, including Downsview Park in Toronto, can also be seen in this light, considering that all areas now considered national parks were once either home to First Nations, or else were considered part of their territories prior to European colonization. A former military base, Downsview Park sits on the traditional territory of the Mississaugas of the New Credit First Nation.

Consistent with environmental colonization projects in Africa, Canada, and elsewhere, JNF afforestation has sought to Europeanize—and in this case Judaize—the Palestinian landscape, attempting to create facts on the ground as barriers to Palestinian return. The JNF's Canadian chapter is particularly implicated in this colonial project through the now infamous Canada Park forest. Canada Park was established in 1973 to cover up the ruins of three Palestinian villages—Imwas, Yalu, and Beit Nuba—depopulated and demolished only a few years earlier by the IDF. Fifteen million Canadian dollars were donated to plant a forest on the remains of the villages, all of which lie in the occupied West Bank.²³ Canada Park continues to be a popular destination for Jewish-Israelis from across Israel, while many of the Palestinians who had called what is now Canada Park their home continue to live in refugee camps on the other side of the separation wall, prohibited from returning.

Elsewhere in the West Bank, JNF afforestation is used to prevent Palestinians from planting as well as to expand areas surrounding illegal Jewish-Israeli colonies.²⁴ To accomplish these aims the JNF has made it their practice to plant European pines. Aside from producing a more familiar, white settler-colonial landscape, pines are used because they grow quickly and destroy most other small plants because of their acidity, ultimately making the land unusable for Palestinian shepherds. In this respect, JNF trees act as “facts on the ground” much like settler-colonies in the West Bank, intended to further diminish Palestinian territory and stake claim to as much land as possible for Jewish-Israeli settlement.

The JNF's efforts are currently focused in the Naqab desert under the banner of the *Blueprint Negev* campaign. Hopes are that this initiative will make way for hundreds of thousands of new Jewish settlers in the area, referred to by the JNF itself as “Israel’s last frontier.”²⁵ In partnership with the Israeli government and a number of private organizations, this project aims to spread out the Israeli population as well as attract new immigrants, particularly from Canada and the US, to be among “Israel's newest generation of pioneers.”

The overtly colonial nature of this campaign is indicative of the ongoing project of internal colonization that continues apace. The Naqab is depicted as empty land, a frontier, just waiting to be settled by Zionist pioneers.

Unsurprisingly, the imagined emptiness of the Naqab is mostly on account of Israeli colonial practice, which since the Nakba has sought to force Naqab Bedouin to live within a small area northwest of the Jewish-Israeli city of Beersheva known as the *Siyag*, or “closure.” Villages outside of the siyag are “unrecognized” and are therefore denied access to public services such as water, electricity, and sewage treatment. These villages are frequently demolished to make way for development projects including Jewish residential settlements and JNF forests, planted with the assistance of donors both in Israel and abroad.

Afforestation in what is now known as the Yatir Forest began in 1965 when, according to the romantic narrative described on the JNF website, JNF Director of Land and Forestry Joseph Weitz “shifted his gaze to the south in order to settle the frontiers along the Negev border.”²⁶ Despite its arid landscape, Weitz was adamant about the establishment of the forest, which he envisioned as a security zone to protect Israelis from the West Bank, then under Jordanian rule.

Today, the Yatir Forest is the largest forest in Israel consisting of more than four million trees.²⁷ Situated on the southern portion of the Hebron Hills, the JNF boasts of its “breathtaking desert views,” and touts it as a great place to have a picnic or go for a hike. It also boasts that the forest serves as a research lab for environmental experiments and a “green lung” to absorb greenhouse gases.²⁸

What the JNF literature fails to mention is that one of the major goals of planting in Yatir has been to keep so-called illegal Bedouin construction and grazing at bay.²⁹ Like in the West Bank, the logic is to occupy as much land as possible for the benefit of Jews, while squeezing Palestinians into smaller and smaller tracts of land. Contra JNF claims that afforestation is restoring the ecosystem to “proper functioning,” critics have also contended that in reality, afforestation causes serious and irreparable damage to the ecosystem due to the introduction of foreign species such as the European pine.³⁰ In addition, while it mostly lies on the Israeli side of the green line, a portion of the forest protrudes into the West Bank, cutting into illegally occupied territory to link up with the religious settlement of Beit Yatir, just south of Susya in the southern Hebron Hills area. Both of these settlements are particularly notorious for violence toward Palestinians in the area.

8.5 Raising People, Raising Funds

In addition to serving as the “principal Zionist tool for the colonization of Palestine,”³¹ the JNF has played a fundamental role as an agent of Jewish-Zionist education around the world. Some JNF officials have even argued that the pedagogical aspect of its fundraising campaigns—its propaganda—have been even more important to the JNF than the direct generation of funds. As recent JNF director of fund-raising Yechiel Leket once proclaimed, “we are not only raising funds but we are also raising people [...] to raise people is more important than to raise funds.”³²

Israeli geographer Yoram Bar-Gal explains this logic further in his revealing book *Propaganda and Zionist education: The Jewish National Fund, 1924–1947*. He writes:

According to the JNF, “the donation in its purest form” was a highly efficient means for the accrual of money for the Zionist movement. Donation of this sort strengthened national consciousness, so one should consider this, not the collection of funds, as the success of Zionist propaganda. This was so since the main purpose of collecting donations was “to win over the person”—meaning to bring the masses closer to Zionism.³³

The JNF's most famous fundraising/pedagogical technique is its Blue Box: a small tin container in which millions of Jews around the world have been socialized to deposit coins for the purpose of *tzedakah*, Hebrew for “charity.” Over the course of more than a century, millions of Blue Boxes have been distributed around the world to the extent that they are now found in the “vast majority of Zionist homes” in the Jewish Diaspora.³⁴

The appearance of the Blue Box has changed dozens of times. It was originally plain blue with the initials of the JNF written in Hebrew along with a bold Star of David. Later on, the JNF began putting images on the Blue Box such as a borderless map showing JNF development in

what is now Israel extending to the east into Trans-Jordan and often accompanied by small depictions of *halutzim*, “Zionist pioneers,” tilling the soil. In successive versions the map came to be more defined. The new map showed an outline of Israel from the Mediterranean Sea to the Jordan River, notably without demarcating the borders of the West Bank and Gaza Strip, under Israeli occupation since 1967.

Most recently, the JNF has dropped the map on its Blue Boxes, possibly due to widespread acceptance amongst world Jewry of a two-state solution, which would see a Palestinian state in the West Bank and Gaza Strip alongside a Jewish-majority Zionist state. In its place are images of Jewish youth depicted as young pioneers assisting in the reclamation of the land. Although by no means self-reflexive of the historic significance of these images with respect to Jewish regeneration and whiteness, the description of the New Blue Box on the JNF website is honest about its pedagogical intentions:

Since its debut in 1901 as JNF’s official fundraising “pushke,”³⁵ the Blue Box has represented JNF and its efforts to develop the land and roads, build communities, strengthen agriculture, and create water reservoirs in Israel. *It is also a vehicle for educating Jewish youth and involving them in these efforts in order to foster their Zionist spirit and inspire their support for the State of Israel.* For many Jews, the Blue Box is bound up with childhood memories from home and the traditional contributions they made in kindergarten and grade school.³⁶

Tree planting is another of the JNF’s trademark fundraising/pedagogical campaigns. Tree planting is encouraged as a great gift idea for any occasion: weddings, Bar or Bat Mitzvahs, birthdays, births. But most of all, tree planting is encouraged as a way for children to commemorate *Tu Bishvat*, the Jewish new year for trees.

During the late Second Temple period Tu Bishvat was marked as a key date on the tithing calendar, which determined when food offerings were taken to the Temple “to celebrate the Source of all abundance and to recycle that abundance to the poor.”³⁷ After the Temple was destroyed, Tu Bishvat lost its relevance until it was revived in the sixteenth century by Kabbalists, Jewish mystics who found significance in marking the occasion. Tu Bishvat remained an obscure holiday marked by only a small minority of Jews until re-emerging once again in the 1920s, this time by the JNF Teacher’s Movement, which saw in Tu Bishvat a perfect “ritual through which to cultivate Hebrew identity.”³⁸

In Israel, tree-planting in general, celebrated annually on Tu Bishvat, became a central activity through which to naturalize new immigrants with the land and root them in the soil. It also served as a means of fulfilling the Zionist promise of normalizing or whitening the Jew by transforming the stereotypically weak and wandering Jewish body into a strong, Hebrew one. As Irus Braverman explains: “through the performance of planting, an attempt is made to transform the ‘rootless cosmopolitan’ Jew into a physical laborer. The labor of planting thus naturalizes the Jew, while at the same time normalizing her to fit with the new national image.”³⁹

8.6 The JNF Tree as Proxy Colonist

In one of the more famous scenes of the 1964 Oscar-nominated Israeli comedy *Sallah Shabati*, the main character, a Moroccan immigrant played by actor Haim Topol, is planting a tree in a JNF forest—a common practice for new immigrants to Israel. As Shabati is planting, the American donor for whom the forest is named arrives to have his photo taken, but soon after he leaves, the sign is quickly replaced with a different name, ready for the next foolish donor convinced that an area of the forest would actually be named after him.⁴⁰ It is this scene that came to mind when staff at the JNF Toronto office informed me that no map actually exists which indicates where the Toronto Community Forest is actually located. The only way I could find out where the forest lies within the expansive Yatir Forest was if a JNF forester were to physically take me there and show it to me.

Had an area really been set aside in the Yatir Forest for the so-called Toronto Community Forest? Does the money donated by the participants of the fall Twinning Programs actually go to planting trees in Yatir, or does it simply go to supporting JNF operations as a whole? The answer to these questions remains uncertain. Clearer are the pedagogical implications of the program.

British historian Simon Schama writes that the trees donated by Jews in the Diaspora to the JNF are like “proxy immigrants.”⁴¹ Instead of physically moving to Israel, the trees in this view act as substitutes for settlement, inanimate placeholders that likewise contribute to the land’s reclamation. They are—described more appropriately—proxy colonists, intended to further the dispossession of Palestinians and expand Jewish territorial claims.

What then becomes of the donors? What effect does the tree planting have on their subjectivities? A plausible answer is that the donors come to know themselves as akin to pioneers, European colonists civilizing the desert and settling the frontier.

The Twinning Programs have a dual significance in this regard. Planting in the Canada Forest allows participants to identify with the Canadian colonial state project at the same time as it facilitates a connection with Israel and the Zionist movement. The Canada Forest, itself a symbol of colonialism, thereby acts both as an intermediary space intended pedagogically to connect Jews in the Diaspora with the JNF and the Zionist project, as well as a space in which to strengthen the connections between Jews and Canadian colonial whiteness. What better way of accomplishing this than through environmentalism? As Razack argues, environmentalism in Canada remains a central trope of whiteness today, tied closely with settler-colonial myths of *terra nullius* and the creation of pure places “unsullied by racial others.”⁴² By positioning Israel as a country that goes out of its way to respect the environment and reclaim the land, the JNF is positioning Israel—and by association Jews—as a civilized Western people in the eyes of participants characterized by an analogous form of whiteness.

Embodied, experiential pedagogy of this sort thus not only helps to strengthen attachments between Diaspora Jews and Israel, but it also helps reinforce feelings and perceptions of Jewish belonging in Canada and among the white nations of the world.

8.7 Conclusion

Throughout its century-plus in business, the JNF has actively worked to reinforce and establish a strong connection between world Jewry and the Zionist project by using one of the foremost symbols of settler-colonialism—the unsullied forest or national park—as a pedagogical tool. In doing so, it has been able to fund its colonization campaigns while at the same time contributing to Zionism’s racial project of turning Ashkenazi Jews into normative white Europeans.

Disguised behind discourses of environmentalism, the Twinning Program might thereby be one of the JNF’s most sophisticated pedagogical techniques to date due to its ability to facilitate a fully embodied experience, one which allows participants to know themselves as though they too are strong, white, Zionist pioneers. If all goes as planned from the JNF’s perspective, the participants will either decide to emigrate to Israel or, equally as important, turn out to be good public relations agents and fundraisers for the JNF and the Zionist movement wherever they may reside.

¹ “Close to 1, 300 Students Congregate at Downsview Park to Unite Communities around the World and Ecosystems,” press release, Jewish National Fund of Canada and Parc Downsview Park Inc., June 16, 2009. http://www.downsviewpark.ca/media/TwinningDay_16June2009.pdf.

² The Naqab is known in Hebrew as the Negev.

³ “Twinning event will see trees planted in federal park in Toronto and forest in Israel,” press release, Jewish National Fund of Canada and Parc Downsview Park Inc., Marketwire, August 28, 2009, <http://www.marketwire.com/press-release/Parc-Downsview-Park-Inc-1037064.html>.

⁴ Sherene Razack, “Introduction: When place becomes race,” in *Race, space and the law*, ed. Sherene Razack, 5 (Toronto: Between the Lines, 2002).

⁵ Sherene Razack “Colonization: The Good, the Bad, and the Ugly” in *Rethinking the Great White North*, eds. Audrey Kobayashi and Andrew Baldwin (Vancouver: UBC Press, forthcoming).

⁶ Andrew Baldwin, “Carbon Nullius and Racial Rule: Race, Nature and the Cultural Politics of Forest Carbon in Canada,” *Antipode* 41, 2 (2009), 242-243.

⁷ For more on this phenomenon, often referred to as “race thinking,” see Sherene Razack, *Casting Out: The Eviction of Muslims from Western Law and Politics* (Toronto: University of Toronto Press, 2008), 3-24.

⁸ Richard Dyer, *White* (London and New York: Routledge, 1997), 19-20.

⁹ Slippage between the racialized bodies of ‘the Jew,’ ‘the African,’ and ‘the Black,’ all reified hyper-sexualized/classed/raced social constructions, and often embodied by the same individual(s), was common in the 19th and early 20th centuries, and has been explored in the works of Sander Gilman, amongst others.

¹⁰ “Jid” is a Russian derogatory term for Jew.

¹¹ Ze’ev (Vladimir) Jabotinsky quoted in Benjamin Beit-Hallahmi, “Political and Literary Answers to Some ‘Jewish Questions’: Proust, Joyce, Freud and Herzl” in *Psychoanalysis, Identity, and Ideology: Critical Essays on the Israel/Palestine Case*, eds. John Bunzl and Benjamin Beit-Hallahmi, 12 (Boston: Kluwer Academic Publisher, 2002).

¹² Theodore Herzl, *The Jewish State* (New York: Dover Publications, 1988), 96, reprint of 1946 edition by the American Zionist Emergency Council, based on first English edition, trans. Sylvie d’Avigdor (London: Nutt, 1896), originally published as “Der Judenstaat” in Vienna, 1896.

¹³ Daniel Boyarin, *Unheroic conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Berkeley: University of California, 1997). Boyarin borrows this phrase from Homi Bhabha. See Homi Bhabha, “Of Mimicry and Men: The Ambivalence of Colonial Discourse,” *October* 28 (1984): 125-33.

¹⁴ Boyarin, 271-312.

¹⁵ *Ibid.*, 302.

¹⁶ Joseph Massad, *The Persistence of the Palestinian Question: Essays on Zionism and the Palestinians* (London: Routledge, 2006), 168.

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- ¹⁷ Ibid., 169.
- ¹⁸ Joanna C. Long, "Rooting Diaspora, Reviving Nation: Zionist Landscapes of Palestine-Israel," *Transactions of the Institute of British Geographers* 34 (2008): 66.
- ¹⁹ Chaim Weizmann quoted in Irus Braverman, "Tree wars: A study of natural governance in Israel/Palestine and in four North American Cities," (Ph.D diss., University of Toronto, 2007), 80.
- ²⁰ Robert Nelson, "Environmental Colonialism: 'Saving' Africa from Africans," *The Independent Review* 8, 1 (2003).
- ²¹ Ibid., 65.
- ²² Ibid. 73.
- ²³ Eitan Bronstein, "Restless Park: On the Latrun Villages and Zochrot," *Zochrot*, 2007, 2 http://www.zochrot.org/images/latrun_booklet_englishsupplement.pdf.
- ²⁴ Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (New York: Verso, 2007), 120.
- ²⁵ "Israel: The Next 10 Years: JNF's Bold Vision and Commitment to the North and the South," *Jewish National Fund*, October 25, 2006, http://support.jnf.org/site/PageServer?pagename=pr_Next_102006.
- ²⁶ "Our History," Jewish National Fund, accessed May 9, 2011, <http://www.jnf.org/about-jnf/history/>.
- ²⁷ Ibid.
- ²⁸ Adi Katz, "Green at the edge of the desert. KKL-JNF What's new?" December 21, 2008, www.kkl.org.il/kkl/english/main_subject/latestupdates/.../word-yatir.doc.
- ²⁹ Ibid.
- ³⁰ Zafir Rinat, "JNF Using Trees to Thwart Bedouin Growth in Negev," *Haaretz*, December 11, 2008, <http://www.haaretz.com/hasen/pages/1044396.html>.
- ³¹ Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford, One World, 2007), 17.
- ³² Yechiel Leket quoted in Irus Braverman, "Tree wars: A study of natural governance in Israel/Palestine and in four North American Cities," (Ph.D diss., University of Toronto, 2007), 70.
- ³³ Yoram Bar-Gal, *Propaganda and Zionist education: The Jewish National Fund, 1924–1947* (Rochester, N.Y.: University of Rochester Press, 2003), 11.
- ³⁴ Braverman, 69.
- ³⁵ *Pushke* is Yiddish for "can."
- ³⁶ "JNF Store: New Blue Box," Jewish National Fund, accessed March 21, 2011, https://secure2.convio.net/jnf/site/Ecommerce/279160063?VIEW_PRODUCT=true&product_id=2561&store_id=3181.
- ³⁷ Ari Elon, Naomi M. Hyman, Arthur Wascow, "Introduction to the Tree" in *Trees, Earth and Torah: A Tu B'Shvat Anthology*, eds. Ari Elon, Naomi M. Hyman, Arthur Wascow (Philadelphia: The Jewish Publication Society, 2000), xv.
- ³⁸ Long, 71.
- ³⁹ Braverman, 77.
- ⁴⁰ Bradley Burston, "The Shekel before the Storm: GA Magazine/ Sallah Shabati no more," *Haaretz*, November 8, 2008, <http://www.haaretz.com/hasen/pages/1037188.html>.
- ⁴¹ Simon Schama, *Landscape and Memory* (New York: Vintage Books, 1996), 5.
- ⁴² Razack, "Colonization."

9. Canada Park: Canadian Complicity in a War Crime

By: Ismail Zayid

“Here is our house,” says Ibrahim Elsheikh, the 75-year-old ‘mukhtar’ (village head-man) of Imwas (Emmaus), pointing to the rubble of his home that stood there until June 1967, when Israel invaded and occupied Sinai, the West Bank, Gaza and the Golan Heights.

Thousands of villagers, from Imwas, Yalu and Beit Nuba – my own hometown – still cry remembering their homes that stood there until Israel erased them from the face of The Holy Land, when they were systematically dynamited and bulldozed. In Beit Nuba alone, 18 old or disabled men, who were unable or unwilling to leave their homes instantly, were buried under the rubble. No fighting took place in these villages when they were occupied in the early hours of 6 June 1967.

The three villages were once part of what was called the Latrun salient. Over 10,000 people lived there; they had schools, mosques, agricultural land and many centuries of history. It was in Imwas (Emmaus) where Christians believe that Jesus Christ first appeared after the Crucifixion.

The destruction of these villages was witnessed and described by the Israeli journalist Amos Kenan, who was a reserve soldier in the occupying force in Beit Nuba. He gave this account to the Israeli newspaper *Ha'Olam Haze*,¹ which was prohibited by the state censor from publishing it. It was sent to all members of the Knesset, and to the Prime Minister and Defense minister, but no response was received. The following is an excerpt:

“The unit commander told us that it had been decided to blow up three villages in our sector; they were Beit Nuba, Imwas and Yalu ... We were told to block the entrances of the villages and prevent inhabitants [from] returning ... The order was to shoot over their heads and tell them not to enter the village.

“Beit Nuba is built of fine quarry stones; some of the houses are magnificent. Every house is surrounded by an orchard, olive trees, apricots, vines and presses. They are well kept. Among the trees, there are carefully tended vegetable beds.

“At noon the first bulldozer arrived and pulled down the first house at the edge of the village. Within ten minutes the house was turned into rubble. The olive trees and cypresses were all uprooted. After the destruction of three houses, the first refugee column arrived from the direction of Ramallah. We did not fire in the air. There were old people who could hardly walk, murmuring old women, mothers carrying babies, small children. The children wept and asked for water. They all carried white flags.

“We told them to go to Beit Sira. They told us they had been driven out. They had been wandering like this for four days, without food, some dying on the road. They asked to return to their village ... Some had a goat, a lamb, a donkey or a camel. A father ground wheat by hand to feed his four children ... The children cried. Some of our soldiers started crying too. We went to fetch the Arabs some water. We stopped a car with a major, two captains and a woman ... We asked the officers why these refugees were sent from one place to another and driven out of everywhere. They told us that this was good for them, they should go. ‘Moreover,’ said the officers, ‘what do we care about the Arabs anyway?’

“We drove them out. They go on wandering like lost cattle. The weak die. Our unit was outraged. The refugees gnashed their teeth when they saw the bulldozers pull down the trees. None of us understood how Jews could behave like this. No one understood why these ‘fellaheen’ [villagers] shouldn’t be allowed to take blankets and some food.

“The chickens and doves were buried in the rubble. The fields were turned into wasteland in front of our eyes. The children who went crying on the road will be ‘fedayeen’ [freedom fighters] in nineteen years, in the next round. Thus we have lost the victory.”¹

Uri Avneri, then a Knesset member, described the destruction of these villages as a definite war crime. This was carried out on the direct orders of Yitzhak Rabin, then Chief of Staff of Israel’s armed forces. These acts are in direct violation of The Fourth Geneva Convention, 1949, to which Israel is a signatory. Article 53 of the convention states:

“Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the state, or to other public authorities or social or cooperative organizations is prohibited.”²

It is now difficult to spot the ruins and the rubble. Today in this spot stands the infamy called “Canada Park,”³ with picnic areas for Israelis, built with Canadian tax-deductible dollars provided by the Canadian branch of the Jewish National Fund (JNF).

It was in 1973 that Bernard Bloomfield of Montreal, then President of the JNF of Canada, spearheaded a campaign among the Canadian Jewish community to raise \$15 million to establish Canada Park, so as to provide a picnic area accessible to Israelis from Jerusalem and Tel Aviv.

At the entrance of Canada Park, just off John Diefenbaker Parkway (opened by Diefenbaker himself in 1975), is a sign that reads: “Welcome to Canada Park in Ayalon Valley – a project of the Jewish National Fund of Canada.” The JNF, responsible for the upkeep of the park, has removed all signs of the villages and their inhabitants from the area. It would seem that only the Canadian donors are worthy of being remembered; their names are engraved in the bronze plaques that cover an entire wall. Interestingly, these donors are not directly informed that the park is built on the site of the demolished villages. The Director of the American JNF stated:

“It is a delicate situation, and one cannot expect an institution [such as the Canadian JNF] which gathers money from abroad, to publicise the issue [of the demolition of these villages].” (op. cit.)

The glossy guidebook, published by the JNF of Canada, has an entire page devoted to the history of the area, including the Biblical, Roman, Crusader and British periods, but has no mention of these villages or their destruction. Another step in the obliteration of the villages from memory can be seen in their absence from Israeli maps. Figure 1.1 (below), shows the thriving village of Imwas as it was in 1958, followed by the bulldozer tracks ten years later (Figure 1.2), and Canada Park that was planted over the ruins 20 years later (Figure 1.3).

As a new Canadian, my personal pain was compounded when I read in our local newspaper in 1978,⁴ that Peter Herschorn, a prominent Halifax businessman and past chairman of the Atlantic branch of the JNF, was honored by the JNF for his humanitarian work and “choosing the right goodness” in his participation in the building of Canada Park. The Lieutenant-Governor of Nova Scotia, the Premier of Nova Scotia and the Mayor of Halifax were in attendance and offered their greetings. I was mortified that political leaders in my new country, Canada, would consider the erection of recreation centers on the site of ruins of criminally demolished peaceful villages, illegally occupied, as a humanitarian act.

Canada boasts a reputation for upholding the UN Charter, international law and human rights, yet allows its taxpayers’ dollars to sponsor such a war crime. Over many years, I have written repeatedly to successive Revenue Canada Ministers – supported by some honorable politicians like the late Senator Heath Macquarrie and Mr. R. A. Corbett, MP – expressing concern about this, and receiving only vague unhelpful answers.

Father Louis, who worked at the Latrun Franciscan Monastery on the edge of the village of Imwas for 40 years, said, “Every time I go by Canada Park, I still get angry. Why does the Canadian government allow it to be called Canada Park? It is built on the ruins of people’s homes.” Every Canadian should be asking: why should our country’s name be associated with this infamy?

(This article is based on one originally published in *Outlook* magazine, Canadian Jewish Outlook Society, Vancouver, Sept/Oct 2001, by permission of the author.)

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- (1) Amos Kenan, *Israel Imperial News*, March 1968.
 - (2) <http://www2.ohchr.org/english/issues/housing/standards.htm>.
 - (3) Ehud Meltz, Michael Selah, “Canada Park: A Case Study,” *Kol Hair* 31 August 1984. See also the film: “Park with No Peace,” *Fifth Estate*, Canadian Broadcasting Corporation, 21 Oct 1991: (<http://video.google.ca/videoplay?docid=-2500957394773313398>).
 - (4) Hattie Densmore, “Herschorn honored by Jewish fund”, *The Halifax Herald*, 4 Dec 1978.



Figure 1.1: The Palestinian village of 'Imwas in 1958
(Note: there is an error in these figures – there was no church, as indicated at top left)



Figure 1.2: 'Imwas in 1968, after the bulldozing of the entire village
(Courtesy of the 'Imwas Charitable Association; PalestineRemembered.com)



Figure 1.3: 'Imwas in 1978, showing the development of Canada Park

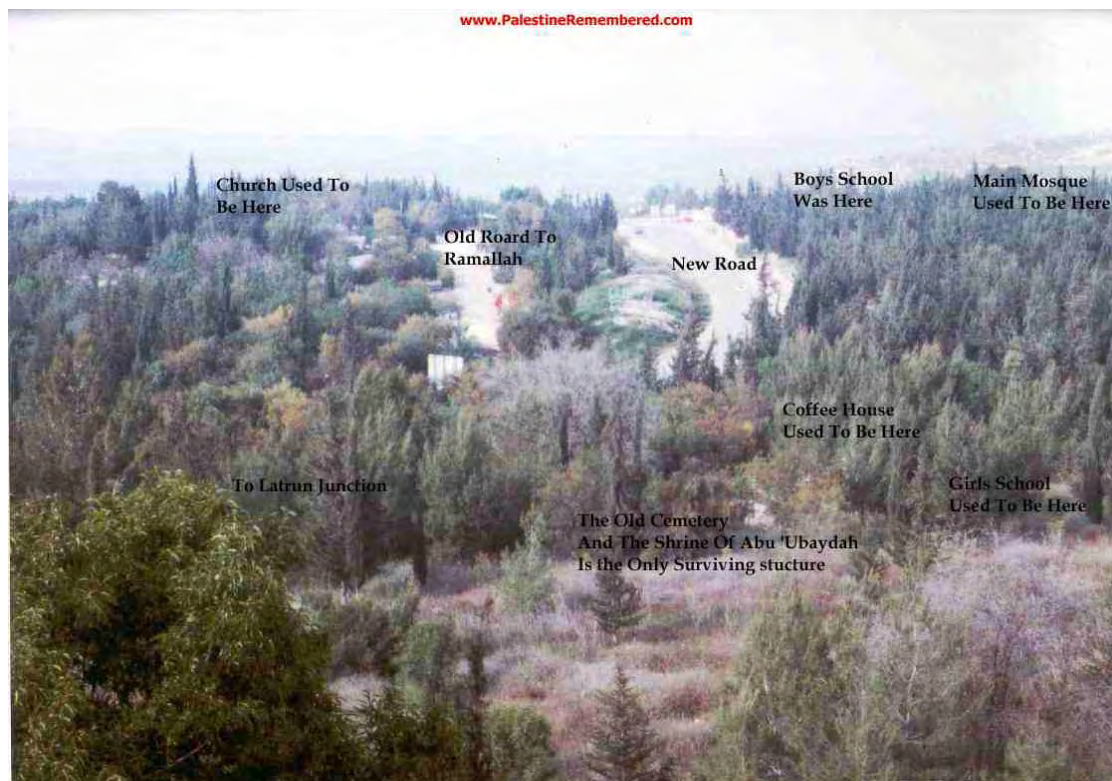


Figure 1.4: 'Imwas in 1988, showing over-growth of Canada Park
(Courtesy of the 'Imwas Charitable Association; PalestineRemembered.com;
Pictures taken by Pierre Medebielle)

10. Drying and Re-Flooding Lake Huleh: JNF's Colonial Designs in Indigenous Landscapes

by: Akram Salhab

As with most cases in which settler-colonial projects conflict with land-based societies and cultures, the delicate interdependence between humans and nature has been a secondary victim to atrocities perpetrated against indigenous populations. The Zionist experience in Palestine is no different and despite a long list of grievances that Palestinians could point to as being indicative in this regard, one brazen example stands out in particular.

In 1951 the Jewish National Fund (JNF) set about draining Lake Hula [*Huleh* in Arabic] and the surrounding swamplands precipitating an environmental disaster that, among other consequences, wiped out dozens of fauna and flora unique to the region. In 1994, once the full impact of the Hula drainage project became apparent and after years of failed attempts to turn the valley into productive agricultural land, the JNF took the unprecedented step of partially re-flooding the lake in an attempt to undo the destruction they had wrought. The sad and troubling story of Lake Hula and the Zionist movement's hapless attempts at understanding the native Palestinian environment stand as a monument to the wider destruction that has befallen Palestine at the hands of the State of Israel and the Zionist organizations that support it.ⁱ Further, the instrumental role of the JNF in instigating and supporting this disaster, along with the many other examples recounted in this edition of the JNF eBook series, raises serious questions about the organization's environmental credentials, which it continues to flaunt in order to disguise the material and moral support it provides for the ethnic cleansing of Palestine.

10.1 Colonization of the Hula Valley

The Huleh Valley is an area of Palestine in the Eastern Galilee that juts out into Syria to the northeast and Lebanon to the northwest. The valley and swamplands which covered a third of the valley's surface areaⁱⁱ was home to the Ghawarina 'tribe', a ragtag community believed to be comprised of deserters from the Egyptian army of Ibrahim Pasha who conquered Palestine in 1832, and Algerian refugees from the failed 1847 revolution against French rule.ⁱⁱⁱ There is surprisingly little written about the Ghawarina; indeed, researching this article turned up no serious anthropological accounts of the Ghawarina, their customs and traditions, and even a trawl through hours of oral history videos with Palestinians from the Hula valley failed to shed further light on the texture and details of their lives.^{iv}

Nonetheless, various Arab, Zionist and British sources establish a picture of a group of Sunni Muslims "residing in reed huts, mud-brick shacks, or woolen tents, making a living in primitive seasonal agriculture, fishing, reed basket and mat weaving and some livestock husbandry."^v The Hula area had the most papyrus in the world; and harvesting and weaving papyrus into mats and baskets, both for personal use as well as for sale in nearby market towns, was the Ghawarina's main source of income. In addition, they raised water buffalo (of the 5,000 buffalo in 1930's Palestine, nearly all were found in the Hula area) as well as chickens, geese and fishing. This was often supplemented with a small income derived from acting as guides for the upper classes during the duck-hunting season.

Once again, the dearth of literature on the topic makes a generalization about the Ghawarina and their relationship to the land difficult. What we do know, however, from their emphasis that “our existence depends on the herds which need the swamps”^{vi} as well as their constant resistance to repeated Ottoman, British and Zionist attempts to drain the swamps, is that they saw their way of life as being inevitably tied up with the fate of the lake and swamplands. As well as being home to many unique plants and animals, huge numbers of migrating wildlife passed through the area, which lies at the meeting point of Africa, Asia and Europe. The lake itself was one of the oldest freshwater lakes in the world and acted as a natural filtration system for the water flowing into the upper Jordan River.^{vii}

The idea of draining the lake and swamps began during the Ottoman era when the authorities granted the Syro-Ottoman Agricultural Company, owned by Lebanese merchant Selim Salam, the Hula as a concession area on the understanding that he would initiate a drainage project. The concession agreement set aside around 16,000 dunums for the Ghawarina although in reality the area they farmed and utilized was much greater. When the British first conquered Palestine in 1917, they recognized the Salam concession and, despite heavy Zionist lobbying and pressure, reaffirmed it again in 1923. However, as his financial position became increasingly untenable, Salam agreed in 1933 to sell the concession to the Palestine Land Development Corporation (PLDC), a company established as part of the World Zionist Organization that used JNF and private funds to purchase land in Palestine with the aim of populating it with Jewish immigrants.

A central problem in the area was the ever-present threat of malaria emanating from the mosquito breeding grounds in the swamps. The logic behind the drainage project was to reduce malaria in the area by removing the mosquito breeding grounds, to free up agricultural land that lay under the lake and swamps, and to divert the water to other pressing agricultural needs.^{viii} Once the concession was acquired in 1933, the PLDC and the supporting Zionist organizations began navigating between the competing interests of the British, the indigenous Palestinians and the requirements of profit making, in addition to accelerating land acquisition attempts in the area.^{ix}

Between 1937-1947, 18 new Jewish settlements were established in the area,^x often on land purchased from Lebanese absentee landlords at the expense of the Palestinian population whose longstanding usufruct rights to the land had been respected, at least tacitly, by the land's previous 'owners'. As a result, what followed was a familiar pattern of dispossession in which Zionist settlers repeatedly evicted Palestinians from the land, a policy which reflected similar dynamics existent throughout the country at the time. The resultant frustrations of Palestinians culminated in the 1936 Arab Revolt which, followed shortly by the outbreak of the Second World War, combined to deny Zionist organizations the security and capital they need to finish their project.

10.2 The Nakba

As with other areas of Palestine, the 1948 war was seized as an opportunity by the Zionist movement to resolve longstanding territorial disputes by forcibly transferring Palestinians from what were to be the new borders of the state. Under the cover of the 1948 hostilities, the Zionist movement succeeded in clearing the Hula valley entirely of its Palestinian inhabitants, paving the way for uninhibited Jewish colonization.

On May 4th 1948, Yigal Allon oversaw 'Operation Broom'; the title of which leaves little doubt as to its objectives. The operation consisted of the mortaring and the methodical destruction of Palestinian homes in the Palestinian villages of Zanghariya, Tabiga and others in the area as part of a wider effort to “cleanse the interior of the Galilee and create Jewish continuity in the whole upper Galilee,”^{xi} in the process creating an estimated 2,000 refugees.^{xii}

The Zionist militias built on the Arab defeats above as well as the conquest of the regional 'capital' Safad to initiate a 'whispering campaign'. Palestinian muktars (village leaders) were warned directly by Haganah issued flyers and on the 'advice' of Jewish friends, who, acting on the orders of regional commander Yigal Allon, told of the arrival of giant Jewish reinforcements and were advised to flee lest they and their families got caught in the fighting. The Arab Department of the Haganah intelligence credited the whispering campaign strategy with accounting for (a bizarrely specific) 18% of the exodus from the Hula panhandle.

In other areas of the Hula Valley it was necessary to back up these rumors with actual atrocities which could serve as examples for those choosing not to leave. One such example is the village of Zawiya, which was mortared and raided on May 19th in order to conquer the village, destroy it and expel its inhabitants. In some instances, hungry refugees wandered back to their villages in order to harvest their crops, which the Palmach responded to by initiating a systematic torching of the villages in the Hula valley.^{xiii} By the end of the war, nearly all of Hula's Palestinian inhabitants were expelled outside the borders of the state with only a very small number remaining, on the condition that they move out of the area to Nazareth.

10.3 Draining and re-flooding the Lake

With the forced eviction of the residents of the Hula plain, the State of Israel and the supporting Zionist organizations were free to proceed apace with their attempts to drain Lake Hula and its surrounding swamplands without the inconvenience of having to cajole the indigenous population into surrendering their lands and way of life. Despite its intensive colonization efforts for the best part of the previous half-century, by 1949 the JNF-KKL only owned 84,000 dunums,^{xiv} a figure which grew to the full 175,000 dunums which constituted the Hula valley after the Israeli Development Authority transferred all 'abandoned' property and lands in the Hula area to JNF/KKL ownership, thus enabling the organization in 1951 to begin draining the swamp.^{xv}

By the time of the draining itself, many of the initial objectives of the draining project ceased to exist. For example, malaria, already on the decrease since British use of DDT in the 1930-40's, had been more or less eradicated by the time of the final drainage in 1958, in addition to warnings from scientists of varying political colors that the peat soil under the swamps would not make fertile land. The JNF proceeded with the project regardless, driven by a combination of ideological fervor and strategic considerations over the country's northern border with Syria.

Despite the diplomatic circus created by Israel's breaking the armistice agreement with Syria by moving heavy farming equipment into the demilitarized zone, by 1958 the lake had been completely drained, although the final stage of the project, the draining of the swamps at the southern end of the lake, was completed only after June 1967.^{xvi} But far from turning the

swamp into the 'Garden of Eden' envisaged by Zionist leaders, the draining had different environmental consequences, which are worth quoting at length:

This man-made project marked the termination of one of the oldest documented lakes and wetlands in history, with a rich diverse aquatic biota.... Agricultural development of the reclaimed land was unsuccessful, and soils were affected by continuous underground fires [which resulted from the post-drainage drop in the water table]. Weathered peat soils, without a vegetation cover, were eroded by wind. Another ecological effect was the release of nutrients by the decomposing peat, with the nutrients carried by the Jordan River floods into the entropic Lake Tiberius [Kinneret].^{xvii}

The weathered peat soils created black dust which damaged crops. When washed into Lake Tiberius, the nitrates and sulphates released from the decomposing peat reduced the water quality because nitrates are major sources of the nitrogen required for algal growth. Another indirect problem associated with the drying of the soils was the proliferation of field mice populations, which soared and wreaked havoc on agricultural crops in the valley.^{xviii}

As increasing numbers of farmers left the area due to the consequences of the drainage, the Israeli government and the JNF realized that steps would have to be taken to re-flood areas of the previous lake and to attempt to restore some of the wildlife. In 1994, in a joint project between the Israeli government and the JNF, the lake was re-flooded, bringing full circle the story of Zionist intervention in the area.^{xix} By 1996, \$23 million had been invested and the newly created Lake Agmon, much smaller and shallower than the original Lake Hula, was brought into being. Although the new lake has gone some way to restoring some of the previous life to the area, many species have been permanently wiped out. Today the JNF boasts on its website about the success that has been achieved as a result of the re-flooding, willfully ignoring the fact that it was they who were responsible for the environmental disaster in the first place. More than anything, however, the example of Lake Hula identifies the priorities of the JNF as an organization concerned primarily with increasing Jewish settlement. In this context, benefiting the environment is thrown in as an afterthought to sweeten this overarching aim.

A final point to mention is the way in which the entire episode has been portrayed in Zionist discourse. In the face of the unmitigated failure of the Hula drainage project, there have been a number of discursive responses. One has been the age-old denial in which not only is the ethnic cleansing of Palestinians ignored, but the disaster of the project itself is also completely ignored. One pro-Zionist writer, writing as late as 1994, mysteriously mentions the Palestinians as having “disappeared entirely,” and speaks of the project itself as turning the Hula plain into “one of the most prosperous, wealthy and fertile areas in the state of Israel,”^{xx} despite the abundant evidence to the contrary.

Another, more realistic response, has been a reversal of the Zionist 'redemption' of land. Here, the re-flooding of the lake is attributed to the naive idealism of Zionist forefathers whose mistakes were a result of their overzealous attempts to build the State of Israel. Instead of precipitating a serious reexamination of the implications of the draining of the Huleh valley, 'Zionist waterscape' and the impact of Zionist colonization of the environment in Palestine more generally, this response has worked to present the re-flooding project as one 'restoring balance' between the requirements of the state and those of nature. As such, the disaster that JNF's policies had, and continue to have, on the Palestinian environment remain

unknown to most of the donors who happily give to the JNF in the belief that they are furthering environmental progress.

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- i For an authoritative overview of Israel's impact on the Palestinian environment see: Tal, Alon, *Pollution in the Promised Land: An Environmental History of Israel*, Los Angeles, University of California Press, 2002.
 - ii Lehn and Davis. *The Jewish National Fund*, 1988, London, Paul Keagan International. p. 141.
 - iii Anton, G. *Blind Modernism and Zionist Waterscape: The Huleh Drainage Project*, Jerusalem Quarterly 35, Autumn 2008, pp.76-92.
 - iv The most detailed account of the Ghawarina can be found in Sufian, S. *Healing the Land and the Nation: Malaria and the Zionist Project in Palestine, 1920-1947*. Chicago: The University of Chicago Press.
 - v Khawalde and Rabinowitz, 2002, *The Race from the Bottom of the Tribe that Never Was: Segmentary Narratives among the Ghawarina of the Galilee*, Journal of Anthropological Research vol. 58. p. 223.
 - vi Anton, 2008 p.86
 - vii Anton, 2008 p.81
 - viii Interestingly, one reason why the Zionists were so keen on creating more arable land had been their inability to find any unused land to purchase elsewhere in Palestine, a fact which testifies to the extent to which Palestine was indeed planted, a reality in stark contrast to the Zionist myth of 'making the desert bloom' see George, A, *Making the Desert Bloom: a Myth Examined*, Journal of Palestine Studies, vol VIII, No 2, Winter 1979 pp. 88-101.
 - ix For a more detailed account of the various drainage projects, see Tyler, 1994.
 - x Abu Sitta, S. *Atlas of Palestine: 1917-1966*. 2010.
 - xi Allon quoted in Morris 2004, *The Birth of the Palestinian Refugee Problem: Revisited*, p. 249
 - xii Ibid
 - xiii Ibid, p.252
 - xiv Tyler 1994, p.856
 - xv Lehn and Davis, 1988. p. 141.
 - xvi Lehn and Davis 1988, p.142.
 - xvii Inbar, M. *A Geomorphic and Environmental Evaluation of the Hula Drainage Project*, Australian Geographic Studies, Volume 40, Issue 2, pp.155-166.
 - xviii http://www.jewishvirtuallibrary.org/jsource/Society_&_Culture/geo/Hula.html.
 - xix Ibid.
 - xx Tyler 1994, 853-856

11. First Nations-Palestine Solidarity Statement¹

by Coya White Hat-Artichoker

[Editor's Note: This text is of a talk delivered by Coya White Hat-Artichoker during the Twin Cities stop of the 'Never Again for Anyone Tour' that featured renowned anti-Zionist Holocaust survivor, writer and activist Dr. Hajo Meyer. Coya is a First Nations activist based in the Twin Cities, in Minnesota, who was asked to talk about the ways in which the struggles of her own community relate to those of the Palestinians. It is of particular relevance in this volume, and so is reproduced here in full, because it exemplifies the bridges being built between indigenous and colonized peoples throughout the world as they resist colonization, dispossession, land usurpation, language loss, human rights violations, ethnic cleansing, and environmental degradation and racism. One of the goals of this collection is to connect Palestinian struggles with growing environmental movements for social justice, and another is to help provide information that will aid in the linking of anti-colonial struggles by indigenous and oppressed peoples located far away from one another. The text here begins with local IJAN-MN host, Flo Razowski, introducing Coya, and ends with IJAN-International organizer Sara Kershnar reading audience questions and acting as facilitator during the question and answer period that followed.]

11.1 Introduction

Flo: Welcome to the Twin City Stop of the Never Again for Anyone Tour, featuring Dr. Hajo Meyer. This evening, Dr. Meyer will be joined by Coya White Hat-Artichoker. Coya was raised on the Rosebud Reservation in South Dakota and is a proud enrolled member of the Rosebud Sioux Tribe. She has been a part of an impressive amount of organizations and initiatives including District 202, a queer youth center in Central Minneapolis, the National Youth Advocacy Coalition, the Headwaters Fund Australia, the GLBT Host Home Program, and the Indigenous Women's Justice Institute. Coya is also a founding collective member of the Two Spirit First Nations Collective, which works towards building a stronger political presence for Two Spirit folks within the National Dialogue of Queer Rights. It's our honor this evening to host Coya, and we appreciate her joining us.

11.2 Solidarity Statement

Coya: Good evening.

Again, my name is Coya White Hat-Artichoker, I am Lakota from South Dakota, an enrolled member of the Sicangu tribe, my tiospaye is aske. I am truly humbled and honored to be here with you all here tonight. I am particularly honored to be here with Hajo. I always feel like we can learn so much from our elders should we take the time to listen. I also want to say that I am honored to be here with Osama Abu Irshaid as well. I want to thank the local Twin Cities chapter of IJAN and American Muslims for Palestine - MN for inviting me to be here.

I was thinking about what I wanted to say here tonight, and wanted to talk about why it felt important for me to be here. I immediately thought of my friend Samer. He and I met over 10 years ago in Washington, DC. I had never really paid much attention to Israel or Palestine at that point. I was fairly ignorant, except to believe that the Middle East was a violent place full of terrorists, not fully understanding what that meant. I like to believe I try to pay better attention now.

Samer was the first Palestinian I had ever met. I asked him about Palestine, I asked him his perspective, and he talked with me about his family, their struggles. He talked about losing their homes, their land, and becoming refugees and then immigrating to the US. His words sounded awfully familiar to me. He began forwarding me emails from his family members. They broke my heart as I read them.

I entered a period of being incredibly angry about not knowing how this could be happening and I didn't know. I also remember thinking.... I have so many friends who are Jewish and they never told me this. I didn't understand. I spent some time learning more about Palestine and in that process I began to understand that there were several points of overlap between their struggle and mine.

Since that time, I have come to believe that the Palestinian struggle is an indigenous struggle for sovereignty. It is also one of genocide. As a First Nations person, I believe I can call genocide when I see it.

I work with a group called the Two Spirit First Nations Collective. We spend a lot of time talking about the importance and meaning of sovereignty, and I want to give you the definition we use. We define sovereignty as the inherent right to self-determine what happens to your land, resources, and borders. As First Nations people in the United States, we are always involved in struggles around sovereignty with the US government, as well as local, and state governments. This stems from our Nation-to-Nation status with the US government.

I bring this up because I see what is happening in Palestine as an indigenous struggle for sovereignty, at times, even the right to exist. I see Israel's systemic and intentional destruction and removal of Palestinian lives, homes, and communities as very similar to the destruction of communities, lives, and removal of Native people from their traditional lands. I no longer see terrorists there any more; I see people resisting and fighting extinction.

I believe that as people in the US who make these connections, it's important to be thoughtful about what is happening, in our names and with the US government's money. As my good friend Ricardo Levins-Morales -- who I did not know was going to be here, so forgive me if I'm wrong, Ricardo -- has taught me: we, have an obligation, as people not living under the constant daily terror and stress of military occupation and quarantine to engage our communities, friends, and comrades in conversations that create solidarity with Palestinian communities and to find ways to create resistance to the occupation here.

That is why I am here; I see the Palestinian struggle as my own. I am committed to trying to resist the occupation, broaden understanding, and to stand in solidarity whenever possible.

Thank you for coming, I look forward to the conversation that will result from this night and hopefully, we as a community can begin again to broaden the conversation, and help to frame this struggle for resistance in a more just context. Thank you.

(Applause)

11.3 Question and Answer Period

Sara: The first question is: what do you feel is required – whether it's what's happening in Palestine, or its what's happening in the United States – to bring greater humanity?

Coya: I think one of the best ways to combat dehumanization is to really take on political education, to question what we've been taught and to take an active role in understanding what is going on in the world, because I believe that it is our own ignorance that leads to dehumanization, and I think that anytime you know someone or can make a personal connection to another struggle, it's going to help to create solidarity between both yourself and whatever that other struggle is; but I think the key to that is to really take on your own education to understand what's really going on.

Sara: What responsibility do the Palestinians have in creating a peace? Please do not give the answer: "None, it's really Jews [who] have all the power." The Palestinian society has [had] many times to create a peace. In addition, Palestinians have been a pawn to the rest of the Arab world. Help me; I cannot believe that Israel is to be totally blamed for injustice.

Coya: Well, this is somebody currently living under occupation, and who has been for over five hundred years. I think that there is a lot to be learned in looking at what has happened to indigenous people here in the US. I think it is the best genocide plan ever created [that] started here, and so I think that when I look at what's going on in Palestine, you know, I can't make all the white people leave the US, but let's see what it's looks like to get Israel out of Palestine.

(Applause)

Woman: In bringing it here to the United States, how do we best challenge mainstream media and public school curriculum to not focus on religious extremists and not perpetuate the colonial histories of the United States?

Coya: Um, I think in general what we're doing right here, and again I go back what I say again and again, that I think you have to be really intentional about learning and knowing and then part of that is the flip side which is to act upon and also to engage your communities and the people that you hold close in these conversations because I... even for me it is continuously difficult because as a collective, when we take a stand on Palestine, we have had people say to us "so you're good with people blowing up busses" and we have to directly engage those types of comments and dispel those kinds of myths and to say that it's not okay to equate a people's resistance to terrorism. Those two are not the same, and I think that is key...

(Applause)

Sara: Can the panel speak to the power of Christian Zionists and why Israeli leaders are connected to them?

Coya: I just really want to add that I also think there is a level of racism, of fundamentalism and racism, that's tied up with that because we're looking at two groups that are historically pretty white [and] male talking about a[nother] population...

1. This text is the result of combining a prepared transcript from Coya White Hat-Artichoker and the transcription [made by Kennesaw State University student Robert Shoemaker] of video from the night the talk was delivered. The combination of these texts was made by the editors to best reflect the spirit and detail of the talk given the night of February 8, 2011 in the Twin Cities, on the Never Again for Anyone Tour, featuring anti-Zionist Holocaust survivor Hajo Meyer, details of which can be seen at: <http://www.neveragainforanyone.com>.

Stop the JNF

...Stop Greenwashing Apartheid

[Stop the JNF](http://www.stopthejnf.org) is an international campaign aimed at ending the role of the Jewish National Fund – Keren Kayemet Lelsrael (JNF-KKL) in:

- the on-going displacement of indigenous Palestinians from their land,
- the theft of their property,
- the funding of historic and present day colonies, and
- the destruction of the natural environment.



The JNF fundraises for Israeli ethnic cleansing, occupation and apartheid. Yet, **the JNF and its affiliate organizations enjoy charitable status in over 50 countries.**

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- **Revoke the charity status of the JNF in your country**
- **Break all ties with the JNF**
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- **Organize the Stop the JNF campaign in your city or region**

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Plant-a-Tree in Palestine

Please honor special occasions, significant dates, holidays, and loved ones by [planting a tree in Palestine](#).

The Plant-a-Tree in Palestine project is a joint project of the [Middle East Children's Alliance](#), the [Palestinian Grassroots Anti-Apartheid Wall Campaign](#) (Stop the Wall), the [Palestinian Farmers Union](#), and the [International Jewish Anti-Zionist Network](#).



The project is part of [the Stop the JNF campaign](#). It is not possible to replace what is lost when people are displaced, land and a way of life is destroyed, 1,000 year old olive trees uprooted. In Palestine scores of 2,000-year-old cities and historical sites are buried under JNF planted forests and parks. Rebuilding and replanting are acts of daily resistance in Palestine.

This project seeks to support the on-going struggle of Palestinians to sustain and rebuild by providing resources for villages to plant trees that are indigenous to Palestine's natural environment and agricultural life.

Over time, the project will expand to collect funds for gardens in schools, playgrounds and community spaces that the JNF and State of Israel have also attempted to destroy.



JNF eBook Volume 5: *Challenging JNF's Standing with Inter-governmental and Corporate Organizations*

Call for Contributions

The JNF e-Books Series (<http://www.jnfebook.net/>), is accepting contributions for a 5th Volume in this series which will be edited by Prof Uri Davis and dedicated to challenging JNF's standing with inter-governmental and corporate organizations, including the UN, the EU, the IALC (International Arid Land Consortium), McKinsey & Co (consultant to the JNF on "Blueprint Negev"), Qatari Diar/Massar/Bayti real estate investment company (recipient of JNF tree donation) and more. JNF e-Book Volume 5 is published by Corporate Watch. (www.corporatewatch.org)

The JNF e-Book series hopes to contribute to the ongoing challenge of divesting the JNF of its charitable status and nullifying its tax exempt privileged, cancelling its standing with the UN and elsewhere, and declaring it to be an illegal organization under liberal and democratic constitutions.

For this JNF e-Book Vol. 5 we seek contributions of any length and style that explore and identify such legal instruments in international and domestic law, UN charter, by-laws and resolutions and professional codes of ethics as may be employed towards this end.

The JNF is an apartheid instrument (for "Jews" only) working under the guise of promoting the environment. Registered in Israel under the JNF Law of 1952 and in the UK under English law in 1907, the JNF is covenanted (chartered) by the Government of the State of Israel inter-alia to "green-wash" the ethnic cleansing of Palestine and the exclusion of Palestinian Arab communities from 93% per cent of the territory of pre-1967 Israel (accessible with almost no exception on long-term leasehold of 49 years or multiplicity of 49 years to "Jews only") by developing forests and recreational facilities over the ruins of and over the lands of many of the 500 odd Palestinian Arab rural and other localities whose people have been ethnically cleansed and internally displaced in the course of and in the wake of the 1948-49 war.

In other words, the JNF is complicity with apartheid Israel in the perpetration of the crime against humanity of the ethnic cleansing of Palestine and the apartheid crime of exclusion in law of "non-Jews," notably Palestinian Arabs from 93 per cent of the territory of pre-1967 Israel, namely, denying "non-Jews", notably Palestinian Arabs, access to 93 per cent of the territory of pre-1967 Israel on an equal footing to "Jews".

Over decades the guise of promoting the environment has effectively veiled JNF's complicity with the said crime against humanity and the crime of apartheid. The guise and the veil made it possible for the JNF to obtain charitable registration and tax exemption privileges in dozens of member state of the UN, as well as obtain official standing with the UN, other inter-governmental organizations and various corporate bodies.

For more information, or to submit work for consideration, please contact issue editor, Prof. Uri Davis at uridavis@actcom.co.il and assistant editor Mortaza Sahibzada at mozsahib@yahoo.co.uk

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Professor Dr Uri Davis is an anti-Zionist Palestinian Hebrew of Jewish origin, citizen of the alleged constitutional monarchy of the UK and of the apartheid State of Israel, born in Jerusalem in 1943. He has been at the forefront of the defence of human rights in Israel, notably Palestinian rights, since 1965 and has pioneered critical research on Zionism and the State of Israel since the mid-1970. He has published extensively in these fields, including Israel: An Apartheid State (Zed Books, London 1987 & 1990; abridged edition, MRN, Laudium, 2001); (associate author with Walter Lehn, author), The Jewish National Fund. Kegan Paul International, London and New York, 1988; Citizenship and the State: Comparative Study of Citizenship Legislation in Israel, Jordan, Palestine, Syria and Lebanon (Ithaca Press, Reading, 1997); Citizenship and the State in the Middle East: Approaches and Applications (co-ed) (Syracuse University Press, 2000) and most recently Apartheid Israel: Possibilities for the Struggle Within (Zed Books, London, 2003); (with Ricky Romain), A Secular Anti-Zionist COMPANION of an Abridged Passover Haggadah (forthcoming IJAN).

Dr Mortaza Sahibzada is a freelance researcher with an academic background in biochemical engineering. Dr Sahibzada has been a Community Action Project leader (Bath), a non-executive director of Third World First (Oxford), a member of the Scottish Palestine Solidarity Campaign (Edinburgh), a co-organiser of the Scottish Palestinian Forum conference “Israel/Palestine: Lessons from History,” a convenor of the London branch of the International Solidarity Movement, a nonexecutive director of Open Bethlehem, editor of Islamic Internationalist, and is a member of the Muslim Council of Britain Research and Documentation Committee. He is the founding editor of the JNF eBook Series.

13. *Afterword:* **The Jewish National Fund and the contradictions of Zionism**

By: Joel Kovel

The land must not be sold permanently, because the land is mine and you reside in my land as foreigners and strangers. Throughout the land that you hold as a possession, you must provide for the redemption of the land.
Leviticus 25: 23-24.

Our peat is Zionist peat. Our peat will not do damage.ⁱ

The statement was made by a Jewish National Fund hydrologist remonstrating with a Dutch consultant who had warned that the peat in the ground could undermine an Israeli drainage project of the 1950s. He could just as well have said that the peat, like the rest of *Eretz Yisroel*, had not acquired its harmlessness from nature but because it had been “redeemed” by Zionist struggle, as YHWH had demanded in *Leviticus*, the third book of the Torah. Significantly, he could have said this without being at all religious. Nor would this have been accidental or random, for the Zionist project was a twofold rebellion of Jewish men and women--against their estrangement within Europe and the felt constraints of traditional Judaism. The ancestral faith may have made sense during the long night of ghettoized Judaism but was perceived by many as a distinct fetter in the Brave New World to which Zionism aspired.

“Redemption” is one of those atavisms that have carried over from the religious world-view into a secular context. It allows for a spiritual impulse to have meaning and justification while still staying in step with the march of progress. But there are complications, because the word condenses into itself two complex layers of meaning that fit together much better in the mind than in the real world. To quote the dictionary, redemption can mean:

- the action of saving or being saved from sin, error, or evil, as in *God's plans for the redemption of his world*; or
- the action of regaining or gaining possession of something in exchange for payment, or clearing a debt.

Since when does gaining possession through payment of money (for example, using Rothschild money to buy property from absentee Ottoman landlords in Palestine and driving out the fellahin) save one from sin, error, or evil? Only by invoking illusion, of a Godlike, pseudo-transcendent force supervising the process, submerging doubt and blame in a higher absolutism. Only, that is, by importing the absolute of monotheism into a

worldly domain. Only, that is, under the conditions of idolatry. This is no redemption, but the tyranny of religion without its universality, indeed, precisely without redemptive powers.

The conquest of Palestine by Zionism entailed all of these processes. Its context was settler-colonialism, involving a severe displacement from a world familiar yet loathed to one strange yet desired with utopian fervor. For European Jews immemorially cut-off from the land and crowded into urban spaces, this could be expressed as a relation to “nature” as prime signifier of the object of desire—the Promised Land. And so the redemption of nature became the way of legitimating the transgressions of settler-colonialism.

Hence a back-to-nature impulse has been inherent in Zionism. It became a way for Jews to cast off the ghetto while envisioning the Holy Land as an actual land, to be seized and cultivated by free Jewish labor. Steven Schwarzschild has written, “the resumed love affair with nature [had to appeal] to the widest conceivable circles.” A.D. Gordon, the great ideologue of Labor Zionism, put it this way: “and when, oh man, you will return to Nature, . . . you will know that you have returned to yourself; . . . when you hid from nature you hid from yourself,” whereas in the past “the Jewish people has been completely cut off from nature and imprisoned within city walls these 2000 years.”ⁱⁱ

Of course, nature could prove difficult to tame, with deserts, mountains, and the like. But the Zionists, the new and transformed Jews, believed they could conquer all and redeem all. Actually, not quite conquer *and* redeem all, once the symbolic order became extended, as the demands of racism required, to the people in the way: Palestinians, “the rocks of Judaea, obstacles that had to be cleared on a difficult path,” as Chaim Weizmann had observed in 1919. For these, conquest by force would have to become the main requirement, while redemption became endlessly deferred through the installation of an Apartheid system and perpetual ethnic cleansing.

As conquest through force and not just purchase became the rule, it configured the language of nature’s redemption. By 1944, as the moment of the Jewish State approached, David Ben-Gurion gave a famous speech to a gathering of youth leaders: “the tasks that lie ahead will require pioneering efforts the likes of which we have never known, for we must conquer and fructify the waste places . . . and we must prepare the way for new immigrants . . . we must conquer the sea and the desert, for these will provide us with room for new settlers and will serve as a laboratory for the development of new forms of economic and agricultural endeavor.” In a word, the IDF had arrived, and force reigned.

Dreams require means of materialization, and even bureaucracies, if they are to take actual form. Throughout the history from 1901 until the present, the Jewish National Fund has been the mediation of the symbolic regime into the practical one, of “redeeming” the land through purchase, of making sure it is to be held in perpetuity for Jews and Jews alone, of “making the desert bloom” as ideology required, of planting pine forests all over and especially covering what used to be Palestinian villages, of keeping

the adoring eyes of the Diaspora turned away from the clearing away of the Palestinian “rocks” in order to build the Zionist “miracle”; and last but certainly not least, a theme woven into all of the above, of making a goodly amount of money in the doing. The spirit was unselfconsciously expressed by a JNF pioneer in Tal’s book: “we had to grab as much as we could and create facts.” (p. 99)

It is a complicated tale, with twists and turns, intricate crossovers between the state and private sector, many ecological subplots as to which trees get planted, which pesticides used, which environmental faction would prevail, and how to cover up the shenanigans, compromises, crises, and disasters as would attend so profoundly flawed and hypocritical a venture. The articles of this collection have offered an excellent vantage on the unfolding of the JNF and its fortunes and misfortunes, right up to the present day. Most importantly, they map out a new and transformative moment and constitute an intervention in the struggle, in which, after a century of Palestinian struggle, people of good will are coming to grips with the wrong turn taken when the Zionists stumbled into modernity and built destructive institutions under the guise of redemption.

ⁱ From Alon Tal, *Pollution in a Promised Land* (Berkeley: University of California Press, 2002) p. 97. Though limited by a basic sympathy toward Zionism, Tal’s study is the best critical account of Israel and its environment that I know of.

ⁱⁱ In Martin D. Yaffe, ed., *Judaism and Environmental Ethics* (Lanham, MD: Lexington Books, 2001) p. 276.

I. Moshav Yishi: An Arab-Free Environment

JNF-complicit real estate venture (webpage taken down 2010)

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Are you interested in a 2 acre housing lot in an orthodox community where streets are closed on Shabbos? (2 acres = 12 tennis courts including the red area).

Do you want American neighbors and immediate access to Bet Shemesh and Ramat Bet Shemesh schools, health and community services, clubs, recreation, and social activities?

Do you appreciate living within easy walking distance of a national forest, rolling farmland, resevoirs, terrific views, and other places of natural beauty?

Would you like a private pool, tennis court, equestrian facilities, gardens, lawns, and room enough to feel genuinely relaxed on your own property?

Does an Arab-free environment sound appealing? Yishi is miles inside the green line and even further from the nearest Arab settlement.

Moshav Yishi offers a lifestyle option available nowhere else in Israel: To be one of the very lucky, very few, to enter the Promised Land... and actually get the Land! Whether you delight in hobby aggriculture and the mitzvot of Eretz Yisrael or simply want the feeling of expansiveness and freedom no city can offer, Yishi is a delightful place to be. As more and more Americans move in, as more and more of Yishi is reinvigorated and rebuilt, Yishi will become more and more delightful a community to call home. Unfortunately it's not yet available for the whole nation, but for a fortunate few, "Yishi" will be exactly that - "my Salvation". A place in Israel that comes as dreamed, no concessions, no compromise.

[Via: Wayback Machine]

II. David Cameron – Second Letter

David Cameron

10 Downing Street
London SW1A 2AA

15 May 2011

Dear Prime Minister,

Open Letter: Criminal Activities of the Jewish National Fund (JNF)

You have not responded as promised to an earlier letter, which is reprinted for reference in section IV of the JNF eBook Vol 3 (www.jnfebook.net).

Please find attached our two-page BRITISH PARK FACTSHEET. This provides an example of war crimes committed against the Palestinian people in which the UK branch of the JNF is complicit. The JNF continues to engage in crimes.

We remind you that you remain a patron of this organisation. We advise your resignation as patron as a matter of urgency, in order that you are not further implicated in legal proceedings relating to JNF crimes.

Sincerely,

Mortaza Sahibzada

On behalf of the Stop the JNF campaign www.stopthejnf.org

III. The JNF British Park: Stop the JNF Campaign



THE JNF BRITISH PARK - *planted over the ruins of two forcibly depopulated Palestinian villages, Ajjur & Zakariyya*

In 1948 the Jewish National Fund (JNF) helped to plan the ethnic cleansing of about 500 villages in Palestine, an event known to the Palestinian people as the Nakba. In international law, these were war crimes, specifically *forced population transfer*.

After the Nakba, the JNF continued to violate international law by expropriating lands of Palestinian refugees and planting forests and parks over the ruins of their villages. In the 1950s, the JNF's UK branch funded the planting of the 'British Park' over the ruins of two forcibly depopulated Palestinian villages, Ajjur and Zakariyya.

Although the JNF presents itself as an environmental organization, in fact the JNF works to exclude the Palestinian people from their land and develop segregated Jewish communities. For example, the Jewish agricultural settlement of Moshav Zecharia now sits on lands that belonged to the Palestinian village of Zakariyya.



*"A gift of the Jewish National Fund of Great Britain"
(Signpost at the entrance of the British Park)*



The first picture on the left shows the ruins of a Palestinian home – and a JNF picnic area.

The second picture is of a JNF sign about 'The Ajjur Olive Trees' – there is no mention of the Palestinians who planted those trees.

Stop the JNF Campaign – www.stopthejnf.org – info@stopthejnf.org

Ajjur (District of Hebron)

Before 1948

Distance from district center: 24km NW of Hebron
Population: 2,917 (in 1931); 3,730 (in 1945)
Number of houses: 566 (in 1931)
Schools: *The village had two schools*
Religious institutions: *Ajjur had two mosques, one was an old mosque which was built during the Fatimid period, the other was built during the British Mandate period*
Shrines/maqams: *Ajjur contained four shrines within its borders*
Archeological sites: *Ajjur was the site of the battle of Ajnadin (AD 634), in which the Muslim Arabs triumphed over the Byzantines; it contains 22 other archaeological sites*
Land ownership/dunums: 44,771 (private), 13,303 (public)

After 1948

Israeli occupation date: *July 23-24, 1948*
Israeli military operation: *Operation Yo'av*
Israeli attacking brigade: *Fourth Battalion of Giv'ati Brigade*
Village defenders: *Egyptian Muslim Brotherhoods, local Palestinian militias and some Arab Liberation Army volunteers*
Ethnically cleansing: *Ajjur inhabitants were completely ethnically cleansed*
Village remains: *Ajjur was mostly destroyed, three houses remain standing to this date*
Israeli settlements: *Moshav Ajjur (established 1950), Agur, Tzafririm, Giv'at Yesh'ayahu, Li-On (established 1960, now renamed Saraigi) & Tirosh*

Zakariyya (District of Hebron)

Before 1948

Distance from district center: 25 km NW of Hebron
Population: 742 (in 1931); 1,180 (in 1945)
Number of houses: 189 (in 1931)
Religious institutions: *One mosque (still standing)*
Town's name in history: *Zakariyya was known to the Romans as Caper Zacharia*
Archeological sites: *According to the Bible David fought Goliath at Tall Zakariyya*
Land ownership/dunums: 15,311 (private, of which 7,484 cultivable)

After 1948

Israeli occupation date: *October 23, 1948*
Israeli military operation: *Operation ha-Har or Operation Yo'av*
Israeli attacking brigade: *Possibly Fourth Battalion of Giv'ati Brigade*
Village defenders: *Egyptian Muslim Brotherhoods, local Palestinian militias and some Arab Liberation Army volunteers*
Ethnically cleansing: *Zakariyya was completely ethnically cleansed on June 9, 1950 based on the orders of Yosef Weitz, the JNF's head of settlements*
Village remains: *Zakariyya was partially destroyed, the remaining houses and mosque became the property of the JNF and the State of Israel*
Israeli settlements: *Moshav/Beit Zecharia (and possibly Beit Shamesh)*

Join the Stop the JNF Campaign:
gb@stopthejnf.org

Stop the JNF Campaign – www.stopthejnf.org – info@stopthejnf.org

IV. Philadelphia Protest Against JNF Poker Tournament

FOR IMMEDIATE RELEASE

May 4, 2011

Philadelphians Protest Jewish National Fund's Poker Tournament Fundraiser

More than two dozen local residents gathered outside Del Frisco's restaurant in Center City on Wednesday evening for a noisy picket of the Jewish National Fund's "Philadelphia Poker & Blackjack Tournament." Proceeds from the annual fundraising event, which is co-sponsored by prominent Philadelphia corporations and firms, support the Jewish National Fund's activities in Israel. The protesters oppose the organization's treatment of Palestinian land and people.

As the poker players arrived at the restaurant on the corner of 15 th and Chestnut Streets, they were greeted by a vocal picket line denouncing the JNF's role in the ongoing destruction of Palestinian villages. Carrying signs reading "Land Theft is Not Charity," the protesters took aim at the JNF's status as a charity that pays no taxes under U.S. law. "It's absurd that an organization involved in ethnic cleansing gets to count as a charity," said Susan Landau, who took part in the protest. "Why are American taxpayers subsidizing an organization whose mission is to support land acquisition for one ethnic group only? I'm Jewish, it's my ethnic group, but I don't support what they do."

"The JNF is at the heart of Israel's ongoing dispossession of Palestinians from their land," said Elliott batTzedek, another picketer. "For over 60 years, the JNF has been destroying Palestinian homes and villages. They cover up the destruction by planting forests over the ruins and calling them parks. One village in the Negev desert has been leveled over a dozen times in the last year to make room for a JNF forest."

Founded in 1901, the Jewish National Fund originally collected money from Jews throughout the world to "redeem the land of Israel" by purchasing land in Palestine. Since the founding of the State of Israel in 1948, the JNF has raised tens of millions of dollars for planting trees in Israel, many of which are planted on the ruins of demolished

Palestinian Arab villages. For example, after the Israeli army's 1967 capture of the Palestinian village of Imwas – which was the town of Emmaus in Biblical times – the population was forcibly expelled and the town was bulldozed. The Jewish National Fund's "Canada Park" was built over the ruins.

The protesters said that much of the land controlled by the JNF was never actually purchased at all. "After 1948, the Israelis didn't have to buy land, the state just took it and then sold it to the JNF," explained batTzedek. "Under Israeli law, any land that comes under the control of the Jewish National Fund then becomes available only to Jews forever. So while Israel claims to be a democracy that respects equality and justice, in fact more than 90 percent of its land is inaccessible to Palestinians, who make up more than 20 percent of the population in Israel."

"The JNF wants to be thought of as an environmental organization, but what they planted were non-native trees that actually hurt the natural environment," noted Landau. "A long time ago, I believed the Jewish National Fund did good things. I hope some of the people who came to play poker tonight will eventually understand that the JNF exists in order to maintain an apartheid system in Israel and Palestine."

Some of the poker players seemed disturbed by the protest. A few stopped to argue, with a few using epithets. One man denounced the picketers as "Nazis." Most paused briefly to watch and listen before entering the restaurant for an evening of festivities and high rolling.

Outside, the protesters distributed postcards explaining their action and continued their chant: "Dirty money, dirty dealing: Palestine is what you're stealing!"

V. Ismail Zayid 70s correspondence:



Herschorn honoured by Jewish fund

By HATTIE DENSMORE
Staff Reporter

Peter Herschorn, of Halifax, co-owner of the Lord Nelson Hotel and well-known community worker was honoured last night by the Jewish National Fund (JNF) at a Negev Testimonial Dinner held at the hotel.

He becomes the 11th Haligonian to be honored by the JNF, the oldest institution in existence dedicated to the upbuilding of the Jewish homeland.

Guest speaker was David
See HERSCHORN page 2

Herschorn honoured

(Continued from page one)

Crombie, PC, newly elected MP for Rosedale-Toronto, and formerly mayor of Toronto.

Mr. Crombie told the close to 450 guests in attendance: "It is important to choose wisely that which you support, because this defines what you are."

He said "choosing the right goodness to participate in, makes you a more humane person."

"A person is identified by what they believe in, what they belong to, and how they behave, which is the real secret of living."

He praised Mr. Herschorn for support of his own community in Halifax, "the community of Canada and the State of Israel."

Mr. Herschorn was presented with a plaque for his community service by his partner, Mitchell Franklin, of Halifax and Saint John, who was recently honored

by the Canadian Council of Christians and Jews.

Mr. Herschorn, a native of Halifax, is past regional chairman of the JNF in Canada. He was instrumental in inaugurating the sale of Israel Bonds in Halifax, and served as chairman of the Halifax-Israel bond campaign for a number of years.

The State of Israel has occupied a very special place in his life. He established the Martin Edward Herschorn Free Student Loan Fund at the Technion Institute. He set up a forest in Canada Park, the 7,500 acre recreation area between Jerusalem and Tel Aviv. Recently, he purchased a grove in honor of his three grandchildren, the children of his daughter Nancy and Menashe Cieplinski, of Mexico City.

Invocation was given by Rabbi Leo Heim and the toast to the Queen by Lieutenant Governor Clarence Gosse.

Greetings were given by Premier John Buchanan, Halifax Mayor Edmund Morris and Nathan Scott, of Montreal, national president of the JNF.

The testimonial was organized by Neil Franklin and Mrs. Max Forman, both of Halifax.

PETER HERSCHORN, of Halifax, well-known Maritime businessman and supporter of the Jewish National Fund, was honoured by that organization at a Negev Testimonial dinner held in Halifax last night. Mr. Herschorn, second from left, is shown with Lieutenant-Governor Clarence Gosse, left; Neil Franklin, of Halifax organizer of the dinner and Nova Scotia chairman of the fund, and Nathan Scott, of Montreal, national president of the fund. Mr. Herschorn is the 11th Nova Scotian to be honored by a Negev dinner in Halifax.

(Wamboldt-Waterfield)

The Chronicle Herald Dec. 4, 1978

45 Birkdale Crescent
Halifax, Nova Scotia
B3M 1H4
December 7, 1978

His Honour
The Lieutenant Governor of Nova Scotia
Dr. Clarence Gosse
Government House
1451 Barrington Street
Halifax, Nova Scotia

Sir,

I read with disappointment and surprise that Your Honour chose, unwittingly I am certain, to allow your good name to be lent for the use of Zionist propaganda at the "Negev Testimonial Dinner", where Mr. Herschorn was "honoured" by the "Jewish National Fund", (The Chronicle Herald, December 4, 1978).

One of the main acts for which Mr. Herschorn is "honoured" was the setting up of a forest in "Canada Park". It might be of interest to Your Honour to know that this so-called "Canada Park" was set up by Canadian tax-deductible dollars on land stolen from others and on the ruins of the villages of Emmaus, Yalu and Beit Nuba. These three villages in the West Bank of the Jordan were systematically dynamited, and bulldozed by Israeli soldiers after the war of June 1967. The inhabitants of these villages, including myself and my family, were forcibly evicted from their homes and villages which were erased from the face of the earth, in clear violation of the Fourth Geneva Convention, to which our Canadian Government is a signatory. Such acts have been universally condemned as illegal and in violation of international law and as manifestations of the most abhorrent inhumanity and brutality. Many of the inhabitants of these villages, over 12,000 people, are rotting in refugee camps, while Mr. Herschorn and his Zionist friends erect playgrounds, on their land and the ruins of their homes

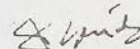
The "humanity" Mr. Crombie spoke of entails this callous creation of recreation centres on the ruins of other peoples' homes, at the very site, in Emmaus, where once Jesus of Nazareth, unrecognised by his disciples after His resurrection, broke bread with them and blessed them so that "their eyes were opened and they knew Him".

/2

The Honourable Dr. Clarence Gosse
The Lieutenant Governor of Nova Scotia
December 7, 1978

Zionist callous disregard to all human values is not a new phenomenon, but to "honour" such acts using the good names of Your Honour and others is an affront to all Canadians who care for true humanity.

I am, Your Honour,
Yours very truly,



I. Zayid, M.D.

IZ:mm



GOVERNMENT HOUSE
HALIFAX, NOVA SCOTIA
B3J 1Z2

December 8th, 1978

Dr. I. Zayid
45 Birkdale Crescent
Halifax, Nova Scotia
B3M 1H4

Dear Dr. Zayid:

Thank you for your letter of December 7th regarding my name being lent for "the use of Zionist propaganda" at the Negev Testimonial Dinner.

I'm sure you realize that there are many such things that occur in the province over the years which single out certain groups which may have the disagreement of other groups. Canada, of course, is made up of many people of different backgrounds and different views and it is almost impossible to attend any such dinners without offending someone.

I realize, however, your point is a very good one and you have made your view extremely clear.

I must say in this instance I was for many years a neighbour of Mr. Herschorn and it was because of him, personally, that I attended the dinner in his honour.

I'm sorry if I have offended you, but I can assure you that I regard you and others of your nationality with warm and equal regard to any other member of our Canadian communities. I had hoped that over my years in office that I involved myself with all nationalities to as equal an extent as possible and tried not to show any bias to any one particular group.

I trust you are enjoying your life in Nova Scotia and I hear excellent things about your work in your field for which, of course, I have an equal warmth and concern.

With my best wishes for a happy personal greeting for the coming season and New Year.

Yours sincerely,

Clarence L. Gosse, M.D.

VI. Early Day Motion: UK Parliament

UK Government Motion 1677 re: Jewish National Fund (“JNF”) Racism

<http://www.publications.parliament.uk/pa/cm/cmedm/110401e01.htm>

Prepared and submitted by: Michael Kalmanovitz

1677 JEWISH NATIONAL FUND

30:3:11

Jeremy Corbyn
Sir Gerald Kaufman
Mrs Linda Riordan
Martin Caton
John McDonnell
Paul Flynn

* 6

That this House welcomes the Stop the Jewish National Fund (JNF) Campaign launched on 30 March 2011 by the Palestinian Boycott National Committee, the International Jewish Anti-Zionist Network, Scottish Palestine Solidarity Campaign and others to inform the public about the JNF - Karen Kayemet L'Yisrael, its ongoing illegal expropriation of Palestinian land, concealing of destroyed Palestinian villages beneath parks and forests, and prevention of refugees from returning to their homes; notes that the JNF's constitution is explicitly discriminatory by stating that land and property will never be rented, leased or sold to non-Jews; further notes that the UN rejected the JNF USA's application for consultative status with the Economic and Social Council on the ground that it violates the principles of the UN Charter on Human Rights; regrets that the Prime Minister is a JNF honorary patron; and believes that there is just cause to consider revocation of the JNF's charitable status in the UK.

VII. Notes on JNF Contraventions of UK charity law in relation to public benefit and environmental protection

Prepared by: Mortaza Sahibzada, 7 March 2011

Charity Commission's General Guidance on Public Benefit (2008): Contraventions of Section E4 (L) by the JNF Charitable Trust

This relates to the work of the JNF Charitable Trust, both Inside and Outside of the Green Line demarcated after the Declaration of the State of Israel in 1948 and the Armistice Agreements of 1949. The JNF's work affects two broad populations of people (hereafter Pop1 and Pop2):

Pop1. Palestinians/Bedouins – all of whom are natives of pre-1948 Palestine and their descendents; most of whom are Arabic-speaking Muslims; many of whom are resident Inside; many of whom are stateless persons Outside.

Pop2. Jews – most of whom are post-1948 immigrants and their descendents; most of whom are Hebrew-speaking; many of whom are resident Inside; many of whom are settlers and soldiers Outside.

It should be noted that, Inside, Pop1 has a significantly lower socio-economic status than Pop2. Additionally, Pop2 is privileged over Pop1 by racially discriminatory state laws.

It should be noted that, Outside, Pop1 is subject to colonial occupation and regular racial assault by Pop2 settlers and soldiers.

"Benefits must be balanced against any detriment or harm... If the detrimental or harmful consequences are greater than the benefits, the overall result is that the organisation would not be charitable." – Section E4(L)

The JNF's work predominantly causes detriment and harm to Pop1, i.e. the detrimental and harmful consequences are mostly borne by Pop1. The benefits are predominantly accrued by Pop2. This compounds the already disadvantaged position of Pop1 in relation to Pop2 noted above.

"...something that is damaging to the environment... dangerous or damaging to mental or physical health... encourages or promotes violence or hatred towards others... unlawfully restricting a person's freedom." – Section E4(L)

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