

The Jewish National Fund, the Praver-Plan in Negev, citizenship in a settler colonial state and the struggle for the land

Introduction

- As the title indicates, I will speak in the next thirty minutes about land as the cornerstone of the Zionist settler colonialism in Palestine, focusing on the recent practices of the system against the Palestinian Bedouins residents of the desert side of Palestine, called al-Naqb which constitutes the largest district in Palestine occupied in 48.
- Discussion points will be:
[Slide of point of discussion]
- Speaking of Israel as a settler colonial state, is not taken for granted I'm afraid, especially in the context of Palestine 48'. Usually, this argument is discussed in the context of Palestine occupied in 67', which constitute a repetition of the same practices and colonial rationales that Palestine 48' experienced and still. Thus, speaking in a conference on the 'ONE STATE', makes it more important to clarify this as the starting point in my discussion on Palestine occupied in 48, regardless of citizenship or whatsoever categories Israel has been producing for the 65 years.

Palestinians in 48'

To begin with, summary of ownership in Palestine

[Slide of land ownership]

[Map]

In the first two decades, the Palestinians 'citizens of Israel' lost between 40% and 60% of their land.

- Sovereignty without land control, was not possible as territoriality is the main pillar in settler colonialism to construct itself. Thus, the first two decades were crucial to reach this goal: seizing and nationalizing the land.
- Israel imposed Military Regime on the Palestinians between 1948-1966, as an immediate step to contain any political reaction and to seize Palestinian land ownership, mainly through 'emergency regulation' – where the law suspends itself, no civil rights, some human rights would be conditioned and so forth – mainly through British colonial regulating in Palestine.
- Land was crucial to start applying the basic rational of settler colonialism, which is deconstruction of the old world, as a condition for reconstruction of the new.

[Quote by Herzl on deconstruction reconstruction]

[Slide on the structure]

- However, the establishment of Israel as the settler colonial project in Palestine is not merely an event but rather it is a structure that needed to be maintained. So the takeover of land was not the end point. It needed to subordinate its Palestinian subjects, their historical land rights and their right of political sovereignty.
- Therefore turned them to citizens, meaning to include them within its political sovereignty and jurisdiction in order to exclude them from these historical rights as indigenous people. So, our land and sovereignty was not dispossessed despite of the Israeli citizenship, but because of it.

[Slide – Quote from court: CA 6698/95 Ka'adan v. Israel Land Authority:]

- Liberalism, rule of law, equality for all and minority group, were all deployed for the subordination of the Palestinians to Zionist ideology of the superiority of the Jewish people as the only political sovereign of Palestine. That is rooted inscribed within the legal system and it constitutes its starting point, and that's shows the limitation of our legal struggle and the organic contradiction that this sort of struggle have.

The example of al-Naqab is a great one to show how those ratinals and politics were applied in Palestine.

Dispossession of al-Naqab

- Al-Naqab is the largest district of Palestine, it's the desert side and it's been inhabited by Bediouns tribes since at least the 7th century. Only 12% of the Arab population of al-Naqab remained in the area. Today this population numbers around 205,000 residents.
- In al-Naqb the displacement and dispossession of land took place in three stages. First, during the military regime, and later on starting the end of the sixties until this very day. However, the next five years will witness a third wave of displacement as planned by the Prayer plan/Begin Law.
- The result of al-Nakba, was the displacement of most of the Bedouins beyond the 'borders of Israel'. During the military regime, the Israeli government displaced most of the remained Bedouin tribes of al Naqab from their original land and concentrated them in an area called as 'asiyag/fence. At the same time, land outside of the Siyag was declared a closed military zone to which the Bedouin tribes were forbidden entry in order to prevent them from returning to their land.
- Since they first resided in al-Naqab, the Bedouin tribes practiced a traditional agricultural lifestyle, and it used to be their main economy before al-Nakba. area' – a poor soil difficult for cultivation and herding. The rational behind this.

- The second step in the late 1950s, the Government of Israel began the process of drafting several plans to concentrate them in residential areas within the siyag and bring the 'Bedioun' Problem. The main rational was: minimizing the area of land inhabited by the Bedouin and to register their ancestral land in the name of the state.
- The government began implementing these plans in 1969, when it started to establish seven towns for the Bedouin. The combined area of all the recognized Arab Bedouin villages in the Naqab amounts to just 1% of the total area of the District of Beer el-Sabe. Containing about half of the Bedouins population, 85% of those are 48' internally-displaced.
- While the rest, which constitute about 90,000 Bediouns didn't move and most of them because they are living in their historical land within al-Siyag land and refuse to evacuate it, thus they are living in the so called "unrecognized villages" – lack of all services. [35 unrecognized/10 recognized but not really]
- What is the role of the legal system here? What was its contribution to this dispossession?

Legal Orientalism

- al-Naqab was the easiest place from the perspective of the Zionist movement as a settler colonial ideology to apply the 'empty land' rational, why? Because they are Bedouins, nomads, desert, tents, camels... he/she are not civilized so they won't even mind to be moved from one place to another. Moreover, they need the assistance of the colonizer of to be modernized. The court itself used this orientalist discourse and legalized the dispossession.

[Quote from Court Avitan]

- The liberal system works on producing ontology that presents the Indigenous - the Palestinian not as an excluded subject of the colonial system, but rather as a 'problem'. The problem of the 'Bedouin' in this case that he/she is 'trespassers'.
- However, by the 16th century, the population had begun to converge and settle at single locations, and by the 19th century had witnessed the construction of stone and other permanent buildings in their historic villages.
- This system didn't recognize the Bedouins old and solid system of tribal land law, which was inherited and respected by all seven main tribes in al-Naqab. It must be emphasized that both the Ottomans and the British, recognized the land costume of al-Naqab Bedouins and they paid taxes to those sovereigns in accordance to this land division.
- The Israeli legal system deployed the fact that there was no official title registration of the Bedouins ownership, refused to recognize these divisions, considering the Bedouins and their laws as primitive. That is why they are defined as trespassers=problem=need to be solved.

- For the Israeli authorities, those residents out of the seven townships constitute the main obstacle for solving the problem of the Bedouin. So, since the seventies, there is ongoing battle between the Israeli state and the 'problematic' Bedouins. Where different methods were used, including long and expensive legal procedures in regard to ownership. Major planning projects to establish Jewish settlements (many times called after the same village they are asking to evacuate its residents), industrial zones, commercial areas and national parks and forests taken mainly by the JNF.

JNF - Afforestation

- In addition to 'purchasing' land for exclusive Jewish use; one of the main colonial tasks of the JNF is afforestation. Planting trees on the ruins of destroyed villages in order to conceal the traces of the past and blocking the return of the inhabitants. Afforestation creates irreversible facts on the ground.
- It is through this allegedly 'non-violent' action of greening the space, planting a tree and flourishing the soil that the JNF disguised its colonial essence claiming to be an environmental organization.
- The green washing action of the JNF is backed up by the legal system which considered 'forestry' as a public interest crucial for the life quality of the people and settlement goals. Consider it as a priority upon people – Palestinians in this case.

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- Similar to other areas in Palestine occupied in 48, JNF afforestation targeted al-Naqab. First stage – during the Fifties and Sixties occurred along the green line/border areas. Second stage – maintenance and enlargement of forests. Third stage, starting the end of the 90s until this day and enlarging existing forests.
- Al-araqeeb, one of the unrecognized villages, displaced in 48. In 1998, following a plan to plant a forest in the land of the village, some of the historical owners of the village, living now in one of the townships, decided to return to the land (located out of the aiyag area) and prevent its afforestation. Living under inhuman conditions, and continuous fear of displacement. The poisoned spraying of their corps in 2003/2004.
- In 27/7/2010 the police and the JNF arrived to the village, demolished the houses and uprooted 4500 olive trees. Since then the village has been demolished 47 times, so the JNF build a forest there.
- In 2006 the JNF planted a forest which is called 'the ambassador forest' and 49 diplomats were invited to the opening ceremony. In 2009, cooperation between the JNF and an Anglican American TV channel was initiated to plant 1000 trees in the village.

[photos of al-Araqeeb]

- Afforestation is considered one of the methods used to push those residents out of their land. However, the resistance and the persistence of the people made it a very difficult task for the state and that's demanded a genuine and final solution.

Today - The Prayer Plan

- Trying to solve the problem, Israel initiated land-title settlement in early 1970s in al-Naqab. That took very long time and the state sought for fast and efficient solution to solve the "Bedouin" Problem. Thus, in December 2007, a first committee was established (the Goldberg) and other plans were developed leading to the current committee chaired by 'Prwer', which was initiated by the Prime Minister office.
- The main principle of this plan: No Bedouin title over land in the Naqab; compensation is merely a gesture of goodwill

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Mainly what the bill suggests:

- Authority to the prime minister to declare areas of land settlement within 5 years; by the end of the five years period, all disputed land will be registered as state land – clear of any resident or ownership or compensation claim.
- Compensation: land or money. [low compensation and no more the 50% of the value of parts of the disputed land. The land is not in the same nature of the land taken by the state] – compensation is conditioned of relinquishing any pending or potential rights in court.
- Strict enforcement mechanisms enacted by the administrative authority, including ejection orders, and the authority is permitted to employ 'reasonable force' backed up by the police.
- No authority to legal system to criticize or change the authority decisions, including home demolition and ejections, which can be enforced without legal permit.
- This plan, which now became a bill promoted by MK Begin waiting for voting in the Knesset in the next few months, after being conformed in the legislation committee on Monday this week. It means: bypassing/suspension of the law mainly property rights. That is emergency regulation, applying a special jurisdiction on a closed area and specific community.

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- To disguise this fact: the law was called 'Law for the Regulation of Bedouin Settlement in the Negev', THE BEDIOUN SETTLEMENTS in the 'state's

land'. Again: the concept of the Bedouin problem and the task of the state to deal with.

- The Praver plan will result in the displacement of more than 70,000 Palestinian Bedouin from their homes and villages, some of them for the second time, 35 villages will be destroyed
- I want to finish by this quote from the Begin document that was presented to the Knesset in order to promote the bill, expressing pure 'civilizing mission' of the Zionist movement. They start by saying: it is more convenient to leave them living on their land, However moving them to alternative location would: [SLIDE]